

MEDIA CAPTURE MONITORING REPORT: **POLAND**

MEASURING EMFA
COMPLIANCE

December 2025



MEDIA CAPTURE MONITORING REPORT: POLAND

The International Press Institute (IPI) and the Media and Journalism Research Center (MJRC) have partnered up to produce the Media Capture Monitoring Report on Poland, an annual report to measure media capture in the country and the degree to which the Member State meets the new EU regulation to combat the problem.

In August 2025, the European Media Freedom Act (EMFA) came into full force and Member States are required to enact reforms to align with the new regulation.

The Polish report focuses on EMFA elements directly addressing media capture, namely, the independence of public service media and of media regulators, the misuse of state funds to influence media, and ensuring ownership transparency and media pluralism.

The report examines the standards prescribed by law and how they are currently implemented in practice. It also sets out the areas of reform needed to bring the country into line with EMFA while also making recommendations for where reform can go further.

The report is intended an important tool for journalist and media rights groups and national policy makers to guide reform and monitor the degree to which Poland is meeting its obligations.

The Media Capture project is a part of the Media Freedom Rapid Response (MFRR), a Europe-wide mechanism which tracks, monitors and responds to violations of press and media freedom in EU Member States and Candidate Countries. The project is co-funded by the European Commission.

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The author thanks Dagmara Sidyk-Furman for support in gathering data and sources.

Published by: the International Press Institute (IPI) and Media and Journalism Research Center (MJRC)

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Changes in 2024/25

As of early October 2025, the European Media Freedom Act (EMFA) has not yet been incorporated into Poland's national media legislation. Following the October 2023 elections which raised hopes for the re-democratisation of public service media, a fairer distribution of state advertising, and stronger measures to promote media plurality, the current coalition government led by Prime Minister Donald Tusk has still not advanced with the amendment to the media law that would align national regulation with EMFA's key principles. Facing the obstacle of a presidential veto, much of the government's overall media reform agenda has stalled or been limited, undermining broader media freedom progress.

After the public consultations on the draft media law and the government's 2024 strategy, the main developments in 2025 include changes in leadership positions within the National Broadcasting Council, which had some positive impact on the professionalism and independence of the regulatory body, and the appointment of Marta Cienkowska as Minister of Culture and National Heritage. The previous reforms aimed at reducing direct political control over the public broadcaster TVP continue to be felt. Meanwhile, the proposed sale of Polska Press, which was controversially acquired by state-controlled oil giant PKN Orlen under the previous Law and Justice-led government, could represent a major unwinding of state driven media capture in Poland. However, the proposed sale to a private investor, which is being sought by the government, may face questions over media pluralism and editorial independence.

Overall, reforms to Poland's media legislation have become deeply politicised, particularly in the run-up to the spring 2025 presidential elections, which resulted in the victory of conservative candidate Karol Nawrocki, supported by the Law and Justice (PiS) party. With the country divided into two opposing socio-political camps, debates about EMFA in Polish media mirror the broader societal polarisation. Populist voices have questioned the EU's role in shaping national media policy, portraying themselves as defenders of "genuine" public service media, as the ongoing dismantling of the previous PSM structure undermines pluralism and fuels media-related conspiracy narratives on both sides. This persistent cycle of distrust and fragmentation underscores the urgent need for genuine, citizen-driven deliberation on the future of public media, particularly given Poland's current geopolitical context, where public service media should serve as a cornerstone of trustworthy and resilient democratic infrastructure.

Independence of media regulators

The Polish media regulatory framework, established through the Constitution (1997) and the Broadcasting Act (1992), aims to ensure the independence of media regulators. However, the National Broadcasting Council (KRRiT) has faced long term challenges in maintaining operational independence, particularly in the appointment processes where political connections have overshadowed expertise and management experience. Today's KRRiT continues to act openly in favour of the former government of the United Right, following politicised appointment by the previous government. However, the regulator's

visible bias has notably reduced following the dismissal of the PiS-nominated president of KRRiT, Maciej Świrski, in July 2025. This change also positively affected the body's overall professionalism and independence. To address this persistent problem, current regulatory proposals and public consultations are calling for a more diverse membership of the KRRiT, emphasising members' expertise in media, economics, and law as well as the need to be free from political affiliations and influence.

Legislation in line with EMFA provisions: Yes

Effective independence: No

Independence of public service media

The Broadcasting Act of 1992 in Poland emphasises the independence of public service media (PSM) and requires them to be impartial, well-balanced, and innovative. However, despite existing legal provisions and media accountability systems, the plurality and independence of PSM are not guaranteed due to a long history of political interference. The crisis over the PSM since December 2023, when the current government controversially replaced senior management and then put PSM into a state of liquidation to enable it to continue to finance its operations in 2024, underline the need for robust reform of the governance of PSM and strong guarantees of its political independence. The 2023 reforms to the PSM, while broadly positive in reducing direct government interference and increasing pluralistic coverage at the public broadcaster, face many challenges and have not been solidified through EMFA-mandated reforms.

Legislation in line with EMFA provisions: Partially

Effective independence: No

Misuse of state funds to influence media output

Currently, there are no established procedures for transparent spending of public funds on state advertising. Attempts have been made to estimate the costs and dynamics of state contracts, primarily focusing on conservative-right media groups during the United Right government and the dramatic loss of advertising revenue for independent media during the period of the former government, in 2015–2023. The current government has promised to address the problem in its reforms, but has provided little detail and no concrete proposal has been developed. Under the EMFA the government is obliged to introduce rules for the fair distribution of funds and to designate an institution, likely to be KRRiT, to monitor and provide transparency to the use of state funds. No progress has yet been made on establishing these rules.

Legislation in line with EMFA provisions: No

Fair and transparent allocation of state funds to media: No

Media pluralism and political/state influence over news media

Media transparency provisions in Poland, outlined in the Press Law of 1984 and the

Broadcasting Act of 1992, require media outlets to disclose their legal names and ownership structures. However, concerns have been raised about the lack of transparency in media ownership, particularly in identifying actual beneficiaries and legal structures. Media pluralism remains a serious concern with the Court ruling in the challenge to PKN Orlen's take-over of Polska Press, that there was no recognised methodology to measure media pluralism on which to block the merger. The government will need to introduce a mechanism and procedure to examine future media take-overs on media pluralism grounds. The proposed sale of Polska Press to a private investor, which would unwind one of the most serious examples of state-driven media capture in Europe in recent years, has yet to take place. Though overall the state influence over Polska Press and its news media titles has been reduced since the change in government, marking some progress.

Legislation in line with EMFA provisions: Partially
Effective media pluralism: No

Analysis

Independence of media regulators

This section discusses how Article 30 of the AVMSD (Directive 2010/13/EU) is implemented.

Summary

The Polish media regulatory framework has been developed in a way that ensures the independence of media regulators. This is achieved through legal provisions set out in the Constitution (1997) and the Broadcasting Act (1992).

However, despite the National Broadcasting Council (Krajowa Rada Radiofonii i Telewizji, KRRiT) having formal guarantees for independent operations, the practice over the past 30 years has demonstrated that these have been either misunderstood or neglected.

The primary challenges to sustaining operational independence have been in the appointment processes, where expertise and management experience have become secondary considerations compared to political backing in order to be appointed via the parliamentary houses of the Sejm, Senate or the President of the Republic. The KRRiT board is, overall, currently controlled by members appointed by the former government on whose behalf they have continued to act through 2024 and 2025, despite the change in the chair. The current regulatory proposals and public consultations to fulfil EMFA call for a more diverse membership for the KRRiT, with a focus on members' expertise in media, economics and law, freed from political affiliations and influence.

Legal and operational independence

While Polish legislation outlines the functional independence of the KRRiT, the reality is

that the regulatory body has often been populated by heavily politicised members. It is the media authority responsible for regulating radio and television broadcasting as well as for monitoring online and Video on Demand (VOD) platforms' obligations. The legal framework governing the operations of KRRiT is set out in the Polish Constitution which states that the Council shall safeguard freedom of speech, the right to information and the public interest with regard to radio and television broadcasting.¹ The Broadcasting Act of 1992 also stipulates that KRRiT is responsible for safeguarding "the independence of media service providers and video sharing platforms" as well as protecting "the interests of viewers, listeners and users." Its remit also includes ensuring an open and pluralistic radio and television sector.²

Although the national legislation, including Poland's Constitution, espouses KRRiT's formal independence and is consistent with Article 30 of the AVMSD, industry reports and academic studies have demonstrated that the media regulator has consistently been subject to political influence. Since its inception in the early 1990s, KRRiT has been susceptible to political influence, with potentially relevant political perspectives represented in the composition and membership of the body. This is largely due to the fact that state bodies, including the Sejm, the Senate, and the President of the Republic, are responsible for appointing KRRiT's members.

Composition of the regulator's board

In accordance with the provisions set forth in Poland's Broadcasting Act, the KRRiT is a five-member board, with two members appointed by the Sejm, one by the Senate, and two by the President, selected from a pool of individuals "with a distinguished record of expertise and experience in mass communications".³

The Constitution of the Republic of Poland also reinforces formal independence and accountability, stating that KRRiT members "shall not belong to a political party, a trade union or perform public activities incompatible with the dignity of their function".⁴

Independence of the regulator's members

As of October 2025, KRRiT comprises five members appointed in 2022 for a six-year term. The Broadcasting Act sets out the grounds for dismissal of members of KRRiT.⁵ In order to gain a full understanding of the practical implications of formal provisions for independence, it is essential to consider the current composition in the context of political decisions and the related composition of the Sejm and Senate during the summer and early autumn of 2022.

¹ Constitution of the Republic of Poland, 1997, Art. 213, <https://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm>.

² Broadcasting Act, 1992, Art. 6.1,

http://www.archiwum.krrit.gov.pl/Data/Files/_public/Portals/0/angielska/Documents/Regulations/ustawa-o-radiofonii-i-telewizji-2016-eng_en.pdf.

³ Broadcasting Act, Art. 7.1.

⁴ Constitution of the Republic of Poland, Art. 214.

⁵ Broadcasting Act, Art. 7.1.4.

The Senate appointed Tadeusz Kowalski with the so-called broad centre-left coalition of the Civic Platform, the Third Way (Polish Peasant Party + Polska 2050) and the New Left opposition majority, which currently form Donald Tusk's government. The remaining members were appointed by the Sejm and the President of the Republic. They are affiliated with the conservative-right and the majority of the United Right (PiS and its coalition partners), who are currently in opposition.

As of early October 2025, the KRRiT was chaired by Agnieszka Glapiak, following the departure of former Chairman Maciej Świrski, who was held constitutionally accountable before the State Tribunal.⁶ Political tensions between Poland's two dominant political camps continue to shape both policymaking and the broader public debate on the Council's actual independence. Reflecting this climate, Parliament recently rejected the KRRiT's annual report.⁷

On the face of it, most of KRRiT's members do not accept the terms of the liquidation of the public service media, accusing the current government of breaking the law in installing new PSM managers in both radio and television. Among the most recent developments was the publication by KRRiT of a timeline for the liquidation of public service media from December 2023 to May 2024, a document that criticises what it sees as a takeover of the public service broadcasters by the current government.⁸ This followed a lengthy process of KRRiT blocking the transfer of public funds collected through the licence fee system for the day-to-day operations of the PSM. The licence fees have been transferred to the court depository with the KRRiT's general call to "restore the legal status of public radio and television" by 31 December 2024.⁹ These tensions have continued through to October 2025, when this report was written.

The Ministry of Culture and National Heritage has been holding public consultations on the troubled independence of KRRiT. In an open call to civil society, media industries, and activists, a ministry proposal (and related background) indicates that existing legal provisions are insufficient and that further steps are needed to ensure KRRiT independence from "all types of external entities".¹⁰

The Ministry proposal from 2024 identified earlier regulatory frameworks as a potential solution, noting that the KRRiT previously consisted of nine members and included membership rotation mechanisms. The current proposal suggests replacing one-third of the KRRiT composition every two years, calling for more detailed regulations regarding candidate competencies, including knowledge of the media sector, law, culture and

⁶ Polska Agencja Prasowa, "Świrski odwołany z funkcji przewodniczącego KRRiT. Wiadomo, kto go zastąpi" (Świrski dismissed as chairman of the National Broadcasting Council. His successor revealed), PAP, 28 July 2025, <https://www.pap.pl/aktualnosci/swirski-odwolany-z-funkcji-przewodniczacego-krrit-wiadomo-kto-go-zastapi>

⁷ Tomasz Wojtas, "Sprawozdanie KRRiT znów odrzucone. Wszystko w rękach prezydenta" (KRRiT's annual report rejected again. The decision now rests with the president), Wirtualnemedia.pl, 25 September 2025, <https://www.wirtualnemedia.pl/sprawozdanie-krrit-znow-odrzucone-wszystko-w-rekach-prezydenta,7204176907995936a>.

⁸ KRRiT opracowała „Kalendarium likwidowania mediów publicznych w Polsce” (The National Broadcasting Council has developed the "Calendar of the liquidation of public media in Poland"), 2024, <https://www.gov.pl/web/krrit/komunikat-krrit-na-temat-publicacji-raportu-o-likwidowaniu-mediow-publicznych>

⁹ KRRiT podjęła decyzję. Tak podzieli środki z abonamentu (KRRiT has made a decision. This is how it will divide the funds from the subscription fee), 30 September 2024, <https://www.money.pl/gospodarka/krrit-podjela-decyzje-tak-podzieli-srodki-z-abonamentu-7076758055238528a.html>.

¹⁰ Culture Ministry, Europejski Akt o Wolności Mediów. Koncepcja wdrożenia do polskiego porządku medialnego (European Media Freedom Act - concept of implementation into the Polish legal system), hereafter EMFA Polish concept, 2024, <https://www.gov.pl/web/kultura/zalozenia-do-ustawy-medialnej>

economy, education, scholarly achievements, management experience, and no affiliation with a political party.¹¹

Financial autonomy

The KRRiT is financed through state budgetary allocations. Its operational budget is published on the regulatory authority's website.¹²

In line with the legislation, Poland's regulatory authority publishes an annual report on its activities, followed by a KRRiT review of the critical challenges facing the radio and broadcasting sectors, which is then presented to the Sejm and Senate for acceptance.¹³ In line with the Broadcasting Act, in the event that the Sejm and Senate reject the report and the President of Poland gives his approval, the term of office of all members of the National Council will expire within 14 days.¹⁴

Tasks and accountability

KRRiT's decisions and statements are issued publicly and made available via the KRRiT website.¹⁵ The office's high level of transparency is aligned with the right to request (and demand) public information. Furthermore, the regulator has a dedicated section for citizens to submit complaints regarding radio, TV, and/or VOD programming. Complaints may be submitted via traditional mail, email, or the online form provided by the KRRiT.¹⁶

Appeal mechanisms

According to Poland's broadcasting legislation, any interested party is entitled to submit an objection to the decisions made by the KRRiT Chairman. Furthermore, parties may submit a complaint to the Voivodeship Administrative Court in the event that the authority fails to act. In the event of a party wishing to appeal a ruling by the Voivodeship Administrative Court, they may do so by appealing to the Supreme Administrative Court (Naczelny Sąd Administracyjny).

According to the Broadcasting Act, decisions issued by the Chairman of the National Broadcasting Council related to ceasing violations of the integrity of the media service¹⁷ and imposing fines¹⁸ may be appealed to the District Court in Warsaw. The Code of Civil Procedure on antitrust cases shall apply to these proceedings.

There is a general interest in the decision-making processes of the KRRiT, which is composed primarily of individuals appointed during the mandate of the previous

¹¹ EMFA Polish concept, cit.

¹² KRRiT, Sprawozdania finansowe KRRiT (Financial statements of KRRiT), available online (in Polish) at <https://www.gov.pl/web/krrit/sprawozdania-finansowe-krrit>.

¹³ KRRiT, Sprawozdanie i informacja o działalności w 2023 roku (Report and information on activities in 2023), available online (in Polish) at <https://www.gov.pl/web/krrit/sprawozdanie-i-informacja-z-dzialalnosci-w-2023-roku>.

¹⁴ Broadcasting Act, Art. 12.

¹⁵ KRRiT, Uzyskaj informację publiczną (Get public information), <https://www.gov.pl/web/krrit/uzyskaj-informacje-publiczna>

¹⁶ KRRiT, Złóż skargę, wniosek i opinię (Submit a complaint, request or opinion), <https://www.gov.pl/web/krrit/zloz-skarge-wniosek-lub-opinie>.

¹⁷ Broadcasting Act, Art. 10 para 4.

¹⁸ Broadcasting Act, Art. 53-54.

government. For example, in August 2024, the owner of MWE Networks Group submitted a formal complaint to the Voivodeship Administrative Court in Warsaw concerning KRRiT's decisions regarding terrestrial broadcasting licences for the conservative TV stations TV Republika and wPolsce24. The complaint concerns the results of the contest for a spot on the digital multiplex MUX8.¹⁹

Similarly, in June 2024, the Voivodeship Administrative Court in Warsaw imposed a fine of PLN 60,000 (€138,000) on KRRiT Chairman Maciej Świrski for failing to act in a timely manner regarding the broadcast licence renewal for the TVN Style channel.²⁰

Power to request information

KRRiT is responsible for requesting information to ensure compliance with the provisions set out in the Broadcasting Act. Article 10 of the Broadcasting Act empowers the KRRiT chairman to request documentation, explanations, and information from broadcasters and other media services to verify compliance with legal obligations.²¹ This is part of its remit in regulating the broadcasting market and ensuring that broadcasting licences and conditions are adhered to.

Moreover, the Broadcasting Act underpins the KRRiT's authority to request information²² from related broadcasters with additional provisions concerning the Council's obligations in relation to media industry partnerships, for instance in protecting copyright and ensuring compliance with broadcasting standards.²³

According to the law, KRRiT collaborates with the Office of Electronic Communications (UKE) on a range of issues, including frequency allocation and management, technological development, as well as market supervision and compliance with media pluralism regulations.

Independent monitoring of the regulator's activity

To date, there has been no effective mechanism in place to protect the performance of KRRiT from an independent, non-political and non-ideological standpoint. Thus, there is currently no independent mechanism to monitor the activities of the Polish media regulator.

Nevertheless, there are a number of ongoing legal cases in Polish courts. In addition, KRRiT's performance can be monitored and rejected through the regulatory process, based on the annual report debate in the Polish Parliament. This allows for the decisive voice of the Parliament's political parties, coalitions and majorities to be heard. This occurred earlier this year, when both the Sejm and the Senate rejected the report. However, at the

¹⁹ Skarga na KRRiT (Complaint for the KRRiT), <https://wyborcza.pl/7,75398,31208644,skarga-na-krrit-chodzi-o-koncesje-dla-tv-republika-i-wpolsce.html>.

²⁰ Przewodniczący KRRiT Maciej Świrski ukarany 60 000 złotych za bezczynność, <https://www.press.pl/tresc/83739,przewodniczacy-krrit-maciej-swirski-ukarany-60-tys-zl-grzywny-za-bezczynnosc>

²¹ Broadcasting Act, Art. 10.

²² Broadcasting Act, Art. 6 para 1.

²³ Broadcasting Act, Art. 6, para 2.

time President Andrzej Duda approved both documents, thereby extending the current term of the KRRiT.²⁴

Independence of public service media

This section discusses how Article 5 of the EMFA is implemented.

Summary

The Broadcasting Act of 1992 enshrines the independence of Poland's public service media. PSM companies, which include Telewizja Polska S.A. (TVP), Polskie Radio S.A. (PR) and the Polish news agency (PAP), are required to be pluralistic, impartial, well-balanced, independent, and innovative, with high-quality and balanced broadcasts. Despite the existence of legal provisions and a wide range of media accountability systems (codes of ethics, ethical commissions, complaints mechanisms, etc.), the plurality and independence of PSM are not guaranteed.

In light of the ongoing discussions surrounding the future of the Council of National Media and the formal liquidation of PSM in December 2023, it is crucial to consider the application of EMFA rules on appointments to the governing bodies. The ongoing public consultations should strengthen the role of civic society in the supervisory and management boards.

The current situation, where there is a lack of clarity and significant political differences between the KRRiT and the Polish PSM, resulted in the blocking of the transfer of licence fee funds to the PSM. As a result, PR and TVP are currently funded from the state budget and advertising, with the exception of the licence fee funds unlocked by the National Broadcasting Council to the local PSM in the aftermath of September 2024 flood in Southern and Western Poland (October 2024 installment).²⁵

As of 2025, both Polskie Radio and Telewizja Polska continued to receive substantial funding from the state budget. In the autumn of 2025, Deputy Minister of Culture Maciej Wróbel reported that, including the planned allocation of PLN 800 million, total state budget funding for public broadcasters in 2025 would amount to PLN 2.01 billion, a decrease from PLN 2.34 billion in the previous year.²⁶

Editorial and operational independence

A review of the past three decades of Poland's public service media reveals a consistent pattern: the current regulatory framework is ineffective in practice. A substantial body of empirical evidence, drawn from studies conducted under different governments (from the left, centre, and the right), demonstrates how political powers have leveraged their

²⁴ Maria Pankowska, "Sejm odrzucił sprawozdanie KRRiT" (The Sejm rejected the KRRiT report. Świrski's Council on censorship), *Oko.Press*, 27 July 2024, <https://oko.press/na-zywo/na-zywo-relacja/sejm-odrzuca-sprawozdanie-krrit-rada-swirskiego-na-cenzurowanym>

²⁵ Media publiczne dostały kolejne pieniądze z budżetu. Świrski odblokowuje środki (Public service media received more funds from the state budget. Świrski unlocks the funds), *Press*, 18 September, 2024.

²⁶ Tomasz Wojtas, "Kolejne dotacje dla TVP i Polskiego Radia. Ile dostaną do końca roku?" (Further subsidies for TVP and Polskie Radio: How much will they receive by the end of the year?), *Wirtualnedia*, 8 October 2025, <https://www.wirtualnedia.pl/tvp-i-polskie-radio-ile-dostaja-dotacji-z-budzetu-panstwa-w-2025-r,7208430863326176a>.

own agendas and shape content.

More recent examples include TVP and PR's turn towards the conservative right-wing during the two governments of the United Right. The governments of Beata Szydło (2015–2017) and Mateusz Morawiecki (2017–2023) are regarded as representing a shift towards illiberalism in Poland's public service media. This shift was part of a broader socio-political project that challenged the rule of law and media freedom, and resulted in public service media journalists becoming less neutral and more politically active.²⁷ Concurrently, the absence of internal pluralism has served to exacerbate societal and media polarisation, with the public service broadcasters assuming a key role within the conservative-right media landscape.²⁸

On 20 December 2023, a day after the newly formed Polish parliamentary majority adopted a resolution calling for the restoration of public service media, the television channel TVP Info ceased broadcasting. Following the restoration of Poland's PSM, protests were staged by supporters of the previous government and conservative-right activists at the headquarters of TVP and TVP Info in Warsaw, as well as at regional TVP centres across major Polish cities. Supporters of the Law and Justice (PiS) party and allied conservative groups, which held power until 2023, have argued that the Tusk government violated the Constitution, media law, and the procedures of the Constitutional Tribunal. They further contend that placing TVP under liquidation led to the termination of employment contracts and the replacement of staff with newly appointed journalists and directors.²⁹

The 2025 Reporters Without Borders assessment of pressure on public service media ranks Poland 25th among European Union member states, highlighting a high level of government influence and significant risks to internal political pluralism.³⁰ Persistent challenges and the enduring cycle of political pressure continue to underscore issues of media capture and long-standing structural weaknesses within Poland's public service media, rather than enabling a focus on brand development, engagement with younger audiences, and organisational sustainability and transformation.³¹

Legal provisions guaranteeing plurality of information

The Polish public service media TVP and PR – were established by the Broadcasting Act of 1992. The Act stipulates that public radio and television shall fulfil their public service obligations by providing, in accordance with the terms set out in law, a range of diversified programme services in the area of journalism, culture, entertainment, education and sports to the “entire society and individual groups thereof.”³² These services must be

²⁷ See V. Stetka, S. Mihelj (2024). *The Illiberal Public Sphere. Media in Polarised Societies*. Palgrave Macmillan.

²⁸ M. Głowacki, & M. Kuś (2019). Media accountability meets media polarization: a case study from Poland. In S. Fengler, T. Eberwein, & M. Karmasin (eds.), *Media Accountability in the Era of Post-Truth Politics*. Routledge.

²⁹ M. Głowacki, *Public Service, No Deliberation*, 2024, cit.

³⁰ Reporters Without Borders (RSF), RSF publishes new report to protect Europe's public media, . 21 July 2025, <https://rsf.org/en/rsf-publishes-new-report-protect-europe-s-public-media>.

³¹ Johnson, C. , Bruun, H. , Głowacki, M. et al., *Public Service Media in the Age of Platforms: Challenges and Recommendations for the Future*, 2025, White Rose Libraries on behalf of PSM AP, <https://psm-ap.com/final-report-challenges-and-recommendations-for-the-future/>.

³² Broadcasting Act, Art. 21.1.

pluralistic, impartial, well-balanced, independent and innovative, ensuring broadcasts of high-quality and integrity.³³

The legislation provides a comprehensive overview of the responsibilities associated with radio and television broadcasting, emphasising the role of PSM in promoting media education, social integration and other values as outlined in the charters of responsibility.³⁴

PSM's formal independence and impartiality are reinforced by a comprehensive system of self-regulation, comprising a detailed set of ethical principles on privacy, respect and public service roles for journalism.³⁵ These are followed by the Ethics Commission, which oversees the broadcaster's accountability as laid down in the Broadcasting Act.³⁶ The TVP website provides an excellent case study for mapping the critical role of impartiality and plurality in day-to-day legal operations.

The introduction to the rules governing the fulfilment of the PSM's public service remit, highlights the significance of internal pluralism, which can only be achieved when the editorial teams maintain a clear separation from the current political administrator.³⁷ The annual reports from public service broadcasters are monitored by the KRRiT.³⁸

Governance bodies: composition and appointment

There is a debate underway regarding the appropriate authority to oversee public service media. The dispute between the previous and the current government originated in early 2016, when the United Right government enacted legislation enabling the finance minister to appoint the heads of TVP and PR.³⁹

Amidst criticism from international organisations and the European Union against the power to appoint directly, the United Right majority established the Council for National Media (Rada Mediów Narodowych, RMN) to be responsible for overseeing the appointments, and dismissals, of the heads of PSM⁴⁰ and establishing a sovereign national media system.⁴¹ The RMN assumed some of the KRRiT's responsibilities and was staffed by some individuals nominated by the PiS, which contributed to the politicisation of the

³³ Broadcasting Act, Art. 21.1.

³⁴ KRRiT, Karty powinności spółek publicznej radiofonii i telewizji na lata 2020-2024 (Duty cards of public radio and television companies for 2020-2024), <http://www.archiwum.krrit.gov.pl/dla-nadawcow-i-operatorow/publiczni/karta-powinnosci/>

³⁵ Zasady Etyki Dziennikarskiej w Telewizji Polskiej S.A. – informacja, publicystyka, reportaż, dokument, edukacja, available online (in Polish) at <https://s.tvp.pl/repository/attachment/0/e/e/0eaa386c0fa98ad0c49f73f1a9f7c8e71445347977947.pdf>.

³⁶ TVP, Komisja Etyki TVP (TVP Ethics Commission), <https://www.tvp.pl/centrum-informacji/o-nas/komisja-etyki>.

³⁷ TVP, Zasady realizowania przez Telewizję Polską S.A. misji publicznej (Principles of implementing the public mission by Telewizja Polska SA), <https://centruminformacji.tvp.pl/15782408/zasady-realizowania-przez-telewizje-polska-sa-misji-publicznej>

³⁸ KRRiT, Uchwały w sprawie sprawozdań za 2023 rok (Reports for the year 2023), <https://www.gov.pl/web/krrit/uchwaly-w-sprawie-sprawozdan-za-2023-rok>.

³⁹ "Polish media laws: Government takes control of state media", 7 January 2016, BBC, <https://www.bbc.com/news/world-europe-35257105>.

⁴⁰ Act of 22 June 2016 on the National Media Council, available (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu20160000929>.

⁴¹ A. Jaskiernia, K. Pokorna-Ignatowicz, K. (2017). Public Service Media vs Sovereign National Media. In M. Głowacki, & A. Jaskiernia (Eds.), Public Service Media Renewal. Adaptation to Digital Network Challenges (pp. 171–192). Peter Lang GmbH.

appointment of public service media governing bodies after 2016.⁴² The RMN is composed of active politicians, some of whom continue to serve as Members of Parliament. The RMN has the authority to dismiss public media authorities, however these powers have been suspended since the liquidation of public media by the new government in December 2023.

Governance bodies: term

According to the legislation, the members of the RMN are appointed for a six-year term.⁴³ In October 2024, Krzysztof Czabański, the RMN Chairman since 2016, was dismissed by Poland's Parliament. The Parliament's majority considered that Czabański's position on the board of the Lech Kaczyński Institute posed an unacceptable conflict of interest with a number of media outlets and his role as chair of the RMN.⁴⁴ At the time of writing, the Board is chaired by Wojciech Król, appointed in December 2024, a member of the ruling Civic Platform party. Unlike with KRRiT a parliamentary decision to dismiss the RMN chair does not have to be approved by the President.

Governance bodies: dismissal conditions

There are currently no regulations governing the dismissal of RMN members and appeals against their decisions. The decision to liquidate PSM was taken in December 2023 in accordance with the Code of Commercial Companies and the Act on the Principles of Managing State Property. The legislation requires the establishment of management and supervisory boards and the implementation of transparent rules for the company's liquidation.⁴⁵ This has led to an ongoing crisis over the governance of PSM.

On 16 January 2024, the Media Freedom Rapid Response (MFRR) partners called for democratic and comprehensive reform to Poland's broadcasters with "systematic safeguards to limit the ability of all governments to meddle in editorial and institutional independence of the country's public media".⁴⁶ Since the standoff, Jacek Kurski, the former Director General of TVP, has rejoined the Law and Justice Party. Barłomiej Sienkiewicz, the Minister of Culture and National Heritage responsible for the December 2023 PSM changes, has been elected a member of the European Parliament.

Funding

Public service media are financed through a combination of licence fees, advertising and direct government payments. The Licence Fee Act sets out the rules governing the collection of licence fees for public service media, which includes radio and television broadcasting.⁴⁷

⁴² Eryk Ziedalski, "What to Do Next with Public Media in Poland?", 4Liberty.eu, 18 June 2024, <https://4liberty.eu/what-to-do-next-with-public-media/>.

⁴³ Act of 22 June 2016 on the National Media Council, Art. 4.

⁴⁴ Mariusz Kowalczyk, "Krzysztof Czabański odwołany z Rady Mediów Narodowych" (Krzysztof Czabański dismissed from the National Media Council), Press.pl, 11 October 2024, <https://www.press.pl/tresc/84018.krzysztof-czabanski-odwolany-w-rady-mediow-narodowych>

⁴⁵ Ustawa Kodeks Spółek Handlowych, Art. 300, available online (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20000941037/U/D20001037Lj.pdf>.

⁴⁶ "Poland: Recommendations for democratic reform for press freedom and public media", IPI, 16 January 2024, <https://ipi.media/poland-recommendations-for-democratic-reform-for-press-freedom-and-public-media/>.

⁴⁷ See Ustawa o opłatach abonamentowych z 21 kwietnia 2005 roku, available (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20050850728>.

The funding procedure for the PSM is set out in advance and operated by KRRiT, which is responsible for determining the costs of monthly licences for registered radio and television receivers.⁴⁸ The Council is also responsible for the distribution and transfer of public funds to TVP, Polish Radio and the PSM local radio stations. However, in recent years, as the former government raised the PSM budget with direct government payments, and as more people stopped paying the licence fee, its significance to the overall budget has diminished markedly. In 2023 PSM received PLN 2.7 billion of which approximately 0.3 billion consisted of licence fee contributions.

In March 2024, the transfers from the licence fee systems were suspended⁴⁹ by KRRiT, as it refused to legally recognise the new governing bodies in both TVP and PR.⁵⁰ According to some critics, the allocation of state budget funds to support Poland's PSM follows a similar approach to that taken by the United Right in compensating PSM for losses incurred from licence fees, which, however, covered only a small part of the PSM's budgets.⁵¹ The government is proposing eliminating the licence fee altogether and establishing an annual budget of 0.09% of GDP or approximately PLN 3.5 Billion annually. This would represent a significant alteration of the PSM funding mechanism and alternative systems, such as introducing a PSM tax on electronic goods, are also being discussed.

Independent monitoring mechanisms

A review of the regulatory provisions and current ownership-related controversies surrounding PSM reveals a lack of independent monitoring mechanisms for Poland's public service media. This is particularly evident in the context of the ongoing liquidation process and the political battles surrounding the proposed changes to the PSM governing structures.

Misuse of state funds to influence media output

This section discusses how Article 25 of the EMFA is implemented.

Summary

At present, there are no established procedures for the transparent spending of public funds on state advertising. To date, there have only been a few attempts to estimate the costs and dynamics of state contracts and their transparency. These have mainly focused on the conservative-right media groups created during the United Right's regime across radio, TV and the newspapers industries. Figures from the National Audit Office, for

⁴⁸ Ustawa o opłatach..., cit.

⁴⁹ Tomasz Wojtas, "KRRiT wygrała z TVP w sądzie ws. Blokowania wypłat abonamentu" (KRRiT won against TVP in court case regarding blocking of subscription payments), WirtualneMedia, 29 May 2024, <https://www.wirtualnemedia.pl/arttykul/krrit-abonament-blokuje-wyplyte-depozyt-bankowy>.

⁵⁰ Komunikat Krajowej Rady Radiofonii i Telewizji, <https://www.gov.pl/web/krrit/po-wielogodzinnej-dyskusji-krrit-zdecydowala-o-sposobie-podzialu-wplywow-z-oplat-abonamentowych-w-2025-roku>

⁵¹ Maciej Kozielski, "Czabański chce 3 mld złotych rekompensaty dla mediów publicznych" (Czabański wants PLN 3 billion in compensation for public media. "To carry out tasks"), Press.pl, 28 November 2023, <https://www.press.pl/tresc/79293,czabanski-chce-3-mld-zl-rekompensaty-dla-mediow-publicznych>

example, revealed that the private broadcaster, TVN, had enjoyed a 10% share of state advertising in 2017, but by 2019 had had its share completely cut.⁵²

The Civic Coalition-led government has promised to address the problem in its reforms, but has provided little detail. Under EMFA the government is obliged to introduce rules for the fair distribution of funds and to designate an institution, likely to be KRRiT, to monitor and provide transparency to the use of state funds.

State funding spending: legal provisions, criteria for distribution and tender procedures

Poland needs more detailed regulations on the spending of funds by public entities on so-called state advertising. All entities within the public finance sector are required to comply with the provisions set out in the Public Finance Act⁵³ and the Public Procurement Act.⁵⁴ Media companies in Poland must disclose to the relevant regulatory bodies any state aid (grants, loans) received in their annual financial reports. However, there is no obligation for them to disclose information regarding revenues generated from commercial advertisements placed by state-owned companies or public bodies.⁵⁵

The Ministry of Culture and National Heritage is currently developing regulations that will introduce clear, transparent rules and procedures for spending public funds on state advertising. These proposals are open to public consultation. To date, there have been only a few attempts to address the questions and challenges facing state companies' advertising in the media.

One of the most comprehensive studies on state funding in the media was conducted by Tadeusz Kowalski, professor at the University of Warsaw now serving as a KRRiT member. He examined the advertising expenditures of state-owned companies from 2015 to 2020 and how this has contributed to socio-political polarisation under the conservative-right United Right government. Professor Kowalski highlights several practices of print and audiovisual media, whereby public funds appear to be allocated to reward supporters of the conservative and pro-governmental line. The study reveals the sharp decline in state funds advertising in newspapers: “Gazeta Wyborcza” and “Fakt” – both critical to the Law and Justice government agendas, and a rapid growth of state advertising in conservative-right magazines, including “Gazeta Polska” (43% of total advertising funds), “Sieci” (31% of total advertising funds) and “Do Rzeczy” (25% of total advertising funds) in 2020, as compared to liberal “Newsweek” with no state funds.⁵⁶

⁵² Ogromna kasa dla przyjaznych władzy mediów, <https://wyborcza.pl/7,75398,29960035,ogromna-kasa-dla-przyjaznych-wladzy-mediow-nik-sprawdzil-wydatki.html>

⁵³ See Public Finance Act (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20091571240/U/D20091240Lj.pdf>.

⁵⁴ See Public Procurement Act (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf>.

⁵⁵ M. Głowacki, A. Jaskiernia, K. Gajlewicz-Korab, M. Łoszevska-Ołowska, D. Sidyk-Furman, D. (2023). Poland. The Euromedia Ownership Report (country report): <https://media-ownership.eu/findings/countries/poland/>

⁵⁶ T. Kowalski (2021). Wydatki reklamowe spółek skarbu państwa (2015-2020) oraz ministerstw i urzędów centralnych (2020) (2015-2020), https://www.researchgate.net/publication/349410297_Wydatki_reklamowe_spolek_skarbu_panstwa_2015-2020_oraz_ministerstw_i_urzedow_centralnych_2020

⁵⁷ M. Głowacki et al., Poland. The Euromedia Ownership Report, cit.

The experts who carried out Euromedia Ownership Monitor for Poland have also recommended the implementation of a “systemic empirical data monitoring or research” initiative with the objective of investigating the advertising shares of state-owned companies and their correlation with the conservative versus liberal ideologies and agendas.⁵⁷

Transparency of state media contracts

It is notable that there are currently no regulatory provisions in place to ensure that public funds, advantages, supply or service contracts are distributed in a transparent, objective, proportionate and non-discriminatory manner with regard to media service providers.

Similarly, there is a dearth of legal provisions governing the distribution of state advertising to media service providers. In examining the current state of affairs, it is necessary to make reference to the general legal provisions on access to public information. These provisions establish a more general obligation on the part of entities performing public tasks or legal entities with a dominant position with respect to the State Treasury.⁵⁸ Some data can be made available upon request via the Public Information Bulletins (Biuletyn Informacji Publicznej, BIP).⁵⁹ However, there is no evidence that the BIP reporting system is effective in monitoring and maintaining transparency in state-media contracts on a day-to-day basis.

A legal proposal put forth by the Ministry of Culture and National Heritage calls for the regulation and monitoring of state advertising, extending beyond the domain of television programmes and on-demand audiovisual media services to encompass press publications in all their forms, whether traditional print or digital.^{60 61}

Monitoring state advertising spending

There is a dearth of user-friendly resources and criteria for assessing public expenditures on state advertising, for instance, in the form of publicly available annual reports. In 2018⁶² and 2023⁶³, efforts were made to evaluate and control the expenses incurred by monitored state institutions for state advertising, sponsoring, media, and advice activities. A more profound inquiry into the political and contextual aspects of these interventions would necessitate a comprehensive and systematic investigation, encompassing a long-term research perspective.

There is no current official monitoring of state advertising in the media. The current proposal for media reforms by the Ministry of Culture and National Heritage, however, highlights the role of the KRRiT in securing greater transparency in the future as part of

⁵⁷ M. Głowacki et al., Poland. The Euromedia Ownership Report, cit.

⁵⁸ Access to Public Information Act, Art. 4, available (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20011121198/U/D20011198Lj.pdf>.

⁵⁹ Biuletyn Informacji Publicznej, <https://informacjapubliczna.org/news/dip-na-co-dzien-odpowiadanie-na-wnioski/>.

⁶⁰ EMFA Polish concept, cit.

⁶¹ The Press Law 1984, available (in Polish) at <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19840050024/U/D19840024Lj.pdf>.

⁶² Wydatki spółek z udziałem Skarbu Państwa na działalność sponsoringową, medialną i doradczą, 2018, available (in Polish) at <https://www.nik.gov.pl/plik/id,18371,vp,20970.pdf>.

⁶³ Wybrane wydatki spółek z udziałem Skarbu Państwa i fundacji tworzonych przez te spółki oraz gospodarka finansowa i realizacja celów statutowych fundacji tworzonych przez te spółki, 2023, available (in Polish) at <https://www.nik.gov.pl/kontrola/P/22/012>.

efforts to strengthen its remit and duties.⁶⁴

Media pluralism and political/state influence over news media

This section discusses how Articles 6 and 22 of the EMFA are implemented.

Summary

Media pluralism is considered to be a significant problem in Poland with the Media Pluralism Monitor giving Poland an overall media plurality risk rating of 68% with plurality of media providers at 88% and of digital markets at 86% in its 2024 report.⁶⁵ Media pluralism requires strong ownership transparency (Art 6 of EMFA) and safeguards to measure and limit media concentration (Art 22 of EMFA).

A number of provisions regarding media transparency in Poland, as set forth in the Press Law of 1984 and the Broadcasting Act of 1992, mandate that media outlets disclose their legal names and ownership structures.

Furthermore, research and existing media policy indicators have shown a significant risk regarding the transparency of media ownership, particularly with regard to the identification of the actual beneficiaries and the clarity of the legal structure. EMFA calls for the establishment of a national media database to improve transparency of media ownership and help monitor media concentration. Currently there are no formal mechanisms for measuring or protecting media pluralism in Polish media beyond the general role of the competition authority, UOKIK, in protecting the competitiveness of different markets.

Transparency: legal requirements

The current Polish regulations comply with many of the requirements set out in Article 6 of EMFA, ensuring transparent and easily accessible information on the ownership structure of media service providers. Building on the Press Law of 1984 and other related regulations, including the Broadcasting Act (1992), the following legal provisions are in place:

⁶⁴ EMFA Polish concept, cit.

⁶⁵ <https://cadmus.eui.eu/handle/1814/77012>

Overview of the legal obligations regarding ownership and funding for media companies in Poland, October 2025

Obligation to disclose	Stipulated by law
Their legal name(s) and contact information	Yes
Name(s) of their direct or indirect owner(s) able to exercise influence on the operation or strategic decision making	Only in the case of audiovisual media service providers (broadcasters, VOD, VSP)
Whether the state or a public authority or entity is an owner	Yes , when disclosing the owner (not specifically only whether this is a public entity)
The total annual amount of public funds for state advertising allocated to them	No
The total amount of advertising revenues received from third-country public authorities or entities	No
The name of beneficial owner(s)	For audiovisual media, data by the KRRiT. The general data collected in the Central Register of Beneficial Owners should be published by the broadcasters/media service providers on their websites

Source: Data retrieved as a part of the study goals and methodology (IPI, MJRC)

In particular, the Press Law of 1984 sets out the information obligations that apply to the press. This includes ensuring that the media provide the following information and ensure it is displayed “in a visible and customary place”:

- the name and address of the publisher or other competent authority,
- the address of the editorial office and the name of the editor-in-chief,
- the place and date of issue,
- the name of the establishment printing the press,
- the International Standard Serial Number and the current numbering.⁶⁶

In addition, the Broadcasting Act outlines the information obligations for broadcasters⁶⁷, providers of on-demand audiovisual media services⁶⁸ and video-sharing platforms⁶⁹. It is the responsibility of these entities to provide viewers with straightforward, immediate and ongoing access to information on:

- the name of the service: the programme, the on-demand audiovisual media service, the video sharing platform;

⁶⁶ Press Law, Art. 27.

⁶⁷ Broadcasting Act, Art. 14a.

⁶⁸ Broadcasting Act, Art. 47c.

⁶⁹ Broadcasting Act, Art. 47m.

- the name of the service provider: broadcaster, the entity providing the on-demand audiovisual media service or the video-sharing platform;
- the names of the members of the governing bodies of the broadcaster, the on-demand audiovisual media service provider or the video-sharing platform;
- the address of the entity's established head office and contact details;
- the principal shareholders (in the case of commercial companies);
- the real beneficiaries of the provider in question as disclosed in the Central Register of Real Beneficiaries (Centralny Rejestr Beneficjentów Rzeczywistych);
- all media services, video-delivery platforms, and daily newspapers or magazines published by the provider (this also applies to services provided by other entities within the same group of companies)⁷⁰.

According to the European Media Ownership Monitor, one significant challenge in the Polish media landscape is the lack of transparency in media ownership for media registered outside of Poland.

One of the risks in assessing media ownership and transparency has been registering media companies outside Poland. While this has not become a systemic practice to date, there have been issues with accessing information about the real beneficiaries, as in the case of media ownership disruptions and escapism with the examples of firms registered in Cyprus or Luxembourg.⁷¹

National media ownership databases

There are currently no regulations concerning national media ownership databases as required by Article 6 of EMFA. The legislation only stipulates the obligation to register press titles with the district court and to register radio and television broadcasters (licensed, ICT), VOD and SVOD providers with KRRiT.

Furthermore, the identification data of all business entities (not only those operating in the media sector) can be found in general business databases, namely the National Court Register (Krajowy Rejestr Sądowy, KRS) for legal and non-governmental organisations (NGOs) entities⁷² and the Central Registration and Information on Economic Activity (Centralna Ewidencja i Informacja o Działalności Gospodarczej, CEiDG) for natural persons.⁷³

One of the Ministry of Culture and National Heritage's current proposals is to give KRRiT responsibility for maintaining a national ownership database for all media service providers, not just broadcasters.⁷⁴

⁷⁰ Press Law.

⁷¹ M. Głowacki et al., Poland. The Euromedia Ownership Report, cit.

⁷² Krajowy Rejestr Sądowy, <https://www.gov.pl/web/sprawiedliwosc/krajowy-rejestr-sadowy>.

⁷³ Centralna Ewidencja i Informacja o Działalności Gospodarczej, <https://aplikacja.ceidg.gov.pl/CEIDG/Index.aspx>

⁷⁴ EMFA Polish concept, cit.

Assessment of media market concentrations

In terms of the oversight of Poland's media market concentration, there are two main models:

- Antimonopoly oversight by the Office of Competition and Consumer Protection(UOKiK) set out in the Act on Competition and Consumer Protection. This includes measuring market concentration and competition, as competition law prohibits dominant market positions defined as entities with a market share exceeding 40% in the relevant market
- The broadcast regulatory oversight by KRRiT, set out in the media law in situations when radio and television programme licences are granted. Broadcast licences are not granted if the applicant's distribution of programmes would lead to the applicant achieving a dominant market position.⁷⁵

These two systems function within their respective operational and discursive contexts. There are currently no national monitoring systems in place beyond international press freedom indices and indicators to assess risks for media pluralism in Poland. The Media Pluralism Monitor (MPM) assesses concentration in the Polish media market conditions from a legal, political, and economic perspective.

The most recent study by MPM identifies the highest risk in the plurality of media providers (88%) and digital markets areas (86%). The country report on Poland highlights a high risk for Poland's ownership concentration, with levels of concentration of over 80% in television (TVP, Polsat, TVN Discovery), VOD (Netflix, Polsat Box Go, Player) and radio (RMF, Eurozet, Time, Agora).⁷⁶

The Ministry of Culture and National Heritage's 2024 proposals for implementing EMFA generally assume the preservation of the existing rules concerning the bodies responsible for monitoring media concentration in Poland. The current proposals include maintaining oversight of ownership concentration by the President of UOKiK, with an additional future potentially relevant provision requiring the KRRiT to issue an opinion on the impact of concentration on pluralism and editorial independence in cases where the concentration involves at least one entity operating in the media market.

The Ministry of Culture and National Heritage's 2024 proposals for implementing EMFA generally assume the preservation of the existing rules concerning the bodies responsible for monitoring media concentration in Poland. The current proposals include maintaining oversight of ownership concentration by the President of UOKiK, with an additional future potentially relevant provision requiring the KRRiT to issue an opinion on the impact of concentration on pluralism and editorial independence in cases where the concentration involves at least one entity operating in the media market.

⁷⁵ Broadcasting Act, Art. 36(2).

⁷⁶ B. Klimkiewicz (2024). Monitoring media pluralism in the digital era: application of the media pluralism monitor in the European member states and in candidate countries in 2023, <https://cadmus.eui.eu/handle/1814/77012>.

Notification of media market concentrations

General rules applied with regard to media market concentration in Poland

Requirement	Stipulated by law
Are the parties involved in a media market concentration required to notify the relevant national authorities or bodies of the concentration in advance or provide such authorities or bodies with appropriate powers to obtain information from those parties that are necessary to assess the concentration?	Yes, for audiovisual broadcast media
Do rules designate the national regulatory authorities or bodies as the ones responsible for ensuring that they are substantively involved in the assessment?	Yes: The President of UOKiK (and, in some cases, KRRiT)
Do rules set objective, non-discriminatory, and proportionate criteria for notifying such media market concentrations and assessing their impact on media pluralism and editorial independence?	No
Do rules specify in advance the timeframes for completing such assessments?	Yes

Source: Data retrieved as a part of the study goals and methodology (IPI, MJRC)

The President of UOKiK oversees the review of transactions proposed by businesses to guarantee that such transactions will not result in any distortion or elimination of competition. The obligation to notify the President of UOKiK of the intent to concentrate applies to undertakings whose total turnover exceeded €1 billion worldwide or €50 million in Poland in the year preceding the notification, provided that no statutory exemptions apply.

Concentration control proceedings evaluate the potential impact of a transaction on the market. This is done by analysing the information provided in applications filed by undertakings and the results of market research conducted by UOKiK. The procedure may be conducted in two stages. The majority of cases concerning concentration that do not raise concerns regarding their impact on competition are resolved at stage 1, which lasts up to one month. Stage 2 of the proceedings is initiated for more complex transactions that require further market analysis. In such instances, the examination period for the application is extended by a further four months.

The President of UOKiK approves the concentration, provided that it does not result in a significant restriction of market competition. In the event that the aforementioned conditions are not met, the concentration of undertakings will be prohibited. In certain

circumstances, concentration may be permitted on the condition that it does not result in a significant restriction of competition.

Approval is granted when the transaction makes a significant contribution to economic development or technical progress, or has a positive impact on the national economy. In the event that the undertakings proceed with the concentration without the prior approval of the President of UOKiK, they may be subject to a fine of up to 10% of their turnover from the previous year.

Furthermore, an entity may be subject to a fine of up to PLN 50 million if it fails to provide the Office with information during ongoing proceedings or provides inaccurate or misleading data and information.

Impact of media market concentration on media pluralism

The rules that would require an assessment of the impact of media market concentration on media pluralism, including its effect on the formation of public opinion and the diversity of media services and the media offering on the market, taking into account the online environment and the parties' interests in, links to or activities in other media or non-media businesses, required under EMFA, have yet to be implemented.

The same limitations apply when examining measures to ensure editorial independence. It is possible that self-regulation and related media accountability systems monitoring may not fully reflect the practice of measures taken by media service providers to guarantee the freedom of editorial decisions.

Recommendations: what is needed to capture- 25 proof the Polish media

The recommendations are structured as follows:

- a) *Recommendations aimed at aligning national legislation with the EMFA's general provisions;* and
- b) *Recommendations aimed at enhancing the media environment regardless of EMFA.*

Independence of media regulators

Brief overview of EMFA provisions

The 2018 amendment of the Audiovisual Media Services Directive (AVMSD) already set out the requirements for independent media regulators. These include functional independence from governments, impartiality and transparency, operation without instructions, clearly defined competences and powers, an effective appeal mechanism, a proper mechanism to appoint and dismiss the head and the body of the authority, and also adequate financial and human resources and enforcement powers. In light of the above, EMFA essentially reiterates the stipulations set forth in Article 30 of the AVMSD, with the notable addition of provisions pertaining to the requisite resources, specifically technical resources, and the authority to request information and data. Consequently, prior to the implementation of EMFA, Member States are obliged to adhere to the majority of the requirements pertaining to independent media regulators as outlined in Article 30 of the AVMSD.

The government plans to improve the independence of the broadcast media regulatory, KRRiT, currently include:

- Expanding the number of board members from five to nine. Four members are to be nominated by the lower house, (Sejm), two by the Senate, and three by the President.
- Restricting each board member to one, six-year mandate
- Staggering appointments so that every two years one third of the members are replaced.

Aligning with EMFA's general provisions: what is needed?

The recommendations were first published in November 2024. Since then, neither the conditions within the media environment have undergone substantive change, nor have the recommendations been implemented. As a result, they remain relevant as of October 2025.

The government proposals would help improve political pluralism on KRRiT's board and make it more difficult for one political grouping to dominate. It should however go further to improve the independence and competencies of the board members by

- Strengthening provisions to ensure political neutrality and remove other potential conflicts of interest;
- Establishing criteria based on relevant knowledge, qualifications and experience.

Further enhancing the media environment: what is needed?

In light of the EMFA debates, it is imperative to initiate a broader public debate on the KRRiT's role, powers and mandate and how to effectively guarantee media freedoms and represent the public interest. This is particularly necessary to prepare KRRiT's changing role and responsibilities to ensure that they are fit for purpose in the age of online platforms.

Independence of public service media

Brief overview of EMFA provisions

Article 5 of EMFA requires that governments guarantee the independent functioning of public media, including ensuring their editorial and functional independence, that procedures for appointing the management guarantee the independence of public media, that those appointed are done so on the basis of transparent, open, effective and non-discriminatory procedures and criteria, that funding is transparent, adequate, sustainable and predictable and can guarantee the editorial independence of the public media, and that an independent body is designated to monitor the application of these principles.

The current government proposes to dissolve the National Media Council (NMC) formally responsible for appointments to supervisory boards of the public media.

To improve the independence of the management and supervision of public media the government proposes the following:

- Introduction of a two-stage competition for appointments to the boards of public media with the final selection being made by KRRiT.
- Candidates for programme councils to be nominated by non-governmental organizations and public media employees.
- Candidates to be selected on the basis of the necessary skills and competences to exercise the functions and to make public the justification for those finally selected.

The government also proposes to replace the license fee with direct state funding that is 'at least' 0.09% of the annual GDP (approximately 3.5 billion Zloty for 2024).

Aligning with EMFA's general provisions: what is needed?

The recommendations were first published in November 2024. Since then, neither the conditions within the media environment have undergone substantive change, nor have the recommendations been implemented. As a result, they remain relevant as of October 2025.

The government plans align with EMFA's standards and, if implemented correctly, will help to insulate the independence of the public media from political interference.

The further recommendations include:

- Pursue the financial model that is best placed to guarantee that public media's long term financing is free of political interference and is sufficient to fulfil its public service mandate.
- Establish an independent institute for monitoring the public media's fulfilment of its public service mandate.

Further enhancing the media environment: what is needed?

- Create a robust culture of political independence and journalistic standards that ensures PSM provides the public with high value information that is not available elsewhere.
- Update the public media's mission, structure and governance to be able to effectively compete and serve the public in a non-linear digital market.
- Launch a national media literacy campaign on democratic engagement in public media.

Misuse of state funds to influence media output

Brief overview of EMFA provisions

Article 25 of the EMFA states that, while public procurement rules remain unchanged, state advertising must be awarded via transparent, objective, proportionate and non-discriminatory criteria.

The government proposal includes addressing the abuse of state advertising, but provides no further detail.

Aligning with EMFA's general provisions: what is needed?

The recommendations were first published in November 2024. Since then, neither the conditions within the media environment have undergone substantive change, nor have the recommendations been implemented. As a result, they remain relevant as of October 2025.

A regulatory framework must be established to oversee the allocation of state advertising funds and other forms of state financing to the media to include the following;

- State advertising for media service providers to be awarded in accordance with transparent, objective, proportionate and non-discriminatory criteria.
- Public authorities shall make public their expenditure on state advertising.
- A regulatory body shall be designated to monitor and report annually on the expenditure of state advertising to media service providers.
- Media service providers must also declare the sums received from state advertising.

Further enhancing the media environment: what is needed?

- Extend the rules on state advertising to all local governments regardless of size of population that they serve.
- Include in the monitoring reports the details of contracts with the state won through public tenders by companies that belong to the same corporate groups as the media.

Media pluralism and political/state influence over news media

Brief overview of EMFA provisions

Article 6 of the EMFA requires news media organisations to provide information about their owners, including potential conflicts of interest, and to implement measures to ensure editorial independence. Article 22 of the EMFA requires governments to implement a system for assessing concentrations that could significantly impact media pluralism and editorial independence.

The government proposes to designate KRRiT as the body responsible for these two new roles with the following tasks;

- Introduce greater transparency of media ownership by developing a national, publicly accessible, media ownership database,
- Coordinate measures concerning non-EU media services,
- Conduct periodic monitoring of the state of media pluralism in Poland.

The proposal also states that the KRRiT will not become the regulator of the press market.

Aligning with EMFA's general provisions: what is needed?

The recommendations were first published in November 2024. Since then, neither the conditions within the media environment have undergone substantive change, nor have the recommendations been implemented. As a result, they remain relevant as of October 2025.

The reforms required by EMFA on media ownership and media pluralism should be fully implemented. They should also include the following;

- Introduce obligations on media companies to disclose their beneficial owners.
- Assign responsibility to the media regulator, KRRiT, to monitor the impact of state funding allocations and ownership changes on media pluralism and editorial independence.
- Require the competition regulator, UOKiK, to consult KRRiT on the impact of any change of media ownership on media pluralism and editorial independence.

Further enhancing the media environment: what is needed?

- A robust methodology for assessing media pluralism must be developed, in line with guidelines issued by the European Board for Media Services, in order to guarantee both

media pluralism and editorial independence across newsrooms. This will also help ensure the impartiality of the process and protect it from political manipulation.

- To deliver on this role, KRRiT must be fully independent of political influence and equipped with the necessary resources and expertise.

MEDIA CAPTURE MONITORING REPORT: POLAND

DECEMBER 2025

This report by IPI is part of the Media Freedom Rapid Response (MFRR), which tracks, monitors and responds to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers.

The MFRR is organised by a consortium led by the European Centre for Press and Media Freedom (ECPMF) including ARTICLE 19 Europe, the European Federation of Journalists (EFJ), Free Press Unlimited (FPU), the International Press Institute (IPI) and Osservatorio Balcani e Caucaso Transeuropa (OBCT).

The project is co-funded by the European Commission.

