

## Poland: attacks on media freedom and the EU legal order need to stop

- ‘Lex TVN’ is a direct attack on media pluralism
- Concerns that “Polska Press Group” has been acquired by a state-controlled oil company
- Legal challenges seeking to undermine the primacy of EU law must stop
- Commission needs to proactively prevent further deterioration



Protestors in Poland defend media pluralism from the ‘Lex TVN’ bill. © Janek Skarzynski / AFP

### **Adding to a long list of concerns on the state of EU values in Poland, MEPs denounce the latest attempts to silence critical voices and undermine the primacy of EU law.**

In a resolution adopted on Thursday with 502 votes in favour, 149 against, and 36 abstentions, Parliament condemns the continuing deterioration of media freedom and the rule of law in Poland. The vote took place one day after the [plenary debate](#) with Commission Vice-President Věra Jourová, Commissioner Reynders and Minister of Foreign Affairs Anze Logar on behalf of the Slovenian Presidency of the Council.

#### **Media freedom**

Following previous occasions where Parliament has expressed its concern over the reshaping of the public broadcaster into a pro-government organisation, MEPs criticise “in the strongest possible terms” the ‘Lex TVN’ bill adopted by the Sejm. They describe it as “an attempt to silence critical content and a direct attack on media pluralism” that violates EU and international law. They are also alarmed that the state-controlled oil company PKN Orlen has acquired the Polska Press Group before the outcome of the Polish Ombudsman’s appeal against the Competition Authority has been announced. The editorial changes made by the Polska Press Group’s new owners, despite an ongoing appeal that temporarily “freezes” their rights, are also of great concern.

Once again, Parliament strongly condemns the smear campaigns against judges, journalists and politicians, including the use of SLAPPs (strategic lawsuits against public participation), initiated by government agencies and officials, state-owned companies and individuals with close ties to the government coalition. Parliament is already working on a report relating to much needed “anti-SLAPP” rules, MEPs underline, calling on the Commission to deliver on the Media Freedom Act and ensure the Audiovisual Media Services Directive is properly implemented.

#### **Primacy of EU law and judicial independence**

Although they welcome the Commission’s latest initiatives on the independence of the judiciary in Poland, quicker action could have helped avoid its continuous erosion, MEPs state. They are deeply concerned that the Polish authorities recently “deliberately and systematically violated rule of law-related judgments and orders of the CJEU” regarding the composition and organisation of the illegitimate ‘Constitutional Tribunal’ and the Disciplinary Chamber of the Supreme Court.

Parliament also reiterates that the primacy of EU law is a cornerstone of the European Union’s legal order, formally accepted by all member states. Accordingly, it calls on the Polish Prime Minister and the Prosecutor General to withdraw their motions, pending before the illegitimate

‘Constitutional Tribunal’, to review whether certain parts of the EU Treaties and of Article 6 of the [European Convention on Human Rights](#) (right to a fair trial) are constitutional.

### Further information

[The adopted text will be available here \(16.9.2021\)](#)

[Procedure file](#)

[High time for Council and Commission to protect Europeans and the EU, MEPs say \(7.7.2021\)](#)

[Lessons learnt from the Commission’s 2020 rule of law report \(24.6.2021\)](#)

[MEPs warn of deteriorating fundamental rights in the EU \(26.11.2020\)](#)

[Media freedom: EP warns of attempts to silence critics and undermine pluralism \(25.11.2020\)](#)

[Rule of law concerns in member states: how the EU can act \(infographic\)](#)

[European Commission - 2021 Rule of law report](#)

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