

# REPORTERS WITHOUT BORDERS

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## **Contribution by Reporters Without Borders (RSF), a non-governmental organization with special consultative status, on freedom of the media and information in Poland**

### **A disturbing decline in freedom of the media and information in Poland.**

The state of freedom of the media and information in Poland is of special concern this year. The country is ranked 47<sup>th</sup> out 180 in RSF's World Press Freedom Index, 29 places lower than its position in the 2015 Index.

### **Official control over state broadcast media**

Poland saw the conservative Law and Justice Party (PiS) come to power in May 2015, with the victory of Andrzej Duda, an outcome that was reinforced several months later with the party's victory in the parliamentary elections of October 2015. Parliament then enacted a change in the constitutional court, the body responsible for ruling on the constitutionality of laws. The principal goal of this action was to strengthen government control over the constitutional judges.

In January 2015, soon after taking power, the Law and Justice Party conservatives enacted a so-called "small law" that granted the government full power to appoint and dismiss state TV and radio executives.

A second proposed law was drafted that would cancel all professionals' contracts with the same media organizations. But that law has been amended and a vote delayed. For now, the content of the bill is unknown.

### **Authorities are implementing their initial measures:**

The treasury minister is now responsible for appointing and dismissing state media executives. Previously, they had been selected through a competitive process organized by the National Broadcast Council (KRRiT).

Public TV and radio, as well as the PAP news service, which are state-controlled commercial enterprises, have been transformed into so-called national cultural institutions overseen by a national media council that the government appointed in July 2016.

The official stranglehold on public media has resulted in censorship and a wave of dismissals.

November 2015: Prominent journalist Eve Wanat is fired unjustly from RDC, Polish national radio.

On 3 February 2016, the Law and Justice Party files a lawsuit against the daily Gazeta Wyborcza over an article that it finds unfair. The case was dismissed in July.

On 24 February 2016, the service provider that employs a number of salaried employees of TVP, Polish public TV, dismisses 88 staff employees on the same day, including reporters, editors, and graphic designers.

On 30 March 2016, the Towarzystwo Dziennikarskie union reports that 118 journalists working in state media have been dismissed since December 2015.

8 July 2016: TVP censors a speech by President Barack Obama during a visit to Poland, in which he criticizes the constitutional court reform.

In addition, it must be pointed out that a new anti-terrorism law of June 2016, which significantly expanded and strengthened the powers of the ABW, the domestic security agency, includes no independent monitoring mechanism designed to prevent abuse. Journalists can now be put under surveillance without their knowledge. This seriously threatens their ability to protect the confidentiality of their sources.

#### **RSF's recommendations to Polish officials:**

- Polish authorities must respect international standards on freedom of expression and information, especially on matters involving the independence of governing bodies and the protection of source confidentiality.
- Repeal or amend the "little law" on media that allows the treasury minister to appoint state broadcasting executives.
- Repeal or amend the antiterrorism law of June 2016 in order to protect the journalism profession, especially source confidentiality.
- Place journalists under surveillance only with judicial authorization.

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