

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2022

Country report: Poland

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Research Project Report

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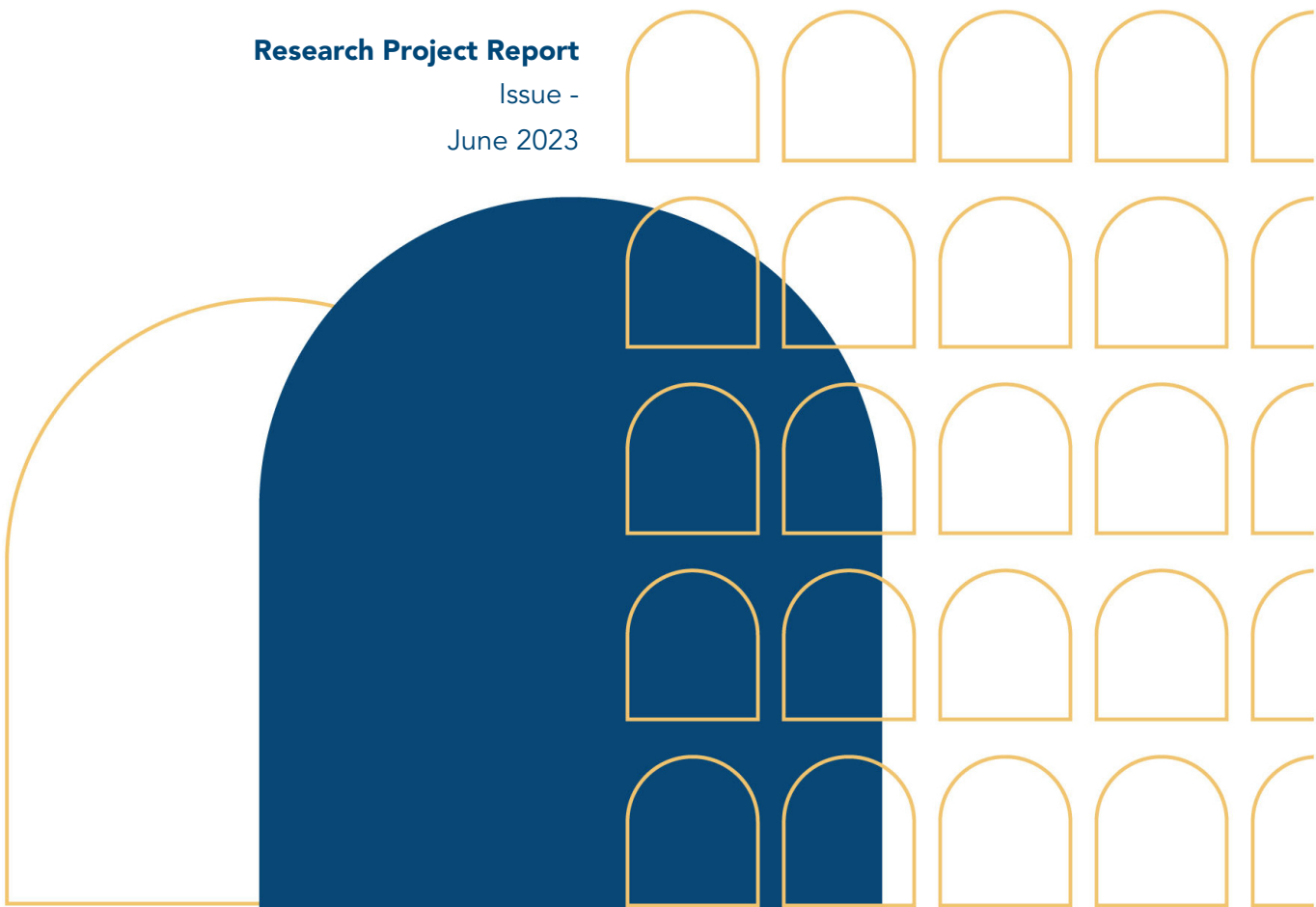


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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool that is designed to identify potential risks to media pluralism in the Member States of the European Union and in Candidate Countries. This narrative report has been produced on the basis of the implementation of the MPM that was carried out in 2022. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological notes

Authorship and Review

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire that was developed by the CMPF.

In Poland the CMPF partnered with Beata Klimkiewicz (University of Krakow), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

The Digital Dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digitally specific risk scores, and the report contains a specific analysis of the risks that related to the digital news environment.

The Calculation of Risk

The results for each thematic area and Indicator are presented on a scale from 0 to 100%.

Scores between 0% and 33%: low risk

Scores between 34% and 66%: medium risk

Scores between 67% and 100%: high risk

With regard to the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

Methodological Changes

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. For the MPM 2023, no major changes were made to the questionnaire, except for the Indicators Transparency of Media Ownership, Plurality in Digital Markets and Editorial Independence from Commercial and Owners Influence (Market Plurality area), and Protection Against Disinformation and Hate Speech (Social Inclusiveness area). The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at <http://cmpf.eui.eu/media-pluralism-monitor/>.

In the Market Plurality area, the names of three Indicators have changed. The former indicator on "News Media Concentration" is now named "Plurality of Media Providers"; "Online Platforms and Competition Enforcement" has been renamed as "Plurality in Digital Markets"; "Commercial & Owners' Influence Over Editorial Content" has been renamed as "Editorial Independence from Commercial and Owner Influence".

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2023 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2023, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

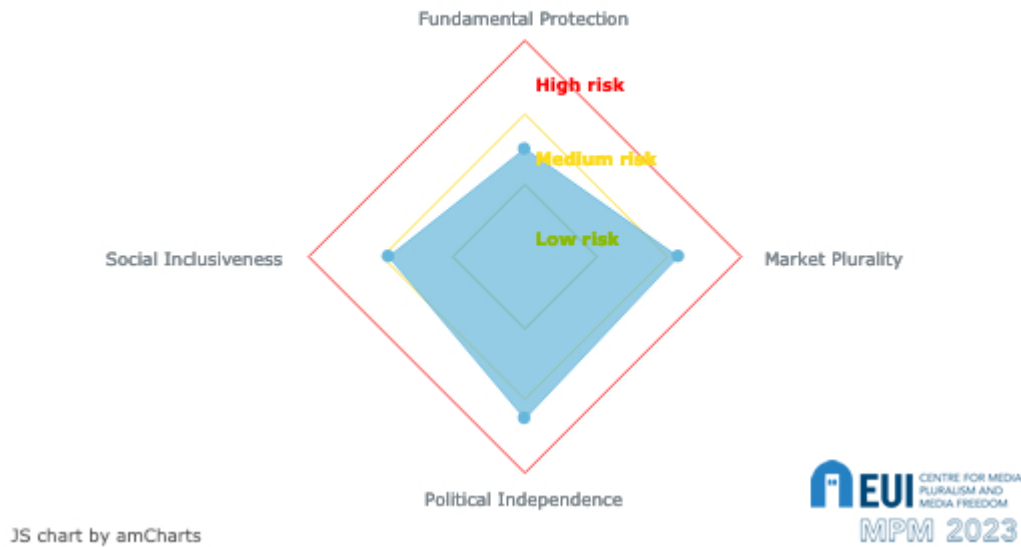
- **Population:** According to the Central Statistical Office (GUS) Poland's area of 312,685 square kilometers was inhabited by a population of 37.77 million in January 2023 (GUS, 2023 A). The country's population has constantly decreased since 2012, mainly due to a declining birth rate.
- **Languages:** The official language as recognized by the Polish Constitution is Polish (The Constitution of the Republic of Poland, Article 27).
- **Minorities:** A relatively homogenous ethnic and linguistic structure of the population in the past has been recently impacted by waves of migration. The state officially recognises nine national minorities, four ethnic groups, and one community using the regional language (Kashubian) (The 2005 Act on national and ethnic minorities and on the regional language). According to UNHCR, since 24 February 2022, 9,036,773 of Ukrainian refugees crossed the Polish border and 1,563,386 refugees from Ukraine registered for Temporary Protection or similar national protection scheme (UNHCR, 2023). Already before the war GUS estimated the population of Ukrainians at 1.351 million distinguishing them as the larger group of foreigners living in Poland (GUS, 2020).
- **Economic situation:** Since 2020, the economic situation has been less stable and predictable in Poland. In 2022, an increase of GDP reached 4.9% (GUS, 2023B). At the same time, the inflation rate in 2022 stood at 14.4% – the highest rate since 1997 (GUS, 2023C). A poll by IBRiS conducted in June 2022, showed that 31% Polish of households are cutting down on food spending and 26% plan to use less energy (Kość, 2022).
- **Political situation:** In 2022, no elections were held in Poland, and the next parliamentary election is scheduled for autumn 2023. The politics has been marked by a cumulative effect of various interrelated crises such as the economic fall-out from the pandemic, Russian war against Ukraine causing increase of fuel prices, disruption of supply chains and unprecedented increase of inflation rates. The European Commission has postponed Poland's first portion of funds from the EU's coronavirus recovery fund due to the judicial reform undermining rule of law. In 2023, the parliament adopted a bill that responds to the "milestones" agreed between Warsaw and Brussels. The bill shifts judicial disciplinary matters from the Disciplinary Chamber of the Supreme Court (being under the political influence of the government) to the Supreme Administrative Court, seen as more independent (Cienski, 2022). In February 2023, however, President Duda handed the bill over to the Constitutional Tribunal that will decide whether the legislation is compatible with the Polish Constitution. In March 2022 and February 2023 US President Joe Biden visited Poland reassuring the support for Ukraine and recognizing Poland's engagement as one of the main hubs for channeling military and humanitarian aid to Ukraine. Openness for Ukrainian refugees fleeing the conflict has boosted the Poland's international standing (Szczerbiak, 2023). At the same time, border guards have continued to use controversial push-backs against refugees (mostly from Middle-East and African countries). Attempts of crossing the Polish-Belarusian border in these harsh circumstance cost some of them lives.
- **Media market:** The Polish news media landscape continues to be composed of consolidated TV networks, declining but still influential newspaper groups, growing news portals and start-ups offering journalistic commentary, investigations, fact-checking and analysis. The economic situation remained volatile in 2022. Advertising revenues increased by 6.9% in the internet sector, 4% in the radio sector

and decreased by 7.1% in the magazine sector, 1.4% in the daily newspaper sector and by 1.1% in the TV sector (nowymarketing.pl, 2023). Some news media have been successful in attracting subscribers for their digital editions, including the quality daily Rzeczpospolita (40 % sales); quality daily Dziennik Gazeta Prawna (55 % sales) and the financial daily Puls Biznesu (70 % of sales) (wirtualnemedi.pl, 2022). In February 2023, the Appeal Court upheld the judgement of the court of first instance revoking the decision of UOKiK (Office of Competition and Consumer Protection) on the takeover of Eurozet radio holding by Agora group. In January 2021, UOKiK blocked the merger arguing that the takeover could create a harmful duopoly on the Polish radio market (uokik.gov.pl; 2021A). The UOKiK's decision has been widely criticized given that the same regulator approved swiftly takeover of Polska Press group by state-owned Orlen. As a result, Agora acquired 51% of the share capital of Eurozet and 51% of the total number of votes (agora.pl; 2023) taking ownership control of the radio holding.

- **Regulatory environment:** In 2020 and 2021, KRRiT repeatedly postponed the procedure of renewing license for broadcasting to TVN24, and later for TVN7 belonging to the same TVN/Discovery group. The group lodged a complaint to the court and in April 2022, the Warsaw provincial administrative court issued a second verdict in the case in which it found that “there was inaction on the part of the authority, which had the character of a gross violation of law” (Ptak, 2022). This decision proved that KRRiT's implementation of licensing policies was highly problematic, as many experts argued before. Yet in 2022 and early 2023, controversial license-granting procedures have continued. In 2022, the channel HGTV belonging to the TVN group applied for the prolongation of its license. The KRRiT Chairman ordered an expertise on the issue of “trade with licences” allegedly by TVN group. The matter is most likely linked with the previous change of the name of the channel from TVN Meteo to HGTV which was previously accepted by KRRiT. Thus, this seems to be just another example of regulatory pressure going beyond the scope of impartial regulatory performance (wirtualnemedi.pl, 2023). In 2022, public discourse in Poland has also been dominated by the debate about eventual abuse of powers concerning the usage of the Pegasus spy program for surveillance of persons linked to the political opposition and judicial system. In September 2022, a group of five Polish lawyers and activists, all working on human rights complained to the European Court of Human Rights about wiretapping and mass data collection by security agencies (Quell, 2022).
- **COVID-19:** In general, the COVID-19 and policy responses to the pandemic had weaker impact on life and economic conditions in 2022 than was the case in 2021. Yet, some instances had profound influence on the public debate. Such was the case of death threats addressing the Minister of Health, Adam Niedzielski, in December 2022 most likely because he promoted vaccination for children at that time. The death threats were disseminated by the “Rodacy.TV channel” and the organisation “Rodacy Kamraci” (a pro-Russian, fascist organization). There has also been growing tolerance toward statements denying the threat of COVID-19 and the effectiveness of vaccines in some news media.
- **War in Ukraine:** The war in Ukraine has also impacted media environment in Poland. Since February and March 2022, many news media outlets, including leading news portals, news agency PAP and others, have launched news services in the Ukrainian language for Ukrainian refugees. Employing both Polish and Ukrainian journalists or students of journalism these services have offered useful space for communicative participation, exchanging experience, integration and advice on practical matters.

3. Results of the data collection: Assessment of the risks to media pluralism

Poland: Media Pluralism Risk Areas



The 2022 MPM measurement shows that in comparison with the previous year risks to media pluralism in Poland have declined in the area of **Fundamental Protection** (from 57 to 50%) and **Market Plurality** (from 76 to 71%). The risk slightly increased in the area of **Political Independence** (from 74 to 75 %) and in the area of **Social Inclusiveness** (from 62% to 63%). Overall, the areas of **Fundamental Protection** and **Social Inclusiveness** stand for a medium risk, while areas of **Market Plurality** and **Political Independence** for a high risk.

Fundamental Protection

One of the area that continued to cumulate structural and complex risks for the whole media environment in Poland is lack of independence of a media regulatory body KRRiT (National Broadcasting Council). In 2022, the indicator on Independence and effectiveness of media regulatory authorities increased to the higher edge of a medium risk (62%). A new KRRiT's membership appointed in October 2022, reflects a high level of political partisanship and control. Several examples of KRRiT's activities (e.g. holding KRRiT's meetings behind the closed door, initiating sanction proceedings against the TVN group and Tok FM^[1] and others) signal that the media regulatory authority continues to target media critical to the government with a new force (KRRiT, 2023).

The indicator on journalistic profession, standards and protection decreased from 55 to 48% in 2022, but it still didn't reach the level from 2019 (26% – low risk). The last three years saw manifold and sometimes complex developments with chilling effects on news media organisations and work of journalists in Poland. Defamation, insult and offence are criminal acts in Poland punishable by imprisonment. A highly disputed and overtly criticised Article 212 of the Criminal Code, is being permanently used, often with ambiguous interpretation by judges. As observed in the last year, media critical to the government have experienced more sharper forms of pressure such as regulatory sanctions, defamation or libel cases concerning public figures, other legal actions, SLAPP. In 2022, Poland was named “the SLAPP country of the year” together with Serbia and Italy for providing “the most favourable conditions” for lawsuits in 2021-2022 by a coalition of NGOs including RSF/RWB (wyborcza.pl, 2022).

Market Plurality

The area of media ownership transparency brought some degree of improvement in 2022: the risk on Media ownership transparency decreased from 63 to 50% as the 2021 Act Amending 1992 Broadcasting Act (Ustawa o zmianie ustawy o radiofonii i telewizji) introduced new rules upgrading media ownership transparency. These require broadcasters (Article 14a), VOD providers (Article 47c) and providers of video-sharing platforms (Article 47m) to make available information on partners, shareholders and beneficial owners of their companies to the Central Register of Beneficial Owners (CRBO) and on their websites. Still, access to information on ultimate owners does not seem automatically available to users in cases of some media.

The indicator on Plurality of media providers reached the second highest score 90 % among all of the indicators, in 2022 even slightly higher than in 2021. In a similar vein, the indicator on Plurality in digital markets detected a very high risk (83 %). These results stem from a combination of factors: high levels of ownership concentration in media sector markets, lack of updated and credible market data (particularly on advertising revenues in digital news markets) and implementation of competition law, taking into consideration specificity of digital news markets.

Political Independence

The highest score in this area was marked by the indicator on Political independence of the media (96%) and it reflects both regulatory conditions and various aspects of practice. A high level of risk (83%) continues to mark the indicator on PSM independence. In 2022, PSM governing bodies remained under strong political control and became more centralised as both PR and TVP' management boards shrunk to one-person, fulfilling at the same time the role of Director General (Prezes). In September 2022, Mateusz Matyszkowicz replaced Jacek Kurski in the position of TVP's Director General. Kurski commented the change on twitter stating that it was "a result of the decision of my political environment", thus admitting that appointment/dismissals of TVP heads are under direct political control (wyborcza.pl, 2022B). Available reports have demonstrated that between 2016 and 2022, PSM's funding from the state budget has grown more than six times (OKO.press, 2021; KRRiT, 2022A; 2022B), thus being highly disproportional in comparison with other news media in Poland recovering from post-covid crisis, galloping inflation and struggling with long-term sustainability.

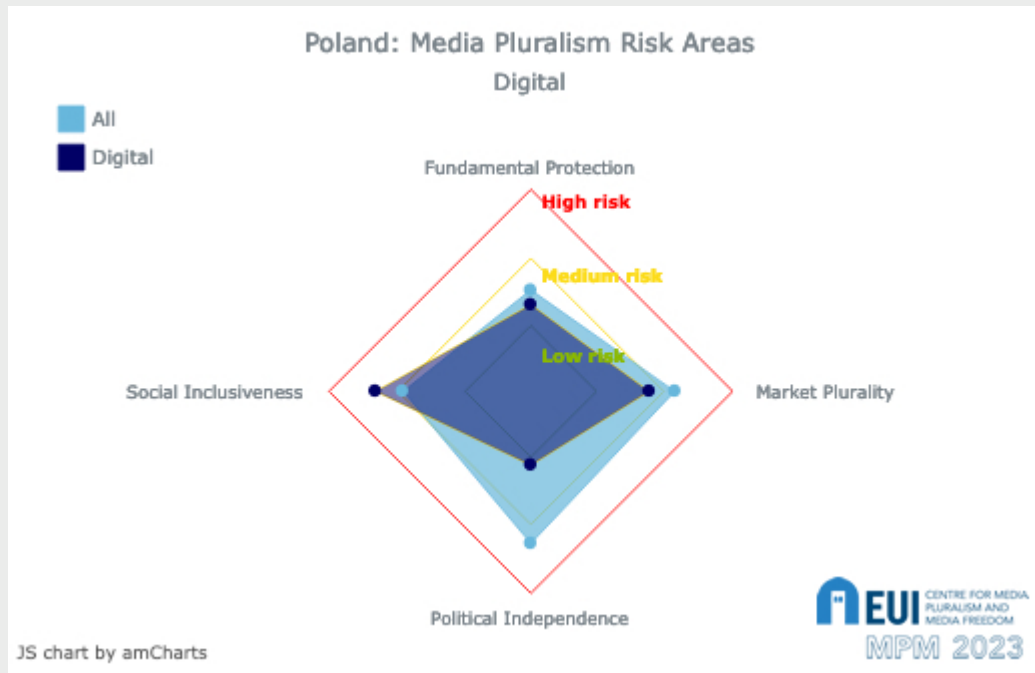
The risk on state regulation of resources and support to media sector increased to 67% in 2022, thus crossing the benchmark of a high risk. An asymmetric distribution of state-related advertising has continued to privilege media outlets sympathetic to the government. This form of disproportionate support has structural consequences for the whole media market, particularly when usual advertising expenditures are reinforced with extra funding as was the case of the special covid-19 campaigns. Data for different pro-vaccination campaigns carried out through 2020 - 2022 suggest that some media actors had significant advantage over the others, while media with a critical stance towards the government were completely excluded from the funding.

Social Inclusiveness

The indicator on local/regional and community media stood for the highest risk in this area (71 %), mainly due to several factors: decline in share of local programming in PSM and TVP between 2015 and 2021 (KRRiT, 2022A; 2022B), a significant dominance of Polska Press group, posing a structural risk for the local and regional market and a growing trend of publishing of local "press" by local governments from public funds. Community media, as in the previous years, remain legally unrecognized as a third non-profit sector in Poland with the exception of a small group of 'social broadcasters' (as set by the Article 4(10) of 1992

Broadcasting Act). The indicator on Representation of minorities in the media scored a lower risk than in 2021 – 49 % mainly because the available data demonstrated increase in hours of programming produced for legally recognised minorities in Polish Radio in 2021 and also in Polish Television (KRRiT, 2022A; 2022B). The amount of programming, however, still remains insufficient.

Focus on the digital environment

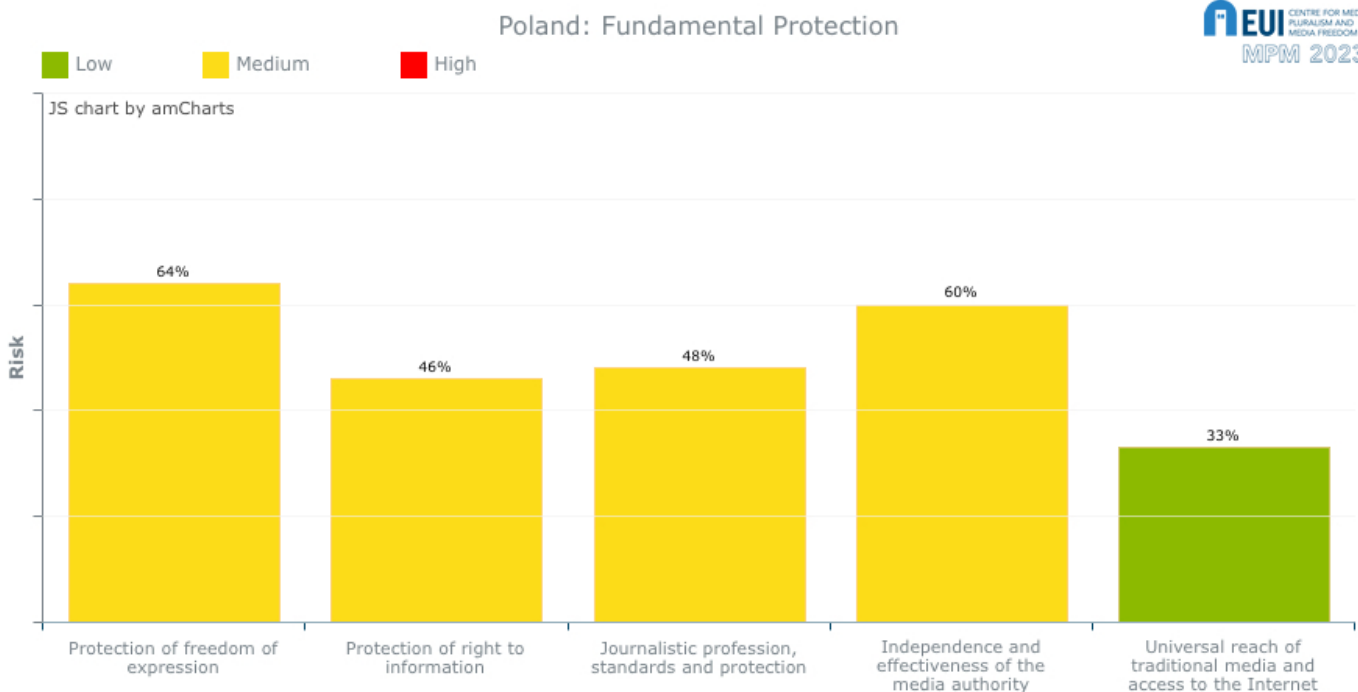


Digital indicators reached lower scores in the areas of Fundamental Protection (43 %), Market Plurality (58 %) and Political Independence (36 %) - in all these three areas scores stood for a medium risk. In the area of Social Inclusiveness the digital indicators surpassed the overall score, amounting to 76 % and indicated a high risk.

An issue that was reflected in several digital indicators, pertains to legal proceeding of the Draft Act on Electronic Communication. The draft law intends to implement EU Directive establishing the European Electronic Communications Code and is expected to be finally adopted in summer 2023. According to critics the bill introduces an obligation to all electronic communication companies to share data with state security agencies without appropriate protection of personal data. The Panoptikon Foundation observed that already before the adoption of law – in 2021 - Polish services have accessed citizens' data as many as 1.82 million times and users who have been vetted in this way will never know (Izdebski and Musidłowska, 2023). The ungrounded use of Pegasus spyware against an opposition politician, attorney and prosecutor already stirred the public opinion in 2022 when more details about cases of invigilation reached the news media and also debate in the European Parliament.

3.1. Fundamental Protection (50% - medium risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The overall score for the area reached 50% (medium risk). The highest risks manifest in the indicator on **Protection of freedom of expression** (64%) and on **Independence and effectiveness of media regulatory authority** (62%). The lowest level of the risk refers to the indicator on **Universal reach of traditional media and access to the internet**, and it is the same as in the last year (33%).

A relatively high level of a medium risk in the case of **Protection of freedom of expression** stems from several ongoing issues. The criminalisation of defamation continues to affect the daily work of journalists. A highly disputed and overtly criticised Article 212 of the Criminal Code (The 1997 Criminal Code) is being permanently used to silence journalistic critique and investigation. In 2022 pending cases included law suits against Ewa Siedlecka, Jarosław Sidorowicz and Paweł Figurski, Grzegorz Rzeczkowski and two cases against Tomasz Piątek. In 2022, Piotr Stasiński from GW observed: “Wyborcza is currently facing nearly 100 (and counting) civil and penal libel and defamation cases, a few of them under infamous Article 212 of the Penal Code, a time-consuming and resource-sapping experience for the media organisation, its lawyers, journalists and editors” (Stasiński, 2022). Other problematic ongoing issues included lack of legal safety, political control of PSM, editorial revamping of Orlen’s owned Polska Press newsrooms and delays in licensing.

A score for the indicator on **Protection of right to information** decreased from 63 in 2021 to 46% in 2022 mainly due to stabilization of the situation on the Polish-Belorussian border (a blackout on media reporting from the area was imposed in fall 2021). At the same time, journalists still experience frequently and systematically various forms of denial of public information. These include: lack of office/officer at the central administration level responsible for facilitating access to public information and/or appeals; answering a small part of requests for information (apparently Ministry of Justice answers only one third of such

requests); denying access to information on grounds that relevant data are “processed” and thus, a journalist must prove that he/she seeks information in the sake of public interest (press.pl; 2022). The European Parliament’s Mission Report observed in 2022 that: “Journalists reported cases for which answers from the Prosecutor Office last more than 4 years” (European Parliament, 2022). At the beginning of 2023, the European Commission has decided to refer Poland and seven other member states to the European Court of Justice for failure to transpose and notify national measures for transposing the EU Directive on Whistleblowing (whistleblowingmonitor.eu; 2023).

In comparison with the previous year, the risk under the indicator on **Journalistic profession, standards and protection** decreased from 55 to 48%. No journalists were killed 2022, but a Spanish freelance journalist Pablo González had been arrested by ABW (Internal Security Agency) in February 2022 and accused of espionage for Russia’s GRU military intelligence. Despite the International and European Federations of Journalists called on the authorities to release González without delay, the court extended González’s pre-trial detention in February 2023 for the fourth time, condemning him to a further three months in prison (ifj.org, 2023). Working conditions of Polish journalists have stabilized after covid-19’s volatility, yet in some areas newsroom workers face new or continuing pressures, including strategic lawsuits against public participation (SLAPPs), multi-tasking and mobbing. In May 2022, a toxic work culture under a long-serving editor-in-chief of the Newsweek weekly Tomasz Lis, was revealed and widely discussed. Lis was dismissed by RASP after the staff reported on “malicious and ruthless” mocking of employees (Tilles, 2022A).

The indicator on **Independence and effectiveness of the media authority** marked another increase to 62% in 2022. The Sejm, Senate and the President elected a new KRRiT’s membership in 2022. Four of five KRRiT’s councilors are largely perceived as political nominees being controlled by the governing coalition. The weekly Polityka in one of its commentaries observed that such a composition evokes chilling effect on journalists and media professionals (polityka.pl, 2022). Not surprisingly, lack of political independence and professional impartiality continued to characterize KRRiT’s regulatory performance in 2022. The new KRRiT’s Chairman decided to hold one of KRRiT’s meetings behind the closed door (on 18 October 2022). Other widely criticized decisions included initiating sanction proceedings against the TVN group for producing and disseminating report “Black on white: the power of a lie” and broadcasting an investigation into John Paul II’s handling of three priests accused of sexual abuse. KRRiT also launched an investigation concerning “trade with licences” allegedly by TVN group. The matter is most likely linked with the earlier change of the name of the channel from TVN Meteo to HGTV which was previously accepted by KRRiT (wirtualnemedi, 2023).

A risk level measured by the indicator on **Universal reach of traditional media and access to the Internet** remained at the same level as in the last year - 33% and represents the only indicator with low risk in all areas measured. As regards PSM coverage subindicator, the situation didn’t change in comparison with the previous year according to KRRiT records (KRRiT, 2022A, 2022B).

Focus on the digital environment

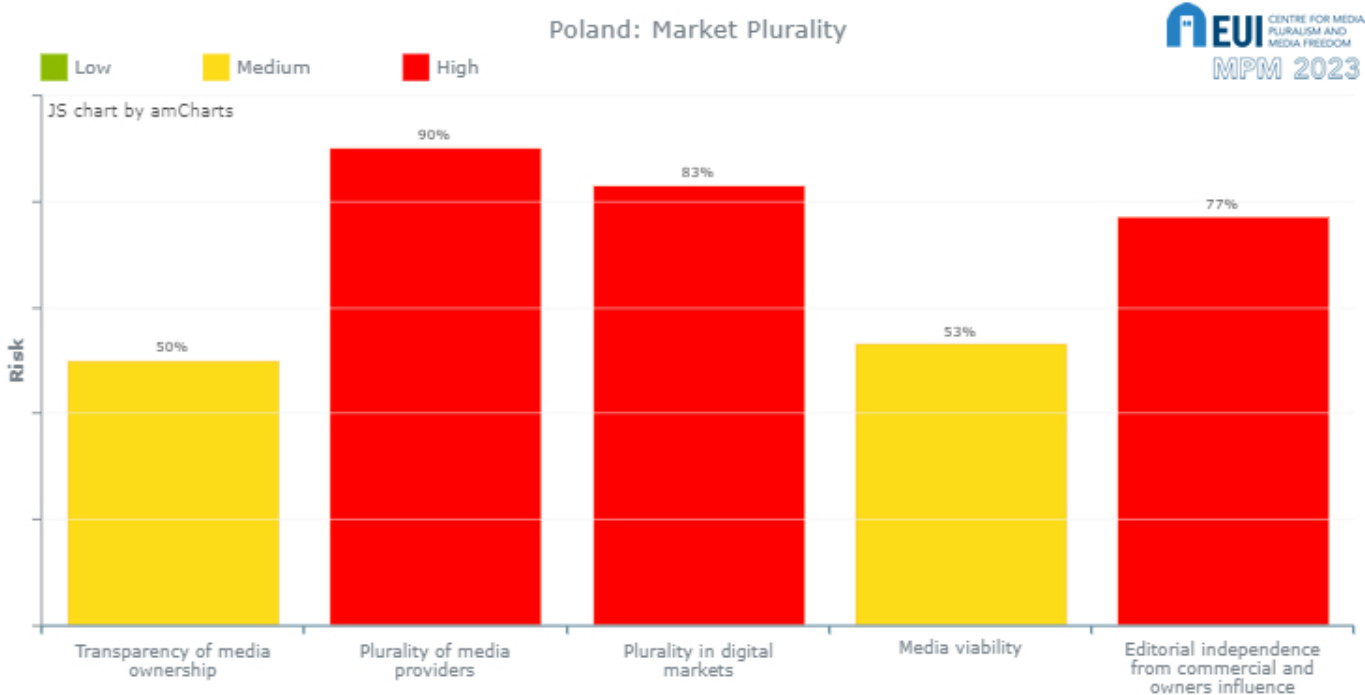
The digital subindicator on **Guarantees for freedom of expression online** stood at 50% posing a medium risk. A controversial Draft Act On Freedom of Expression on the Internet proposed by the Ministry of Justice in 2020 has been kept in policy silence in 2022 after some corrections were introduced in the draft at the beginning of the year (Ministry of Justice, 2020). Another important Draft Act on Electronic Communication is under the legislative way expected to be finally adopted in spring 2023. The draft act will implement EU Directive establishing the European Electronic Communications Code, while the critics raise two problematic issues. One comes from local and private media, as well as some consumer organisations, who say the new rules would undermine competition and restrict access to private, local and niche outlets given that KRRiTV will select 30 channels that must be broadcast, apart from the TVP channels (polskieradio.pl, 2023). Secondly, the Draft Act introduces an obligation to share data with state security agencies and create the conditions for these agencies to conduct “operational control” activities. Krzysztof Izdebski and Marta Musidłowska argue that “the draft violates the basic values of the European Union rather than implementing them” (Izdebski and Musidłowska, 2023).

The subindicator on **Digital safety of journalists** reached 50 percent, and the subindicator on Journalism and data protection 50%, both signaling medium risk. Most relevant aspects of data retention legislation are part of GDPR legislation implemented in Poland in 2018, but several other laws specify conditions under which data are retained (these include also Draft Act on Electronic Communication described above). In 2022, a public debate in Poland focused on eventual abuse of powers concerning the usage of the Pegasus program for surveillance of persons linked to the political opposition, public prosecutor and attorney.

The digital subindicator on **Broadband coverage** accounted for 50%, the subindicator on **Internet access** to 0% and **Net neutrality** 33% of risk. This shows that the situation has improved particularly as regards Internet access. No risk in this area stems from the fact that the percentage of broadband subscription in Poland reached 92% and the average Internet connection speed stood for 56 mbps in 2022. Low risk in the case of net neutrality results from regulatory safeguards in place (Articles 209.29a and Article 192.5aa amended in 2017 to the Telecommunication law) and implementation through regular reports on compliance in the Polish market with Regulation 2015/2120 on open internet access (UKE, 2022).

3.2. Market Plurality (71% - high risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



The overall score for the area shows 71 % (high risk). The highest risks were detected in concentration-related indicators: on **Plurality of media providers** (90 %) and **Plurality in digital markets** (83 %). The lowest risks were measured for the indicators on **Media viability** (53 %) and **Transparency of media ownership** (50 %), both reaching medium risk level. The indicator on **Editorial independence from commercial and owners influence** showed high level risk (77 %), but lower than in the previous year (90 %).

As observed in the introductory part, the indicator on **Transparency of media ownership** decreased to 50 % mainly due to entering into force of the 2021 Act Amending 1992 Broadcasting Act (Ustawa o zmianie ustawy o radiofonii i telewizji) that improved transparency rules for some providers. The amended Act requires from broadcasters (Article 14a), VOD providers (Article 47c) and providers of video-sharing platforms (Article 47m) to make available information on partners, shareholders and beneficial owners of their companies to the Central Register of Beneficial Owners (CRBO) and on their websites. Moreover, all these providers are obliged to disclose information on all media services offered by them or belonging to the same company, such as newspapers, magazines or video-sharing platforms. In general, the public bodies are relatively well-informed about news media ownership. The public, however, still lacks full access to financial data and relevant ownership information particularly in the case of ultimate owners. This split between data disclosure to public bodies and citizens is demonstrated also in the subindicator on Financial reporting obligations which scored 50 %.

As in the last year, the indicator on **Plurality of media providers** reached the second highest score 90 % among all of the indicators, in 2022 even slightly higher than in 2021. This result stems from high levels of

ownership concentration in media sector markets on the one side, but also from the implementation of competition law on the other. As regards the implementation, a swift UOKiK's (Office of Competition and Consumer Protection) approval for Orlen takeover of Polska Press in 2021 was criticized by both legal experts (see e.g. Banasiński and Rojszczak, 2021; Bolecki and Jelska, 2021) and Commissioner for Human Rights. In March 2021, a former CHR, Adam Bodnar appealed to the Warsaw regional court of competition against the UOKiK's President's decision. Almost a year later - on 7 June 2022, the court dismissed this appeal and a new CHR Marcin Wiącek chose not to appeal again. That response raised criticism of some NGOs – Media Freedom Rapid Response wrote an open letter to Wiącek to reconsider the appeal (mfr.eu, 2022). In another case, UOKiK blocked the takeover of Eurozet radio holding by Agora group in January 2021. UOKiK argued that the merger could create a harmful duopoly on the Polish radio market (uokik.gov.pl; 2021A). As Agora group owns media with a critical stance to the current government many saw this regulatory move as politically motivated. In February 2023, the Appeal Court upheld the judgement of the court of first instance revoking ultimately the UOKiK's decision. As a result, Agora got green light to complete the takeover and acquired 51 % of the share capital of Eurozet and 51 % of the total number of votes (agora.pl; 2023). Another ongoing problem is limited public access to new market data. Some calculations are provided by KRRiT in its annual reports, but these usually refer to two-years old data. Thus, in 2020 the market share of the Top4 media owners amounted to 87.8 % in the TV market (TVP, Polsat, TVN Discovery, Puls); 87.25 % in the VoD market (Netflix, Ipla, Player, cda premium) and 87.8 % in the radio market (RMF, Eurozet, Time, Agora) (KRRiT, 2022A, 2022B). In the case of the press market revenues from advertising and sales for Top4 were calculated together and reached 58.3 % (KRRiT, 2022B).

The indicator on **Plurality in digital markets** detected a high risk (83 %). This score results from a combination of scores of digital subindicators. The digital subindicator on Competition enforcement reached the highest level of risk as – in the same vein as in the last year – the law has not provided specific rules for the media sector including consideration of gatekeeping role of digital platforms or news media dependency on platforms. In terms of the digital subindicator on Online platform concentration, the highest level of risk is caused by lack of publicly available data that could ensure transparency and adequate calculation of shares in relevant markets (see e.g. IAB, 2022; IAB, 2023). While it is generally known that leading platforms (particularly Google and Facebook) occupy a significant position in online advertising market, more precise data that would allow comparison of VLP with other market participants particularly on the Polish market are not available free of charge.

The indicator on **Media viability** scored 53 % denoting a medium risk – a slightly higher level than in the last year. In comparison with 2021, the economic situation seemed more volatile and uncertain in 2022. Advertising revenues increased by 6.9 % in the internet sector, 4 % in the radio sector and decreased by 7.1 % in the magazine sector, 1.4 % in the daily newspaper sector and by 1.1 % in the TV sector (nowymarketing.pl, 2023). Some news media have been successful in attracting subscribers for their digital editions, including the quality daily Rzeczpospolita (40 % of sales); quality daily Dziennik Gazeta Prawna (55 %) and the financial daily Puls Biznesu (70 %) (wirtualnemedial.pl, 2022). Interestingly, on 1 January 2023, Internet radio 357 claimed that its radio users became “the largest community paying for their radio online in the world” (radio357.pl; 2023). In 2022, many news outlets started to offer various news services in Ukrainian language prepared by the Ukrainian staff or translated. These play two roles: they offer Ukrainian language news in the context of host country environment and they also bring and expose symbolic recognition and support for the Ukrainian community in Poland. As regards the economic conditions of freelance journalists, these remained unstable and marked with financial uncertainty, amounting to 50% of risk in the relevant subindicator.

In 2022, the risk measured by the indicator on **Editorial independence** from commercial and owners influence reached 77 %. Relevant legal and self-regulatory measures lack explicit provisions enabling disclosure of actual or potential conflict of interests of media owners that potentially affect the editorial content. Advertorials are not explicitly prohibited in the 1984 Press Act and relevant self-regulatory tools, but there are rules concerning “hidden advertising” (e.g. Article 12(2) of the 1984 Press Law Act). In 2022, due to economic hardships caused by the pandemic, war against Ukraine and growing inflation, news media found themselves under stronger economic pressure. Interestingly, the Digital News Report observed that in 2022, only 20 % of media users thought Polish media are independent from undue business or commercial influence in Poland (Makarenko, 2022). This is 3 % less than in 2017 and it shows clearly decreasing trend. As regards the subindicator on separation between editorial and commercial activities, few self-regulatory principles are not effectively implemented due to fragmentation and polarization of journalistic environment in Poland.

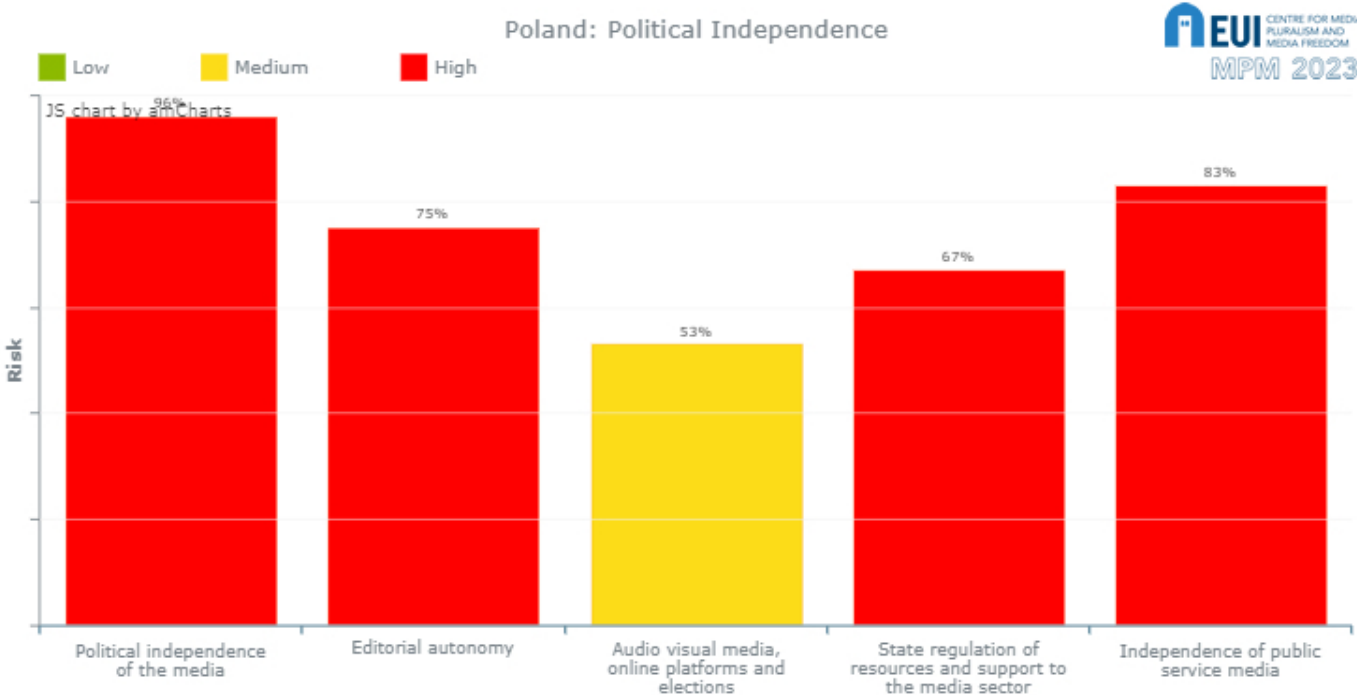
Focus on the digital environment

Digital subindicators on **Disclosure of media ownership online**, reached 25 % of low risk and on **Transparency of ultimate ownership** online 75 % of high risk. While some digital media are covered by new transparency obligations explained above (VOD providers, video sharing platforms), access to data on ultimate owners is not automatically provided and very much depends on users motivation and skills.

The digital subindicator on **Financial obligations of the online platforms** denoted 50 %. No financial agreements so far have been signed between digital intermediaries and news media producers in Poland, but meetings and negotiations were pending throughout 2022. Poland has not introduced a specific form of general taxation for digital services so far, but there has been a debate about “digital tax” during 2019 – 2022 and a part-digital tax was imposed on VoD digital platforms in 2020 (Ey.com.2020).

3.3. Political Independence (75% - high risk)

The *Political Independence* indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



The area of **Political independence** has been one with a constant increase of risks over the past few years. In 2022, the overall score increased from 74 to 75% with the highest level of risk in the case of indicators on **Political independence of the media** (96%) and **Independence of PSM** (83%). The lowest level of risk was detected in the indicator on **Audiovisual media, online platforms and elections** (53% – medium risk level). The indicators on **Editorial autonomy** and **State regulation of resources and support to the media sector** reached 75% and 67% of risk, respectively.

A very high score of the indicator on **Political independence of the media** (96%) reflects both regulatory conditions and practice. Relevant regulatory safeguards limiting political control over media outlets in Poland (e.g. limits on control of media by politicians) are missing. So are the rules on conflict of interests between owners of media and the ruling parties, partisan groups or politicians. Moreover, lack of legal rules is not compensated by effective self-regulation. As regards practice, the Digital News Report 2022 found that Poland has recorded the third largest decline in trust in the media in Europe over the last year. Among major news outlets, TVP remains Poles' least trusted source (Makarenko, 2022). In most notorious cases in 2022, political pressure was indirect (not necessarily through ownership) and targeting media or newsrooms critical to the government. For example, TVN/Discovery group continued to face an unjustified regulatory pressure (postponing of a license-granting for several channels and sanctions) by KRRiT in 2022. Political pressure on the newspapers has manifested in law suits and threats pending throughout 2022. One of such examples was the criminal lawsuit lodged by Daniel Obajtek, Orlen CEO, against Gazeta Wyborcza journalists Jarosław Sidorowicz and Paweł Figurski (CoE, 2022). Direct political pressure from owners remained hidden and subtle in mainstream private news outlets. However, in PSM, PAP (state-owned new agency) and local and regional media direct political control manifested systematically. Several cases of

chief editors replacements on political grounds were reported in the local and regional news market, including Polska Press titles. In another case in December 2022, a vice editor-in-chief of a regional newspaper Dziennik Wschodni Paweł Buczkowski was fired with two other journalists because of a critical article about a former city council chair. Another regional journalist Piotr Kozłowski commented this situation: “Unfortunately, one of the last independent local newspaper in the country loses its independence” (Kowalski, 2022). In 2022, CHR intervened in the issue of conflict of interest concerning publication of a number of local and regional press titles by local government entities, often represented by member of political parties. CHR observed that publishing of local press by local governments from public funds undermines viability and healthy conditions of other local and regional media. Moreover, in view of CHR, it is also detrimental to pro-democratic functions such as a watchdog role (CHR, 2022). As regards the private mainstream media, there has been a visible trend in some of them of redirecting their editorial policies (e.g. Polsat) to offer more friendly or moderate coverage of the governing party (Węglewski, 2022; Cieśla and Pawlicka, 2018).

The indicator on **Editorial autonomy** reached 75% of risk. Effective legal safeguards guaranteeing editorial autonomy are missing in Poland. There is also no agreement within the journalistic community which organization and code of conduct would play a principal role when editorial autonomy comes under threat. This is reflected also in the subindicator on Effectiveness of self-regulation that reached the same level of risk – 75%. Moreover, Poland has no press council that could play similar role as press councils in other EU countries. As observed in the last year, independent news media offer a great range of diverse information, news and views and also critically address problematic issues. Yet political pressure has increased recently and so has polarization of the editorial content. Reporters Without Borders in its 2022 report on Poland concluded: “After turning the public media into instruments of propaganda, the government has multiplied its attempts to change the editorial line of private media and control information on sensitive subjects.” (rsf, 2022). In 2022, editorial revamping of local and regional newsrooms continued to influence Polska Press performance under Orlen ownership. Mobbing and abuse of power were reported in the case of a new Kurier Lubelski editor-in-chief who was appointed in May 2022. Since May 2022, a dozen or more experienced journalists left the KL newsroom (press.pl, 2022).

The indicator on **Audiovisual media, online platforms and elections** shows a medium risk accounting for 53%. The existing rules concerning PSM’s news performance are formulated in a very general way both in the 1992 Broadcasting Act and the PSM charters (TVP, 2020; PR, 2020) and do not contain practical requirements of quality, accurate and impartial reporting. Furthermore, the absence of monitoring and lack of PSM accountability contributes to the fact that PSM do not respect the remit rules particularly when pertaining to political reporting. In the last few years, political partisanship and bias of PSM has reached an unprecedented scale. There has not only been an unbalance in portraying political actors and various distortions, some TVP’s reports were creating ungrounded analogies that falsely politicised events or issues, while openly manipulating facts. No elections were held in Poland in 2022.

The indicator on **State regulation of resources and support to media sector** stood for the same score as the last year – 67%. The 1992 Broadcasting Act provides relatively fair and transparent rules for spectrum allocation but these have not been implemented effectively by KRRiT in recent two years. In 2021, KRRiT postponed licences for TVN 24 and TVN 7 channels. In April 2022, the Warsaw provincial administrative court issued a second verdict in the case in which it found that “there was inaction on the part of the authority, which had the character of a gross violation of law” (Ptak, 2022). In 2022 again, KRRiT has prolonged a license-granting procedures for another TVN channel HGTV while ordering an expertise on “trade with licences” allegedly by TVN group. As observed in the last year, systematic support schemes for

the news media are generally missing in Poland. At the same time, many forms of state support including grants, loans or state advertising, are asymmetrically and non-transparently distributed to selected media outlets. In 2022, the government, and particularly the Ministry of Culture, faced a huge wave of criticism over the funding given to youtube-based Media Narodowe (National Media) linked to the nationalist Independence March Association (Tilles, 2022B). One of the areas with the greatest impact on the whole media market is unfair distribution of state advertising. Tadeusz Kowalski argues, that during the period 2015 – 2022, state-owned companies consequently located their advertising expenditures to news media outlets with a government-sympathetic stance (Kowalski, 2022). The advertising expenditures increased significantly in the right-wing media, in some cases to such an extent that state-related advertising composed a dominant portion of the outlet revenue stream. The pandemic deepened these asymmetries. The data for the special covid-19 campaigns carried out through 2020 - 2022 suggest that some media actors had significant advantage over the others. For example, the government campaign promoting vaccination #Szczepimysie (Let's vaccinate) invested PLN 87 million to a selected group of the media in 2022, with TVP, Polsat and RMF Group receiving the largest portions of funds, while the TVN Discovery Group, Ringier Axel Springer Polska, and Agora group were excluded from the funding. Interestingly, all these oppositional media groups promoted the National Vaccination Program for free.

The indicator on **Independence of public service media** remains one with the highest score. In 2022, the risk level stood at 83%. In practice, the appointments and dismissals of PSM management and supervisory boards are guided by political choices. At the beginning of September 2022, TVP's Director General Jacek Kurski was unexpectedly dismissed and replaced by his younger colleague and collaborator Mateusz Matyszkowicz. Kurski commented on Twitter that the change came "a result of the decision of my political environment" (wyborcza.pl, 2022B), thus in fact confirming that PSM appointment procedures are politically controlled.. As observed in the last year report, since 2016, PSM have received growing amounts of "compensation for uncollected licence-fees" from the state budget. The annual reports published every year by KRRiT show that the portion of licence fees collected from users decreased, while the portion of compensation from the state budget has increased significantly. In 2021 PSM altogether received 650 million PLN, while compensation from the state budget stood at 1950 million PLN. In comparison with 2019, "the state budget portion" increased extensively, and actually tripled licence fees revenues (KRRiT, 2022A). Given that KRRiT does not conduct systematic monitoring of PSM performance, this mode of PSM funding cannot be matched with public service value that PSM are expected to generate. Moreover, it also makes PSM funding less transparent and more complicated for the public. The PSM financing model in Poland has also been increasingly perceived as an unfair and non-transparent mechanism that needs a necessary correction (see e.g. Gąbka, 2023).

Focus on the digital environment

Digital indicators for the area of **Political independence** reached a much lower number (36%) than the overall area score (75%). This difference stems mainly from the fact that legacy media still seem to attract greater political control than is the case of digital natives.

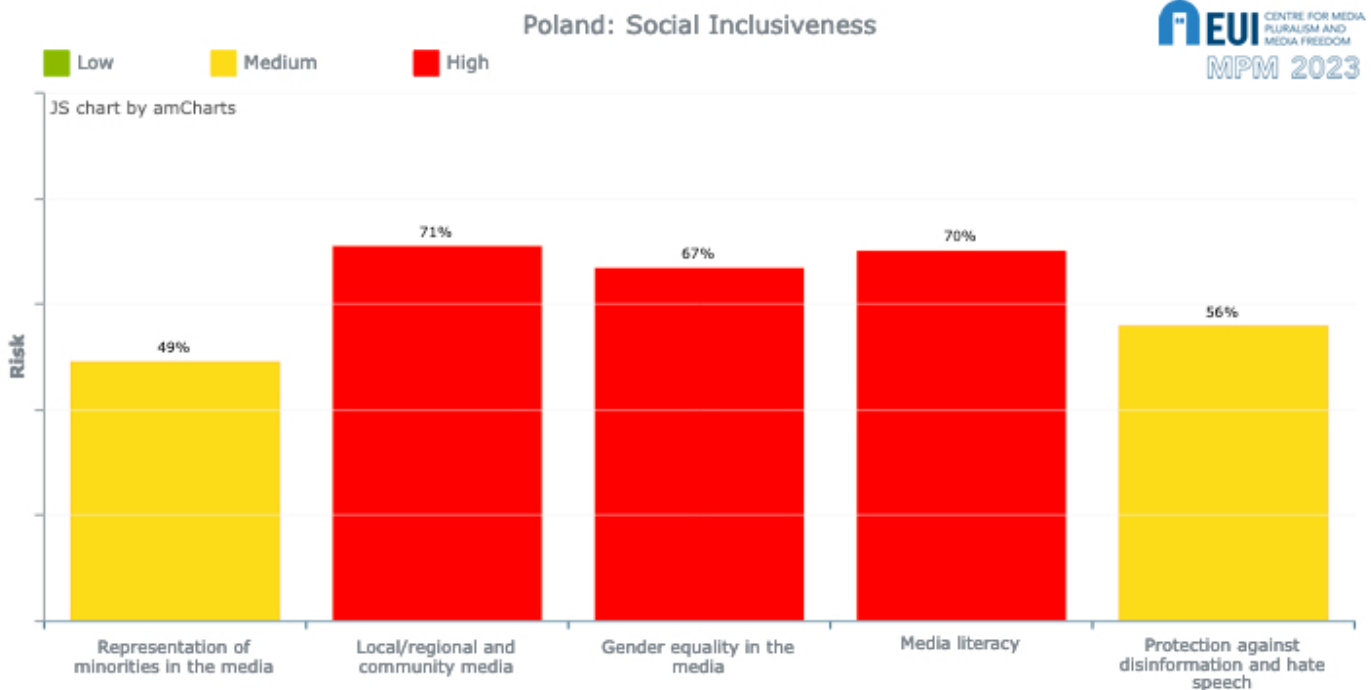
For instance, the indicator **Political independence of the media** showed a score of 50% in the digital environment, falling into a medium risk band. While digital news environment has been generally more independent from political control, occasional cases of pressure happen. Political influence also manifests in state advertising and other forms of funding provided for digital natives connected with pro-government media groups. Such an example can be illustrated by the news portals Niezależna.pl

and wPolityce.pl whose owners support the governing coalition.

The indicator **Audiovisual media, online platforms and elections** stood for 56%. Poland has no specific electoral regulation targeting online media or platforms. Very large platforms have developed their own rules on transparency of political actors that buy political or electoral advertising (Meta, 2022; Google, 2022), but these do not seem sufficient. During 2022, there was a debate in media about a necessity to change the situation and introduce regulations that would improve transparency in political advertising in accordance with new EU rules (Rutkowska, 2022).

3.4. Social Inclusiveness (63% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against disinformation and hate speech.



The **Social Inclusiveness** area scores, similarly as in the last year, a medium risk (63%) with a significantly higher risk for digital indicators (76%). The highest risk was detected for the indicators on **Local/regional and community media** (71%) and **Media literacy** (70%). The indicator on **Representation of minorities in the media** showed the lowest risk (49%).

The indicator on **Representation of minorities in the media** scored a lower risk than in 2021 – 49% against 58% in the previous edition. Officially recognized minorities in Poland enjoy legally guaranteed access to airtime on PSM channels. Unlike in few previous years, the data of KRRiT 2022 Annual Report demonstrated increase in hours of programming produced for minorities in Polish Radio in Polish Television in 2021 (KRRiT, 2022A; 2022B). The amount of programming, however, still remains insufficient. In 2022, TVP, PR and PAP introduced several services in Ukrainian language^[2]. The Polish Radio has launched an Ukrainian newsroom offering regular news in Ukrainian and a news portal in Ukrainian language^[3]. In addition, TVP's platform included in its offer the first channel of Ukrainian public broadcaster UA Perszyj (UA the first) (wirtualnemedi, 2022B). Legally non-recognized minorities and other immigrant groups are, however, being rarely served by TVP and other public media (Tvp.info, 2022). As regards accessibility of media content by disabled persons in Poland, the progress seems not fast, comprehensive and inclusive enough. The legal framework has certainly improved, thanks to the AVMSD (mainly Article 7) implementation by the 1992 Broadcasting Act, as amended (Article 18a - as amended) but the available data (see e.g. KRRiT 2022A, 2022B) still prove that some of these services are below the EU average in terms of their proportion and reach.

The indicator on **Local/regional and community media** stood for the highest risk in this area (71 %), but

has decreased in comparison with the previous year by 4%. While there are legal safeguards guaranteeing local media access to audiovisual platforms (Art. 26(6) of the 1992 Broadcasting Act), the share of regionally or locally oriented programming on TV or radio audience market is relatively small. Moreover, KRRiT data showed that the share of local programming in PSM and TVP in particular, constantly decreased between 2015 and 2021, from 4.6 to 1% in the case of television and from 5.6 to 4.7% in the case of radio (KRRiT, 2022A; 2022B). A significant dominance of Polska Press group owned by PKN Orlen continues to pose a structural risk for the local and regional market, particularly because the group is able to collect revenues from other sources than sales and advertising. In 2022, the group collected 314.5 million PLN of revenues. This was around a half million of increase in comparison with the previous year despite the significant decrease of sales resulting in closing down a number of regional and local weeklies (Kowalski, 2023). In 2022, the Commissioner for Human Rights (CHR) paid attention to a growing trend of publishing of local “press” by local governments from public funds. In a letter to the Minister of Culture, CHR observed that such practices undermine viability and healthy conditions of other local and regional media. In view of CHR, the fact that such press has direct links to local governments is also detrimental to pro-democratic functions of the media such as a watchdog role (CHR, 2022). Finally, as regards community media, these are still not legally recognized as a third non-profit sector, but some operate as ‘social broadcasters’ (as set by the Art. 4(10) of 1992 Broadcasting Act). Their independence and transparency are not recognized as legal conditions. One of the most influential representative - Radio Maryja operating in connection with the foundation Lux Veritatis refused to answer calls from various activists for disclosing its financial data. In September 2022, a 16-years old activist Maciej Rauhut disclosed on Instagram that Lux Veritatis received from various ministries 19,5 million of PLN in the period 2016 – 2021. He claimed that this amount is only a minority portion of what the foundation could have received as he wasn’t able to collect the complete data. Rauhut won a case in court concerning access to public information against Lux Veritatis (rp.pl, 2022).

The risk score for the indicator on **Gender equality in the media** increased from 50 to 67%. While the share of women increased among executives of both public and private TV companies, it is still relatively low in the management boards. Importantly, a comprehensive gender equality policy (other than general employment guidelines) is absent in PSM. Relevant institutions (e.g. KRRiT) do not provide regulatory monitoring of women’s representation in media coverage, but available fragmented data show that that female experts do not occupy equal positions with male experts in commenting informative and political programmes. Several reports have shown that share of female experts in news and current programmes oscillates around 20 – 25 %, while male experts around 80 – 75 % (IMM, 2023; Bochyńska and Prus, 2021; Rucińska, 2017). At the same time, media images of women become more complex and less one-sided, also with growing roles of social media, but harmful stereotypes are still in place (see e.g. gazetapolska, 2021).

The indicator for **Media literacy** identified a high risk – 70%. There hasn’t been much change in comparison with the previous year in terms of policies and activities. Some experts argue that there is no coherent state policy concerning media literacy, and a community of educators and supporters seems to be fairly fragmented (Media&Learning, 2021; Ptaszek and Łysik, 2019; Brosch, 2017). Media literacy is not part of obligatory education programmes in primary and secondary schools and effective teaching of some ML aspects very much depends on support from school officials and commitment of teachers. Most of the informal media literacy activities are carried out by NGOs. KRRiT should upgrade an aggregator and supporter’s role with a more principal guidance in consolidating and leading media literacy activities. In 2021 for example KRRiT organized several meetings and consultations (wirtualnemedial.pl, 2021), but these seemed to be too small remedy for addressing the real needs of communities that engage in media literacy

often on voluntary basis and without stable financial and administrative support. The pandemic had a strong impact on education in schools, as both primary and secondary schools underwent three major distance-learning periods – from March to June 2020, from October 2020 until June 2021 and from December 19, 2021 to January 9, 2022. This was then followed by the need of coordination and integration of Ukrainian children’s education in Polish schools. None of these circumstances contributed to the change of current scheme and revealed unpreparedness of Polish schools and gaps in media literacy training. Cicha et al. (2021) have shown that the current education system in Poland does not equip students with ML set of skills within the years of schooling. Moreover, many schools and higher education institutions appeared not prepared enough—not only with regard to students but also their teachers.

Focus on the digital environment

The indicator on **Protection against disinformation and hate speech** detected a medium risk accounting for 56%. In between 2020 – 2022, risks stemming from disinformation have significantly increased in Poland including such instances as covid-19 conspiracies and anti-vaxx orientations; orchestrating migration crisis on the Polish-Belorussian by Belorussian propaganda and massive disinformation campaigns on Russian aggression against Ukraine. According to Tomasz Chłoń et al. (2022), Poland hasn’t developed a systemic approach and complex policies to counteract disinformation (OKO.press, 2023). In 2020, the government enacted a new National Security Strategy of the Republic of Poland (2020), including security of information. The information campaign of the Polish special services launched in 2021 informed about some of the disinformative campaigns, but a reach of these among users is unknown (gov.pl, 2021). Following Russian aggression on Ukraine, the government nominated Stanisław Żaryn as Plenipotentiary for the Security of Information Space in August 2022. Poland has a number of fully-fledged fact-checking initiatives, most known among them being run by news professional organisations and NGOs (e.g. OKO.press; Konkret TVN24; Demagog.pl). Research on disinformation is conducted by both academic institutions, non-profit sector and think tanks (e.g. NASK, CAPD). So far, legal measures concerning content production pertain mainly to requirements of journalistic accuracy and reliability (which apply only to news media and refer to journalistic performance). Other facilitating measures are being applied by the platforms themselves, but so far their policies are relatively limited (Meta, 2022, Google, 2022). In sum, many entities mentioned above are carrying useful activities, but often do not know about each others’ efforts. They are also not well linked with government and other public actors.

As regards protection against hate speech, the Criminal Code (e.g. Art. 256, 257) prohibits and punishes various forms of incitement of hatred, yet the catalog of punishable forms of discrimination seems rather modest including “national, ethnic, racial or religious” differences. After AVMSD implementation in 2021 and enforcement in 2022, the wording of Article 18(1) applying to broadcasters has been adjusted to AVMSD anti-discrimination rules and Articles 47h for VoD and 47o1 for video-sharing platforms have been added (The 1992 Broadcasting Act, as amended). In these cases, the protective scope of legal measures addressing hate speech, has encompassed all protected characteristics recognized under international human rights and (...) including sexual orientation, gender equality, disability and age. While content management policies of digital platforms

certainly improved in recent years, it is difficult to come to unequivocal conclusion regarding effectiveness of these policies as there are no comparative data available that prove progress in this regard. Available data on hate speech incidents and effectiveness of its reporting, monitoring and removal are missing or fragmented and scattered. Also, international organisations had difficulties with accessing the detailed accounts. For example, in April 2022 the UN Committee on the Elimination of Racial Discrimination found Poland's country report on the elimination of racial discrimination unsatisfactory as regards in particular: measures taken "to combat racist hate speech and incitement to violence, including awareness-raising campaigns" and "the impact of provisions declaring as illegal parties or associations which promote or incite racial discrimination" (franet, 2022). In 2022, Helsinki Foundation on Human Rights informed about cases when disinformation matched hate speech: the previous anti-vaxx channels were used in 2022 for transfer and dissemination of new discourses of hate against Ukrainians. Such hate discourses claimed that influx of Ukrainians affected worsening socio-economic conditions of Poles, contributed to problems with access to social assistance, health care system, education (Helsińska Fundacja Praw Człowieka, 2022).

4. Conclusions

In 2022, risks to media pluralism increased only in the area of **Political Independence** and decreased in the areas of **Fundamental Protection** and **Market Plurality**. Overall, the areas of **Fundamental Protection** (50 %) and **Social Inclusiveness** (63 %) detected a medium risk, while the areas of **Market Plurality** (71 %) and **Political Independence** (75 %) a high risk. Digital indicators reached lower scores in the areas of **Fundamental Protection** (43 per cent), **Market Plurality** (58 per cent) and **Political Independence** (36 per cent) - in all these three areas scores stood for a medium risk. In the area of **Social Inclusiveness** the digital indicators surpassed the overall score, amounting to 76 per cent and indicated a high risk.

The news media environment in Poland maintains a high degree of structural polarization: such polarization penetrates news media coverage, political orientation of news media outlets, journalistic community setup and their self-regulatory frameworks, users' perspectives on crucial public issues and their trust to the news media. Media policy incentives such as the use of regulatory sanctions contribute to further polarizing divides (Klimkiewicz, 2021). In 2022, structural conditions of news media in Poland have been affected by complex uncertainties. The post-pandemic economic dynamics remained volatile. The impact of the war against neighbouring Ukraine caused slowing down the economic growth with revenue decreases in the press and TV sectors. In addition, some media with a critical stance towards the government faced restrictive regulatory incentives such as sanctions and postponing of licenses, imposed by KRRiT. One of such cases brought a successful complaint before the court. Unbalances in allocation of state advertising were deepened by distribution of funds for covid vaccination campaigns. Ownership concentration remained particularly high in audiovisual and radio markets. At the same time, the implementation of competition law raised concerns. Some news media have been successful in using alternative revenue streams and experimenting with inventive forms of reporting. Working conditions of Polish journalists have stabilized after covid-19's volatility, yet in some areas newsroom workers faced new or continuing pressures, including SLAPP, multi-tasking and mobbing. This shows that news media and journalists in Poland have to counteract many difficulties at the same time, accommodating both structural challenges of economic uncertainties and dependency on platforms, as well as regulatory and political pressures.

Many risks detected in the area of **Fundamental Protection** continue to generate systemic implications for media pluralism. These include at the first place the lack of functional independence of the media regulatory authority that will play increasingly important role in a media system absorbed by platform infrastructures. Structural issues embrace also judicial reform and legal actions addressing journalists and newsrooms.

These risks may be mitigated by:

- taking into account growing importance of a media regulatory authority (KRRiT) and necessity of its close co-operation with other regulators - competition authority (UOKiK), National Media Council (RMN) and telecom authority (UKE),
- guaranteeing effective independence of particularly media regulatory authorities, impartial regulatory performance, full transparency and accountability as a principal priority before any media policy and legal changes are implemented in order to avoid political and other undue influence on policymaking, preferential or discriminative treatment of media actors or services,
- strengthening of judicial independence, while promoting public awareness on SLAPP and other legal threats to journalists to ensure an enabling environment for freedom of expression and legal certainty

for media workers and the media industry,

- supporting institutional change in building a common front/organisational structure among newsrooms and journalists to effectively respond to unjustified criminalization of defamation, threats and legal actions against journalists and other forms of pressure to strengthen professional resilience and limit the chilling-effect on freedom of expression.

While a number of risks in the **Market Plurality** area results from external factors as observed above, their impact on a national media market depends on the national political context and regulatory response.

Thus, the risks in the Market Plurality area can be addressed by:

- setting clear, complex and high standards (such as conflict-of-interest rules) on state's involvement in a news media market and operations, including media ownership by state institutions; transparency and fair allocation of state advertising; clear, fair and transparent rules for state support to the media such as direct and indirect subsidies,
- setting editorial policies and rules for state-owned news media that would effectively prevent confluence of commercial and political influence,
- improving and ensuring an open and inclusive public's access to the most up-date news market data (such as advertising revenues), digital platform revenues and data resulting from platforms' content management policies,
- development of such tax policies that will not put additional financial burdens on media providing original news content, but rather support them,
- establishing effective rules that could combine assessment of ownership concentration with impact on pluralism of opinions and views in a news media market and better reflect specific features of converged digital environments, including a 'gatekeeper' function of platforms.

In the area of **Political Independence**, a high risk is generated by political control and instrumentalization of PSM, absence of relevant regulatory safeguards limiting political control over media outlets, asymmetric and non-proportional distribution of state support, including state advertising, and forms of political pressure in local and regional market.

A possible response to these risks may focus on:

- improving a PSM appointment procedures and governance model so that it reflects a wide spectrum of social representation and is free from political influence from government and political parties in power,
- setting high standards of PSM remit generating public value including detailed rules on impartiality, accuracy and quality as well as adopting effective monitoring of PSM performance by relevant regulators,
- adopting effective rules for fair, non-discriminatory and transparent distribution of state support and state advertising for the news media, including digital natives and online providers,

- relating state or public support for the news media with meeting the value of public interest, original news content and high quality journalism,
- developing better self-regulatory and widely respected standards concerning conflict-of-interest rules between political actors and news media.

In the area of **Social Inclusiveness**, risks were generated by a growing threat of disinformation and insufficient strategy that needs to embrace and link state activities, NGOs, news media and platforms; insufficient protection against hate speech, inadequate inclusiveness of minorities and weak and fragmented national policy on media literacy.

These risks may be addressed by:

- adopting a broader scope of measures addressing “hate speech” and implementing effective monitoring of cases, while improving access of the public to relevant data,
- supporting news media initiatives that target both legally recognized and non-recognized minorities, including Ukrainian refugees, foreseeing also forms of employment for minority journalists,
- developing more systematic and comprehensive approach to media literacy, including formal curriculum and regular monitoring of media consumption and users’ digital skills and competences,
- legal and policy recognition of non-profit community media while respecting their independent status.

Finally, the independent and pluralistic news media generate public goods and values nurturing democracies. National implementation of DMA and DSA as well as a debate about the proposal of EMFA present opportunities for affirmation of these values. In times of profound geopolitical, economic and environmental uncertainties, users need more than ever credible journalistic accounts and explanatory narratives following high professional standards. To fulfill these expectations news media need fairer conditions for sustainability – both from digital platforms and the states.

5. Notes

- [1] On 27 April 2023, the Chairman of KRRiT, imposed a fine of PLN 80,000.00 (17,640 EUR) on the news radio TOK FM for allegedly breaching the Article 18(1) of the Broadcasting Act by a programme entitled "Pierwsze śniadanie w TOK - u" (trans.: The First Breakfast on TOK FM). The KRRiT Chairman argued that the programme „promoted unlawful actions, views and attitudes contrary to morality and social welfare, and containing content inciting hatred and discriminatory content”. The sanctioned part of the report included words of a journalist, expressing his critique of the textbook for HiT (History and Present) in following words: „It reads as a textbook – I am sorry for the comparison – for Hitlerjugend. At times, not everywhere". The case has been widely commented by the independent media and commentators in Poland, most of which see the sanction as a dangerous precedence (the decision was taken by one person – the Chairman, not the whole KRRiT) in suppressing journalistic criticism and a watchdog role.
- [2] For example, TVP’s programmes in Ukrainian language are available at <https://abc.tvp.pl/58929627/dlaUkrainy>
- [3] <https://www.polskieradio.pl/398>

6. References

- The 2021 Act Amending 1992 Broadcasting Act (Ustawa o zmianie ustawy o radiofonii i telewizji) adopted on 11 August 2021, Official Journal, 2021, item 1676,
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001676>
- Agora.pl (2023) 14/2023 Conclusion of the Share Purchase Agreement to purchase 110 shares of Eurozet sp. z o.o. from SFS Ventures s.r.o. with its seat in Prague under Call Option 1,
<https://www.agora.pl/en/14-2023-conclusion-of-the-share-purchase-agreement-to-purchase-110-shares-of-eurozet-sp-z-o-o-from-sfs-ventures-s-r-o-with-its-seat-in-prague-under-call-option-1>
- Biuro Bezpieczeństwa Narodowego (Office for National security) National Security Strategy of the Republic of Poland (2020)
https://www.bbn.gov.pl/ftp/dokumenty/National_Security_Strategy_of_the_Republic_of_Poland_2020.pdf
- Bochyńska, Nikola and Prus, Paweł (2021) Media bez kobiet. Raport Instytutu Zamenhofa (The Media without women. The Report of Zamenhof Institute), <https://zamenhof.pl/2021/03/05/tylko-21-proc-kobiet-w-programach-radia-i-telewizji-instytut-zamenhofa-opublikowal-wyniki-badania-mediow/>
- Brosch, A. (2017) “Media Education in Poland: Needs vs. Reality”, in Journal of Technology and Information Education,
https://www.researchgate.net/publication/321377023_MEDIA_EDUCATION_IN_POLAND_-_NEEDS_VER_SUS_REALITY
- Cicha, Karina et al. (2021) Digital and Media Literacies in the Polish Education System—Pre- and Post-COVID-19 Perspective, <https://www.mdpi.com/2227-7102/11/9/532/pdf>
- Ciński, Jan (2023) Duda throws Poland’s EU cash plans into turmoil, <https://www.politico.eu/article/poland-andrzej-duda-eu-recovery-fund-throws-polands-eu-cash-plans-into-turmoil/>
- Cieśla and Pawlicka (2018) Jak Polsat pokochał PiS (How Polsat got in love with PiS),
<https://www.newsweek.pl/polska/jak-polsat-pokochal-pis/vckxvg6>
- CHR (2022) Wydawanie prasy przez organy samorządu terytorialnego. Rzecznik ponownie o potrzebie zmian (Publication of the press by local government. The Commissioner speaks about a need of changes),
<https://bip.brpo.gov.pl/pl/node/24555/revisions/26168/view>
- European Parliament (2022) Mission Report following the Committee on Budgetary Control delegation to Warsaw (PL), 18-20 July 2022,
https://www.europarl.europa.eu/doceo/document/CONT-CR-738412_EN.pdf
- Ey.com (2020) Poland introduces new levy on VOD platforms, https://www.ey.com/en_gl/tax-alerts/poland-introduces-new-levy-on-vod-platforms
- Franet (2022) Franet National contribution to the Fundamental Rights Report 2022,
https://fra.europa.eu/sites/default/files/fra_uploads/fundamental_rights_report_2022_-_poland_.pdf
- Gąbka, Adrian (2023) Zmiany w ustawie o abonamencie RTV? Gliński: Dostrzegane są mankamenty systemu (Changes in the Act about broadcasting licence fees? Gliński: Shortcomings of the system are noticed) <https://www.wirtualnemedial.pl/artykul/rpo-rzecznik-praw-o-bywatelskich-marcin-wiacek-piotr-glinski-ministerstwo-kultury-i-dziedzictwa-narodowego-poczta-polska-ministerstwo-aktywow-panstwowych-jan-kanthak-wyrejestrowanie-odbiornika>
- Gazetapolska.pl (2020) Czy Pani Marta jest grzechu warta? (Is Miss Marta seductive?), <https://www.gazeta-polska.pl/23873-czy-pani-marta-jest-grzechu-warta-protesty-w-sprawie-aborcji-staly-sie-wiekszym-problemem-dla-opozycji-niz-pis>
- Gov.pl (2021) Disinformation against Poland in 2020 – special services’ view, <https://www.gov.pl/web/sluzby-specjalne/disinformation-against-poland-in-2020--special-services-view>
- GUS (2023 A) Ludność (Population), <https://stat.gov.pl/obszary-tematyczne/ludnosc/>
- GUS (2023 B) Produkt krajowy brutto w 2022 roku – szacunek wstępny (GDP brutto in 2022 – initial estimation) <https://stat.gov.pl/obszary-tematyczne/rachunki-narodowe/roczne-rachunki-narodowe/produkt->

[krajowy-brutto-w-2022-roku-szacunek-wstepny,2,12.html](https://stat.gov.pl/obszary-tematyczne/ceny-handel/wskazniki-cen/wskazniki-cen-towarow-i-uslug-konsumpcyjnych-w-grudniu-2022-roku,2,134.html)

GUS (2023) Wskaźniki cen towarów i usług konsumpcyjnych (Consumption indicators for goods and services) <https://stat.gov.pl/obszary-tematyczne/ceny-handel/wskazniki-cen/wskazniki-cen-towarow-i-uslug-konsumpcyjnych-w-grudniu-2022-roku,2,134.html>

GUS (Central Statistical Office) (2020) Populacja cudzoziemców w Polsce w czasie covid-19 (The population of foreigners in Poland during the covid-19 pandemic), <https://stat.gov.pl/statystyki-eksperymentalne/kapital-ludzki/populacja-cudzoziemcow-w-polsce-w-czasie-covid-19,12,1.html>

Fundacja Helsińska Praw Człowieka (2022) Granice nienawiści. Mowa nienawiści w kontekście kryzysów humanitarnych na granicy polskiej (2021/2022), <https://geremek.pl/wp-content/uploads/2022/06/Granicenienawisci136222.pdf>

IAB (2023) About the Study, <https://iabadex.pl/english.php>

IAB (2022) Reklama online przyspiesza w drugim kwartale 2022 r. (Online advertising speeds up in the second quarter of 2022), https://iabadex.pl/wyniki_2022q2.php

Ifj.org (2023) Poland: Spanish journalist Pablo González in custody for one year on charges of spying for Russia and no trial in sight, <https://www.ifj.org/media-centre/news/detail/article/poland-spanish-journalist-pablo-gonzalez-in-custody-for-one-year-on-charges-of-spying-for-russia-an.html>

IMM (2023) Media wciąż bez kobiet — wyniki badania IMM dla Forbes Women (Media still without women – results from IMM research for Forbes Media), <https://www.imm.com.pl/media-wciaz-bez-kobiet-wyniki-badania-imm-dla-forbes-women/>

Izdebski Krzysztof and Musidłowska Marta (2023) New Polish Digital Law Is Government Overreach, <https://visegradinsight.eu/new-polish-digital-law-is-government-overreach/>

Klimkiewicz, Beata (2021) The Public Sphere and the Changing News Media Environment in Poland: Towards Structural Polarisation, [in] Javnost – The Public, <https://www.tandfonline.com/doi/abs/10.1080/13183222.2021.1861408>

Kondzińska Agata and Kublik Agnieszka (2022) Head of Poland's State Television Abruptly Dismissed, <https://wyborcza.pl/7,173236,28873658,head-of-poland-s-state-television-abruptly-dismissed.html>

Kość, Wojciech (2022) Inflation is the name of the game in Polish politics, <https://www.politico.eu/article/inflation-top-agenda-poland-politic-election/>

Kowalski, Jacek (2022) Paweł Buczkowski dyscyplinarnie zwolniony z „Dziennika Wschodniego”. Redakcji szefuje Jerzy Kowalczyk (Paweł Buczkowski disciplinary fired from „Dziennik Wschodni”. The newsroom is guided by Jerzy

Kowalczyk. <https://www.wirtualnemedial.pl/artykul/pawel-buczowski-dyscyplinarnie-zwolniony-dziennik-wschodni-nowy-szef-jerzy-kowalczyk>

Kowalski, Jacek (2023) Kryzys wycina z rynku lokalne tygodniki. Zamyka je też Polska Press (The crisis cuts off local weeklies from the market. Polska Press also closes them down), <https://www.wirtualnemedial.pl/artykul/koniec-lokalne-tygodniki-polska-press-zamyka>

Kowalski, Tadeusz (2022) OKRES RZĄDÓW ZJEDNOCZONEJ PRAWICY. Analiza wydatków reklamowych spółek skarbu państwa (SSP) w latach 2016-2021. Aneks. Wydatki reklamowe ministerstw i centralnych urzędów w 2021 roku. (The period of the United Right government. The analysis of advertising expenditures of state owned companies (SSP) in between 2016 – 2021. Anex. Advertising expenditures of ministries and central administration in 2021), https://www.researchgate.net/publication/359603356_OKRES_RZADOW_ZJEDNOCZONEJ_PRAWICY_Analiza_wydatkow_reklamowych_spolek_skarbu_panstwa_SSP_w_latach_2016-2021_Aneks_Wydatki_reklamowe_ministerstw_i_centralnych_urzedow_w_2021_roku_na_podstawie_monitorin

KRRiT (2022) Sprawozdanie z działalności 2021 (Annual Report 2021),

<https://www.gov.pl/web/krrit/sprawozdanie-i-informacja-z-dzialalnosci-w-2021-roku>

KRRiT (2022) Informacja o podstawowych problemach radiofonii i telewizji w 2021 roku (information about basic issues concerning radio and television in 2021), <https://www.gov.pl/web/krrit/sprawozdanie-i-informacja-z-dzialalnosci-w-2021-roku>

KRRiT (2023) The Decision of the Chairman of the KRRiT imposing a fine of PLN 80,000.00 on the Broadcaster – TOK FM, <https://www.gov.pl/web/krrit/decyzja-przewodniczacego-krrit-o-nalozeniu-kary-80-tys-zl-na-nadawce-programu-tok-fm-english-version-below>

Kupiecki, Robert, Bryjka, Filip; Chłoń Tomasz (2022) Dezinformacja międzynarodowa. Pojęcie rozpoznanie, przeciwdziałanie (International disinformation. Definition, diagnosis, counteracting) https://scholar.com.pl/pl/glowna/8704-dezinformacja-miedzynarodowabrpojecie-rozpoznanie-przeciwdzialanie.html?search_query=dezinformacja&results=1

Makarenko, Vadim (2022) Poland, Digital News Report 2022, <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022/poland>

mfr.eu (2022) Poland: Ombudsman must appeal acquisition of newspaper by state-controlled oil company, <https://www.mfr.eu/poland-ombudsman-must-appeal-acquisition-of-newspaper-by-state-controlled-oil-company/>

Ministry of Justice (2022) Draft Law on freedom of speech in internet social media services, <https://www.gov.pl/web/sprawiedliwosc/zachecamy-do-zapoznania-sie-z-projektem-ustawy-o-ochronie-wolnosci-uzytownikow-serwisow-spolnosciowych>

Nordicom, Media&Learning (2021) Media Literacy in Poland, <https://media-and-learning.eu/event/webinar-on-media-literacy-in-europe-poland/>

Nowymarketing.pl (2023) Internet liderem polskiego rynku reklamy w 2022 r. (Internet as a leader of Polish advertising market in 2022), <https://nowymarketing.pl/a/41345,internet-liderem-polskiego-ryнку-reklamy-w-2022-r>

Onet.pl (2023) Rewolucja w TVP. Jarosław Olechowski odwołany po tekście Onetu (The revolution in TVP. Jarosław Olechowski dismissed after the onet text), <https://wiadomosci.onet.pl/kraj/rewolucja-w-tvp-jaroslaw-olechowski-odwolany-po-tekscie-onetu/6292mfw>

OKO.press (2023) Skuteczna walka z dezinformacją przy tej władzy jest niemożliwa. Najpierw naprawmy demokrację (An effective struggle with disinformation is impossible with this government. Let's repair democracy first), <https://oko.press/walka-z-dezinformacja-przy-tej-wladzy-jest-niemozliwa>

Ptak, Alicja (2022) Delay to broadcasting licence for US-owned TVN24 was unlawful, finds Polish court, notesfrompoland.pl, <https://notesfrompoland.com/2022/04/29/delay-to-broadcasting-licence-for-us-owned-tvn24-was-unlawful-finds-polish-court/>

Ptaszek, G. and Łysik, M. (2019) "Media Literacy in Poland", in The International Encyclopedia of Media Literacy, ed. by R. Hobbs, P. Mihalidis, NY: Willey-Blackwell, https://www.academia.edu/36507181/Media_Literacy_in_Poland

Radio357.pl (2023) Jesteście... najwięksi na świecie! (You are...the biggest in the world!), <https://radio357.pl/aktualnosci/jestescie-najwieksi-na-swiecie/>

Rucińska, A. (2017) Polki w mediach (Polish women in the media), <http://www.instytutobywatelski.pl/27284/komentarze/spoleczenstwo-komentarze/polki-w-mediach>

Rutkowska Elżbieta (2022) Zdążyć z regulacjami przed wyborami (To manage with regulations before elections), <https://serwisy.gazetaprawna.pl/media/artykuly/8330353.reklama-polityczna-kampania-wyborcza.html>

Meta (2023) Availability for ads about social issues, elections or politics, <https://www.facebook.com/business/help/2150157295276323?id=288762101909005>

Quell, Molly (2022) Polish surveillance draws fire at top European rights court, <https://www.courthousenews.com/polish-surveillance-draws-fire-at-top-european-rights-court/>

press.pl (2022) Już rok TK mrozi sprawę dotyczącą dostępu do informacji publicznej. "Władzy to pasuje" (There has been a year since the Constitutional Tribunal has frozen a case concerning access to public information. "It suits the administration in power")
, <https://www.press.pl/tresc/74125.juz-rok-trybunal-konstytucyjny-mrozi-sprawe-dotyczaca-dostepu-do-informacji-publicznej-wladzy-to-pasuje>

polityka.pl (2022) Nowa KRRiT w ekscentrycznym składzie. Partia z Kościołem i Kościół z Partią (A new KRRiT with an excentric composition. The party with church and the church with the party),
<https://www.polityka.pl/tygodnikpolityka/kraj/2184240,1.nowa-krrit-w-ekscentrycznym-skladzie-partia-z-kosciolem-i-kosciol-z-partia.read>

polskieradio.pl (2023) Polish gov't spokesman defends new electronic communications bill, <https://www.polskieradio.pl/395/7789/Artykul/3130344.polish-gov%E2%80%99t-spokesman-defends-new-electronic-communications-bill>

Press.pl (2022) Onet nie zważa na pogróżki Polska Press. Węglarczyk: "To instytucja państwowa" (Onet doesn't take into consideration Polska Press threats. Węglarczyk: "It's a state institution."), <https://www.press.pl/tresc/72864.onet-nie-zwaza-na-pogrozki-polska-press>

Rp.pl (2022) 16-latek ujawnia gigantyczne pieniądze z ministerstw dla fundacji o. Rydzyka, <https://www.rp.pl/w-sadzie-i-w-urzedzie/art37319571-16-latek-ujawnia-gigantyczne-pieniadze-z-ministerstw-dla-fundacji-o-rydzyka>

Szczerbiak, Alex (2023) Can Poland's right-wing ruling party win this year's parliamentary election? <https://polishpoliticsblog.wordpress.com/2023/02/>

Tilles, Daniel (2022A) Polish Newsweek hit by accusations of bullying by long-serving former editor-in-chief, <https://notesfrompoland.com/2022/07/05/polish-newsweek-hit-by-accusations-of-bullying-by-long-serving-former-editor-in-chief/>

Tilles, Daniel (2022B) Polish state-funded nationalist media outlet promotes antisemitic book, <https://notesfrompoland.com/2022/04/25/polish-state-funded-nationalist-media-outlet-promotes-antisemitic-book/>

Tvp.info (2022) #Imigranci (#Immigrants), <https://www.tvp.info/tag?tag=imigranci>

UNHCR (2023) Operational data portal: Ukrainian refugee situation, <https://data.unhcr.org/en/situations/ukraine/location/10781>

UKE (2022) Report of the President of UKE on compliance in the Polish market with Regulation 2015/2120 on open internet access in 2021, <https://digital-strategy.ec.europa.eu/en/library/annual-country-reports-open-internet-national-regulatory-authorities-2022>

uokik.gov.pl (2021A) Agora/Eurozet – prohibition of concentration, https://www.uokik.gov.pl/news.php?news_id=17144

Węglewski, (2022) Zygmunt Solorz jest ciężko chory. Dlaczego poszedł na układ z PiS (Zygmunt Solorz is seriously ill. Why he collaborates with PiS), <https://www.newsweek.pl/biznes/zygmunt-solorz-jest-ciezko-chory-historia-biznesowej-ekspansji-solorza/rqz66jn>

Wirtualnedia.pl (2021) KRRiT i rząd chcą edukacji medialnej. Podpisano porozumienie (KRRiT and the government want media literacy. The agreement was signed), <https://www.wirtualnedia.pl/artykul/krrit-i-rzad-chca-edukacji-medialnej-podpisano-porozumienie>

Wirtualnedia.pl (2022) Sprzedaż „Faktu” spadła do 140 tys. egz., a „Gazety Wyborczej” do 48 tys. (The sale of „Fakt” decreased to 140 thousand and of „Gazeta Wyborcza” to 48 thousand), <https://www.wirtualnedia.pl/artykul/sprzedaz-gazeta-ii-kwartal-2022-fakt-rzeczpospolita-gazeta-wyborcza>

Wirtualnedia (2022B) Jeszcze więcej treści TVP dla Ukraińców. Kurski: Nasze kultury są sobie bliskie (More TVP content for the Ukrainians: our cultures are close to each other), <https://www.wirtualnedia.pl/artykul/telewizja-polska-tvp-jacek-kurski-uchodzcy-wojna-jezyk-ukrainski-bajki-seriale-filmy-tvp-go>

Whistleblowingmonitor.eu (2023) EU Commission makes CJEU referral for transposition failure,
<https://www.whistleblowingmonitor.eu/?country=poland>

Wirtualnedia.pl (2023) Nowa koncesja dla HGTV najwcześniej w marcu. KRRiT czeka na informacje o właścicielu TVN (A new licence for HGTV no earlier than in March. KRRiT waits for information about the owner), <https://www.wirtualnedia.pl/artukul/koniec-hgtv-nowa-koncesja-krrit-wlasciciel-tvn-kto-to-jest>

wyborcza.pl (2022A) Poland Named Europe's SLAPP Country of the Year,
<https://wyborcza.pl/7,173236,29061449,poland-named-europe-s-slapp-country-of-the-year.html>

wyborcza.pl (2022B) Head of Poland's State Television Abruptly Dismissed,
<https://wyborcza.pl/7,173236,28873658,head-of-poland-s-state-television-abruptly-dismissed.html?disableRedirects=true>

ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Beata</i>	<i>Klimkiewicz</i>	<i>Professor</i>	<i>University of Krakow</i>	X

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
<i>Alicja</i>	<i>Jaskiernia</i>	<i>University Professor - Academic</i>	<i>University of Warsaw, Faculty of Journalism, Information and Book Studies</i>
<i>Andrzej</i>	<i>Krajewski</i>	<i>Representative of a journalistic organisation</i>	<i>Towarzystwo Dziennikarskie (Society of Journalists)</i>
<i>Jolanta</i>	<i>Hajdasz</i>	<i>Director of CMWP; Vice-Chair of SDP</i>	<i>Press Freedom Monitoring Centre (CMWP) , Polish Journalists' Association (SDP)</i>
<i>Tadeusz</i>	<i>Kowalski</i>	<i>Member</i>	<i>Krajowa Rada Radiofonii i Telewizji (National Broadcasting Council)</i>

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