



*Permanent Mission of the Republic of Poland  
to the Organization  
for Security and Co-operation  
in Europe*

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**Statement by Ambassador Przemysław Grudziński  
at the OSCE Permanent Council meeting on 3 February 2011  
in response to the Russian Federation's remarks regarding the media  
situation in some European Union member States**

Mr. Chairperson,

Responding to the Russian Federation's statement on the media situation in some of the European Union member States, delivered at the 847 Permanent Council meeting on the 20th of January 2011, which contained a number of remarks referring directly to Poland, I would like to state the following:

The media landscape in Poland offers a wide choice of information sources, including various mass media broadcasters, numerous newspapers and the Internet. It ensures pluralism of the media, which presents a wide spectrum of views and opinions. This is also true for the Polish public TV and is therefore pertinent regarding comments related to the Georgian – Russian conflict of August 2008. The reference made by the Russian Delegation to the case of a TV reporter, who was dismissed because of alleged comments he made, does not reflect reality. The circumstances of this affair have been investigated and have proven not to be relevant to media freedom matters.

Regarding the case of wiretapped conversations conducted by the Polish Internal Security Agency in 2008, which could have had an adverse impact on certain journalists. I would like to clarify that, in accordance with proper legal procedures, the Warsaw District Court allowed for wiretapping of a certain suspect, who was engaged in a conversation on the phone with two media representatives mentioned in the Russian statement. I would like to reiterate, that the recordings took place within the scope of legal norms.

Concerning the procedural requirement to obtain the authorisation to publish official interviews, it should be made clear that it applies only to those interviews/statements, which are published as on the record quotations.

Referring to the question of penalization of defamation, I would like to assure the Permanent Council that it is regarded as a serious matter in my country and it merits full consideration. It is the subject of ongoing expert discussions. The Constitutional Court has devoted significant attention to this topic. Its deliberations have determined that our legislation in this domain strikes the proper balance between freedom of speech and the right of an individual to be protected against baseless accusations or defamatory statements.

Moreover, my government is aware of the issue's sensitivity and we are well aware of the Representative on Freedom of the Media stance on this matter. In June 2010, an amendment to the criminal code reduced the maximum possible imprisonment sentence for defamation to one year. This modification was regarded insufficient, hence the Council of Ministers has approved new suggestions for such amendments to the criminal code that would rule out any possibility of being sentenced to jail for defamation. These proposals are now being examined at a subsequent stage of the legislative process.

The fact that no nation is free from shortcomings in this area proves that freedom of media remains a core issue on our agenda and as such deserves a prominent place in the program of HD events. We applaud once again the Chairmanship for selecting this topic as one of the main priorities within the human dimension.

Thank you Mr. Chairperson.