



CRITICAL JUNCTURES

SAFEGUARDING THE FREEDOM
TO CREATE IN POLAND

AUTHORS AND SPECIAL THANKS

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KEY FINDINGS

Between 2015 and 2023, Poland underwent an intense and fraught period of political transformation, which significantly undermined the conditions necessary for ensuring the protection and enjoyment of rights, the rule of law, and for enabling a robust, diverse, and plural public debate. During this time, a series of deliberate legislative and policy decisions – initiated and implemented by the Law and Justice (PiS) government – led to the systematic erosion of institutional independence, including in the judiciary and public media. Democratic control mechanisms were deliberately weakened, and the separation of powers increasingly undermined. At the same time, the government shaped its identity through a right-wing, national-Catholic narrative, which informed its approach to public discourse and contributed to the marginalisation of dissenting and alternative voices.

In this context, freedom of expression came under increasing pressure. Although constitutionally guaranteed, it was systematically restricted – both through forms of judicial harassment – including legislative tools such as strategic lawsuits against public participation (SLAPPs)¹ but also by creating a punitive atmosphere of intimidation and direct political pressure. Journalists, writers, artists and activists were sued, harassed both online and offline, and defamed in public media for their dissenting opinions and criticism of the government. This atmosphere, enabled and often emboldened by both state and non-state actors, contributed to the silencing of independent voices. Particularly harsh repression was targeted at marginalised groups, women, LGBTIQ people, and refugees.

Public media were transformed into propaganda tools, serving not only the promotion of the ruling party but also

the active suppression of the opposition, independent communities, and entire social groups deemed ‘undesirable.’ The widely criticised and controversial takeover of local media by the state-owned company PKN Orlen and numerous attempts by PiS to ‘repolonise’ private media further limited pluralism and journalistic independence.

The literary community was not immune to these changes. Under the rule of the PiS government, literature became an arena for ideological conflict, and public institutions, including state funding programmes, were used to promote a conservative vision of culture. Creators who remained outside this line – or openly criticized it – often faced refusals of support and attempts at censorship by the authorities, as well as hate campaigns driven by both state and non-state actors. At the same time, many writers and journalists emphasized that despite the mounting pressure, criticism of the government, the expression of dissenting views, publishing, and public activity remained possible in Poland. In their view, freedom of expression – though clearly under threat – continued to function and was actively exercised by literary, artistic and journalistic circles. One of the defining experiences of the decade was the pervasive uncertainty over where the red lines lay – a lack of clarity that created an atmosphere of ambiguity and risk. Creators and cultural workers often had to navigate this shifting terrain with increasing sophistication and self-awareness to avoid repression or censorship, while still striving to express dissenting or critical perspectives. Interviews conducted by PEN International with individuals from the cultural sector revealed the existence of self-censorship, particularly in relationships dependent on public funding and in environments where political or media reprisals were feared. Debates over the school reading lists, campaigns targeting specific titles or authors, as well as

1 SLAPPs (strategic lawsuits against public participation) are legal actions intended not to win on the merits but to intimidate and silence critics by burdening them with the cost and effort of legal defence.

interventions in theatrical and film repertoires, showed that the boundaries of freedom of expression in the cultural sphere were becoming increasingly fluid and uncertain.

This entire period of PiS rule is characterised by the intense struggle for free expression – a battle fought not only in courts but primarily in the public space, including the media, literary sector, in education, and the arts. Despite numerous regressive actions, interviews and observations indicate that Poland has not entirely lost its capacity to uphold fundamental human rights. The continued resistance of civil society, activists, and creators was and remains crucial to the survival of pluralism and debate. Today, in 2025, Poland faces the challenge of recalibrating them in line with international standards on freedom of expression and cultural rights, rebuilding and strengthening them. Despite the victory of a pro-democratic coalition at the end of 2023, many institutional and legislative threats to freedom of expression not only remain in force, but in some cases continue to be used. Key elements of the previous system – including politicized public service media, the lack of effective safeguards against SLAPP lawsuits targeting critical voices and criminal law provisions that allow for the prosecution of defamation, insult, or offending religious feelings – have not been repealed or meaningfully reformed. As a result, the structural risks to free expression persist, and the climate for independent journalism, artistic freedom, and critical debate remains fragile. This highlights the urgent need to strengthen safeguards that protect freedom of expression and prevent the abuse of legal and institutional mechanisms to silence dissent. At the same time, the path to implementing substantial reforms may be complicated by the election of Karol Nawrocki as Poland's President in June 2025, who holds views that differ from the current government majority. There are growing concerns that presidential vetoes could hinder the adoption of much-needed reforms, posing an additional

challenge to strengthening freedom of expression and rule of law safeguards.

While state-led hate campaigns in public media have ceased, online harassment, threats against LGBTIQ and female writers and journalists remain potent tools of intimidation. Writers – particularly women, queer, and minority authors – continue to navigate these risks largely unsupported by law enforcement or institutional mechanisms. This leaves Poland at a critical juncture, where the protection of artistic freedom must be accompanied not only by legal reform but by a robust cultural transformation that fosters inclusivity, equity, and genuine pluralism.

METHODOLOGY

The research for this report was conducted using a combination of desk research and in-depth interviews with a range of experts, writers, and journalists, providing a comprehensive understanding of the issues related to censorship, self-censorship, and freedom of expression in the literary world and media sphere in Poland between 2015 and 2025.

DESK RESEARCH

The desk research phase involved a thorough review of secondary sources, including academic articles, reports from non-governmental organisations, media outlets, government publications, and policy analyses. This allowed for a broader understanding of the historical and political context in which the issues discussed in this report have unfolded. The research focused primarily on the political and legislative changes in Poland in the last 10 years, particularly those related to the arena of freedom of expression, media independence, and the role of public institutions in shaping cultural and social discourse. Additionally, key trends in the Polish literary and media landscapes were examined, especially in terms of how they evolved under increasing political pressure.

INTERVIEWS

The qualitative component of the research involved interviews with 22 experts, writers, and journalists who have first-hand experience with the issues discussed in the report. These individuals were selected based on their deep knowledge of Poland's literary, artistic, and media environments, as well as their experience with censorship, self-censorship, and political pressures. The interviewees included well-established authors, reporters, academics, and other professionals working in media and literature. Some of the individuals wished to remain anonymous. The interview process was semi-structured, allowing for a flexible yet focused discussion on themes such as censorship, media freedom, the role of public institutions, and the challenges faced by writers and journalists in the current political environment. The conversations were structured around key questions, but interviewees were encouraged to share their personal experiences and observations, offering a diverse range of perspectives. PEN International extends its thanks to the individuals who agreed to provide information for this report.

BACKGROUND: POLITICAL LANDSCAPE (2015–2025)

Between 2015 and 2025, Poland underwent a period of intense political change. In 2015, after the victory of the Law and Justice Party (PiS), Poland entered a new political phase that continues to have a profound impact on the country's enjoyment of rights. By winning both the presidential and parliamentary elections, PiS incrementally secured absolute control over the executive, legislative, and, after some time, significant control over the judiciary. Its electoral victories were built, in part, on a strong anti-migrant campaign that mobilized public sentiment and reshaped the political landscape. The judicial reform, the takeover of public media, and the shift away from liberal policies were key markers of PiS's governance.

One of the most controversial actions taken by PiS was the takeover of the judiciary, which began almost immediately after the party came to power in 2015. The ruling party claimed that the purpose of the reforms was to cleanse the courts of 'communist networks' and restore justice. However, in reality, these reforms had a profound impact on judicial independence and the separation of powers.

The international reaction to these changes was decisive. The European Commission repeatedly stressed that these reforms posed a threat to democracy and the independence of the judiciary. In 2017, the European Commission instigated Article 7 of the Treaty on the European Union (EU) against Poland. The European Court of Justice ruled that the Polish justice reform violated EU law, requiring Poland to immediately change its regulations. However, PiS ignored these recommendations and continued its strategy, opting for a conflict with Brussels, with lasting consequences for Poland's relationship with the EU.



Warsaw, Poland, July 2017. Protesters rally in front of the presidential palace in Warsaw. Photo Credit: Grand Warszawski / Shutterstock.

Under PiS, public media became one of the main political tools used to create a highly charged environment whilst projecting a positive image of the government and conducting propaganda activities. PiS took full control of TVP (Polish Television), Polish Radio, and the Polish Press Agency, allowing it to use these outlets to promote the government's narrative while marginalising any criticism. This monopolisation of the public media landscape not only shaped public perception but also provided a sense of impunity for those engaging in smear campaigns and politically motivated attacks. As a result, public media actively and routinely participated in political witch hunts against the opposition, activists, human rights defenders, and journalists. Those who dared criticize the government were often labelled as 'enemies of the state' or 'traitors of the nation.' This pattern of discreditation began shortly after PiS consolidated control over public media and became more

systematic over time, curating a climate of fear that forced many into self-censorship.

In this atmosphere of growing polarisation, public debates became increasingly difficult and stifled. Instead of constructive dialogue, accusations prevailed, and criticism of the government was portrayed as a de facto attack on Poland and its values. The polarisation was extended into the cultural arena and identity-related matters. This state-led project, engineered to recalibrate and invoke questions about national identity, was used by PiS to gain public support from conservative groups. Attacks on 'liberal values' were mounted, and pro-government media launched a concerted campaign to convince society that this liberal agenda posed a tangible threat to Polish tradition, religion, and family values.

The attempt to institutionally embrace social norms articulated by religious Catholic institutions – including its eulogising of

heteronormativity and patriarchy – were embraced and centred by PiS not only in their electoral campaigns, but more critically within its governance framework. This relentless rhetoric (including statements from senior Church officials often carried and supported in pro-government media) and ensuing witch hunts against ‘leftist ideologies’, such as LGBTIQ or women’s rights, were a common feature symbolising the unrest under PiS’s rule. During social and political protests, the Church commonly defended the ‘traditional family’, criticizing movements demanding equal rights for LGBTIQ individuals and women.

PiS’s policies and alignment with conservative groups (including the Church) was a routine feature of PiS’s public approach, posturing itself as the only party with the capacity and ability to defend national values. Inflammatory rhetoric and media statements by state officials created an atmosphere of impunity in which discriminatory policies could flourish. One of the most prominent examples was the adoption of so-called ‘LGBT-free zone’ resolutions by dozens of local governments. These declarations – though not legally binding – symbolically rejected what officials described as ‘LGBT ideology’ and sent a chilling message to LGBTIQ people and allies. They became a powerful symbol of institutionalised homophobia during this period, emboldened by the broader political climate. Homophobic statements not only sparked outrage in Poland but also on the international stage, leading to tensions with the EU and international organisations.

In 2020, protests from the LGBTIQ community and women became one of the most important events in Polish public life. The arrest and detention of Margot, a non-binary activist, became a catalyst for protests that spread across the country. On 7 August 2020,

Margot was taken into custody in connection with a protest action involving the defacing of a truck displaying anti-LGBTIQ slogans, as well as allegedly damaging it. This arrest sparked nationwide demonstrations and became a symbol of growing resistance to state-led repression of queer communities. PiS’s burgeoning rhetoric in ‘defence of the traditional family’ and national identity ultimately was extended into the continuing struggle over the right to abortion and women’s right to choose, sparking mass protests in 2016 and 2020.

NGOs were also subject to the tightening space on expression in which those campaigning or advocating for human rights were routinely and maliciously targeted by the state frequently labelling them as ‘foreign agents,’ to weaken their influence on society. Journalists and activists critical of the government began to face SLAPP lawsuits on a scale previously unknown in Poland.²

The role of the judiciary deserves particular attention in this context. While the broader institutional landscape in Poland saw increased political interference during the PiS years, the judiciary – though itself under considerable pressure – played a critical role in upholding fundamental norms and providing a measure of protection for freedom of expression. In many emblematic cases described in this report, courts ruled in favour of individuals targeted for their views, affirming legal protections and setting important precedents.

This resilience of the judiciary helped preserve a basic level of trust among writers, journalists and artists – many of whom reported that, while self-censorship existed, it was not yet a pervasive or paralysing force, in part because legal recourse still offered meaningful avenues of defence. Importantly, despite

2 Helsinki Foundation for Human Rights, SLAPP. Strategiczne działania prawne zmierzające do stłumienia debaty publicznej – wybrane elementy praktyki i orzecznictwa polskich sądów w sprawach dziennikarskich, April 2024, available at: https://hfhr.pl/upload/2024/06/slappy_raport_hfpc.pdf

concerted attempts by PiS to reshape the judicial system, the courts often resisted politicization – a factor that likely prevented a deeper slide into illiberalism.

In December 2023, the government was formed by three opposition parties: the Civic Coalition, the Third Way, and the Left. The new government faces the challenge of rebuilding bridges between its citizens, but these deep divisions continue to affect Polish politics and society and seem impossible to bridge. Two distinct echo chambers have emerged in which there have been no real attempts to bridge the divisive impact of PiS policies or build community dialogue, understanding and social cohesion. This has a significant impact on all issues related to freedom of expression, including artistic. The election of President Karol Nawrocki in June 2025, whose views often clash with those of the ruling coalition, may further complicate efforts to pass meaningful reforms aimed at strengthening human rights safeguards.

LEGAL AND POLICY FRAMEWORK

There are several provisions in Polish law that can be used to suppress public debate and criticism of the authorities in Poland. This happens regardless of the international commitments that Poland has made, both at the international level (UN) and at the regional level (EU, Council of Europe). Poland is a party to the International Covenant on Civil and Political Rights (ICCPR), Article 19 which protects freedom of expression and provides clearly defined frameworks within which freedom of expression can be restricted on three grounds.³ Under Article 20 of the ICCPR, ***'any propaganda for war, as well as any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law.'***

Poland is also a party to the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.⁴ According to Article 2 of the 2005 UNESCO Convention, ***'cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed.'*** It also reiterates that freedom of thought, expression and information, as well as diversity of the media, enable cultural expressions to flourish within societies, and it is critical that individuals and peoples are allowed to express and to share with others their ideas and values. Additionally, Article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁵ – to which Poland is also a party – is critical in relation to artistic freedom. It recognises the right of everyone to take part in cultural

3 International Covenant on Civil and Political Rights (ICCPR), 16 December 1966

4 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 20 October 2005

5 International Covenant on Economic, Social and Cultural Rights (ICESC), 16 December 1966



Warsaw, Poland, March 2019. Assembly room of the Polish Parliament. Photo Credit: Katarzyna Uroda/Shutterstock.

life, to enjoy the benefits of artistic creation, and specifically calls on states to respect *'the freedom indispensable for creative activity.'* This provision provides a strong normative basis for defending artistic expression from both censorship and discrimination, especially when such expression challenges dominant narratives or explores controversial themes. At the European level, Article 10 of the European Convention on Human Rights (ECHR) also protects freedom of expression,⁶ and cases related to this article are quite common before the European Court of Human Rights (ECtHR) against Poland. As part of its membership in the EU, freedom of expression is guaranteed by Article 11 of the Charter of Fundamental Rights of the EU.⁷

A particularly influential interpretation of this obligation comes from the 2013 report of the UN Special Rapporteur in the field of cultural rights,⁸ which remains a cornerstone in understanding the scope of artistic freedom. The report underscores that artistic expression must be protected not simply because it transmits ideas, but because of its inherently imaginative and interpretive nature.

Although freedom of expression is not absolute, both international and European standards define that such restrictions must meet three conditions: they must be established by law, they must aim to achieve a legitimate purpose, as stated in Article 10(2) of the ECHR and Article 19(3) of the ICCPR (respect for the rights or reputations of others; protection of national

6 Convention for the Protection of Human Rights and Fundamental Freedoms, 4 September 1950

7 Charter of Fundamental Rights of the European Union, 7 December 2000

8 Report of the Special Rapporteur in the field of cultural rights, 14 March 2013, available at: <https://docs.un.org/en/A/HRC/23/34>

security, public order, public health, or morals), and they must be necessary in a democratic society. This requires an assessment of whether the proposed limitation addresses an ‘urgent social need’ and whether the measures used are the least restrictive means to achieve the intended goal. The ECtHR has repeatedly ruled on this issue. In the case of *Handyside v. United Kingdom*, the Court stated that the protection under Article 10 applies not only to ‘information’ or ‘ideas’ that are favourably received, considered harmless or neutral, but also to those that offend, shock, or disturb the state or any part of society. These are the requirements of pluralism, tolerance, and openness, without which there is no ‘democratic society.’ This means, among other things, that any limitation imposed in this sphere must be proportionate to the legitimate goal being pursued.⁹ Also at the UN level, in recent years, documents have been adopted that provide detailed explanations of what limitations on freedom of expression are permissible. In its General Comment no 34, Human Rights Committee stressed that ***‘when a State party invokes a legitimate ground for restriction of freedom of expression, it must demonstrate in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat.’***¹⁰

In Poland’s Penal Code, there are several provisions that are incompatible with international human rights standards, some of which have been misused against members of the literary, journalistic, and activist communities in recent years. Among these provisions are:

ARTICLE 133 Insulting the Polish Nation or the Republic of Poland (up to three years in prison)

ARTICLE 135 §2 Insulting the President of the Republic of Poland (up to three years in prison)

ARTICLE 137 §1 Insulting or damaging national symbols (up to one year in prison)

ARTICLE 196 Offending religious feelings (up to two years in prison)

ARTICLE 212 Criminal defamation, including via mass media (up to one year in prison)

ARTICLE 216 Insult, including through media (up to one year in prison)

ARTICLE 226 §3 Insulting a constitutional body of the Republic of Poland (up to two years in prison)

These vaguely worded provisions are particularly susceptible to misuse and have been invoked to intimidate or penalise individuals for expressing critical views of the government, public institutions, or the Catholic Church.

Both the case law of the ECtHR and other international acts indicate that politicians, including those at the highest levels of government, as well as public officials, should generally be more tolerant of criticism from society, even when it involves offensive or shocking words. In General Comment no

9 European Court of Human Rights, *Handyside v. UK*, available at: <https://globalfreedomofexpression.columbia.edu/cases/handyside-v-uk>

10 Human Rights Committee, General Comment no 34, July 2011, Para 35, available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedom-of-opinion-and>

34 it is highlighted that *‘the mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties’*, and that *‘all public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition.’*¹¹ The ECtHR also stressed in multiple cases that *‘the limits of permissible criticism are wider with regard to a government official in the course of performance of his or her functions than in relation to a private citizen.’*¹²

The same applies to the desecration of national symbols. In the 2013 report *The right to freedom of artistic expression and creativity*, the UN Special Rapporteur in the field of cultural rights, highlighted that *‘artistic expression and creativity may entail the re-appropriation of symbols, whether national (flags, national anthems), religious (figures, symbols, venues)... as part of a response to the narratives promoted by States, religious institutions or economic powers.’*¹³ The case law of the ECtHR has also pointed to violations of Article 10 of the ECHR in cases of desecration of national symbols, such as in the case of *Fragoso Dacosta v. Spain*, where the court ruled that *‘the criminal sanction imposed on the applicant...was*

disproportionate to the aim pursued’ and that it *‘might have had a chilling effect on the exercise of his freedom of expression.’*¹⁴

Equally problematic are the provisions regarding offending religious feelings, despite the fact that the Polish Constitutional Tribunal, in its 2015 ruling, declared Article 196 of the Penal Code to be constitutional.¹⁵ The UN Special Rapporteur on freedom of religion and belief in the report from 2015 stated that *‘subjective feelings of offensiveness should never guide legislative action, court decisions or other State activities.’*¹⁶ The ECtHR issued a ruling in the case of *Rabczewska v. Poland*, in which it found that *‘those who choose to exercise the freedom to manifest their religion ... cannot therefore expect to be exempt from criticism’* and that *‘they must tolerate and accept the denial by others of their religious beliefs.’*¹⁷ At the same time, this does not mean that individuals or groups can be discriminated against on the basis of religion – as stated in Article 20 of the ICCPR. The Venice Commission emphasized that while incitement to religious hatred should be criminalised, laws penalizing religious insult or blasphemy without a component of hate incitement are neither necessary nor desirable and should be abolished.¹⁸ As has been clearly explained by the UN Special Rapporteur on freedom

11 HR Committee, General Comment No. 34, op.cit., para 38

12 European Court of Human Rights, *OOO Izdatelskiy Tsentr Kvartirnyy Ryad v. Russia*, para 38, available at: [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-173098%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-173098%22]})

13 Report of the Special Rapporteur in the field of cultural rights, 14 March 2013, Para 36, available at: <https://docs.un.org/en/A/HRC/23/34>

14 European Court of Human Rights, *Fragoso Dacosta v. Spain*, para 38, available at: [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22002-14106%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22002-14106%22]})

15 Polish Constitutional Court, Case SK 54/13

16 Report of the Special Rapporteur on freedom of religion or belief, 23 December 2015, para 61, available at: <https://www.ohchr.org/en/documents/thematic-reports/ahrc4058-freedom-religion-or-belief-report-special-rapporteur-freedom>

17 European Court of Human Rights, *Rabczewska v. Poland*, para 51, available at: [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-219102%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-219102%22]})

18 Venice Commission, *Blasphemy, insult and hatred: finding answers in a democratic society*, March 2010, available at: [https://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

of expression in its 2008 report, limitations on the rights to freedom of expression were *'designed in order to protect individuals against direct violations of their rights'* and *'are not designed to protect belief systems from external or internal criticism.'*¹⁹

In international law, morality is cited as a legitimate ground for restricting freedom of expression. However, morality remains an inherently vague and culturally contingent concept, often left undefined in legislation. This legal ambiguity creates a loophole that allows states to suppress dissenting or non-conforming voices under the pretext of defending societal values. Artists and writers are particularly vulnerable to such restrictions, as their work often explores themes considered provocative, controversial, or taboo. Unlike journalists, whose work is typically framed as political commentary or factual reporting, artists are more frequently targeted for symbolic or interpretive content, which can be more easily reframed as offensive or harmful to public morality. In Poland, this has enabled authorities and conservative actors to justify censorship, defunding, or legal action against works addressing themes such as LGBTIQ rights, gender, or religion, even when no legal threshold for hate or incitement is met.

In 2016, the Human Rights Committee recommended Poland the review of its defamation laws and laws on insulting State symbols, senior officials and religion, stating that *'the State party should consider decriminalizing defamation by amending its Penal Code, bearing in mind that imprisonment is never an appropriate penalty for defamation.'*²⁰

VIOLATIONS TARGETING LITERARY EXPRESSION

'THE LITERARY COMMUNITY IS VERY DIVERSE, YET THE KIND OF DIALOGUE THAT USED TO BRIDGE DIFFERENT SENSIBILITIES HAS ALMOST ENTIRELY DISAPPEARED.'

ADAM SZOSTKIEWICZ, POLISH PEN

In the 2013 report *The right to freedom of artistic expression and creativity*, the UN Special Rapporteur in the field of cultural rights, highlighted that *'artists, like journalists and human rights defenders, are at particular risk as their work depends on visibly engaging people in the public domain. Through their expressions and creations, artists often question our lives, perceptions of ourselves and others, world visions, power relations, human nature and taboos, eliciting emotional as well as intellectual responses.'*²¹ PiS's policy of state encroachment was also incrementally extended into the creative sector in which its policies, intentionally and steadily, tightened the noose over all forms of cultural expression, in its systematic attempt to moor social norms towards the Conservative right. The individuals PEN International

19 Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 28 February 2008, para 85, available at: <https://documents.un.org/doc/undoc/gen/g08/112/10/pdf/g0811210.pdf>

20 Human Rights Committee, Concluding observations on the seventh periodic report of Poland, 23 November 2016, available at: <https://www.ohchr.org/en/documents/concluding-observations/ccprcpolco7-concluding-observations-seventh-periodic-report>

21 Report of the Special Rapporteur in the field of cultural rights, 14 March 2013, op. cit., Para 35



Warsaw, Poland, June 2019. Bookshelves in a library. Photo Credit: Real_life_photo / Shutterstock.

spoke to for the purposes of this report were unanimous in their view that over the past decade, Poland has experienced significant societal polarisation, which has also impacted the literary and journalistic worlds. This concerted strategy of polarising communities was hinged on curating and compounding a narrative of ‘us’ and ‘them,’ whether it be through media messaging or leveraging nationalist ideas through cultural and artistic expression.

This was particularly evident in the realm of cultural funding and the favouritism shown towards certain media outlets. While progressive publications and theatrical productions addressing issues such as women’s rights, human rights, and LGBTIQ topics continued to flourish, they did so with no or very limited state support. Funding for alternative and critical perspectives was significantly reduced, further deepening societal divisions. This cultural divide was not only visible in public funding decisions but also reflected in

the lived experience of writers and critics. As one writer put it, *‘on the other side of the wall,’* there exists a conservative literary world with its own audience, focused on patriotic-Catholic themes.

This separation was echoed by others in the literary field. As Błażej Warkocki, Polish literary critic, scholar, and lecturer at Adam Mickiewicz University in Poznań stated, *‘I have no access at all to the right-wing community, we simply don’t talk to each other, we don’t have contact, I know they exist and that they are involved in, for example, theatre, but I don’t meet these people, we don’t even know each other.’* According to writer Renata Lis, *‘there is this conservative side that has its own circuits, its own publishers, its own press, and we don’t intersect at all.’* According to Anna Nasiłowska, President of the Polish Writers’ Association, *‘some publishing houses have a distinctly political character, and publishing with them – regardless of the content of the work – is often perceived as a gesture of alignment with*

a particular political stance. The book and press markets are divided, which does not foster discussion. If someone publishes with a politically branded publisher, it is difficult to speak of genuine debate – the book will reach only a specific bubble, it will not be noticed or discussed by those on the opposing side.' Some writers noted that they operate within a self-contained, ideologically aligned environment in which they feel relatively safe. Several remarked that they had not personally experienced any violations of their freedom of expression over the past decade – not because such threats did not exist, but because they tend to limit public engagement and interact primarily with like-minded individuals. However, this sense of security often shifts once they begin to express their views more openly. In such cases, it is not necessarily their literary work that draws attention, but rather their public statements – whether on social media or in interviews – which can provoke backlash or lead to negative repercussions.

Predictably in this climate, journalists covering scandals at the highest levels of government, as well as writers and artists provoking discussions on important social topics, have been particularly vulnerable to attacks.

LEGAL HARASSMENT: THE ISSUE OF SLAPPS

'DEFAMATION LAWS MUST BE CRAFTED WITH CARE TO ENSURE THAT THEY COMPLY WITH PARAGRAPH 3 [OF ARTICLE 19 ICCPR], AND THAT THEY DO NOT SERVE, IN PRACTICE, TO STIFLE FREEDOM OF EXPRESSION. STATES PARTIES SHOULD CONSIDER THE DECRIMINALIZATION OF DEFAMATION AND, IN ANY CASE, THE APPLICATION OF THE CRIMINAL LAW SHOULD ONLY BE COUNTENANCED IN THE MOST SERIOUS OF CASES AND IMPRISONMENT IS NEVER AN APPROPRIATE PENALTY.'²²

**HUMAN RIGHTS COMMITTEE
IN GENERAL COMMENT NO. 34**

The past 10 years have witnessed the misuse of both criminal and civil laws in a procedure known as SLAPP – strategic lawsuits against public participation. The use of SLAPPs against critical and investigative reporting was not a new phenomenon in Poland, where politicians and businessmen at various levels, including local ones, have been targeting media outlets and journalists with legal threats since the fall of communism in 1989. That said, human rights monitoring²³ has demonstrated that following PiS's electoral victory, in 2015, there was a significant and alarming increase in the number of lawsuits brought against independent voices, including media outlets, journalists, opinion makers, and activists and that efforts to suppress criticism resembled a coordinated strategy by PiS. Already before PiS came to power,

22 HR Committee, General Comment no 34, op.cit. para 47

23 Helsinki Foundation for Human Rights, SLAPP. Strategiczne działania prawne zmierzające do stłumienia debaty publicznej – wybrane elementy praktyki i orzecznictwa polskich sądów w sprawach dziennikarskich, op.cit.

Maciej Świrski – a close associate of the party and, since 2022, the head of the National Broadcasting Council (KRRiT) – publicly outlined a strategy for targeting independent media with SLAPPs.²⁴ Between 2015–2023, a significant number of cases were brought by public officials and state-controlled companies, with the same plaintiffs often filing multiple lawsuits, sometimes simultaneously, based on different legal provisions or acting in various capacities (e.g. both as private individuals and as public representatives).

In addition to the criminal provisions mentioned in the first chapter, which are inconsistent with international human rights standards, civil law is also used to initiate the SLAPP process in Poland. This includes Articles 23 and 24 of the Civil Code on the protection of personal rights. Alongside Article 212 of the Penal Code, this is the most commonly used provision to stifle public debate in Poland. Under Article 212 of the Penal Code, anyone can file such a lawsuit without the involvement of the prosecutor, acting as a so-called private prosecutor, making this provision one of the most dangerous tools for exerting pressure in the world of media and public opinion. This is also possible because paragraph 2 of Article 212 refers to ‘insulting’ through mass communication, for which the perpetrator is subject to a fine, restriction of liberty, or imprisonment for up to one year.²⁵ Between 2015 and 2023, it was common for the same statement or article to result in both a civil lawsuit for violating personal rights and a criminal defamation lawsuit filed by

private individuals. A prime example of this is Professor Wojciech Sadurski, an eminent lawyer, academic, and commentator on public life in Poland, who simultaneously faced a civil and criminal case brought against him by Telewizja Polska (TVP). This case related to a tweet posted on 17 January 2019, shortly after the assassination of Gdańsk mayor Paweł Adamowicz. In the tweet, Sadurski accused TVP of running a smear campaign that contributed to an atmosphere of hatred leading to the murder, referring to the broadcaster as a ‘Goebbelsian media company’ and urging opposition politicians to boycott its programmes.²⁶ After several years of legal proceedings, Sadurski ultimately won both cases.²⁷ However, he was forced to defend himself in parallel civil and criminal proceedings over the very same statement – a tactic that illustrates how legal mechanisms were used strategically to exhaust the defendant, increase the financial and psychological burden, and intimidate through procedural escalation.

As Roman Imielski of *Gazeta Wyborcza* said in 2022 in an interview with *Press.pl*, ***‘they send several lawsuits for one article, with each lawsuit from a different person who claims to be harmed. For example, the Ministry of Justice sends a lawsuit regarding our article, the same lawsuit comes from Minister of Justice Zbigniew Ziobro, and another one is related to Zbigniew Ziobro, but as a private individual.’***²⁸

Gazeta Wyborcza, one of the biggest Polish daily newspapers with a circulation of 40,000 printed copies and almost 300,000 digital

24 *Gazeta Wyborcza*, SLAPP, czyli klaps. Jak – choć PiS już nie rządzi – niszczy się niezależne media, available at: <https://wyborcza.pl/magazyn/7,124059,30891251,slapp-czyli-klaps-jak-wciaz-choc-pis-juz-nie-rzadzi-niszczy.html>

25 Text in Polish available at: <https://sip.lex.pl/akty-prawne/dzu-dziennik-ustaw/kodeks-karny-16798683/art-212>

26 ARTICLE 19, Poland: Criminal defamation case against Professor Wojciech Sadurski must be dropped, available at: <https://www.article19.org/resources/poland-criminal-defamation-case-against-professor-wojciech-sadurski-must-be-dropped/>

27 ARTICLE 19, Poland: The Court acquits Professor Wojciech Sadurski in a criminal defamation case, available at: <https://www.article19.org/resources/poland-acquits-sadurski/>

28 *Press*, “*Gazeta Wyborcza*” otrzymała ponad 100 pozwów, które można uznać za SLAPP, available at: https://www.press.pl/tresc/71089,_gazeta-wyborcza_-przez-ostatnie-siedem-lat-otrzymala-ponad-100-pozwow_-ktore-mozna-uznac-za-slapp

subscriptions, made a statement in 2022 that since 2015 they had been targeted with over 100 legal actions against journalists in their employee, including their editor-in-chief, or publishing house AGORA SA.²⁹ In March 2021, Ringier Axel Springer publishing house announced that they faced 96 lawsuits brought against their leading media outlets, including 17 lawsuits brought under criminal code provisions.³⁰ This systematic targeting of independent news outlets continued to be used by PiS politicians.

SLAPP lawsuits are renowned for burdening defendants through lengthy and costly legal procedures in which they often face high legal fees, ultimately leading them to self-censor or abandon further attempts to uncover the truth. This was particularly easier for individuals connected to the ruling PiS party, as they had unlimited financial resources to pursue such cases. The emotional toll on the well-being of defendants has been cited by media outlets as a pivotal factor in whether they continue mining a story. Journalists in their conversations with PEN International reported how ongoing SLAPP lawsuits detracted them from their reporting capacity to pursue further journalistic investigations or concentrate on writing new books.

Other provisions of criminal law outlined earlier are problematic from the perspective of international standards. In the last 10 years, there have been cases where these provisions were used to challenge the right to freedom of expression, which we can identify as typical

SLAPP cases.³¹ Jakub Żulczyk, a popular writer and novelist, was charged with criminal defamation of the President of the Republic of Poland after he referred to then President Andrzej Duda as a 'moron' in a social media post in November 2020,³² following his delay in congratulating Joe Biden on his victory in the US presidential election. As a consequence, an unknown private individual filed a report to the prosecutor's office alleging that Żulczyk should face criminal charges. Based on this, the prosecutor filed a defamation case against Żulczyk under Article 135(2) of the Criminal Code. Żulczyk potentially faced up to three years in prison. In January 2022, the District Court in Warsaw dismissed the case, stating that this provision should exclude critical statements about the head of state, even if they are very harsh. The court stated that **'politicians must show a greater degree of tolerance, especially when they themselves make statements that give reasons for criticism.'**³³ The prosecutor subsequently filed an appeal. In September 2022, the Court of Appeals in Warsaw upheld the decision of the District Court to dismiss the case. Following this, the prosecutor filed a cassation appeal to the Supreme Court. In May 2023, the Supreme Court upheld the decision of the Court of Appeals, ruling that the writer did not commit defamation. This case resonated widely not only in Poland but also internationally, and as some commentators pointed out, it ultimately undermined the dignity of the head of state, highlighting the disproportionate and unnecessary nature of the prosecution.³⁴

29 Ibid.

30 Onet, Niemal sto procesów dziennikarzy Onetu, 'Faktu' i 'Newsweeka'. Tak pozywa nas władza, available at: <https://wiadomosci.onet.pl/tylko-w-onecie/niemal-sto-procesow-dziennikarzy-onetu-faktu-i-newsweeka-tak-pozywa-nas-wladza/dzhg64k>

31 Helsinki Foundation for Human Rights, p. 15, *ibid.*

32 RMF FM, Znany pisarz Jakub Żulczyk nazwał Andrzeja Dudę 'debilem'. Został oskarżony, available at: <https://www.rmfm24.pl/fakty/polska/news-znany-pisarz-jakub-zulczyk-nazwal-andrzeja-dude-debilem-zost,nld,5122959>

33 Sąd Okręgowy w Warszawie, wyrok z uzasadnieniem, VIII K 51/21, 10 January 2022, available at: [https://orzeczenia.warszawa.so.gov.pl/content/art.\\$0020135\\$0020duda/154505000002406_VIII_K_000051_2021_Uz_2022-01-25_001](https://orzeczenia.warszawa.so.gov.pl/content/art.$0020135$0020duda/154505000002406_VIII_K_000051_2021_Uz_2022-01-25_001)

34 Krytyka Polityczna, Sąd słusznie orzekł w sprawie Żulczyka, ale przepisy o „znieważeniu prezydenta RP” wymagają zmiany, available at: <https://krytykapolityczna.pl/kraj/jakub-zulczyk-andrzej-duda-jest-debilem-sad-decyzja-zniewazenie-prezydenta/>

Jaś Kapela, an activist, writer, and poet, was also targeted in a similar case after he published a modified version of the Polish national anthem online in 2015 during the refugee crisis, using it to promote solidarity and the acceptance of refugees. The altered lyrics read: ***‘Poland has not yet perished, When we are alive, Our poverty is over, We will accept migrants. March, march, refugees, From Italy to Poland, Under our leadership, Join the nation.’*** Despite the fact that the modified text contained no offensive, or harmful words or vulgarities, in October 2016 the district court in Wołomin ruled that Kapela had committed an offence under Article 49 paragraph 2 of the Polish Code of Petty Offences, insulting national symbols. He was sentenced to a fine of 500 PLN (approximately \$130). The verdict was upheld by the Warsaw-Praga District Court, which in February 2018, finally convicted Kapela for ***‘failing to ensure proper honour and respect for the Polish national anthem’***³⁵ and increased the fine to 1000 PLN (approximately \$260). Jaś Kapela was supported by the then Ombudsman for Human Rights, Adam Bodnar, who filed an appeal against the verdict to the Supreme Court. In October 2019, the Supreme Court overturned the verdict, stating that ***‘certain words were used that did not fundamentally change the character of the work, which emphasizes the openness of the Polish nation, for example, to refugees, in relation to what the Polish nation has experienced in the past.’***³⁶

In the literary world, there were no notable cases under Article 196 of Penal Code – Offending religious feelings – over the past decade that ended in a court ruling, at least none that are widely known.

Statistics obtained from the Ministry of Justice for the years 2021–2024 do not allow to determine the exact nature of these cases or who they were directed against. However, the data show that a total of 83 individuals were brought before the district courts in first instance under Article 196 during this period. The highest number of proceedings occurred in 2023 and 2024, with 24 people tried each year. In 2023, 17 of them were convicted, and in 2024, 14. By comparison, in 2021 and 2022, the courts tried 19 and 16 individuals respectively, convicting eight and nine.³⁷ This suggests an increase in prosecutions in the last two years, although it remains unclear whether any of these cases were related to artistic or literary expression.

In April 2019, three activists – Elżbieta Podleśna, Anna Prus, and Joanna Gzyra-Iskandar – hung images of the Black Madonna of Częstochowa with a rainbow halo as a sign of opposition to growing hatred against LGBTIQI individuals near the Catholic Church of St. Dominic in Płock. It was in response to a recent homophobic installation in the church that listed words like ‘gender,’ ‘homo-deviation,’ and ‘LGBT’ as one of the seven deadly sins. As pressure started to mount, the activists sent a public statement to media houses, to highlight why they had instigated this protest.

On 6 May 2019, Elżbieta Podleśna was arrested by the police, who also searched her house and seized the images of the Madonna with the rainbow halo and confiscated her electronic equipment. Eight police officers stormed Podleśna’s house at 6 a.m. The then-Minister of the Interior and Administration, Joachim Brudziński, in an interview for Polish Radio 24 praised the

35 Archiwum Osiatyńskiego, Mazurek Jasia Kapeli, available at: <https://archiwumosiatsynskiego.pl/alfabet-buntu/mazurek-jasia-kapeli/>

36 Onet, Jaś Kapela niewinny. Wyrok SN ws. modyfikacji Mazurka Dąbrowskiego, available at: <https://wiadomosci.onet.pl/kraj/jas-kapela-wyrok-sadu-najwyzszego-ws-mazurka-dabrowskiego/v219919>

37 Data obtained from the Polish Ministry of Justice in April 2025 in response to a public access to information request



Częstochowa, Black Madonna with a rainbow in equality march. Photo Credit: Silar/ Creative Commons.

police for their decisive actions.³⁸ The activists were charged with offending religious feelings under Article 196 of the Penal Code. In March 2021, the District Court in Płock dismissed all charges, describing the event as ‘provocative’ but necessary to spark a public debate on an important social issue. The prosecution, along with subsidiary prosecutors, filed an appeal.

In January 2022, the Court of Appeal upheld the activists’ acquittal. However, the legal battle did not end, as a cassation appeal was filed with the Supreme Court. During the cassation hearing in March 2024 – held after PiS’s electoral defeat – the prosecution withdrew its cassation appeal. Nevertheless, the hearing continued, as the subsidiary prosecutors did not withdraw

their appeal. Despite this, the Supreme Court rejected the cassation, effectively bringing this five-year legal battle to an end.³⁹

The cases of Żulczyk and Rainbow Mary sparked heated debate and were widely commented on not only in Poland but also abroad, pointing to one troubling fact that despite losing the case – twice – prosecutors relentlessly persisted in filing a cassation appeal to the Supreme Court. It also exposes the state’s pernicious pursuit of those critical of the State and Church, signalling its intention to judicially harass criticism whether it be from writers or other creatives.

In 2019, a civil lawsuit was brought against Professor Barbara Engelking and Professor

38 Oko.press, Brudziński i policja manipulują w sprawie zatrzymania Elżbiety Podleśnej, available at: <https://oko.press/brudziński-i-policja-manipuluja-w-sprawie-zatrzymania-elżbiety-podlesnej>

39 OKO.press, Matka boska w tęczowej aureoli nie obraża. Sąd Najwyższy odrzuca kasację Godek i księdza, available at: <https://oko.press/matka-boska-w-teczowej-aureoli-nie-obraza-sn-odrzuca-kasacje>

Jan Grabowski following the publication of their book, *Night Without End: The Fate of Jews in Selected Counties of Occupied Poland*. The book details the complicity of Polish citizens in the Holocaust. Although filed by a private individual, the case was supported by the Reduta Dobrego Imienia (the Defence of the Good Name), an association backed by the then government, which focuses on defending the reputation of Poland and Poles in line with the PiS historical policy. In its verdict, delivered on 9 February 2021, the court ordered the historians to publish an apology and remove the disputed passage from future editions of the book. In their public statement the Court stated ***'publishing content that attributes crimes of the Holocaust committed by the Third Reich to Poles may be considered harmful and detrimental to the sense of national identity and pride.'***⁴⁰

The ramifications of this verdict went far and wide, sending a strong message to the literary and academic community in Poland. It became clear that attempts to scrutinise or understand the complex history of the 20th century could lead to civil or even criminal prosecution. Following the verdict, the Committee on Historical Sciences of the Polish Academy of Sciences issued a statement, declaring that ***'such actions must raise the highest concern within the historical community. They aim to cause a so-called chilling effect, discouraging research and open***

discussion, and thus may have a negative impact on historical studies and the dissemination of knowledge about history.'⁴¹

Following the appeal filed by the historian academics, the Court of Appeal on 16 August 2021 dismissed the lawsuit, deeming the charges unfounded, stating that a court did not have the remit to impose which historical sources researchers and academics should base their findings on, as this would constitute ***'an unacceptable form of censorship and interference with the freedom of research and scientific work.'***⁴²

After PiS lost power, the new Minister of Justice, Adam Bodnar, announced the swift introduction of an Anti-SLAPP law, going beyond the EU Directive,⁴³ which only requires member states to implement protective measures in cross-border cases. The directive sets minimum standards such as early dismissal of manifestly unfounded claims, procedural safeguards for defendants, and the possibility of awarding costs and damages – though such cross-border cases are practically non-existent in Poland, or at least not widely known. In a statement issued on 27 April 2024, the Minister of Justice also announced the willingness of the current administration to repeal defamation (and specifically Article 212 of the Penal Code) in Poland,⁴⁴ as well as commissioning an audit to document all SLAPP lawsuits filed by the Ministry under his predecessor, ultimately to withdraw the ensuing lawsuits. At the end of 2024, a draft of the Anti-SLAPP law, was presented

40 OKO.press, Sąd: Można skazać historyków za naruszenie „poczucia dumy narodowej”. Publikujemy uzasadnienie wyroku, available at: <https://oko.press/sad-mozna-skazac-historyka-za-naruszenie-poczucia-dumy>

41 OKO.press, Sąd: Engelking i Grabowski nie muszą przeproszać za wyniki badań nad Zagładą, available at: <https://oko.press/grabowski-engelking-wyrok-dalej-jest-noc>

42 Ibid.

43 Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('strategic lawsuits against public participation'), available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401069

44 Oko.Press, Adam Bodnar zapowiada zniesienie art. 212 kodeksu karnego o zniesławieniu, available at: <https://oko.press/adam-bodnar-zapowiada-zniesienie-art-212-kodeksu-karnego>

by the Civil Law Codification Commission.⁴⁵ Disappointingly, despite earlier assurances that Article 212 of the Penal Code would also be abolished, the Criminal Law Codification Commission only proposed limiting its scope. Its recommendations only went so far as to suggest removing the penalty of imprisonment, sparking criticism from civil society and media.⁴⁶ According to statistics from the Ministry of Justice,⁴⁷ between 2021 and 2024, Polish district courts convicted a total of 681 individuals in the first instance under paragraph 2 of Article 212 of the Penal Code. In 2021, 158 people were convicted. Out of these, four received suspended sentences, and 23 were sentenced to restriction of liberty. In 2022, 160 convictions were recorded. Five individuals were sentenced to imprisonment, of which four were suspended sentences, and 27 were sentenced to restriction of liberty. In 2023, the number of convictions rose to 193. Eleven individuals received suspended sentences, and 47 were sentenced to restriction of liberty. In 2024, there were 170 convictions. Eight people were sentenced to imprisonment, including seven with suspended sentences. Although the vast majority of cases ended with the imposition of fines, these figures, collected from first-instance rulings, reflect the consistent use of criminal defamation provisions in Poland and underline the ongoing concerns over their potential chilling effect on freedom of expression, particularly for journalists, writers, and public critics.

The campaign for decriminalising defamation has a history stretching over 20 years in Poland. At the time of writing,

PEN International notes that there are no signals from the government that it will abide by its earlier statements about decriminalising defamation, including in relation to the President, national symbols, or insulting religious feelings. The failure of the state to commit to its earlier reassurances has left human rights observers despondent and uncertain.

STATE INTERFERENCE AND POLITICAL PRESSURE

LITERATURE

Between 2015 and 2023, human rights monitors documented concerted efforts by the ruling government to exert control over the literary landscape and align it with its broader political agenda. A key element of this strategy was the restructuring of key cultural institutions and the politicized distribution of public grants. While writers in Poland have long criticised the lack of transparency in grant allocation – particularly the composition of expert committees – these concerns significantly intensified under the PiS government.

The Book Institute

The Book Institute is a state body founded in 2004, mandated to support and promote reading of Polish literature, as well as support the domestic book market, which operates under the Ministry of Culture and National Heritage. The main grant programmes managed by the Book Institute include:⁴⁸

45 Gazeta Wyborcza, Jak uciszyć dziennikarza? Projekt resortu Bodnara wciąż daje taką możliwość, available at: <https://wyborcza.pl/7,75398,31628541,to-nie-ochrona-przed-slapp-ministerstwo-bodnara-daje-orez-prawicowym.html>

46 ARTICLE 19, Poland: Decriminalisation of defamation crucial for combatting SLAPPs, available at: <https://www.article19.org/resources/poland-decriminalisation-of-defamation-crucial-for-combatting-slapps/>

47 PEN International received this data by an access to information request

48 Instytut Książki, Dofinansowanie kultury – programy obsługiwane przez Instytut Książki, available at: <https://instytutksiazki.pl/dotacje,3,programy-ministerstwa-kultury-i-dziedzictwa-narodowego,1.html>

Literature: aims to support the publication of high-quality new releases, with particular emphasis on contemporary literature written in Polish or translated into Polish.

Periodicals: provides funding for cultural magazines of significant social importance.

Promotion of Reading: supports literary festivals, local events, and social campaigns promoting reading.

Book Partnership: offers financial support for cultural events such as author meetings, readings, discussions, and workshops organised in bookstores and libraries.

The ©Poland Translation Programme: a translation programme intended for foreign publishers. It finances the translation and publication of Polish books abroad.

After PiS came to power in 2015, it instigated a series of changes at the Book Institute, including dismissals as well as resignations. Those who left due to political pressure were highly qualified specialists and experts with many years of experience and extensive networks in both Polish and international literary circles. In April 2016, the Minister of Culture, Piotr Gliński, dismissed the then-Director of the Institute, Grzegorz Gauden, replacing him with Dariusz Jaworski, a former journalist and local government official associated with PiS. Gliński justified the decision by referring to the results of an internal audit, though critics argued the move was politically motivated. The appointment was met with concern by figures prominent amongst the literary

community. Writer Adam Zagajewski commented, *'the dismissal of Grzegorz Gauden from the position of director of the Institute was met with disbelief, indignation, and, soon after, protests from the most prominent authors. (...) Polish literature is a great orchestra, with various voices and instruments. I would not want, and I am not alone in this, for the only instruments now to be favoured to be the percussion instruments, drums, snare drums, and tam-tams of current propaganda.'*⁴⁹ PiS's attempts to corrode the independence of the institution instigated the departure of several employees. Director Dariusz Jaworski denied allegations of firing staff based on their political views and attempts to destroy the Institute's 'workforce structure.' Observers have noted that, in addition to the dismissal of its most senior leadership, PiS strategically employed other methods to curtail the decision-making power and autonomy of individuals who did not align with the new leadership's agenda. New people were brought in – significantly less connected with the vast network of writers, translators, publishers, cultural animators, and organisers of literary life.⁵⁰ Subsequently, the Book Institute gradually lost trust amongst sections of the literary community in which writers either openly boycotted it, or simply organised events and initiatives outside its structures. The crisis reached its peak when at the beginning of 2023, the management of the Institute – without consulting the editorial team – appointed Antoni Winch as the Editor-in-Chief of their monthly magazine *Dialog*.⁵¹ This decision was contested by the editorial team, who refused to cooperate with the imposed leadership and began independently publishing the magazine under a new title, *Dialog Puzyny*.⁵²

49 Oko.Press, Literatura i tam-tamy propagandy. Odpowiedź na sprostowanie dyrektora Instytutu Książki, available at: <https://oko.press/instytut-ksiazki-niszczenie-tkanki-pracowniczej>

50 Ibid

51 Oko.Press, Antoni Winch, przyniesiony w teczce Glińskiego naczelny "Dialogu". Dlaczego nie jest mu wstyd?, available at: <https://oko.press/antoni-winch-przyniesiony-w-teczce-glinskiego-naczelnego-dialogu>

52 Oko.Press, Literatura i tam-tamy propagandy. Odpowiedź na sprostowanie dyrektora Instytutu Książki, op.cit.

Institute of Literature

'INSTITUTE OF LITERATURE WAS CREATED TO REDIRECT CERTAIN THINGS IN THE LITERARY SYSTEM.'

JERZY FRAN CZAK

Under the PiS government, then Minister of Culture and National Heritage Piotr Gliński established the Institute of Literature in 2019, which further compounded the crisis in literary circles. The body confirmed continuing concerns amongst literary actors who clearly understood it as a calculated move by the state to strategically promote patriotic, identity-based, and conservative literature.⁵³ The Institute of Literature operated as a publishing institution – it published books, along its own literary journal *Nowy Napis*. This distinguished it from the Book Institute, which did not engage in publishing activities itself, but rather supported the book sector through grants and funding programmes.

According to some observers, the original concept behind the Institute of Literature had a certain logic – it was meant to offer meaningful support for less commercial forms of writing, including poetry. While the institution had been the subject of much criticism, some observers admitted that, with all its flaws, it provided support that was much needed in Poland. However, others perceived the establishment of the new institute as an attempt to seize the literary field by promoting and funding authors who were subservient to the government, with a conservative-religious profile. This led to a growing division within the literary community.

Anna Nasiłowska, president of the Polish Writers' Association (Stowarzyszenie Pisarzy Polskich – SPP), acknowledged that the association chose to cooperate with the Institute of Literature and accepted funding for the publication of niche books, despite her concerns about maintaining independence. Nonetheless, she emphasized that the SPP retained full autonomy in selecting the writers it chose to publish. *'the autonomy in deciding which books we publish was preserved. But the very fact of receiving financial support from the Institute of Literature, endorsed by Minister Gliński, led many people to leave the organisation. I want to emphasize that we operated according to our own priorities – we also published books by opponents of the then-government. The focus was on niche works by our members, which held significant artistic value. There were also people within the literary community who refused to accept state awards for their work because the decision was made by the Minister, and they would have received an award bearing his signature.'*

However, the decision to continue engagement triggered writers – including prominent authors – to leave the SPP and publish an open letter. In it they commented, *'the Institute [of Literature], as we believe, regardless of its declared mission, is inherently a political institution. It was created to buy the favour of a community that is rather hostile to unconstitutional actions that violate human and civil rights. [...] We do not want to march under the SPP banner in a race away from freedom. [...].'*⁵⁴ The list of signatories included prominent writers such as Olga Tokarczuk, Hanna Krall, Adam Zagajewski, and Inga Iwasiów. Jerzy Franczak, poet, prose writer, essayist, and

53 Gazeta Wyborcza, Wicepremier Gliński otwiera Instytut Literatury. Nie wszystkim podoba się "liryczne 500 plus", available at: <https://krakow.wyborcza.pl/krakow/7,44425,24761349,wicepremier-glinski-otwiera-instytut-literatury-nie-wszystkim.html>

54 Lubimy Czytać, Autorzy opuszczają Stowarzyszenie Pisarzy Polskich, available at: <https://lubimyczytac.pl/aktualnosci/14309/autorzy-opuszczaja-stowarzyszenie-pisarzy-polskich>

literary scholar; Doctor habilitatus of the humanities and professor at the Jagiellonian University, published a Facebook post⁵⁵ in August 2020 announcing his opposition to the SPP's decision.⁵⁶ His departure from the association sparked debate within the literary community, instigating others to leave. In the statement, he mentioned that: *'the Institute of Literature and its media arms are institutions established on the ruins of a once rich cultural landscape. As you are surely aware, the Ministry of Culture denied funding to dozens of literary magazines with long-standing traditions. The same applies to other initiatives born out of the spontaneous cultural activity of various communities. Financial resources were redirected to new institutions and titles overseen by people appointed from above. The rates offered (now infamous: 500 PLN for a poem, 1,000 for a reprint, 2,000 for a short story⁵⁷) clearly indicate the actual stakes of the venture: it is about recruiting as many creators as possible to legitimize the entire operation.'*⁵⁸

In response to these criticisms, Anna Nasiłowska remarked, *'my person – being considered a calm feminist with rather left-wing views – did not prevent the division that runs through all of social life. It turns out that the divide is so deep that it begins to destroy the possibility of cooperation beyond the divisions.'*⁵⁹

Despite sustained attempts at institutional capture, PiS ultimately failed to fully subjugate the literary field or marginalise dissenting voices. While new structures such as the Institute of Literature aimed to redirect funding and recognition toward ideologically aligned authors, many writers, publishers, and critics actively resisted this co-optation.

Independent publishers continued to thrive, and critical voices – including some of Poland's most internationally respected authors – maintained influence both at home and abroad. The government's efforts to reshape the literary world along conservative lines triggered visible backlash, public resignations, and the emergence of alternative literary platforms. The political capture of the literary sector was interrupted when in October 2023 the united opposition won the elections. However, as Błażej Warkocki remarked, *'they would have targeted us in the next term, in the third one. It felt like they just needed one more term.'*

Cultural funding as a tool of ideological control

Under Minister Gliński, the protocol for approving grants for periodicals was subject to much controversy with growing evidence that political bias was also a pivotal feature in deciding which periodical received funding. The purpose of the Periodical programme run by the Book Institute is to support magazines of significant social value, particularly those with literary and artistic profiles that promote diverse creative fields. However, serious concerns emerged regarding the transparency and fairness of the selection process, with frequent accusations that funding decisions were ideologically driven.

A central point of criticism was the introduction of the so-called strategic assessment – a secondary, non-substantive evaluation conducted by ministry officials after the expert review. This mechanism gave the Ministry the power to override expert decisions and, in effect, to exclude even highly rated projects from funding if their editorial or ideological profile did not align with the prevailing political

55 https://www.facebook.com/jerzy.franczak/posts/10217074679408715?ref=embed_post

56 <https://instytutliteratury.eu/2020/04/21/wspolna-seria-poetycka-il-i-spp/>

57 \$125, \$250, \$500

58 https://www.facebook.com/jerzy.franczak/posts/10217074679408715?ref=embed_post

59 LubimyCzytać, op. cit.

narrative. As a result, many long-established and respected literary and cultural journals were marginalised – either denied funding entirely or granted only symbolic amounts that made sustainable operation impossible.

Simultaneously, the number of newly funded conservative or identity-oriented publications grew, many of them recently established and with limited readership but clearly aligned with the government's ideological preferences. Although an appeal system formally existed – allowing publications that scored at least 50 points in the expert review to request reconsideration – these appeals were not evaluated by an independent body. Instead, the final decision rested solely with the Minister of Culture, who could award funding from a discretionary reserve known as the 'Minister's pool'. The absence of transparent criteria or oversight in this stage of the process further deepened concerns about political favouritism and arbitrary decision-making, undermining trust in the fairness of cultural funding mechanisms.

In 2021, popular and respected socio-cultural portals and magazines such as *Przekrój*, *Pismo*, *Dwutygodnik.com*, and the Christian left magazine *Magazyn Kontakt* did not receive grants. Meanwhile, Minister Gliński is reported to have granted his pool of funds to the quarterly *Polityka Narodowa*. This periodical associated with the radical National Movement and the All-Polish Youth has also published interviews with neo-fascists.⁶⁰ There was also criticism regarding the selection of topics for subsidized periodicals. Some experts pointed out that the grants were primarily focused on

socio-political magazines, marginalising cultural and literary journals, and failing to address the needs of the literary world.⁶¹

Similarly, there were issues with the grants awarded to literary festivals within the Promotion of Reading programme. In 2021, a notable controversy arose when the Stolica Języka Polskiego Festival⁶² (Capital of the Polish Language Festival) in Szczecznyszyn, which has been a pivotal part of Poland's literary festival scene, was denied funding. The Ministry of Culture refused to grant a subsidy to its long-time organisers, the Creative Space Foundation. Instead, a grant of 420,000 PLN (approximately \$106,000, spread over three years) was awarded to the Czulego Barbarzyńcy Foundation, an organisation that had participated in the festival's first edition in 2015 but had not been involved in the organisation of any subsequent editions. The decision raised concerns within the literary community, as the foundation was seen as lacking continuity and recent experience in managing the event. Following this refusal, over a hundred representatives from the cultural world, including Olga Tokarczuk, Jacek Dehnel, and Hanna Krall, signed a petition to Minister Gliński, expressing their opposition to the 'hostile takeover' of the festival.⁶³ Thanks to the publicity surrounding the case, the Ministry reversed its decision and granted funding to both foundations for organizing the festival.⁶⁴ Donations from members of the local community, donors, and private institutions enabled it to take place. In contrast, any events with Catholic themes were heavily promoted

60 OKO.press, „PiS stawia na nacjonalistów. Gliński dał dotację pismu, które publikuje wywiady z neofaszystami”, available at: <https://oko.press/pis-stawia-na-narodowcow-glinski>

61 Gazeta Wyborcza, Dotacje Ministerstwa Kultury tylko dla 17 czasopism!, available at: <https://wyborcza.pl/7,75410,21378884,dotacje-ministerstwa-kultury-tylko-dla-17-czasopism-bez.html>

62 Festiwal Stolica Języka Polskiego, <https://stolicajezypolskiego.pl/>

63 Polityka, Szczecznyszyn bez dotacji, twórcy apelują do ministra Glińskiego, available at: <https://www.polityka.pl/tygodnikpolityka/kultura/2112475,1,szczecznyszyn-bez-dotacji-tworcy-apeluja-do-ministra-glinskiego.read>

64 Gazeta Wyborcza, Gliński dał 420 tys. na festiwal, który się nie odbył. Co się stało z pieniędzmi?, available at: <https://wyborcza.pl/7,75517,28917127,glinski-dal-420-tys-na-festiwal-ktory-sie-nie-odbyl-co-sie.html>

and drew considerable monetary support from the state. In 2020, the National Catholic Publishers' Fair received a grant, at which the Catholic Publishers Associations presented the Gold Phoenix Award. The award was given to Archbishop Marek Jędraszewski, who is known for his homophobic ideas and statements. His selection was justified by members of the Award Committee, who wrote in their statement, *'[he] shows that we need to think, to describe reality, fight for truth, not seek enemies, but present new or old ideologies dressed in new clothes: gender, LGBT, extreme feminism, abortionism, anti-human environmentalism, which are dangerous to humans and human civilisation.'*⁶⁵ At the same time, the Ministry also allocated funds to the Biały Kruk publishing house, which specialises in publications with Catholic-national themes. Among other works, it published the biography of PiS politician Antoni Macierewicz.⁶⁶ In the same year, the Góry Literatary festival, co-founded by (then already) Nobel laureate Olga Tokarczuk, as well as the well-known Plot Festival from Poznań and other Poznań-based initiatives, were not successful in their applications for state funding. Some reports have suggested that this was related to Minister Glišński's hostility towards the authorities of Poznań.⁶⁷

After PiS lost power, the Ministry of Culture, under new leadership, decided to abolish the Institute of Literature and merge it with the Book Institute. The criteria for the

Periodicals programme conducted by the Book Institute also changed. The strategic evaluation previously granted by the ministry was removed. Now, evaluations are made solely by experts. The appeals process was also abolished, and the Minister can allocate 15% of the entire programme's budget to proposals that they consider valuable.

However, accusations of bias and politicization of ministerial competitions persist.⁶⁸ The ministry continues to be accused of a lack of transparency in decision-making processes and that journals that had received support for many years were not able to secure state funding. Bartłomiej Radziejewski, President of *Nowa Konfederacja*, a publicist and expert portal, mentioned in a radio interview that their periodical received a score of 78 points in 2022, 79 points in 2023, and 80 points the following year, under the current government. However, in 2025, the score suddenly dropped to 51 points, with no clear explanation as to why.⁶⁹ In their response, the Ministry of Culture and the Book Institute have stated the need to separate more academic or socio-political journals from cultural and literary ones. However, critics point out that it is unclear where the line is drawn between what qualifies as such a journal and what is considered a cultural or literary one.⁷⁰ In response to these criticisms, the Ministry of Culture in 2025 announced the launch of a transitional

65 [Diecezja.pl, Abp Marek Jędraszewski odebrał Główną Nagrodę Stowarzyszenia Wydawców Katolickich FENIKS ZŁOTY 2020](https://diecezja.pl/aktualnosci/abp-marek-jedraszewski-odebral-glowna-nagrode-stowarzyszenia-wydawcow-katolickich-feniks-zloty-20242220/), available at: <https://diecezja.pl/aktualnosci/abp-marek-jedraszewski-odebral-glowna-nagrode-stowarzyszenia-wydawcow-katolickich-feniks-zloty-20242220/>

66 [Gazeta Wyborcza, Festiwal Fabuły bez dotacji z Ministerstwa Kultury. Piotr Glišński wziął się na Poznań?](https://poznan.wyborcza.pl/poznan/7,36001,25708435,festiwal-fabuly-bez-dotacji-z-ministerstwa-kultury-piotr-glinski.html), available at: <https://poznan.wyborcza.pl/poznan/7,36001,25708435,festiwal-fabuly-bez-dotacji-z-ministerstwa-kultury-piotr-glinski.html>

67 Ibid.

68 [Wpolityce.pl, Ideologiczny program rządu. Nowy zespół z Diduszką-Zyglewską i Dehnelem zaprojektuje nam kulturę. Wsparcia pozbawiono m.in. KRONOS](https://wpolityce.pl/kultura/721202-ideologiczny-program-rzadu-wsparcia-pozbawiono-min-kronos), available at: <https://wpolityce.pl/kultura/721202-ideologiczny-program-rzadu-wsparcia-pozbawiono-min-kronos>

69 [Polskie Radio 2, Debata Dwójki: dotacje dla czasopism kulturalnych. Spory wokół sposobu finansowania tytułów \[WIDEO\]](https://www.polskieradio.pl/8/10640/Artykul/3494983,Debata-Dwojki-dotacje-dla-czasopism-kulturalnych-Spory-wokol-sposobu-finansowania-tytulow-WIDEO), available at: <https://www.polskieradio.pl/8/10640/Artykul/3494983,Debata-Dwojki-dotacje-dla-czasopism-kulturalnych-Spory-wokol-sposobu-finansowania-tytulow-WIDEO>

70 Ibid

funding programme for journals whose profile is not strictly cultural or literary, so that as of 2026 they would be able to apply for other available grants. However, since no formal appeals procedure exists despite depoliticization and the state's commitment to ensuring greater transparency, the grant system still generates controversy, compounding accusations of continuing bias and favouritism in decision making.

In May 2025, the Book Institute launched a new funding programme titled *Inne Tradycje* (Other Traditions), where publishers can submit proposals on a rolling basis for funding under this initiative, which aims to support high-quality literary and humanities publications that are difficult to publish under standard market conditions. The programme covers poetry, literary criticism, essays, scholarly works, and humanities journals, with a total budget of 2.35 million PLN (approximately \$90,000) for 2025. Applications under the *Inne Tradycje* programme will be evaluated by a Steering Committee appointed by the director of the Book Institute, composed of Institute staff and, when necessary, external experts.

'PIS BUILT OBSTACLES AND LAID DOWN TRAPS DESIGNED TO HINDER ANY SUBSTANTIAL CORRECTIONS IN CASE THEY LOST POWER – SOMETHING THAT IS PARTICULARLY EVIDENT IN THE JUSTICE SYSTEM. THIS APPROACH ALSO AFFECTED THE MINISTRY OF CULTURE: THE CURRENT MINISTER MUST REMEMBER WHAT HAPPENED UNDER PIS RULE, WHEN THERE WAS A CLEAR ASYMMETRY IN THE DISTRIBUTION OF CULTURAL FUNDING. THE NEW GOVERNMENT MUST DEMONSTRATE GOOD WILL AND UPHOLD PROPER STANDARDS BY ALWAYS ORGANISING OPEN CALLS AND COMPETITIONS. TENSIONS AND FRICTION PERSIST, HOWEVER, AS SOME INSTITUTIONS THAT DO NOT NECESSARILY ALIGN WITH THE CURRENT GOVERNMENT STILL RECEIVE FUNDING. IN MY VIEW, THE APPROACH TAKEN BY THE PRESENT ADMINISTRATION MAKES SENSE, BECAUSE THEY DO NOT WANT TO REPEAT PAST PRACTICES BY CIRCUMVENTING THE LAW OR FAVOURING THEIR OWN ALLIES.'

ADAM SZOSTKIEWICZ, POLISH PEN



Wrocław, Poland, 2019. Peaceful LGBT Protest. Photo Credit: Grand Warszawski/Shutterstock.

Funding obstacles for LGBTIQ literary projects

From 2015 to 2023, individuals working on LGBTIQ topics faced particular challenges in their attempts to collaborate with public institutions. In his discussions with PEN International, Dr habil. Błażej Warkocki, Associate Professor at Adam Mickiewicz University in Poznań, shared a story about a grant from the National Programme for the Development of Humanities, which he and his colleagues received in 2015, just months before PiS won the elections, to create a Polish anthology of Queer literature. The grants, awarded by the Ministry of Science and Higher Education under the Tradition module, aimed to promote and research

Polish cultural heritage. Shortly after receiving funding, Warkocki was contacted by a journalist writing for a daily newspaper, *Rzeczpospolita*, wanting to speak to him about the grant. Soon after, an article appeared with the heading 'Gays Won Against Tischner.'⁷¹ The article noted that the anthology focusing on queer literature had been funded with public money, yet another project about Józef Tischner did not receive support.⁷² The idea that this work had been granted state money sparked outrage and became the pretext for a broader online smear campaign by right-wing leaning individuals. Although a reply was submitted to the newspaper, it was not published, allegedly due to failure to meet formal requirements. Whilst the grant was not

71 *Rzeczpospolita*, Geje wygrali z Tischnerem, available at: <https://www.rp.pl/spoleczenstwo/art4415281-geje-wygrali-z-tischnerem>

72 Józef Tischner (1931–2000) was a Polish priest and philosopher, author of *The Ethics of Solidarity* and other works combining phenomenology, ethics, and political thought.

retracted after PiS won the parliamentary elections, Warkocki and colleagues were keenly aware that the political context in which they were now situated had completely altered and worked with great uncertainty as how it would affect their grant, or whether the financial reporting would be accepted as a ruse by which to harass them. When they finally managed to publish the anthology in 2021, the fear of another hate campaign was huge. The right-wing media however ignored the publication, as if it had never existed.

Warkocki admitted that once PiS had assumed power, he knew that submitting applications for similar projects would be futile because they would not receive funding. This realisation came after he, as a habilitation candidate, applied for a habilitation grant, but his project was not signed by the Minister and instead was replaced by another one. Similarly, writer Renata Lis reports how the funding climate radically shifted after PiS came to power, state support for queer literature ceased to exist. In her case, the Book Institute decided not to fund the publication of her book *Lesbos in Italian*, despite interest from an Italian publisher. However, when it came to LGBTIQ topics, the authors interviewed by PEN International agreed that LGBTIQ writers could publish their books as long as they did not require state funding. As Renata Lis said, *'I have the impression that every publisher who does not officially identify as conservative wants to have such books in their catalogue.'*

'BESIDES ITS NOTICEABLE PRESENCE ON THE INTERNET, IT WAS ESPECIALLY IMPORTANT THAT THE BOOK WAS RECOGNISED BY THE LIBERAL MAINSTREAM, WHICH WAS BY NO MEANS OBVIOUS. A REVIEW APPEARED IN GAZETA WYBORCZA, A PODCAST FROM THE MAGAZINE KSIĄŻKI, TWO ESSAYS IN POLITYKA, AND AN ESSAY IN THE MONTHLY ZNAK [...]. WHEN WE BEGAN WORKING IN THE MID-2000S, THIS KIND OF RECEPTION WOULD HAVE BEEN HARD TO IMAGINE. THE RECOGNITION OF LGBT RIGHTS AS AN INHERENT PART OF HUMAN RIGHTS WAS ONLY JUST HAPPENING IN POLAND [...]. THE POSITIVE RECEPTION ALSO CERTAINLY HAD ITS POLITICAL DIMENSION – DEZORIENTACJE [THE ANTHOLOGY OF QUEER LITERATURE] COULD HAVE BEEN READ AS A RESISTOR AGAINST THE STATE-SPONSORED HOMOPHOBIA OF THE GOVERNMENT.'⁷³

BLAŻEJ WARKOCKI

73 Błażej Warkocki, *Poza alegorią. Antologia polskiej literatury queer – próba autoetnografii projektu*, available at: https://czaskultury.pl/wp-content/uploads/2023/04/215-227_BWarkocki_PozaAlegoria_CzasKultury_1_2023.pdf



Krakow, Poland, July 2017. International Festival of Street Theatres, 'An Odyssey Towards New Shores' Street Parade.
Photo Credit: Wjarek/Shutterstock.

THEATRE

Throughout the PiS era, theatre in Poland became a central site of political and cultural contestation. Public theatres, heavily reliant on government funding, were especially vulnerable to political interference – both through direct dismissals of artistic directors and broader ideological pressure. These actions were often reinforced by alignment between state authorities and conservative religious groups, particularly the Catholic Church, which played a vocal role in shaping public morality and cultural boundaries.

This centrality was particularly evident in theatre, which became a preferred arena for the state's efforts to define and defend

a traditionalist understanding of Polish identity and values. While literary and visual arts were also subject to scrutiny, theatre's immediate and collective nature – and its historical role in Polish resistance and civic discourse – gave it unique cultural power.

The transformative function of cultural expression is particularly visible in Polish theatre, which has long operated as a mirror of, and challenge to, prevailing moral and political orthodoxies. Whether through reimagining canonical texts or staging controversial contemporary works, theatre in Poland has served as a critical space for examining tensions between the individual and the collective, the secular and the sacred, tradition and emancipation.

This ideological entanglement between culture and politics did not remain abstract. It quickly manifested in concrete acts of censorship, dismissals, and restructuring within public theatre institutions. Several high-profile cases revealed the extent to which the PiS government, often in alignment with conservative religious voices, sought to reshape the theatrical landscape in accordance with its moral and political agenda.

One of the first major flashpoints came soon after PiS assumed power, when controversy erupted around the planned premiere of *Death and the Maiden* at the Polish Theatre in Wrocław. The production, based on a play by Elfriede Jelinek and directed by Ewelina Marciniak, included performers from the adult film industry, which sparked intense backlash.⁷⁴ The theatre, co-managed by the Ministry of Culture and the local government, came under resounding pressure from Minister Glišński demanding that the Marshal of Lower Silesia region remove the premiere from the theatre's programme. His refusal prompted a public furore in which the then-director of the Polish Theatre in Wrocław, Krzysztof Mieszkowski, labelled attempts as *'a form of primitive censorship reminiscent of the communist era.'*⁷⁵ Mieszkowski, who had been in position since 2006 and whose term was coincidentally coming to an end in August 2016, was not renewed.⁷⁶ The subsequent appointment of a pro-PiS theatre director has been directly linked to the theatre's demise. *'Under the new*

*leadership of Cezary Morawski, the Polish Theatre has become more indebted than during the artistic flourishing under his predecessor, Krzysztof Mieszkowski, who was accused of extravagance. Far fewer audiences are attending, and even the most conservative critics share the opinion of the unprecedented artistic decline of this venue'*⁷⁷ – such was the situation at the Polish Theatre after 2016, following the appointment of the new director.

Jan Kłata, the Director of Stary Teatr in Kraków, funded by the Ministry of Culture and National Heritage, suffered a similar fate. A playwright known for his modern, politically engaged productions, Kłata was appointed director of the National Stary Theatre in 2013. Under his leadership, the theatre's reputation as one of the most innovative stages in Europe mushroomed. His productions *Wesele*, *Trylogia*, and *King Lear* drew resounding critical and public praise. However, Kłata's progressive and provocative artistic vision drew criticism from conservative circles. In 2015, an open letter was addressed to the Minister of Culture calling for Kłata's immediate removal, accusing him of *'destroying Polish tradition on the national stage – and doing so with taxpayers' money.'*⁷⁸ The letter was signed by several right-leaning writers, journalists, historians, and directors. In 2017, despite the theatre's strong attendance figures and international recognition, the Ministry of Culture chose not to extend Kłata's term. He was replaced by Marek Mikos, a journalist and cultural

74 Gazeta Wyborcza, Piotr Glišński vs. porno w Teatrze Polskim we Wrocławiu. O co chodzi w całym zamieszaniu?, available at: https://wyborcza.pl/7,75410,19223478,piotr-glinski-vs-porno-w-teatrze-polskim-we-wroclawiu-o-co.html#S.embed_link-K.C-B.1-L.4.zw

75 Ibid.

76 Onet, Krzysztof Mieszkowski: konkurs na stanowisko dyrektora Teatru Polskiego został ustawiony, available at: <https://kultura.onet.pl/wiadomosci/krzysztof-mieszkowski-konkurs-na-stanowisko-dyrektora-teatru-polskiego-zostal/p7ftgh3>

77 Encyklopedia Teatru Polskiego, Glišński patrzy na Stary Teatr, available at: <https://encyklopediateatru.pl/artykuly/247400/glinski-patrzy-na-stary-teatr>

78 Wpolityce.pl, Jego teatr niszczy polską tradycję. List otwarty do ministra kultury ws. odwołania Jana Kłaty, available at: <https://wpolityce.pl/kultura/274497-jego-teatr-niszczy-polska-tradycje-list-otwarty-do-ministra-kultury-ws-odwolania-jana-klaty>

manager with no comparable theatrical experience. The decision to remove Jan Kłata sparked a wave of protests. Petitions and open letters were signed, and protests took place in Kraków. The Stary Theatre's actors and staff publicly voiced their opposition to the new management, expressing concern over the political motivations behind the decision and the potential erosion of the theatre's artistic integrity.⁷⁹ Under the leadership of Marek Mikos, the theatre lost its reputation and recognition with attendance figures steeply declining. The team remained in perennial conflict with the management, and the crisis only abated following the appointment of Waldemar Raźniak. Although his management was considered more stabilizing, he was unable to restore the artistic community's trust, struggling with internal tensions. Following the electoral defeat of PiS, Dorota Ignatjew was appointed as the new director.⁸⁰

In 2020, a similar fate befell the Stefan Jaracz Theatre in Łódź, where Minister Gliński dismissed director Waldemar Zawodziński before his term ended, on grounds that there were financial allegations against him.

Jan Kłata, who had been invited to the Łódź theatre to direct the play *Revenge of the Russian Orphan* by Henri Rousseau, referred to Gliński on social media as the 'gravedigger of Polish theatres' and stated that the troubles of director Zawodziński were due to his invitation to collaborate.⁸¹ Kłata also added: ***'when Waldemar Zawodziński came to Warsaw to invite me to direct at the Łódź Stefan Jaracz Theatre, I immediately***

asked if he was aware that this could mean trouble with the current government. He answered that the authorities do not interfere in his decisions and that he had the freedom to act. I trusted his intuition, and it turns out we were both naïve!'⁸²

In 2017, the play *Kłątwa* (The Curse), directed by Oliver Frljić and performed at the Powszechny Theatre in Warsaw, sparked a massive wave of controversy and public protests. The play was loosely based on Wyspiański's drama with sharp focus on the Catholic Church, Polish nationalism, and suppressed issues such as paedophilia among the clergy. The symbolism in some of the play's most provocative scenes including acts of oral sex with a statue of Pope John Paul II (interpreted as a metaphor for religious power) and an ironic suggestion to raise money for the assassination of Jarosław Kaczyński, prompted outcry. The Catholic groups, right-wing media, and PiS politicians, accused the creators of blasphemy and hate speech and the premises were witness to regular protest with rosary vigils and attempts to block the entrances. That same year, the prosecutor's office initiated an investigation for offending religious feelings (Article 196 of the Penal Code) and incitement to commit a crime, but after more than five years, in 2023, the investigation was dropped. In its justification for dropping the investigation, the prosecutor's office concluded that the performance did not take place in a space designated for religious worship and that the artistic critique of Pope John Paul II was directed not at his sanctity or

79 Gazeta Wyborcza, Petycja do Glińskiego w obronie Kłaty. "Prosimy o weryfikację zwycięskiego programu", available at: <https://krakow.wyborcza.pl/krakow/7,44425,21922691,petycja-do-glinskiego-w-obronie-klaty-prosimy-o-weryfikacje.html>

80 Ministry of Culture and National Heritage, Powołaliśmy dyrektora Narodowego Starego Teatru im. Heleny Modrzejewskiej w Krakowie, available at: <https://www.gov.pl/web/kultura/powolalismy-dyrektora-narodowego-starego-teatru-im-heleny-modrzejewskiej-w-krakowie>

81 Gazeta Wyborcza, Afera wokół Teatru Jaracza. Minister Piotr Gliński odpowiada Janowi Kłacie na Twitterze, available at: <https://lodz.wyborcza.pl/lodz/7,35136,25889969,afeta-wokol-teatru-jaracza-glinski-odpowiada-klacie-na-twitterze.html>

82 Ibid

priesthood, but at his role as the head of the Catholic Church. While the expressions were described as crude, they were seen as criticism of his institutional leadership, not religious worship. Similarly, a scene involving the sawing of a cross was interpreted as a critique of the Church as an institution. The prosecutor also noted that the overall social harm of the actors' actions was minimal.⁸³

The Malta Festival, one of the leading theatre festivals in Poland, was severely penalised for its collaboration with Oliver Frlić. In 2016, the Malta Foundation entered into a three-year agreement with the Ministry of Culture for annual funding of 300,000 PLN (approximately \$75,000). However, in 2017, the Ministry halted the grant, arguing that the involvement of the director of *The Curse*, as the curator of that year's edition, was inconsistent with the festival's objectives. The Malta Foundation filed a lawsuit against the Ministry of Culture, and in 2019, the Warsaw District Court ruled in favour of the festival, ordering the release of the outstanding grant. The Ministry's subsequent appeal was dismissed in 2020.⁸⁴

In November 2021, a premiere of *Dziady* (*The Forefathers' Eve*) directed by Maja Kleczewska took place at the Juliusz Słowacki Theatre in Kraków. This modern

interpretation of Adam Mickiewicz's classic work sparked controversy in political and educational circles. The Małopolska Education Superintendent, Barbara Nowak, publicly discouraged organising school trips to the play, arguing that it contained **'inappropriate interpretations harmful to children and students'** and that it was being used for **'political struggles by the contemporary anti-government opposition against the Polish national interest.'**⁸⁵ Then Minister of Culture, Piotr Gliński, also expressed concern, stating that **'any such actions that are controversial in art and cross the boundaries of acceptable controversy are worrying.'**⁸⁶

In February 2022, the Małopolska Regional Board initiated a procedure to dismiss Krzysztof Głuchowski from his position as director of the Juliusz Słowacki Theatre – whose work was drawing critical acclaim elsewhere – on the grounds that he had violated public procurement laws and initiated works which harmed the reputation of the theatre. Among the accusations was the organisation of a Maria Peszek concert, whose content was considered controversial.⁸⁷ Ultimately, after two years, in June 2024, the dismissal procedure was concluded without result, and Głuchowski remained in his position for another three seasons.⁸⁸

83 Niedziela, Prokuratura umorzyła postępowanie ws. "Klątwy", available at: <https://www.niedziela.pl/arttykul/88736/Prokuratura-umorzyła-postępowanie-ws-Klątwy>

84 Helsinki Foundation for Human Rights, Sąd Apelacyjny w Warszawie oddala apelację Ministerstwa Kultury i Dziedzictwa Narodowego ws. Malta Festival Poznań. Ministerstwo wypłaci Fundacji Malta 300 tys. Zł, available at: <https://hfhr.pl/aktualnosci/sad-apelacyjny-w-warszawie-oddala-apelacje-ministerstwa-kultury-i-dziedzictwa-narodowego-ws-?>

85 Watchdog Poland, Czy Barbara Nowak wie, za co nie lubi "Dziadów"?, available at: <https://siecobywatelska.pl/czy-barbara-nowak-wie-za-co-nie-lubi-dziadow/>

86 Polska Agencja Prasowa, Kontrowersje wokół "Dziadów" w Teatrze im. Słowackiego. Wicepremier Gliński: niepokoi przekraczanie granic, available at: <https://www.pap.pl/aktualnosci/news%2C1008918%2CKontrowersje-wokol-dziadow-w-teatrze-im-slowackiego-wicepremier-glinski>

87 E-teatr.pl, Ukarać dyrektora Słowackiego za „Dziady” i Peszek, available at: <https://e-teatr.pl/ukarac-dyrektora-slowackiego-za-dziady-i-peszek-21905>

88 Gazeta Wyborcza, Zwalniany od ponad 700 dni. Marszałek z PiS wycofa się z procedury odwołania dyrektora Teatru im. Słowackiego?, available at: <https://krakow.wyborcza.pl/krakow/7,44425,30626059,zwalniany-od-ponad-700-dni-marszalek-z-pis-wycofa-sie-z-procedury.html>

A year prior to PiS's electoral defeat, Monika Strzępka, a well-known theatre director and feminist, was appointed Director of the Dramatic Theatre in Warsaw, an institution co-funded by the Mazovian Voivodship and the City of Warsaw. Her unconventional inauguration, which featured a sculpture of a 'golden vagina' (created by artist Iwona Demko) being ceremonially installed and publicly displayed in the theatre as a symbol of the feminist direction of her tenure, sparked public outcry. On 23 November 2022, the Mazovian Voivode, Konstanty Radziwiłł, annulled her appointment, arguing that her programme did not meet the expectations of the organising authority.⁸⁹ In Strzępka's defence, the Deputy Mayor of Warsaw, Aldona Machnowska-Góra, commented: ***'the justification listed a number of opinions that clearly indicate an attempt to censor both cultural institutions and artistic activity. The criticism concerns, among other things, the content of the programming concept, the proposed collaborating artists, the director's past achievements, and even the objectivity of the commission members. The entire justification is absurd. No surprise: women, minorities, LGBT communities, the interpretation of classical works, etc. We do not agree with the supervisory decision and will appeal it. The continuity of the institution's operations will be maintained.'***⁹⁰

Strzępka appealed her annulment, and in April 2023, the Provincial Administrative Court overturned Voivode's decision, determining that his arguments were

unfounded. The judge emphasized that the dismissal of a director of a cultural institution could only occur in exceptional circumstances, not based on evaluative or discretionary reasons. The judge underscored that alleged violations must constitute a significant breach of law, clearly substantiated by the supervisory authority. In this case, the court found no such breach. It also noted that the Voivode had overstepped his authority, assuming the competencies of both the city of Warsaw – the official organiser of the competition – and the multi-member selection committee that had lawfully chosen Strzępka. The court described Voivode's accusations as 'apparent legal allegations' that in fact amounted to little more than personal or ideological disagreement. The judge stressed that it was not the role of an administrative court to evaluate the morality, ethics, or artistic views of a cultural figure, nor to issue reviews of theatre or film productions.⁹¹

When in May 2024 the new government announced the appointment of Hanna Wróblewska to the role of Minister of Culture and National Heritage, the sector was hopeful that this moment would be decisive in signalling the end of political patronage and undue interference in theatre production. The sector publicly expressed its hope for increased transparency in the processes of appointing theatre directors. As Wiesław Kowalski explained in a commentary published on 17 May 2025 on the portal *Teatr dla*

89 Onet, Monika Strzępka odwołana przez Konstantego Radziwiłła. "To strategia PiS", available at: <https://kultura.onet.pl/teatr/monika-strzepka-odwolana-przez-konstantego-radziwilla-to-strategia-pis/t8c40j8>

90 Ibid.

91 In 2023, significant tensions arose at the Dramatic Theatre in Warsaw, related to allegations of bullying against the theatre's director, Monika Strzępka. Agnieszka Szpila, the author of the novel *Heksy*, which was being adapted into a play, publicly accused Strzępka of using psychological violence during rehearsals, which allegedly had a negative impact on the acting team. In response, Strzępka firmly denied the accusations, emphasizing that she had never used violence as a tool for directing or managing the theatre. After reviewing the situation, the authorities of Warsaw initiated a procedure to dismiss Strzępka from her position, citing her failure to fulfill the provisions of the theatre's operational agreement. Ultimately, after a series of conflicts and mutual accusations, Strzępka was dismissed from the role of director of the Dramatic Theatre.

Wszystkich, ‘from Kielce to Warsaw, from Kraków to Wrocław, cultural institutions that should serve as bastions of artistic independence are increasingly turning into arenas of political conflict. Artistic vision and professional competence have been pushed aside, with loyalty – not necessarily to the audience – emerging as the primary criterion for leadership appointments. For years now, theatre competitions in Poland have often served to confirm pre-arranged decisions. Despite claims of consultation with the artistic community, local and national authorities frequently make arbitrary choices, cloaked in procedural formality. The lack of transparency and openness is eroding trust in the entire system, and theatres are becoming hostages to political interests and power structures rather than spaces for free thought and creativity. If Polish culture is to develop in the spirit of modernity, openness, and professionalism, we must begin with the fundamentals: fair, transparent, and merit-based selection of its leaders – not politically sanctioned appointments. Let us recall what Aristophanes once wrote: the purpose of theatre is to make the viewer better.’⁹²

When in August 2024, the Ministry of Culture announced its intention to conduct a closed competition for the position of director of the National Theatre in Warsaw, inviting only selected candidates to participate, the decision was met with due criticism from sections of the theatre community. Concerns about the continuing lack of transparency in government protocol, potential for enabling discrimination within the appointment process, lack of equal

access to critical leadership positions – especially those cultural institutions symbolic of the cultural landscape – mounted. In January 2025, the competition was concluded, and Jan Klata was appointed as the new director of the National Theatre.⁹³ In its official statement following the appointment, the Ministry explained that the decision to adopt a closed procedure resulted from **‘arrangements between the Minister of Culture and National Heritage, representatives of the artistic community, and the current theatre management.’⁹⁴** Reactions to Klata’s appointment were divided. While many welcomed his return to a leading role in the public theatre scene, others raised concerns about the political context of his nomination. As journalist Piotr Zaremba noted in *Rzeczpospolita*, a leading conservative daily, **‘I do not reject Klata outright. However, I will insist that the very idea and structure of the so-called closed competition deeply politicized the process of his promotion to director – of perhaps the most important stage in Poland, one that is central to our cultural identity. It is up to him to decide whether he escapes that politicization – or becomes a hostage to ideological polarisation.’⁹⁵**

92 Teatr dla Wszystkich, Teatralna Scena Polityczna, available at <https://teatrdlawnszystkich.eu/teatralna-scena-polityczna/>

93 *Rzeczpospolita*, Konkurs w Teatrze Narodowym: Klata 3 głosy, Kotański 2 głosy, available at: <https://www.rp.pl/teatr/art41733531-konkurs-w-teatrze-narodowym-klata-3-glosy-kotanski-2-glosy>

94 *Gazeta Wyborcza*, Jan Klata wygrywa “konkurs zamknięty”. Czy zostanie dyrektorem Teatru Narodowego?, available at: <https://wyborcza.pl/7,75410,31645657,nowy-dyrektor-teatru-narodowego.html>

95 *E-teatr*, Pożegnanie starych mistrzów, available at: <https://e-teatr.pl/pozegnanie-starych-mistrzow-55324>

THREATS, DISCRIMINATION AND ONLINE HARASSMENT

The polarisation of Polish society propelled by sustained divisive political narratives, has ricocheted across the literary world. Authors writing on political or ideological issues have been exposed to pernicious online hate. The period spanning from 2015 to 2023 was characterised by the harassment, online trolling and verbal attacks of writers and journalists on both pro-government media and social media platforms. The situation was enabled by the derisive rhetoric and statements of both state and Church alike and compounded by accelerating impunity (including lack of police investigation into criminal acts), which allowed various comments and stories to incite hate, ultimately fuelling attacks.

Those in the public limelight, such as the acclaimed writer and Nobel Prize in Literature laureate Olga Tokarczuk, faced online harassment for criticism of the populist conservative narrative. In 2015, she was subjected to a wave of hate after remarking, *'we imagined Poland's history as that of a tolerant, open country, yet we did terrible things as colonisers, as owners of slaves, as murderers of Jews.'*⁹⁶ Tokarczuk was besieged by right-wing media and activists labelling her as a 'traitorous writer' and a 'Poland-hating writer.'⁹⁷ Of greater concern was the

barrage of online commentators calling for her lynching.⁹⁸ Her ideas, which promote openness, multiculturalism, human rights, and scrutinizing Polish history, were uncomfortable for the populist PiS, which had built its identity on the myth of an immaculate, Catholic nation. Over the course of PiS's rule, Tokarczuk's writings steadily symbolized and embodied a more open, diverse, and rebellious Poland. When she received the Nobel Prize in Literature in 2019, public service media tried to downplay her success by not broadcasting her Nobel lecture. In 2021, she hit the news headlines once again, when in an interview given to the Italian *Corriere Della Sera* on 1 June 2021, she commented *'in Belarus and Poland, the coronavirus helped the authorities impose a gag on street opposition.'*⁹⁹ A vitriolic campaign of hate mounted online with the hashtag #SendBackOlgaTheBook. Those active on social media platforms called on readers to send Tokarczuk's novels back to the author. As a direct result, she reports that 31 individuals sent copies of her work to her. All the copies were either covered in vulgarities and insults or in tatters.¹⁰⁰ Responding to the hostility, the Olga Tokarczuk Foundation decided to auction off these copies, raising over 40,000 PLN (approximately \$10,000). The funds raised were donated to organisations supporting LGBTIQ individuals.¹⁰¹

Accusations of harbouring 'anti-Polish' sentiment is a common accusation hurled at those who highlight pressing social issues. These accusations often become the

96 Wirtualna Polska, Olga Tokarczuk: robiliśmy straszne rzeczy jako mordercy Żydów, available at: <https://wiadomosci.wp.pl/olga-tokarczuk-robilismy-straszne-rzeczy-jako-mordercy-zydow-6027651073991809a>

97 Prawy.pl, Świrski o Tokarczuk: Chce pieniędzy z grantów i nagród, available at: <https://www.prawy.pl/10908-Swirski-o-Tokarczuk-Chce-pieniedzy-z-grantow-i-nagrod>

98 Gazeta Wyborcza, Internetowy lincz na Oldze Tokarczuk. Zabić pisarkę, available at: <https://wyborcza.pl/7,75398,19024992,internetowy-lincz-na-oldze-tokarczuk-zabic-pisarke.html>

99 Gazeta Wyborcza, Prawicowi internauci chcieli masowo odsyłać książki Olgi Tokarczuk. Nie przyszła ani jedna, available at: <https://wroclaw.wyborcza.pl/wroclaw/7,35771,27187280,prawicowi-internauci-chcieli-masowo-odsy-lac-ksiazki-olgi-tokarczuk.html>

100 Fundacja Olgi Tokarczuk, Facebook post from 23 June 2021, available at: <https://www.facebook.com/FundacjaOlgiTokarczuk/posts/325911752405850>

101 Fundacja Olgi Tokarczuk, Aukcja okaleczonych książek Olgi Tokarczuk, available at: <https://fundacjaolgitokarczuk.org/projekty/aukcja-okaleczonych-ksiazek-olgi-tokarczuk/>



Stockholm, Sweden, 2018. Olga Tokarczuk Nobel Laureate in Literature, at the Nobel Week Dialogue on The Future of Health during the 2024 Nobel Prize week. Photo Credit: John Sears/
Creative Commons.

premise for instigating social media hate campaigns, as seen in the case of Agnieszka Holland. Despite receiving international recognition, the director and co-writer of the 2023 film *Green Border*, which addresses the migrant and humanitarian crisis at the Polish-Belarusian border, was subjected to an online hate campaign, with accusations of destroying the reputation of the Polish nation hurled at her. In a tweet posted on 4 September 2023, then Minister of Justice

Zbigniew Ziobro compared Agnieszka Holland's film to Nazi propaganda: *'in the Third Reich, the Germans produced propaganda films portraying Poles as bandits and murderers. Today, we have Agnieszka Holland for that...'*¹⁰² This statement was compounded by then President Andrzej Duda, who said on air on TVP Info on 20 September 2023 that he was not surprised by those using the phrase 'Only pigs sit in the cinema' as a commentary on viewers of Holland's film. This discomfiting reference, extracted from a renowned slogan commonly used when Poland was under German occupation and against those who would go to cinema to watch Nazi propaganda movies, further inflamed the situation.¹⁰³

Similarly, Professor Barbara Engelking, a Holocaust historian and author of historical books, faced a pernicious hate campaign after her TV interview on TVN24 in April 2023, in which she stated that during World War II, *'blackmailing was widespread, and only a few helped the Jews.'*¹⁰⁴ This sparked outrage among the ruling authorities, with then Prime Minister Mateusz Morawiecki commenting on the Professor's words on social media, citing them to be 'anti-Polish' and 'scandalous opinions.' In affirming this narrative Maciej Świrski, the head of the National Broadcasting Council (KRRiT), announced that he was launching an investigation into TVN24, accusing the station of failing to react to what he described as 'lies.'¹⁰⁵ Ultimately, Świrski decided not to impose any punishment on the broadcaster of the programme.

Grzegorz Rzeczkowski, an investigative journalist focused on Russian influence in

102 Zbigniew Ziobro's Twitter post from 4.09.2023, available at: <https://x.com/ZiobroPL/status/1698600656368435366>

103 TVN24, Prezydent stanie przed sądem. Chodzi o słowa o "Zielonej granicy", available at: https://tvn24.pl/polska/prezydent-andrzej-duda-stanie-przed-sadem-chodzi-o-wypowiedz-o-filmie-zielona-granica-agnieszki-holland-st8112244?utm_source=chatgpt.com

104 Oko.Press, Morawiecki atakuje Barbarę Engelking za wywiad w TVN24. Jakie są fakty o stosunku Polaków do Żydów?, available at: <https://oko.press/premier-i-minister-nauki-atakuja-badaczke-zagladu>

105 Press, Świrski nie ukarał TVN 24 za "Kropkę nad i" z prof. Engelking. Ale poucza o pluralizmie, available at: https://www.press.pl/tresc/81855,Swirski-nie-ukaral-tvn-24-za-_kropke-nad-i_-z-prof_-engelking_-ale-poucza-o-pluralizmie-pogladow

Poland and the author of several books, reported facing threats and harassment campaigns online for years. Victim of several SLAPP lawsuits that have dragged on for years, he noted that whenever one case was concluded, another lawsuit appeared. It was when his book *Szpiedzy Putina (Putin's Spies)*, was published in 2024 that threats reached their peak. During the preparations for the publication of his book, Rzeczkowski faced attempts at intimidation, which included not only threats directly aimed at him but also pressure on his publisher. As he recalls: ***'the threats were meant to force me to stop focusing on the energy market. Then they threatened the publisher, saying they should think carefully about whether they want to publish me, because there could be lawsuits for this, as I am unreliable.'*** These attacks had a profound impact on his sense of safety. Rzeczkowski says: ***'I started to fear for my own safety and the safety of my loved ones because the message was clear – there could also be a threat to my life and health.'*** The threats were not limited to words – a campaign to discredit him as 'unreliable' was launched on social media, and a complaint was filed against him with the prosecutor's office. In response, Rzeczkowski himself filed a notification of a suspected crime with the prosecutor's office. The investigation was ongoing at the time of writing. When the case drew attention from international press freedom organisations, the Minister of the Interior and Administration, Tomasz Siemoniak, publicly declared that the matter would be taken seriously and that the journalist would receive support. However, Rzeczkowski believes the state's response has been insufficient: ***'the Polish state should be more proactive in fighting Russian influence and supporting journalists, because what happened to me shows how much is left to be done.'*** He added that he was not certain what concrete steps had been taken by the authorities in his case.

VIOLENCE AGAINST WOMEN WRITERS

Attacks on women writers are often aggravated because of their gender, regardless of which government is in power. The nature of threats, intensity and frequency directed at specific groups because of their identity, is prolific compounding existing forms of aggression meted out to those who do not align with mainstream narratives. Maja Staśko, a feminist and author of several books and reports on sexual harassment and violence against women, told PEN International that she frequently encounters hate on social media. She regularly receives rape and death threats. When her phone number was leaked by an unknown perpetrator and she reported it to the police, they were unable to find the perpetrators and closed the case. Staśko often publicly defends other women who have fallen victim to violence or discrimination, which compounds the threats being directed at her. In her book *Hejt Polski (Polish Hate)* published in 2022, she decided to publicly share thousands of real comments, insults, and messages she receives daily to draw attention to how difficult it is for women to openly voice their opinions. The publication attracted the ire of many, leading to an even bigger backlash, when her book was publicly torn apart by the popular conservative journalist Krzysztof Stanowski on his online show where he suggested that the book should be burned.¹⁰⁶

The experiences of other female interviewees, who requested anonymity, expose the mechanisms of violence and harassment that some women active in the literary world go through. PEN International spoke with young writers, literary critics,

106 KMag, „Jesteś naciągaczką”. Krzysztof Stanowski drze książkę Mai Staśko, a ona mu odpowiada, available at: <https://kmag.pl/article/-jestes-naciagaczka-krzysztof-stanowski-drze-ksiazke-mai-stasko-w-nowym-hejt-parku?slide=1>



Gdansk, Poland, October 2020. Protest of women in Polish city Gdansk. Photo Credit: Magdalena kluczny/Shutterstock.

‘THAT’S WHEN I REALISED HOW LIMITED ARTISTIC FREEDOM IS IN THE PUBLIC SPACE. ALL IT TAKES IS ONE AGGRESSOR, AND FOR MONTHS YOU ARE EXPOSED TO HARASSMENT – TO THE POINT WHERE YOU NO LONGER WANT TO PUBLISH ANOTHER BOOK. THE SECOND VOLUME OF POLISH HATE WAS RELEASED, BUT I DIDN’T COLLECT THE MATERIALS FOR IT – I SIMPLY DIDN’T HAVE THE STRENGTH. ALL OF THIS LEADS TO SILENCING. I FEEL LIKE I NO LONGER HAVE THE STRENGTH TO SPEAK PUBLICLY ABOUT VIOLENCE AGAINST WOMEN.

I SUPPORT WHEN I CAN, BUT QUIETLY – BECAUSE WHEN I SPOKE OPENLY, ESPECIALLY ABOUT RAPES, I WAS TORMENTED AND MENTALLY DESTROYED FOR WEEKS.’

MAJA STAŚKO

and doctoral students in Polish studies at Polish universities. Threats, harassment, marginalisation, institutional manipulation, and the lack of professional engagement from the community or law enforcement in some cases led to exclusion, resignation from academic or literary careers, and deterioration of mental health. Poet Antonina Tosiek stated, *'entering this world, I knew that I would have to face something like this.'* There were instances in which recognised members of the community publicly humiliated women, commented on their appearance, told vulgar jokes at literary festivals, and made threats against students and authors. Those who held power felt impunity. And those who dared to speak were punished by exclusion. This was particularly true for those women who were not afraid to publicly manifest their feminist views. As one woman said, *'literature stopped being a space of freedom for me – it became a battlefield, where every public statement could mean the loss of position.'* Some women with a less established position are afraid to speak out, for example, during women's protests against attempts to introduce stricter abortion laws. Many reported not attending protests for fear of losing their jobs. Antonina Tosiek's article on the gendered treatment of women in the Institute of Literature, reporting on *'actions bearing the hallmarks of sexual harassment, physical and psychological violence, emotional and financial blackmail,'*¹⁰⁷ has been met with institutional hostility and threats of a lawsuit for violating personal rights.¹⁰⁸ When it comes to online harassment, women consistently point out that police officials regularly dismiss their attempts to report and that there is common understanding amongst women writers, that *'there is*

no point in going to the police with this.'

Despite these largely negative semantics, which occur regularly regardless of who is in power, these women also believe that the space for informed and safe discussions – whether about violence, inequality, sexism, or misogyny – has become more open, and that they are now more able to publicly condemn such acts. It is however commonly because survivors, despite the spectre of attacks and threats, have been publicising harassment and gender-based discrimination. Despite the change in government, the problem persists. Antonina Tosiek, who wrote a report on mobbing and harassment at the Institute of Literature, commented: *'I feel a great sense of injustice towards the Ministry of Culture. When the government changed, it was clear to me that the allegations revealed in my report would lead to investigations, but nothing has been done about it. The people I wrote about faced online lynching. I have a very bitter outlook on what will happen in the future. The years of PiS rule have shown how easily we can turn against each other.'*

Internet attacks and harassment from politicians also target journalists. Dorota Bawolek, a correspondent for the private television station Polsat in Brussels, became the target of a massive wave of hate online after TVP accused her of asking a 'controversial' question to representatives of the European Commission in July 2017. During a press conference at the Commission, Bawolek asked about the situation regarding democracy in Poland, shortly after the Polish parliament passed a controversial law that would significantly undermine the independence of the judiciary, including the Supreme Court. The

107 Dialog Puzyny, Józef Maria Ruszar i jego prywatny folwark w Instytucie Literatury, available at: <https://www.dialog-puzyny.pl/artykuly/jozef-maria-ruszar-i-jego-prywatny-folwark-w-instytucie-literatury>

108 Gazeta Wyborcza, Molestowanie i przemoc w Instytucie Literatury? Dyrektor instytucji zapowiada kroki prawne wobec autorki artykułu w "Dialogu Puzyny" i "Krytyce Politycznej", available at: <https://krakow.wyborcza.pl/krakow/7,44425,30268417,molestowanie-i-przemoc-w-instytucie-literatury-dyrektor-instytucji.html>

journalist pointed out that the Commission was more frequently engaging in issues related to Brexit, whilst – in her opinion – ignoring what was happening in Poland. At the press conference she commented how this approach and the failure of the Commission to respond could lead to Poland leaving the European Union. In response to her question, TVP aired a piece accusing her of provocation. The video aired on social media, with Bawołek subjected to numerous online gendered hate speech – which extended from being called a ‘traitor,’ to a ‘prostitute,’ or ‘manipulator working against Poland.’ There were also incidents of online incitement to violence, suggesting ‘shaving her head’¹⁰⁹ or ‘hanging her.’¹¹⁰

CENSORSHIP AND SELF-CENSORSHIP

‘OFFICIALLY, THERE IS NO CENSORSHIP, BUT DUE TO THE POLITICAL TENSION, SELF-CENSORSHIP STILL EXISTS. I AVOID CONTROVERSIAL TOPICS AND CHECK WHAT VIEWS PEOPLE HOLD.’

ANONYMOUS COMMENT OF A POLISH WRITER

Officially, there is no censorship in Poland, as it is prohibited by the Constitution.¹¹¹ However, over the past decade, there have been incidents that can be interpreted as bordering on censorship or attempts to exert indirect pressure. More widespread is the phenomenon of self-censorship, driven by deep political and cultural polarisation and the difficulty of publicly expressing personal views – particularly for women and members of marginalised groups. This in itself reflects that freedom of expression, despite Poland’s constitutional and international obligations, is not fully realised in practice, and that a broader sense of insecurity continues to limit open discourse. In its struggle to drive conservative and right-wing social norms, based on subjective ideas of morality, PiS also tried to implement its populist and right-wing theological discussion through schools and in particular school reading lists. Between 2015 and 2023, the reading list for primary and secondary schools was revised multiple times and aligned by the Ministry of Education with the project of ‘strengthening national identity.’ Works by authors such as John Paul II, Cardinal Wyszyński, and Jarosław Marek Rymkiewicz were added to the list, while figures like Schulz, Iwaszkiewicz,

109 Shaving the head was, during the German occupation and after the Second World War, a punishment for women who were deemed collaborators with the Nazis.

110 Council of Europe Platform on the Safety of Journalists, Polish Journalist Receives Death Threats After Public Polish TV Classifies Her Remarks As “Harmful to Poland”, available at: <https://fom.coe.int/en/alerte/detail/27609328>

111 Polish Constitution, Art 54 para 2



Photo Credit: Jorm Sangsorn/Shutterstock.

Conrad, Bulgakov, and Nałkowska were removed from the curriculum.¹¹² The creators of the list of mandatory reading included works with religious themes, such as *Lament Świętokrzyski* (*Lament of the Holy Cross*), *Rozmowa Mistrza Polikarpa ze Śmiercią* (*Master Polikarp's Dialog with Death*) and *Kwiatki Św. Franciszka z Asyżu* (*Little-Flowers-of-St-Francis-of-Assisi*), leaving little room for contemporary or critical literature.¹¹³ As portal *Oko.press* wrote, ***'there is a lack of cultural texts – there are no reports, films, press analysis, or new media. The choice of content is subject to ideologization, with dominant patriotic and Christian religious themes. Texts and topics that provoke thought have been replaced by obvious ones. At least in one case – that of the poet Wojciech Wencel***

– we are dealing with the inclusion in the reading list due to political merits.'¹¹⁴ These changes were introduced without any form of transparent or open consultations and were met with criticism from educational and literary circles. In their view, the selection of reading materials ceased to serve an educational function and began to fulfil ideological goals – contributing, among other things, to self-censorship in schools and limiting the possibility of critical reflection on contemporary or controversial issues (such as gender discrimination, abortion etc.). According to Dorota Kulecza-Tałan, a Polish language teacher and a school principal interviewed by *Oko.Press*, ***'The selection of Polish literature emphasizes a so-called patriotic context, reinforcing a specific kind of national identity that portrays Poland as***

112 Polityka, Spis lektur alternatywnych. PiS nie chce, żeby nasze dzieci czytały te książki, available at: <https://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1716832,1,spis-lektur-alternatywnych-pis-nie-chce-zeby-nasze-dzieci-czytaly-te-ksiazki.read>

113 *Oko.Press*, Bez Schulza, Iwaszkiewicza, Bułhakowa, Gombrowicz we fragmentach. Jest za to smoleński poeta Wencel. Lista lektur minister Zalewskiej, available at: <https://oko.press/bez-schulza-iwaszkiewicz-bulhakowa-gombrowicz-we-fragmentach-smolenski-poeta-wencel-lista-lektur-minister-zalewskiej>

114 Ibid

*both a historical hero and martyr – from a perspective that is at once chivalric and romantic. The texts are also intended to highlight the role of the Church and Christian religion in shaping the desired attitudes and values.*¹¹⁵ Then Minister of Education, Przemysław Czarnek, explicitly declared that *‘efforts need to be increased to ensure that there are more patriotic contents in Polish schools, for example, by changing the list of required readings.’*¹¹⁶

After the united opposition took power in 2023, a process to refresh the curriculum in schools was initiated. In June 2024, Minister of Education Barbara Nowacka announced changes to the school reading list, arguing that the previous list was ‘gigantic and unfortunately unread.’ She pointed to the presence of ‘indoctrinatory ideas,’ such as the inclusion of poetry by ‘some Rymkiewicz’ – a phrase interpreted by many as dismissive toward Jarosław Marek Rymkiewicz, a prominent Polish poet, playwright, and essayist whose later work strongly emphasized patriotic and historical themes. Based on expert recommendations, Nowacka signed a document in which authors such as Rymkiewicz and Jacek Dukaj were omitted from the new set of readings.¹¹⁷ Minister Nowacka’s decision sparked a reaction from writer Jakub Żulczyk, who commented: *‘I find the model of shaping civic attitudes through literature to be outdated and conservative, not fitting the reality of 2024. Readings should support the reading habit... They should teach the basics of the culture in which we function. The ritual of crossing off names with each change of government is idiotic, it’s like banging a*

*drum by the campfire. The most disgusting thing about this, however, is the deprecation of literature. Czarnek did it, and Nowacka is doing it now.*¹¹⁸ Żulczyk also emphasized that, although he did not believe Rymkiewicz and Dukaj were suitable authors for mandatory reading by teenagers, he disagreed with the devaluation of their literary achievements solely because of their political views. Despite these steps, the new reading list continues to spark controversy – both from conservative circles, which accuse the government of ‘erasing national classics,’ and from some parts of the left, pointing to a lack of courage in including progressive and minority literature.

115 Ibid.

116 Krytyka Polityczna, Oto nowy kanon lektur Najprawdziwszego Polaka. Od lewaka dla ministra Czarneka, available at: <https://krytykapolityczna.pl/kraj/czarnek-nowy-kanon-lektur-felieton-witkowski>

117 Onet, Burza po zmianach na liście lektur. “Robił to Czarnek, robi to teraz Nowacka”, available at: <https://kultura.onet.pl/ksiazki/burza-po-zmianach-barbary-nowackiej-na-liscie-lektur-glupiej-sie-nie-da/575085w>

118 Jakub Żulczyk, Facebook post from 20 June 2024, available at: https://www.facebook.com/jakub.zulczyk/posts/1016821816482342?ref=embed_post



Warsaw, Poland, 2023. Signage on the facade of TVP (Telewizja Polska). Photo Credit: Grand Warszawski/Shutterstock.

STATE-INSPIRED CENSORSHIP

One of the most symbolic examples of censorship in public media occurred in May 2020, when Programme 3 of Polish Radio (Trójka) removed the song *Twój ból jest lepszy niż mój* (Your Pain Is Better Than Mine) by Kazik Staszewski from the air. The song, which criticized the privileged treatment of Jarosław Kaczyński during the COVID-19 pandemic (in connection with his visit to a closed cemetery), had reached first place on the Radio Three Top Hit List. On 16 May 2020, results of the voting were annulled, and the broadcast was removed from the archives.¹¹⁹ In protest, the host Marek Niedźwiecki resigned after 35 years of hosting the show.¹²⁰ Niedźwiecki's decision to leave Trójka was preceded by

public accusations from the then-director Tomasz Kowalczewski, who suggested that the ranking of the Top Hit List had been manipulated. Responding to the events, journalists from Trójka published a statement on their social media profiles: *'dear all, for many years we worked to ensure that you could enjoy listening to Trójka, to make it good and insightful radio. Now we must protest. Against the station being deprived of its credibility. Against the scandalous treatment of journalists. Against censorship. Against the gradual destruction of the radio station. We are fed up with exposing Trójka to constant accusations of distorting reality and political interference. Enough is enough! We stand firmly behind Marek Niedźwiecki and Bartosz Gil.'*¹²¹

119 Wirtualne Media, Trójka unieważniła notowanie listy przebojów, które wygrała piosenka Kazika krytykująca Kaczyńskiego. "Doszło do manipulacji", available at: <https://www.wirtualnemedial.pl/artukul/kazik-twoj-bol-jest-lepszy-niz-moj-piosenka-lista-trojki-polskie-radio-zniknal-tekst-uniewazniono-glosowanie-dlaczego>

120 Interia, Afera wokół piosenki Kazika. Dyrektor radiowej Trójki zarzuca winę Markowi Niedźwieckiemu, available at: <https://wydarzenia.interia.pl/kraj/news-afere-wokol-piosenki-kazika-dyrektor-radiowej-trojki-zarzuca,nld,4500944>

121 Gazeta Prawna, Dyrektor radiowej Trójki: Prowadzący audycję zdecydował o przestawieniu piosenki Kazika, available at: <https://kultura.gazetaprawna.pl/artykuly/1477251,tomasz-kowalczewski-radiowa-trojka-kazik.html>

PEN International's monitoring has found several cases of censorship. Interviewees for this report pointed out that during the PiS rule, they were excluded from literary or social programmes on TVP or Polish Radio. As Renata Lis mentioned, **'there were people who didn't want to give up on appearing in public media, so these individuals refrained from openly criticizing the government.'** Some have pointed out that during the rule of the PiS party, there was a so-called 'blacklist' amongst those working in public media. The existence of such a list was described by Mariusz Kowalewski in his book *TVP Propaganda: Behind the Scenes of TVP*. Kowalewski alleges that the president of TVP, Jacek Kurski, used the state-owned company to conduct politics in the interests of the ruling camp, and primarily, the leader of PiS, Jarosław Kaczyński.¹²² Opinions on the existence of this list are divided. Some interviewees argued that if it did exist, it was unlikely to be a document, as nothing of the sort ever came to light. However, others were certain that a blacklist, with censored experts and artists, did indeed exist. Kowalewski, who worked at TVP until 2018, revealed text messages in which there were refusals to invite guests he had suggested.¹²³ Similar reports emerged regarding films that could be aired on public media. After the new ruling coalition took control of public media at the end of 2023, *Gazeta Wyborcza* revealed that a list of 17 films, which had been censored by TVP, was discovered.¹²⁴ The list included films such as *Citizen Jones* by Agnieszka Holland, *Pestka*, and *My Mother's Lovers*, which starred

Krystyna Janda, who also fiercely criticized PiS. Even films by Andrzej Wajda – *Man of Iron* and *Man of Marble* – were censored, due to both Krystyna Janda's involvement and the portrayal of Lech Wałęsa, the leader of Solidarność, whom PiS politicians attempted to erase from Polish history.

The growing polarisation and appearance of what seemed like coordinated criticism by authorities and the Catholic Church also led to more dangerous incidents. On 31 March 2019, in Gdańsk, priests and altar boys carried out a public book burning in front of a church. Copies of the *Harry Potter* and *Twilight* series are reported to have been amongst those included for burning. Organisers later explained on social media that the act was intended to combat evil and spiritual danger. The event sparked widespread public outrage and was seen as an act of censorship and intolerance. On 3 April 2019, the police forwarded the case files to the District Prosecutor's Office for the initiation of an investigation. On 10 April 2019, the Prosecutor's Office issued a decision to discontinue the investigation on the grounds that no crime had been committed.¹²⁵

Under the PiS government, attempts were made to influence independent media. Since the takeover was unsuccessful, other forms of censorship including financial duress were applied: state institutions and state-owned companies stopped subscribing to newspapers considered critical of the government, such as *Gazeta Wyborcza*, *Polityka*, and *Newsweek*, while also halting the purchase of advertisements in these media outlets, which significantly impacted

122 *Gazeta Wyborcza*, Czarna lista w telewizji Kurskiego. Dziennikarz ujawnił, kogo należało wykreślić z listy gości, available at: <https://wyborcza.pl/7,75398,25617852,czarna-lista-w-telewizji-kurskiego-dziennikarz-ujawnil-kogo.html>

123 Ibid.

124 *Gazeta Wyborcza*, Półkownicy TVPiS. Znamy listę filmów zakazanych na antenie telewizji, available at: <https://wyborcza.pl/7,75398,30549059,polkownicy-tvp-pis-powstala-tworcow-ktorych-pis-nie-puszczal.html>

125 Wirtualna Polska, Książdż palił książki z Harrym Potterem. Prokuratura umarza śledztwo, available at: <https://wiadomosci.wp.pl/ksiazdz-palil-ksiazki-z-harrym-potterem-prokuratura-umarza-sledztwo-6388322874189441a>

their financial liquidity.¹²⁶ Since 2015, they have recorded a decline in advertising revenue from state-owned enterprises by 98-100%.¹²⁷ The attempts to hide independent newspapers at gas stations of the state-owned company PKN Orlen resonated widely, with customers pointing this out.¹²⁸ In April 2025, the new management of PKN Orlen announced that they had reported to the prosecutor's office the refusal to publish election ads for the political parties of the Left and Third Way in the run-up to the 2023 parliamentary elections, in local newspapers that had been taken over by Orlen's Polska Press group, citing their incompatibility with the publisher's 'editorial policy'. Orlen stated that this decision was politically motivated, aiming to promote only one side of the political spectrum.¹²⁹

Censorship also targeted the anti-clerical and satirical weekly *Tygodnik NIE*, whose cover from 10 March 2023 – featuring a photo of Pope John Paul II leaning on a pastoral staff with a naked doll instead of Christ – sparked a storm of controversy.¹³⁰ The cover was intended as a commentary on the dispute regarding Karol Wojtyła's role in covering up cases of sexual abuse within the Catholic Church. In response, Poczta Polska and PKN Orlen – state-owned companies – deemed the cover to be offensive to religious feelings and decided to withdraw the magazine from sale at Poczta Polska

outlets, Orlen gas stations, and Ruch kiosks.¹³¹ After protests, the magazine returned to Orlen gas stations and Ruch kiosks from the next issue, but not to Poczta Polska outlets. In July 2023, the prosecutor's office refused to open an investigation into the suppression of press criticism. In 2024, the publisher of *Tygodnik NIE* appealed this decision, hoping that after the change of government, the matter would be reconsidered.¹³²

SELF-CENSORSHIP

Self-censorship among writers in Poland appears to be a residual feature of the country's literary life. It is often caused by polarisation, which forces individuals to align with one side of the political conflict and heightened by acts of discrimination against marginalised writers. According to Dr Habil. Dominika Kasprówicz, Associate Professor at the Jagiellonian University in Krakow, the problem of self-censorship in Poland is evident: *'it is important to remember that we live in a time of geopolitical changes that do not favour freedom of expression. Working with creators, educating society in critical thinking, and creating spaces for accepting criticism are incredibly important. If, in our immediate surroundings, we feel that speaking our minds could expose us to danger, it does not foster creativity. The environment becomes polarized,*

126 Media Freedom Rapid Response, Democracy Declining: Erosion of media freedom in Poland, available at: https://ipi.media/wp-content/uploads/2021/02/20210211_Poland_PF_Mission_Report_ENG_final.pdf

127 Ibid.

128 Wirtualne Media, Na stacjach Orlenu chowa się pod ladę "Gazetę Wyborczą"? "Pojedyncze zgłoszenia o trudnościach w zakupie", available at: <https://www.wirtualnemedial.pl/arttykul/jerzy-sosnowski-sugeruje-ze-na-stacjach-orkenu-chowa-sie-pod-lade-gazete-wyborcza>

129 Stowarzyszenie Polskich Mediów, Orlen zgłasza doniesienie do prokuratury ws. cenzury ogłoszeń wyborczych w Polsce Press, available at: <https://polskiemedia.org/orken-zglasza-doniesienie-do-prokuratury-ws-cenzury-ogloszen-wyborczych-w-polsce-press/>

130 Council of Europe Platform on the Safety of Journalists, Orlen and Polish Post Withdraw Nie Weekly from Distribution, available at: <https://fom.coe.int/en/alerte/detail/107639074>

131 Press, Prokuratura jednak bada, czy wycofanie "NIE" przez Orlen i Poczte Polską to przestępstwo, available at: https://www.press.pl/tresc/79809,prokuratura-jednak-bada_-czy-wycofanie-kontrowersyjnego-wydania_-nie_-przez-orken-i-poczte-polska-bylo-przestepstwem

132 Ibid

marked by a low level of trust, withdrawn, which makes one feel uncomfortable, especially for young aspiring writers.'

According to some, there is a certain self-censorship regarding the situation at the Belarusian border. Under the PiS government, many people and editorial teams reported on events related to the migration crisis, with writers also engaging in the topic and commenting on events. However, after the elections, some of PEN International's interviewees pointed out that despite the ongoing problems, such as the suspension of asylum rights and the continuation of pushbacks there was a deafening silence from critics. Dominika Kasprowicz stated:

'it can be assumed that the reasons for this self-censorship may lie in arguments related to security and trust in the new government, which is still seen as stabilizing the situation. Nevertheless, it is important to remember that the previous blockade of access to the border, during the PiS rule, caused serious damage – not only physically but also informationally. Moreover, fake news and disinformation created by Russian and Belarusian sources significantly influenced the perception of the situation, and censorship, in terms of the physical blockade of information access, only exacerbated the problem. As a result, an informational gap was created, which is a serious challenge and an important issue for a society that is not receiving the full picture of the situation at the border.'

Some also point to continuing self-censorship on matters related to the Israeli-Palestinian conflict – linked to the fear of exclusion from the literary and intellectual community, both due to accusations of antisemitism or accusations of supporting genocide, depending on which side one stands.

Self-censorship particularly affects individuals from marginalised groups. PEN International spoke to several writers who expressed a reluctance in speaking out about their experiences and only agreed to being interviewed on condition of anonymity. In one telling example, after publishing their first

prose book, the author began being subjected to online hate and discrimination because of their non-binary identity. The book gained attention, which aggravated the hate directed at them, especially on social media, forcing the author to make the decision to stop using gender-neutral pronouns in the public space. When a scheduled book signing event was cancelled at the last minute without any explanation, the author suspected (which was confirmed by unofficial reports) that the decision was related to their gender identity. Feeling unsure, unsafe and unsupported, they began avoiding public appearances, turning down invitations to author meetings out of fear of further hate. This was especially the case after one book signing event, where the organisers invited the police, fearing potential attacks from far-right individuals who had commented on social media that they were going to turn up in huge numbers to protest the event. Despite having signed a contract with the publisher for a second book, the author postponed the deadline twice, due to fear of another wave of hate and potential violence, especially since they had been recognised on the street a few times. They began considering writing under a pseudonym to avoid attacks related to their identity. Despite critical acclaim, the author has had serious doubts about continuing their literary career in an atmosphere that still fills them with fear.

Maja Staśko pointed out that she has reduced her activity on social media and limited her public responses to issues she once fervently defended. ***'I feel like I've lost my voice, that fear dictates my writing, not truth.'*** She admitted that it is still very difficult to be a woman and a feminist writing about women's rights, despite improvements in recent years including the increased awareness of discriminatory practices against women. Defending women's rights, however, still comes with a high cost, especially when it comes to mental health. Antonina Tosiek: ***'I think that only in the last three years has condemning sexism become normal. In literature, this has been revolutionised by the appearance of a younger generation.'***

'After the attacks on me, my family is against me continuing writing. I had plans for other books before, but now I don't know if I'll write them,' said one of the authors of socio-political books. These events, combined with relentless and incessant legal battles and media attacks, became one of the reasons he gave up investigative journalism. The issue of self-censorship is also highlighted by writers with refugee or migrant experience. Taciana Niadbaj from PEN Belarus explains: *'as people with Belarusian experience, we sense that there is a fight ongoing in Poland, that society is deeply divided – opposition versus government, massive polarisation. Belarusians often find themselves embedded in a conflict that doesn't fully concern them and in which they do not wish to be used. At the same time, however, the further we go, the more sensitive the issue of migrants becomes within this division. That's why some people from Belarus still practice self-censorship, not wanting to align too closely with either side. After 2020, when many Belarusians had to leave Belarus and move to Poland, we were fortunate that the Belarusian issue initially united both camps.'*

Self-censorship was also noted in the field of literary criticism. According to interviewees, in recent years, this field has been fading away due to a certain fear of criticizing someone's book within the literary community. Literary criticism today often turns into literary marketing, making it difficult to express critical remarks about any writing. Popular social media accounts have emerged that review books sent by publishers, often as part of promotional partnerships or in exchange for advance review copies. This area is relatively narrow, and the literary community itself is strongly divided. One of the interviewees said: *'when someone engages in criticism, the situation becomes uncomfortable because everyone knows each other or has mutual acquaintances. Because of this, I decided to withdraw from active participation in literary criticism. I've started avoiding current reviews in favour of more academic work. Today, it's getting*

harder to write critical reviews because in the literary world, awards are particularly important, and they are tied to prestige. This, combined with increasing competition, causes various conflicts and puts writers in a dilemma – is it worth criticizing, when it could affect their future opportunities in this environment.' Jerzy Franczak pointed out, *'In my environment, there is a debate about whether books can even be critically assessed, especially since the authors put a lot of effort into them. However, I believe that criticism, if there are grounds for it, should be sharp but wise, based on deeper analysis, not superficial praise. Today, criticism has become bland and expressionless; there is a lack of sharp disputes and polemics. A large part of the literary world operates based on informal agreements: you receive a book, write that it's brilliant on your social media, and then that person does the same for you. These are unwritten arrangements that are very harmful to freedom of expression and thought.'*

In conclusion, while Poland formally prohibits censorship, the past decade has revealed a complex reality in which both direct and indirect restrictions on free expression have thrived. State-driven cultural agendas, pressure on media and education, financial coercion, and politically motivated exclusions have all contributed to an environment where overt censorship is often replaced by self-censorship – especially among women, minorities, and those critical of dominant narratives. The fear of professional consequences, public backlash, or even physical threats has led many writers, critics, and academics to remain silent or self-restrain their work. Although this phenomenon escalated under the PiS government, the drivers behind it – including polarisation, institutional weakness, and social pressures – remain. Addressing these challenges requires more than legislative change: it calls for a deep cultural shift that reaffirms the value of pluralism, dissent, and open literary and public discourse.

SOCIO-ECONOMIC FACTORS INFLUENCING THE LITERARY WORLD

The people PEN International spoke with pointed out that it is virtually impossible to make a living from literature in Poland. Interviewees consistently emphasized that the opportunity to publish books in Poland is under immense economic pressure, with a large number of books on the market. Publishers face a tough financial situation: there are price wars and signs of market monopolisation. Distribution, especially for independent publishers, is a particular challenge. Large chains require fees for book placement on shelves, which further complicates access to less commercial titles for readers.

According to the report *Jeszcze książka nie zginęła?* (*The Book Has Not Yet Perished?*) published by the Book Institute in 2024, large retail chains often force publishers to significantly reduce prices, which affects the profit margins of publishers and directly impacts authors' royalties. Four of the largest distribution companies control about 80% of the market. To remain competitive, publishers are forced to lower cover prices or give large discounts to wholesalers, making many book projects unprofitable. As a result, many publishers limit their offerings to potentially best-selling titles, bypassing valuable but harder-to-sell works.¹³³

Some publishers are seeking to address the situation by increasing promotional runs, collaborating with small bookstores, developing direct online sales, or creating their own distribution channels. Despite these efforts, an increasing portion of the market is concentrated in the hands of large players, which further deepens the economic

imbalance. Proposed reforms, such as zero VAT on books, are a topic of debate, but they do not inspire enthusiasm among everyone as a solution to all the industry's problems. It is suggested that broader regulation of the book market is needed – both in terms of transparency in author-publisher-distributor relationships and state support.

Many writers live on the edge of poverty, particularly those involved in poetry, experimental literature, or niche fiction. There is a lack of any pension system for creators, which existed in the PRL period (Polish People's Republic, the communist era in Poland from 1945 to 1989). These problems particularly affect older writers – both Polish and those living in Poland as refugees (e.g. Belarusians). Interviewees point out that there is no systemic support for writers of retirement age, which leads to dramatic life situations.

The need to develop scholarship programmes and stabilise grants for smaller publishers and programmes that enable the publication of books that do not meet the commercial criteria of large chains is emphasized. Another important issue is the lack of support for debuting writers – publishers are reluctant to take the risk of publishing first books, leading to a situation that one of the interviewees described as 'soft economic censorship.' The crisis in the book market is not limited to authors; literary magazines have also been affected. After 2015, many of them lost subsidies (often without warning), and these decisions were often political in nature. Interviewees emphasize the need for transparent, expert bodies evaluating these issues, free from party influence.

In this context, it is worth mentioning the case of the book *Chłopki. Opowieść o naszych babkach* (*Peasant women. A*

133 Instytut Książki, *Jeszcze książka nie zginęła? Raport o stanie polskiego rynku książki*, available at: https://instytutksiazki.pl/files/upload/files/Raport_PLSE_Jeszcze%20ksiazka%CC%A8z%CC%87ka%20nie%20zginie%CC%A8C5%82a_digital.pdf

story about our grandmothers) by Joanna Kuciel-Frydryszak, published in 2023, which achieved an impressive commercial success, selling over half a million copies. Despite this level of sales, the author publicly revealed that her personal earnings from royalties were relatively low, highlighting the discrepancies in the profit-sharing system between authors and other participants in the book market. *'Due to the tremendous sales success of the book Chłopki authored by me, it turned out that the significant profits gained by the Marginesy publishing house were disproportionately high in relation to my remuneration. Therefore, I intend to use the recently amended Article 44 of the Copyright Act, the so-called bestseller clause, which states that "if the creator's remuneration is disproportionately low compared to the benefits of the purchaser of the author's property rights or licensee, the creator may request an appropriate increase in remuneration through the court"'* she wrote in March 2025.¹³⁴ This statement sparked a discussion within the literary community, and many writers supported Kuciel-Frydryszak's actions, sharing their own experiences in the writer-publisher relationship. Writer Joanna Bator wrote, *'it's wonderful, brave, and significant that the author, who wrote a book about the hard work of generations of women, the ancestors of most of us (yes, including mine), is standing up for what's hers, using the rights that belong to her.'*¹³⁵ According to journalist Wojciech Szot, *'authors are no longer afraid not only because organisations defending their rights are emerging, and readers are becoming increasingly aware that something is wrong. Writers simply have*

*nothing left to lose. The courage that comes from powerlessness is a dramatic courage that deserves recognition and support.'*¹³⁶

A common demand is the need for the introduction of a coherent support system for writers – one that is stable, independent of changing governments, and based on the real needs of the community, rather than on ad hoc political priorities.

134 TVN24, "Idiotycznie tajny rynek", available at: <https://tvn24.pl/biznes/pieniadze/idiotycznie-tajny-rynek-st8374490>

135 Gazeta Wyborcza, Niezwykłe ogłoszenie. Umiesz zmyślać? Wydawnictwo Żulczyka podzieli się z tobą zyskiem, available at: <https://wyborcza.pl/7,75517,31799306,niezwykłe-ogłoszenie-wydawca-szuka-autora-oferuje-polowe-zysku.html>

136 Gazeta Wyborcza, Czas na bunt pisarzy! Gdy czytam głosy wsparcia dla autorki "Chłopek", jestem zachwycony, available at: <https://wyborcza.pl/7,75517,31777788,w-koncu-czas-na-bunt-pisarzy.html>



Krakow, Poland, February 2021. Free Media- Free people. A protest organized by KOD Malopolska, Mlodzi Demokraci Krakow in defence of free media. Photo Credit: Prasziewicz/Shutterstock.

MEDIA FREEDOM

After 2015, when PiS won the elections, Poland began to drop in the annual World Press Freedom Index by Reporters Without Borders (RSF). In 2015, Poland was ranked 18th but by 2023, it had fallen to 66th place,¹³⁷ marking a significant decline in just eight years. However, in 2025, Poland rose to 31st place, offering hope for an improvement in the situation – though many issues remain unresolved.

PUBLIC SERVICE MEDIA

Public media in Poland have never benefited from full independence from politics. However, what occurred between 2015 and 2023 was unprecedented in its history. Over the course of eight years, public media was incrementally taken over by the state, transforming it into a government mouthpiece. Disinformation and smear campaigns against critics of the government, as well as marginalised groups (such as refugees and the LGBTIQ community), became commonplace.

137 Notes from Poland, Poland falls to lowest ever position in World Press Index, available at: <https://notesfrompoland.com/2020/04/21/poland-falls-to-lowest-ever-position-in-world-press-freedom-index/>

PiS's strategy of exerting state control over all public media began almost immediately after they took power in late 2015. On 30 December 2015, the lower house of the Parliament (Sejm) passed a transitional law that gave the Minister of the Treasury the right to dismiss and appoint management boards in public media without appeal (Telewizja Polska TVP, Polskie Radio, Polska Agencja Prasowa), in turn reducing the powers of the constitutional oversight body, the National Broadcasting Council (KRRiT). On 8 January 2016, Jacek Kurski, a long-time member of PiS and a close ally of Jarosław Kaczyński, the leader of PiS, was appointed president of TVP by the Minister of the Treasury. The Commissioner for Human Rights in Poland challenged the law before the Constitutional Court, arguing that it **'violates constitutional guarantees of freedom of speech and media freedom by directly subordinating public radio and television to the government.'**¹³⁸ In June 2016, another law was passed establishing the National Media Council (RMN) – which became the new body responsible for appointing the leadership of public media, not only bypassing KRRiT but the Constitution. According to the new law, the RMN consists of five members, three of whom are elected by the parliamentary majority, and two by the President, from candidates proposed by the opposition. In December 2016, in one of its final rulings before a leadership change that brought Julia Przyłębska to the presidency – solidifying the growing political influence over the Court – the Constitutional Court ruled

that the provisions of the law excluding KRRiT from the process of appointing the boards of public media companies were unconstitutional.¹³⁹ Despite the change in government in Poland in 2023, the recommendations from the ruling, which declared the exclusion of KRRiT from the appointment process unconstitutional, have not been implemented to this day, and the RMN continues to operate.¹⁴⁰

Following the appointment of Jacek Kurski as president of TVP in January 2016, a wave of personnel changes began across public media, with many positions filled by individuals known for their loyalty to PiS. According to data from the Polish Journalists' Association, more than 230 people lost their jobs or were forced to resign as a result.¹⁴¹ That same year, the term of the National Broadcasting Council (KRRiT) expired. Its members serve six-year terms and are appointed by the Sejm, the Senate, and the President of Poland. In September 2016, Witold Kołodziejewski, affiliated with PiS, was appointed as Chairman.

Since 2016, KRRiT has been regularly criticised for its failure to respond to ongoing complaints about pro-government bias in public media content. It has become synonymous with routinely imposing costly fines on independent media or delaying the renewal of broadcasting licenses, such as for TVN24, a private news station critical of the government. These licenses are legally required for stations to continue operating. The situation deteriorated further in 2022, when Maciej Świrski, former president of the Reduta Dobrego Imienia (the Defence of the

138 Biuletyn Informacji Publicznej RPO, TK: ustawa medialna, na mocy której skrócono kadencje władz mediów publicznych, częściowo niezgodna z Konstytucją, available at: <https://bip.brpo.gov.pl/pl/content/trybunal-konstytucyjny-o-ustawie-medialnej-na-mocy-ktorej-skrocono-kadencje-wladz-mediow>

139 Constitutional Court of Poland, 101/A/2016, 13 December 2016, available at: <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20160002210/T/D20162210TK.pdf>

140 Press, Rada Mediów Narodowych do likwidacji? Tylko teoretycznie i oficjalnie, available at: https://www.press.pl/tresc/85435,rada-mediow-narodowych-do-likwidacji_-tylko-teoretycznie-i-oficjalnie

141 Towarzystwo Dziennikarskie, Dość okupacji mediów publicznych, available at: <https://towarzystwodziennikarskie.pl/2023/12/26/dosc-okupacji-mediow-publicznych/>

Good Name of Poland and Poles) – a right-leaning non-governmental organisation closely aligned with PiS – was appointed as the new chairman of KRRiT. Świrski, known for making decisions unilaterally, began imposing high fines on broadcasters critical of PiS.¹⁴² In March 2024, TVN – a major Polish private media corporation and part of the US-owned Warner Bros. Discovery group – was fined 550,000 PLN (approximately \$130,000) for its report *Franciszkańska 3*, which investigated what Pope John Paul II knew about allegations of paedophilia within the Catholic Church. This controversial report, examining the role of the Church and its leaders in concealing cases of abuse, was admonished for being critical of the Vatican's handling of these allegations. The fine imposed on TVN was part of a broader pattern of increasing pressure on independent media outlets critical of the ruling government or the Church.¹⁴³ Later that year, in November 2024, KRRiT issued another fine against TVN, this time amounting to 142,800 PLN (approximately \$35,000), for allegedly inciting hatred and religious discrimination in the documentary *29 Years of Impunity: The Phenomenon of Father Tadeusz Rydzyk*.¹⁴⁴ According to the regulator's analysis, the documentary sought to provoke hostility and presented Father Rydzyk and the Radio Maryja community solely in a negative light. At the same time, under Świrski's leadership, the

KRRiT ignored complaints about the public media's narrative and role in inciting hatred and violence against LGBTIQ individuals.¹⁴⁵ Świrski remains in position and will do so until 2028, even though PiS no longer governs. Świrski remained in office until 28 July 2025, when members of the KRRiT voted to dismiss him from his position as Chair with the statutory majority of four votes. Nevertheless, the Council remains highly politicised and in need of thorough reform.

Between 2015 and 2023, under PiS rule, public media became a tool of government propaganda, in clear violation of their constitutional mandate to provide balanced and pluralistic information, openly excluding certain groups and individuals who disagreed with the illiberal direction of changes in Poland. Attacks by the media targeted the opposition, independent voices, LGBTIQ individuals, journalists, and even members of the literary community. This was most evident in daily news programmes, such as the evening news edition of *Wiadomości* on TVP1 – the main national news broadcast – and the news channel TVP Info, where propaganda was broadcast around the clock. Airtime was dedicated to consolidating the state's messaging including its divisive narrative targeted at refugees and immigrants, LGBTIQ individuals, and women's rights, and notably before each successive parliamentary and presidential

142 Wirtualne Media, Kierował PAP, PFN i Redutą Dobrego Imienia. Teraz rządzi w KRRiT. Maciej Świrski zawsze blisko PiS, available at: <https://www.wirtualnemedia.pl/artukul/kim-jest-maciej-swirski-krrit-pap-pfn-reduta-dobrego-imienia-pis>

143 Onet, 550 tys. zł za "Franciszkańską 3". Do KRRiT wpłynęła kara nałożona na TVN, available at: <https://wiadomosci.onet.pl/kraj/550-tys-zl-za-franciszkanska-3-do-krrit-wplynela-kara-nalozona-na-tvn/9f79h71>

144 Father Tadeusz Rydzyk is a Catholic priest and media entrepreneur, known for founding and running Radio Maryja – a highly influential conservative Catholic media outlet in Poland – along with affiliated TV Trwam and the University of Social and Media Culture in Toruń. He has long been a polarizing figure in Polish public life, frequently criticized for promoting nationalist, xenophobic, and anti-LGBTIQ rhetoric, as well as for leveraging his political connections, particularly with PiS, to secure public funding and influence policy.

145 Onet, Homofobia w Radiu Maryja i TV Trwam. Sąd podtrzymał decyzję w sprawie KRRiT, available at: <https://kultura.onet.pl/wiadomosci/homofobia-w-radiu-maryja-i-tv-trwam-sad-podtrzymal-decyzje-w-sprawie-krrit/phfx6hc>

election.¹⁴⁶ Coverage of the opposition was systematically biased, often portraying its leaders as incompetent, corrupt, or acting against Poland's national interests. Donald Tusk, then former Prime Minister and opposition leader, was regularly depicted as serving foreign (particularly German) interests, and was regularly accused of being a 'German agent' or acting against Polish sovereignty.¹⁴⁷ Headline banners, displayed during every broadcasted segment, such as 'Leftist rioters want to cause chaos' (about the women's strikes) or 'LGBT ideology destroys the family', were a common, daily feature of Wiadomości and TVP Info.¹⁴⁸ According to an analysis by the Polish Language Council, an advisory and consultative institution on matters concerning the use of the Polish language, 75% of the over 300 headline banners displayed during the main edition of TVP's *Wiadomości* between 2016 and 2017 did not serve an informational purpose. Instead, they were found to be persuasive, manipulative, or expressive in nature. The report concluded that **'language was not being used as a public good but rather as a political weapon, serving one political actor's attempt to construct and impose its own vision of reality onto the public.'**¹⁴⁹

After the opposition came to power in December 2023, the new authorities immediately addressed the issue of public

media. The Sejm passed a resolution urging the government to **'take immediate action aimed at restoring constitutional order regarding citizens' access to reliable information and the functioning of public media, as well as ensuring independence, objectivity, and pluralism in the public mission of public radio and television.'**¹⁵⁰

Subsequently, on 20 December 2023, the newly appointed Minister of Culture Bartłomiej Sienkiewicz replaced the management boards of Polish Television, Polish Radio and Polish Press Agency. In order to bypass the National Media Council, they utilised provisions under the Commercial Companies Code on ownership rights. This move led to several weeks of protests at the TVP headquarters, where the former management barricaded themselves with politicians belonging to PiS, leading to the temporary closure of TVP's Info news channel. On TVP1, *Wiadomości* was replaced by a new flagship news programme titled 19:30, which was aired from a provisional studio. In response, then President Andrzej Duda, a pro PiS politician, vetoed the budget-related law for 2024, which was supposed to secure funds for the functioning of public media, calling Sienkiewicz's move **'a violation of the Constitution and the democratic rule of law.'**¹⁵¹ On 27 December 2023, in order to circumvent the President's veto, the

146 ARTICLE 19, Poland: Biased and imbalanced reporting of presidential campaign highlights lack of independence of the public broadcaster Telewizja Polska (TVP), available at: <https://www.article19.org/resources/poland-telewizja-polska/>

147 Media Freedom Rapid Response, Media freedom at a crossroads: Journalism in Poland faces uncertain future ahead of election, available at: <https://www.mfrr.eu/wp-content/uploads/2023/11/media-freedom-at-a-crossroads-polish.pdf>

148 Onet, "Lewacy zadymiarze" czy "Ideologia LGBT". Organizacje społeczne pokazują najgorsze paski nienawiści z TVP, available at: <https://kultura.onet.pl/wiadomosci/lewacy-zadymiarze-organizacje-spoeczne-wskazaly-najgorsze-paski-z-tvp/3s1mfje>

149 Wirtualne Media, Rada Języka Polskiego o „paskach” w „Wiadomościach”: 75 proc. to perswazje i emocje, częste manipulacje, dostęp: <https://www.wirtualnemedial.pl/artykul/wiadomosci-tvp-paski-rada-jezyka-polskiego-75-proc-to-perswazje-i-emocje-czeste-manipulacje>

150 Uchwała Sejmu ws. mediów publicznych, available at: <https://www.sejm.gov.pl/sejm10.nsf/komunikat.xsp?documentId=A7201A28E60C084DC1258A8B0048AF8E>

151 Rzeczpospolita, Prezydent Duda wetuje 3 mld zł na TVP. Wzywa Hołownię i Kidawę-Błońską, available at: <https://www.rp.pl/prawo-dla-ciebie/art39616391-prezydent-duda-wetuje-3-mld-zl-na-tvp-wzywa-holownie-i-kidawe-blonska>

Minister of Culture formally initiated the liquidation process of the public media entities, which allowed the state to continue financing TVP, Polish Radio, and the Polish Press Agency.¹⁵² The way in which the ruling coalition took control of public media raised concerns not only among former decision-makers but also among human rights organisations, which pointed out *'serious legal doubts.'*¹⁵³ The liquidation of public media remains in effect to this day. In June 2024, the Ministry of Culture presented a draft preliminary paper on introducing changes into the media sector to enable it to introduce the European Media Freedom Act into Polish law.¹⁵⁴ At the time of writing consultations on the bill are ongoing. Whilst public media is still criticized for continuing bias and requiring urgent reforms to restore its full independence from the executive, observers have noted that the coordinated hate campaigns directed at migrants, LGBTIQ people and others have ceased, and that the public media's messaging has become more balanced. A notable symbolic gesture was journalist Wojciech Szeląg's televised apology on TVP Info on 11 February 2024 for the actions of his predecessors, despite not bearing personal responsibility for them. In his statement he noted, ***'LGBT+ people are not an ideology, but people: real names, faces, loved ones, and friends. All these people should hear the word "sorry" from this place today. I apologize [for what my predecessors did].'***¹⁵⁵

Despite this, the engagement with public media (and particularly TVP Info) has significantly declined, and their previous audience has been taken over by the conservative channel TV Republika, where many employees from the PiS-dominated era of TVP have moved. There is no clarity on what strategies public media channels will operationalise to reduce social polarisation and invite greater engagement from diverse audiences. Claims that public media are now overly sympathetic toward Donald Tusk's government and still fail to apply critical standards, hinder their credibility and complicate the task of depoliticizing the media landscape. Therefore, the reform of public media is one of the most pressing tasks facing the ruling coalition.

152 Oko.press, Minister Sienkiewicz postawił TVP w stan likwidacji, available at: <https://oko.press/na-zywo/dzien-na-zywo-najwazniejsze-informacje/sienkiewicz-postawil-tvp-w-stan-likwidacji>

153 Helsinki Foundation for Human Rights, Stanowisko Helsińskiej Fundacji Praw Człowieka w sprawie zmian w mediach publicznych, available at: <https://hfhr.pl/aktualnosci/stanowisko-hfpc-ws-zmian-w-mediach-publicznych>

154 Ministry of Culture, Rozpoczynamy konsultacje założeń ustawy medialnej, available at: <https://www.gov.pl/web/kultura/rozpoczynamy-konsultacje-zalozen-ustawy-medialnej>

155 Wirtualne Media, Przeprasiny w TVP Info dla osób LGBT+. „To nie ideologia”, available at: <https://www.wirtualnemedialne.pl/arttykul/tvp-przeprasza-osoby-lgbt-geje>

ATTEMPTS OF 'REPOLONISATION' OF THE MEDIA LANDSCAPE

The Polish media market is diverse in terms of ownership, with significant foreign investment still present, including by the Swiss-German group Ringier/Axel Springer and the American company Discovery. However, in recent years, attempts have been made to pursue a so-called 'repolonisation' of the media to regain control. This has been only partially successful. The PiS government planned to introduce regulations aimed at limiting the influence of foreign investments and promoting the 'repolonisation' of media in Poland. In 2021, the law known as Lex TVN was passed, to force the American company Discovery into selling its TVN channels, including the government-critical news channel, TVN24. The provisions of the law would have prevented non-European Economic Area owners from holding more than 50% of shares in companies holding broadcasting licenses. Ultimately, in December 2021, then President Andrzej Duda vetoed the law, allegedly under pressure from the United States.¹⁵⁶

However, the strategy of 'repolonising' media ownership succeeded in the case of local newspapers, particularly with the acquisition of Polska Press. In December 2020, the publishing group was taken over by the state-owned oil company PKN Orlen. Previously, Polska Press had been owned by the German company Verlagsgruppe Passau, which reinforced the government's narrative

about the need to reclaim media from foreign – particularly German – influence. This framing was especially effective given that many of the local outlets under Polska Press had been critical of the government's policies. PKN Orlen took over the majority of local printed newspapers, as well as more than 100 weeklies and 500 websites, reaching 17 million readers in Poland. Cleanses in the editorial offices were immediately initiated, with editors-in-chief being replaced by those more loyal to the government, and many journalists left under pressure.¹⁵⁷ At that time, the Commissioner for Human Rights filed an appeal against the decision of the President of the Office of Competition and Consumer Protection, who allowed Orlen to take over Polska Press, despite the doubts raised by this transaction, particularly regarding whether Orlen's acquisition of Polska Press would lead to a restriction of competition in the media market.¹⁵⁸ The court initially ordered the suspension of the decision, but PKN Orlen ignored it. Ultimately, the case was concluded in 2022 when the court rejected the Commissioner for Human Rights' complaint. However, the acquisition of Polska Press did not help PiS win the subsequent parliamentary elections. Nevertheless, PKN Orlen, now with new management, still owns local media, although in January 2025, the CEO of PKN Orlen announced that the company intended to withdraw from the media business.¹⁵⁹

156 Prawo.pl, Prezydent zawetował Lex TVN, available at: <https://www.prawo.pl/prawo/lex-tvn-weto-prezydenta,512533.html>

157 Helsinki Foundation for Human Rights, Od prasy regionalnej do Orlen Press. Sytuacja w mediach należących do Polska Press. Raport, available at: <https://hfhr.pl/aktualnosci/-od-prasy-regionalnej-do-orklen-press-sytuacja-w-mediach-nalezacych-do-polska-press-raport>

158 Oko.press, Sąd po stronie Obajtka. Oddalił skargę RPO na przejęcie Polska Press przez Orlen, available at: <https://oko.press/sad-po-stronie-obajtka-oddalil-skarge-rpo-na-przejecie-polska-press-przez-orklen>

159 TOK.fm, Porządki w Orlenie. Prezes spółki ujawnia w TOK FM, czego chce się pozbyć, available at: <https://www.tokfm.pl/Tokfm/7,103090,31602925,orklen-nie-chce-juz-prasy-lokalnej-prezes-fafara-w-tok-fm-ujawnil.html>



The Poets' Bench in Tarnów. Photo Credit: Andreia Veiga/Shutterstock.

CONCLUSION AND RECOMMENDATIONS

'THE YEAR 2015 WAS A TURNING POINT FOR THE LITERARY WORLD. IT MARKED THE BEGINNING OF EIGHT YEARS OF A DEEPLY UNSETTLED AND UNCERTAIN ATMOSPHERE AMONG CULTURAL CIRCLES. NEVERTHELESS, THIS COMMUNITY MANAGED TO DEFEND ITSELF – IT DID NOT SUCCUMB TO PACIFICATION OR CONFORMISM.'

ADAM SZOSTKIEWICZ, POLISH PEN

The past decade has demonstrated the resilience and determination of Poland's literary, cultural and journalistic communities to withstand political pressure and preserve their independence. Nonetheless, deep societal polarisation and persistent institutional and legislative obstacles continue to undermine the full realisation of freedom of expression. At this critical juncture, comprehensive reforms remain essential to rebuild trust, strengthen safeguards, and secure an open and diverse cultural sphere. With a newly elected President and the existing government, it is both expected and necessary that they find common ground above political divides and work together to implement the changes needed to uphold and advance freedom of expression in Poland.

TO THE AUTHORITIES OF POLAND

Strengthen Protection Against Legal Abuse (SLAPPs)

Introduce legal safeguards to protect writers, journalists, editors and public critics from strategic lawsuits intended to intimidate or silence them. Decriminalise defamation and repeal other criminal law provisions inconsistent with international human rights standards – including those on ‘offending religious feelings’ (Article 196 of the Penal Code), ‘insulting the President’ (Article 135 of the Penal Code), ‘insulting public officials or constitutional organs’ (Article 226 of the Penal Code), and ‘insulting the Polish nation or state symbols’ (Articles 133 and 137 of the Penal Code).

Protect Writers and Journalists from Violence and Intimidation

Establish and enforce effective protection mechanisms for writers and journalists facing threats, harassment, or hate speech. This includes police responsiveness, access to legal aid, and monitoring of online abuse. Public authorities must unequivocally condemn all acts of intimidation or violence targeting cultural and media workers.

Reform Public Media in Line with EU Standards

Conduct a comprehensive transformation of public broadcasters in accordance with the European Media Freedom Act. This includes ensuring editorial independence, ending political patronage in appointments, establishing safeguards for pluralism and impartiality, and introducing meaningful mechanisms for civic oversight and public accountability.

Ensure Transparent, Fair and Inclusive Cultural Governance

Reform the processes for appointing directors of public cultural institutions to guarantee open, competitive, and merit-based selection procedures, free from political interference. Transparent governance must extend to all levels – including advisory boards, juries, and expert committees – to restore public trust in the neutrality of cultural institutions.

Guarantee Long-Term, Non-Political Support for Writers

Develop a sustainable public support system for literature that transcends political cycles. Ensure access to grants, fair remuneration, and basic social protections, such as pension contributions for writers. Establish targeted support for non-commercial and underrepresented genres, including poetry, drama, experimental fiction, and minority languages.

Ensure Transparency and Equity in Cultural Funding

Create fully transparent, non-partisan procedures for the allocation of public literary funds. Expert committees should be diversified and include voices from various literary communities – including LGBTIQ, feminist, migrant, regional, and minority perspectives – with decisions published and explained to the public.

Support Writers in Exile and At-Risk Communities

Ensure access to grants, residencies, and professional networks for writers in exile, especially those who have fled repressive governments and now live and work in Poland. Increase funding for programmes that support cultural participation and safety for minority and marginalised writers.

Modernize Literary Education and Reading Lists

Establish a consultative mechanism with educators, academics, writers, and civil society to ensure that school reading lists are depoliticized and inclusive. Include contemporary and socially relevant literature that encourages critical thinking, empathy, and civic awareness among young readers.

Address Market Inequalities in the Book Industry

Introduce fair practice regulations to address structural imbalances between authors, publishers, and distributors. Support independent bookstores and small publishers through targeted funding and promote better market access for non-mainstream literary works.

TO THE EUROPEAN AND INTERNATIONAL INSTITUTIONS

Continue Monitoring Cultural and Legislative Practices in Poland

Although the political transition in 2023 marked a shift in tone, several legal instruments and institutional practices used to suppress dissent remain active. International institutions should continue to monitor and publicly report on the use of laws such as criminal defamation (Article 212 of the Penal Code), and offending religious feelings (Article 196 of the Penal Code), and advocate for their repeal in line with international standards on freedom of expression.

Ensure Transparency and Equity in Cultural Funding and Appointments

Encourage Polish authorities to implement clear, depoliticized, and publicly accountable procedures for the distribution of cultural funds. This includes publishing grant criteria, diversifying expert panels, and preventing conflicts of interest. Equal attention should be paid to transparency

and fairness in the appointment of directors of cultural institutions, ensuring open, competitive, and inclusive recruitment processes that resist political interference and promote merit-based leadership.

Support Independent and Marginalised Cultural Actors

Provide dedicated support to artists, writers, editors and publishers working outside state-affiliated institutions, especially those from feminist, LGBTIQ, anti-racist, refugee, or regional communities. International visibility and collaboration opportunities are essential to counter domestic marginalisation.

Recognise and Support Writers in Exile Living in Poland

Extend targeted support to writers, journalists, and artists in exile currently residing in Poland, including those from repressive governments. Ensure they have access to residencies, legal aid, translation resources, and platforms to continue their work safely and publicly.

Treat Artistic Freedom as a Core Democratic Indicator

In evaluating Poland's democratic recovery, institutions such as the European Commission, UN bodies, and the Council of Europe should integrate artistic freedom into their benchmarks. Freedom of cultural expression should be viewed alongside media independence and judicial integrity.

Sustain Regional and Cross-Sector Solidarity Networks

Facilitate long-term partnerships between Polish cultural actors and international peers across literature, academia, journalism, and civil society. Provide structural funding for residencies, exchanges, and mobility programmes – particularly those focused on advocacy, safety, and freedom of expression.



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