



Chairman
National Broadcasting Council of Poland
Maciej Świrski

Warsaw, 28 December 2023

**European Commission DG CONNECT,
ERGA Members and EBU**

Dear Sirs

The Polish regulator of the audiovisual market - the National Broadcasting Council (KRRiT) - informs that after the unsuccessful illegal attempt to establish the management boards of public service media companies in Poland, the next step of the Minister of Culture and National Heritage was the decision of 27 December 2023 to put into liquidation: Telewizja Polska S.A., Polskie Radio S.A. and Polska Agencja Prasowa S.A.

The Polish government's decision to put public service media companies into liquidation is illegal and undermines freedom of expression, fundamental European values, fundamental rights, civil liberties, the right to diversity, media pluralism and the rule of law. Polish public service media operate on the basis of laws and according to the Polish legal framework, which do not provide for the possibility to put them into liquidation. The decision of the Minister of Culture and National Heritage is an action to the detriment of public service media companies, the destruction of their market position and the destruction of Poland's cultural heritage.

Furthermore, the Polish public service media are a source of information for foreign audiences about the situation on the eastern border of the European Union, particularly after Russia's aggression against Ukraine.

According to the law, the Minister of Culture and National Heritage, who performs ownership functions, cannot put public service media companies into liquidation, because according to *lex specialis* - the Broadcasting Act and the Act on the National Media Council, he has no authority to do so. His action has the character of an unauthorised extension of competences and is a direct violation of the principle of legalism applicable in the Republic of Poland under Article 7 of the Polish Constitution.

On 27 December 2023, the Chairman of the National Broadcasting Council (KRRiT) submitted a notification to the prosecutor's office on the suspicion of committing a crime to the detriment of the company Telewizja Polska S.A., *inter alia*, in connection with the discontinuation of broadcasting the TVP INFO programme service.

The KRRiT is informing about the occurring events because its drastic and unprecedented nature violates media landscape in Poland and the European Union. We believe that such actions are unacceptable in a democratic state under the state of law and violate the principles of the rule of law which guide the European Union.

Yours sincerely,



Maciej Świrski