

ROUND TABLE DISCUSSION: “ENHANCING INDEPENDENT AND EFFECTIVE MEDIA SELF-REGULATION IN POLAND” WARSAW, POLAND, JANUARY 28, 2022

Since 2020, the Erich Brost Institute for International Journalism at TU Dortmund University in close cooperation with its partner universities of Warsaw and Wrocław, has been promoting high-profile dialog formats in Poland on the topic of media self-regulation and media responsibility. On January 28, 2022, the academic co-operation succeeded in bringing representatives of leading Polish media, the largest Polish and international journalists' associations, as well as local press publishers' associations and media policy institutions to a round-table discussion in Warsaw. The aim of the dialog event was to build bridges between these stakeholders and to promote the establishment of an independent media council at the national level – which ideally would be backed by all journalistic associations and publishers. The high-profile dialog in the format of a round table was initiated for a second time in Warsaw by the following academic institutions (represented by key personnel): The Erich Brost Institute for International Journalism in Dortmund (Prof. Dr. Susanne Fengler and Dr. Isabella Kurkowski), The Institute of Political Science at the University of Wrocław (Prof. Dr. hab. Bogusława Dobek-Ostrowska and Dr. Michał Kuś), The Faculty of Journalism, Information and Book Studies at the University of Warsaw (Prof. UW Dr. hab. Michał Głowacki) and the Institute of Journalism and Social Communication at the University of Wrocław (Dr. hab. Adam Szytno).

Poland has been a member of the European Union since 2004. After the fall of communism in 1989, private media have been continuously introduced and the media legislature has been brought up to international standards. The development of the media landscape was initially promising. Currently, however, the country is experiencing a strong, politically motivated polarization of the media, which the right-wing conservative government increasingly controls. State advertising, for example, often only backs media that are in line with party politics. Opposition media are not supported; on the contrary, they are publicly denounced as “not conforming to the state”. The public broadcasting sector also receives state funding from the government in addition to broadcasting fee revenues, which has led to fierce public criticism from the civilian population and the media regarding political influence, especially in the 2020 presidential election year. In 2021, a controversial media law, that prohibits non-European companies from holding majority stakes in broadcasting stations, was proposed

(and later passed) via the Polish Sejm. As a consequence, the broadcasting license of TVN24 (TVN Discovery Group, owned by Discovery, Inc.), which is critical of the government, has been at risk of being revoked. The bill was vetoed by Polish President Andrzej Duda on 27 December 2021.

Photo1: Participants of the round-table discussion “Enhancing Independent and Effective Media Self-Regulation in Poland” (clockwise): Dr. Jacek Mikucki, Tomasz Miłkowski, Ryszard Bańkiewicz, Paulina Pacuła, Alice Pesavento, Dr. Isabella Kurkowski, Dr. Michał Kuś, Dr. hab. Adam Szynol, Prof. UW Dr. hab. Michał Głowacki, Beata Chmiel, Andrzej Krajewski, Marta Ringart-Orłowska, Robert Feluś (Warsaw, January 28, 2022).



Photo by Dagmara Sidyk-Furman.

EU Commission Vice-President Vera Jourova criticizes these negative tendencies and points to a press freedom obligation that applies to the entire EU in order to protect media freedom and the rule of law. The increasing number of court cases against journalists and the media as well as the lack of an independently functioning media council at the national level in Poland contribute to diminished press and media freedom. During the round-table discussion, Beata Chmiel, the initiator of the Civil Pact for Public Media in Poland summarized the problem as follows: “We need a joint national Code of Conduct, which is supported by all journalistic associations and media publishers as well as a national unity as important part of the media democratic process.”

Urška Umek, responsible Head of the Media Unit at the Council of Europe, presented and explained the latest Council of Europe regulations on the governance of communication and media in terms of good governance. Umek explained, “(S)elf-regulation provides a lot of clarity by its complaint system, which the legal

side cannot fulfil.” Mirosław Wróblewski, from the Office of the Commissioner for Human Rights in Poland, confirmed this statement, as complaints from citizens to the Polish Ombudsman on the subject of the media have increased significantly in recent years. Normally, such complaints would be referred to a national independent media council.

Pamela Morinière, Head of Communications at the International Federation of Journalists in Brussels, stressed the importance of effective as well as independent self-regulation – and that media councils should be based on voluntarism, not politicization. Well-known media representatives from Poland discussed, on the one hand, the question of the future of the media in Poland and the risks to their development – and, on the other hand, the extent to which an independent media council could provide a solution. All the discussants agreed that the journalistic community in Poland is strongly polarized and divided, and it might be extremely difficult to reverse the process. Bogusław Chrabota, Editor-in-Chief of *Rzeczpospolita* and Vice-President of the European Newspaper Publishers' Association, emphasized in particular that media freedom is also linked to the development of the media market. Manfred Protze, member of the German Press Council, made it clear that society and the media are critical observers of the government and, with their complaints' mechanism, an important element of democratic development. Urška Umek stressed that media accountability is highly connected to media sustainability: “Media, without the trust of readers, audience and users will be barely sustainable.” Nowadays, this trust may easily be lost, as more and more journalists are replaced by content curators, observed Robert Feluś, former Editor-in-Chief of *Fakt*, a red top tabloid being currently the most popular daily newspaper in Poland.

For the first time, representatives of the Polish Local Press Publishers' Association (Polish: Stowarzyszenie Gazel Lokalnych, SGL) also took part in the dialog: Marta Ringart-Orłowska, member of the publishing board, explained how the polarizing media in Poland now report, and that there is nevertheless also an important exchange and dialog between the parties involved within the association. The SGL is a national-level publishing association for local newspapers that also provides training for journalists. She affirmed: “It is worthwhile to have a common dialogue in order to improve the freedom of media in Poland – independent self-regulation can be a very good option here.” It seems to be of great importance as “local media are literally hanging on to money of the local authorities” – pointed out Marek Twaróg, Editor-in-Chief of Press.pl, who for many years has been working in regional dailies. Dr. Damian Flisak, Press Officer of Ringier Axel Springer Polska, highlighted that the Digital Services Act recently proposed by the EU Commission will also pose major challenges for Poland's media without an independently functioning media council. Marek Frąckowiak, President of the Polish Chamber of Press Publishers, summed up that

a lack of a media council is a common problem for all media houses in Poland, and one should consider including in the construction of a new independent body already existing mechanisms such as the Council of Media Ethics, the Media Ethics Charter, the Press Publishers Good Practice Code, and also the Code of Advertising, but above all journalists and editors. Ryszard Bańkowicz, the President of the Council of Media Ethics in Poland, offered the Council as a platform: “Independent self-regulation of the media is important and journalistic associations should be a cohesive part of it. The Council of Media Ethics can be reactivated and take on this role of an independent institution.”

Photo 2: Participants of the round-table discussion “Enhancing Independent and Effective Media Self-Regulation in Poland” voting on the working group (clockwise): Dagmara Sidyk-Furman, Dr. Jacek Mikucki, Tomasz Miłkowski, Ryszard Bańkowicz, Paulina Pacuła, Dr. Isabella Kurkowski, Dr. Michał Kuś, Dr. hab. Adam Szynol, Prof. UW Dr. hab. Michał Głowacki, Beata Chmiel, Andrzej Krajewski, Marta Ringart-Orłowska, Marek Frąckowiak, Robert Feluś (Warsaw, January 28, 2022).



Photo by Alice Pesavento.

Prof. UW Dr. hab. Michał Głowacki, Dr. hab. Adam Szynol and Dr. Michał Kuś emphasized that media self-regulation is invaluable and that the discussion showed that there is a desire from all participants of the Warsaw Dialogue for a format of independent self-regulation in Poland. In a ballot initiated by Dr. Isabella Kurkowski, senior researcher and international media accountability expert at the Erich Brost Institute for International Journalism, all participants of the event voted unanimously in favor of establishing an independent self-regulation working group. Adrien Collin from the European Federation of Journalists, who presented the EU project “Media Councils in the digital

age” during the event, offered support for future activities to develop the media council in Poland as part of the project. Prof. Dr. Susanne Fengler summarized the discussion by emphasizing that research and teaching are indispensable components that can also provide support in a highly pragmatic way in the implementation of building self-regulatory institutions.

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