

Opinion piece on the change in Polish media law prepared by EBU

We have watched with alarm events in Poland over the past weeks as the governing Law and Justice Party has sought to undermine Polish democracy and rule of law with a series of measures. One of them involves introducing a new media law that goes against basic principles and established standards of public service media governance throughout Europe.

The introduction of a system whereby a government minister can appoint and dismiss at its own discretion the supervisory and management boards of public service broadcasters would be the worst example of its kind in Europe. It is a direct attack on the independence of public service media in Poland. Such a structure indeed makes the editorship of the PSM entirely dependent on the government. It constitutes a retrograde step back to the pre-1989 days when Poland had a state broadcaster.

Functioning healthy European democracies rely on checks and balances on power. To ensure media pluralism and the effective representation of a diverse range of opinions, from all parts of the political spectrum, the media must be independent of political control. Giving a government minister, from any political party, the right to appoint and dismiss the supervisory boards and management of EBU Members Polskie Radio and Telewizja Polska (TVP) can only result in irreparable damage to the pluralism that is a vital part of a modern democratic society.

Television in Poland reaches 90% of citizens. Public service media itself has a great impact on Polish citizens with TVP reaching more than nearly 80% of the Polish population every week. It also has a 30% share of the TV broadcasting market, higher than many public TV channels in Central and Eastern Europe, and reaches over 50 percent of young audiences aged between 15 and 24. Polskie Radio reaches nearly half the population and provides 18 hours a day of dedicated news and current affairs programming. The comparatively low Polish licence fee of **55** euros a year also represents immense value for money. In short, public service media in Poland is massively important in keeping citizens informed so that they can play a vital democratic role and to maintaining social cohesion.

It is integral to preserve the integrity and independence of public service media as a symbol of a free and democratic country. The European Commission is rightly concerned about developments in Poland with Vice-President of the EU Commission, Frans Timmermans writing to the Polish government about the new media law and reiterating the EU's fundamental principles and values. We have already seen the temptation in some EU Member States to reverse the independence of various powers including that of public service media and this is regrettable.

It is best practice in most of the EBU's Member countries for an (independent) supervisory body to appoint or dismiss the boards of public service media organisations, in order to ensure and preserve their editorial independence. In some countries, the parliament, and sometimes to some extent government ministers are involved. However, we are not aware of any country where such decisions are made at the behest of a single government Minister (or the government alone), at his/her entire discretion.

It is therefore important that forces contributing to democracy and pluralism of the media at a national and European level, such as the European Broadcasting Union, unite at this time to resist a change in Poland that would greatly hinder editorial independence and the work of its journalists. In order to maintain strong independent public service media in Poland we urge the Polish President not to approve this new law that will do harm to not just the independence of the country's media but to Poland's place as a guardian of democratic values in Europe.
