

**Question for written answer E-001672/2024/rev.1
to the Commission**
Rule 144
Maciej Wąsik (ECR)

Subject: Violation of the principle of media freedom in Poland in respect of ‘Anita Gargas’ Investigative Magazine’

The right to obtain information from multiple sources is a fundamental element of freedom of the press and the right to information. Therefore, the violation of the principle of media freedom by the current government of Donald Tusk and the state bodies and institutions subordinate to it is unacceptable.

On 17 July 2024, the District Court in Płock sentenced the journalist Mateusz Tesk to two months’ restriction of liberty with obligatory community service of 40 hours per month under Article 212 of the Criminal Code¹. His sole crime was sending questions through a press officer to the authorities in a Polish institution regarding a certain retired judge².

1. What is the Commission's view of this situation?
2. In the Commission’s view, does the conviction of a journalist for addressing a question to the press officer of a Polish institution constitute a flagrant breach of the rule of law?
3. Will the above case be taken into account by the Commission when it produces its next Rule of Law Report for 2024?

Submitted: 10.9.2024

¹ Article 212 provides that ‘Whoever imputes to another person, a group of persons, an institution or organisational unit not having the status of a legal person, such conduct, or characteristics that may discredit them in the face of public opinion or result in a loss of confidence necessary for a given position, occupation or type to activity shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty’. Act of 6 June 1997, Criminal Code, Journal of Laws 1997, no. 88 item 553.

² <https://niezalezna.pl/polityka/dziennikarz-skazany-za-zadanie-pytan-rzecznikowi-instytucji-ta-sprawa-jest-skandaliczna-z-wielu-powodow/522884>, (access: 09.09.2024); <https://dorzeczy.pl/kraj/614997/mateusz-teska-z-magazynu-anity-gargas-skazany-przez-sad.html>, (access: 09.09.2024); <https://wnet.fm/2024/08/21/anita-gargas-w-polsce-dziennikarze-sa-karani-i-to-podwojnie-za-wykonywanie-swojej-pracy/>.