

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☒ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

International Press Institute (IPI)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://ipi.media/>

IPI is a global network of journalists defending media freedom and independent journalism wherever they are threatened.

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

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* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☒ Other - please specify

If "Other", please specify

Please indicate the country of origin of your organisation

United Kingdom

First name

Jamie

Surname

Wiseman

Email Address of the organisation

info@ipi.media

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific_privacy_statement_targeted_stakeholder_consultation_2026_rule_of_law_report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be

replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission^[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

^[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia

- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☒ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e. g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application /enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible).

Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

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.

In December 2025, a public consultation was opened for the draft act to amend the Polish Broadcasting and Television Act. The draft Act published by the Ministry of Culture and National Heritage represents a core element of the implementation of the European Media Freedom Act (EMFA).

<https://ipi.media/wp-content/uploads/2025/12/Poland-Media-Capture-Monitoring-Report-2025.-IPI-MJRC.pdf>

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

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 IPI-MJRC Report I Media Capture Monitoring Report: Poland I December 2025 6 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.

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. 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. 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.

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". 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".

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. 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. 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. 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.

<https://ipi.media/wp-content/uploads/2025/12/Poland-Media-Capture-Monitoring-Report-2025.-IPI-MJRC.pdf>

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

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.

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 Act and the Public Procurement Act. 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. 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.

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.

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. Some data can be made available upon request via the Public Information Bulletins (Biuletyn Informacji Publicznej, BIP). However, there is no evidence that the BIP reporting system is effective in monitoring and maintaining transparency in statemedia 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.

<https://ipi.media/wp-content/uploads/2025/12/Poland-Media-Capture-Monitoring-Report-2025.-IPI-MJRC.pdf>

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

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) entities and the Central Registration and Information on Economic Activity (Centralna Ewidencja i Informacja o Działalności Gospodarczej, CEiDG) for natural persons. 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.

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.

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.

<https://ipi.media/wp-content/uploads/2025/12/Poland-Media-Capture-Monitoring-Report-2025.-IPI-MJRC.pdf>

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

All media freedom violations recorded in Poland in 2025 on the Mapping Media Freedom database - <https://www.mapmf.org/explorer?f.year=2025&f.country=Poland&show=list&sort=timestamp%3Adesc>

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

All legal threats, including SLAPPs, recorded in Poland in 2025 on the Mapping Media Freedom database - https://www.mapmf.org/explorer?f.year=2025&f.country=Poland&f.type_of_incident=Legal+incident&show=list&sort=timestamp%3Adesc

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

<https://ipi.media/poland-new-president-urged-to-commit-to-press-freedom-reforms/>

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman

institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

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