

# ***PATRIOTS***

***FOR EUROPE FOUNDATION***

## MEDIA AND PRESS FREEDOMS IN CENTRAL AND EASTERN EUROPE

The Hungarian and Polish cases

A study commissioned by the Patriots for Europe Foundation.

*If the press didn't exist, we would have to not invent it.*

Honoré de Balzac (1840)

# GENERAL INTRODUCTION

Since the return of Viktor Orbán to power in 2010 and the victory of the Law and Justice Party (PiS) in 2015, Hungary and Poland have been regularly criticised by Western media and governments, European institutions and non-governmental organisations over press freedom. In these countries, press freedom is said to be at risk. The assertion is that the political authorities exercise a significant degree of influence over the media, effectively controlling it.

Faced with this constant and increasingly severe criticism, Hungary and Poland are adopting a unified stance. They argue that they share a common destiny and a taste for freedom that was forged under the yoke of communism for almost half a century. Hungary and Poland are trying to defend their uniqueness and are happy to showcase their shared values. The roots of Polish-Hungarian friendship can be traced back to the 16th century, when the Jagiellon and Báthory families established ties, and further to the 1848 revolution and the anti-Soviet spirit of 1956. It is now being put to the test: the implementation of a mechanism linked to the rule of law is confirmed, a Media Freedom Act is expected to be presented by the European Commission in 2022, while the end of unanimous voting in the Council of the European Union is less and less a taboo subject.

Budapest and Warsaw doubled down on their solidarity and responded to the criticism with broadly similar arguments and lines of defence. This course of action has exposed a degree of internal division within the European Union and a lack of comprehension and assimilation of its own historical context. It is becoming evident that the primary obstacle confronting the European Union is the challenge of fostering harmonious coexistence between Western Europe and the post-Communist regions. However, the question remains whether the EU possesses both the will and the capacity to achieve this objective.

On the subject of freedom of the press, many slogans and invectives have been hurled on both sides. The media machines have gone into overdrive and the political establishments are having a field day in this conflict between Brussels, Budapest and Warsaw. Unfortunately, little credence is given to the real situation of the media in Hungary and Poland. The fact that Slovenia recently joined this 'axis of evil' should nevertheless encourage Western European journalists to try to understand the current divisions by studying the historical particularities of these countries. Very little effort is made in this direction, and Westerners' understanding of post-Communist Europe remains extremely limited.

Nevertheless, it is precisely within these post-communist idiosyncrasies that the roots of numerous contemporary conflicts must be sought. It is imperative to acknowledge that nations where information was centralised and controlled by a single entity until 1989 continue to be characterised by this historical legacy, even more than thirty years later. From the 1990s, when a craze spread throughout Europe for the integration of these countries into the club of 'free and democratic' nations, there was already a lamentable lack of consideration of the factors that render this region singular. The current tensions are, to a considerable extent, the result of this original sin, committed in the aftermath of the fall of the Berlin Wall. However, the question remains whether the process of European integration can be hindered by an understanding of such historical singularities.

The grievances levelled against Hungary and Poland in terms of freedom of the press and media fail to take account of the realities of the media market in these countries. These grievances are articulated within the broader context of political confrontations, failing to acknowledge the intricacies and nuances inherent in post-communist Europe. They proceed from general and abstract logic and leave no room for fieldwork and the gathering of information through channels other than local opponents of the Hungarian and Polish governments. In this sense, the current conflict over the alleged threat to press freedom in Budapest and Warsaw goes beyond its initial framework. It is therefore important to consider the implications of this conflict in the broader context of European integration, particularly with regard to the definition of press freedom as it is understood by those who oppose the policies of the Hungarian and Polish governments.

In addition to these historical difficulties, the terms of the debate on press freedom are being renewed. We live in an era of 24-hour news, the ubiquity of social networks and the dominance of digital giants. In recent years, there has been a profound shift in media consumption patterns, with digitisation having a transformative effect on all human activities. When considered in conjunction with the challenges of comprehending post-communist Europe during the 1990s, this technological leap renders the issue of press freedom in this region significantly more intricate than in Western Europe.

The present study aims to address the prevailing failure to understand this region by providing a comprehensive examination of the historical and political perspectives, in addition to a detailed presentation of the real media power relations existing in Hungary and Poland. The objective of this report is to transcend the traditional confrontation between the European institutions, Poland and Hungary by providing keys to understanding based on factual elements and the real mood that can be observed in these two countries.



# Chapter 1: The media and the press in Viktor Orbán's Hungary

## INTRODUCTION

Over the past decade, Hungary and the name Viktor Orbán have been at the centre of much discord. The government in power in Budapest since the spring of 2010 is a source of hope for some and a repulsive figure for others. The prevailing perception of Hungary in the West, as depicted by the mainstream media, is that of a nation characterised by an oppressive political atmosphere, a stagnant political framework, and a population compelled to adhere to a state of perpetual silence, while the media is subject to stringent central control. Conversely, there are those who place excessive hope in Hungary, believing it to be a panacea for their concerns and a commendable example of politics counteracting the progressivism they disapprove of.

The present study does not seek to engage in debates concerning ideological principles. Given that the subject of this study is the situation of the media in a country whose government is often criticised for its alleged attacks on press freedom, it will endeavour to start from Hungarian realities, avoiding ideological approaches as much as possible. Hungary has been the subject of so much criticism regarding press freedom that it has become difficult to disentangle truth from falsehood in order to lay the foundations for a constructive discussion. The debate is systematically ideologised, and interventions are overly passionate, with the main subject of the media and press issue becoming secondary and easily engulfed by political manoeuvring and exploitation.

Indeed, Hungarian media outlets are seldom mentioned by name. While the general public is aware of the problematic nature of the media situation in Hungary, it is rare for individuals to be able to name several Hungarian newspapers. Furthermore, the opinion of Hungarians is often not given much weight in incriminating testimonies against the government of Viktor Orbán. Studies on the real state of the press and media in Hungary are non-existent for non-Hungarian speakers, while debates about press freedom in Hungary are often just a web of invective and political positioning.

Nevertheless, the subject is not without interest. The outpouring of reactions it has provoked does not come out of the blue. It is an irrefutable fact that the Hungarian press is distinctly different from the Western press. Its historical development, *modus operandi*, funding, tone and objectives make it undeniably different from the media in Western Europe.

It is therefore surprising that the question of press freedom in Hungary has not been examined from this perspective. It is true that a study from this angle necessarily leads to the discovery of fundamental differences between Western Europe and post-Communist Europe. However, it remains to be seen whether the European institutions are genuinely committed to acknowledging and addressing these discrepancies. There is little evidence to suggest that they do. Why is there such a paucity of debate on the issue of freedom of the press and media in Hungary?

The prevailing sense of unease is deeply entrenched, and although Hungarians remain steadfast in their commitment to their country's membership of the European Union, the relationship between Brussels and Budapest is undergoing a marked deterioration. There appears to be a lack of genuine interest in the Hungarian situation. Tension appears to be a mutually acceptable state of affairs for both parties, as the factual reality of the remarks directed against one's opponent is no longer a priority in the current political climate.

Viktor Orbán's resounding return to power in 2010 can be attributed to a period of profound disillusionment among Hungarians concerning the policies that were implemented following the transition to a democratic regime in 1989 and the pursuit of European integration. This point is the source of all the stumbling blocks and dissonances. This is obviously painful for the most ardent supporters of European integration: just a few years after joining the Western bloc, the Hungarians are beginning to have doubts about their European adventure, even if they certainly do not contemplate breaking away. The Hungarian press and media serve as a perfect illustration of all that has been stirred up in the thirty years since the regime change of 1989.

Focusing on these media therefore amounts to unearthing material that the European construction enthusiasts probably don't want to see. Consequently, the discourse surrounding the role of the media in Hungary is often superficial and lacks depth. A meticulous examination of the Hungarian media would illuminate the past thirty years of Hungarian history, thus exposing oneself to the risk of making observations that are uncomfortable for many political and media actors. However, this exercise is essential if we want to move beyond the sterile quarrels between Brussels and Budapest. The proposed approach involves a historical retrospective (I, II) to provide an overview of the Hungarian media (IV), with the objective of understanding the real dynamics at work in this sector (III).

## **I. Fidesz and the media: the genesis of a painful relationship**

### ***A) The trauma of the 2002 defeat***

The majority of Western observers and journalists have adopted a relatively uniform discourse on the political career of the current Hungarian Prime Minister, often referring to him by the following terms: opponent of the Soviet regime, liberal and staunch Atlanticist in his early days, youngest Prime Minister in Europe in 1998. However, following his return to power in 2010, Viktor Orbán underwent a marked shift in his ideological stance, adopting a conservative, nationalist and authoritarian orientation.

Leaving aside the use of imprecise epithets in journalistic discourse, this simplification is indeed valid. In the course of his thirty-year political career, it is evident that Viktor Orbán's rhetoric has undergone a discernible evolution, a transition that his supporters attribute to an understanding of history, while his detractors perceive authoritarian inclinations and a disenchantment with liberal democracy. This approach, however, is both unoriginal and superficial, as it leads to broad conclusions and merely serves as a reminder that a long-standing national political career can only be the result of continuous adaptation, change, evolution, contradiction and even denial or betrayal.

**Two fundamental elements of Viktor Orbán's political career are almost systematically ignored by non-Hungarian observers.** The first element pertains to his 'conservative shift', which, in addition to being poorly defined or hyperbolic, is often poorly dated, with the foreign press referring to his victory in 2010, when in fact the Fidesz leader had to face divisions within his party on this issue as early as 1991, at a time when he had already partially broken with his first Western sponsors, especially specific fringes of the Soros milieu. (1) The second element relates to his first experience of power between 1998 and 2002, a term in office during which he achieved solid economic and social results, which even his opponents found difficult not to recognise. It could be argued that, in a sense, Viktor Orbán, undoubtedly benefiting from a favourable European economic context, had succeeded in bringing to a conclusion the period of social and economic adversity that had ensued in the aftermath of the collapse of socialism.

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<sup>1</sup>Under the direction of Márton BÉKÉS, A Nagy terv - A Soros-birodalom Közép- és Kelet-Európában [The Great Project - The Soros Empire in Central and Eastern Europe], KKETTK Közalapítvány publishers, 2021, 394 pages. These instances of Viktor Orbán's early break with the Soros network are described in Yann CASPAR, 2021, Soros, ou l'art de la pêche en eaux troubles, Visegrád Post, 26 October 2021, <https://visegradpost.com/fr/2021/10/26/soros-ou-lart-de-la-peche-en-eaux-troubles/>

Outgoing Prime Minister Viktor Orbán and his teams decided to campaign on this positive record in the spring 2002 legislative elections. For the first time since the change of regime in 1990, Hungarian politics was characterised by a clear polarisation of forces, with Fidesz and its allies in the MDF (with whom Fidesz would later break) facing the Socialists (MSZP) and the Liberal Democrats (SZDSZ). The SZDSZ, a party that has since ceased to exist and whose electorate consisted primarily of the Budapest intelligentsia, had, during the period of Viktor Orbán's term of office and the campaign, utilised rhetoric accusing the Prime Minister of exhibiting authoritarian tendencies and the makings of a dictator. This rhetoric was then limited in scope; however, since 2010, its use has become systematic.

Viktor Orbán's electoral defeat was narrow, resulting from his inability to effectively address the negative publicity initiated by the MSZP and SZDSZ. The latter two parties were able to rely on the media and the press to turn against the outgoing prime minister. This unexpected defeat came as a terrible surprise to Viktor Orbán's party and remained a trauma. **Much more than in Viktor Orbán's personality or his political convictions, the current Hungarian Prime Minister's relationship with the press can be traced back to this defeat in 2002.**

In the aftermath of the 2002 elections, Fidesz and its supporters perceived a sense of injustice stemming from the actions of the media and the press. Despite the evident economic and social achievements of Viktor Orbán, these entities, whether directly or indirectly, appeared to align themselves with the liberals and the socialists. With a simple majority in Parliament, Viktor Orbán was unable to reform the media sector, and will only have seemingly expanded his influence in this sector, although on 27 September 1998, a few months into his term of office, he declared: **"The shift in the balance of power in the media is about to begin. [...] Changes are needed to guarantee access to reliable and balanced information in this new world. [...] The conditions must be created to ensure that both world views can be fairly represented in the press."** (2)

Despite the successful re-establishment of control over the public service media, and the attempted takeover of the liberal daily newspaper, *Magyar Hírlap*, along with the development of its daily publication, *Magyar Nemzet*, and the weekly publication, *Heti Válasz*, the Fidesz party was unable to impose its desired media and political agenda during the 2002 election campaign.

This failure in 2002 was a significant setback for Viktor Orbán, who, during the eight years he spent in opposition until his victory in 2010, prioritised the media and the press, recognising the crucial role of a media war

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<sup>2</sup>Quoted in Situation de la presse en Hongrie - Une impitoyable guerre de tranchées, Visegrád Post, 3 February 2020, <https://visegradpost.com/fr/2020/02/03/situation-de-la-presse-en-hongrie-une-impitoyable-guerre-de-tranchees/>,

against the alliance of liberals and socialists in achieving and consolidating power in a context of polarisation in public life. **The defeat of 2002 was instrumental in shaping the current Hungarian Prime Minister's conception of the role that the media and press sector organisations must play. In opposition, Viktor Orbán and Fidesz rapidly reorganised themselves in order to avoid the undesirable surprise of 2002.**

### ***B) 2002-2010: the pro-Fidesz media in opposition***

During the eight years spent in opposition, Viktor Orbán and his political family consolidated and created a media apparatus centred around the private television channel *Hír TV* and the daily newspaper *Magyar Nemzet*, which was owned by Lajos Simicska, a businessman who at the time was still close to Viktor Orbán.

Upon assuming office in 2002, the socialist Prime Minister and his liberal allies from the SZDSZ proceeded to re-establish state control over the public service media, while concurrently implementing a change in its funding that made it even more dependent on the government than before. This takeover of the public service media did not provoke any international reaction.

In 2004, reports emerged of discussions between a campaign adviser to the MSZP of Israeli origin and the directors of Hungarian public television. (3) It became clear that the media policy of the socialist-liberal coalition was not provoking negative reactions abroad, because the ruling government maintained close relations with organisations that would normally be expected to be concerned about the lack of press freedom.

These scandals only strengthened Viktor Orbán's conviction that he should refine his media war strategy by setting up a machine devoted to him. In 2003, the television channel *Hír TV* was established, serving as Fidesz's primary instrument of communication in its endeavour to regain political dominance. In addition to *Hír TV*, Viktor Orbán's network of political allies encompasses *Magyar Katolikus Rádió*, established in 2005; *Lánchíd Rádió*, launched in 2007; and *Echo TV*, along with the daily newspaper *Magyar Hírlap*, which was acquired in 2006.

Without this media machine, Viktor Orbán would never have returned to power. His failure in 2002 and his eight years in opposition allowed him to understand what he had probably known for a long time, but which he would now consider to be essential:

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<sup>3</sup>Lehel KRISTÁLY, Plusz pénzért lobbizik az MTV [MTV lobbies for more money], *Magyar Nemzet*, 29 September 2004

**in Hungary, the public service media are subservient to the government, and the condemnation of this fact from the perspective of freedom of the press and the media depends on the international affiliations of the government of the day.** Recognising the negative perceptions he had garnered among European and international political circles as early as 1992, Viktor Orbán came to the realisation that his political longevity would depend on his ability to control the media. Following his electoral defeat in 2002, he collaborated with his long-time associate, the businessman Lajos Simicska, to establish this media empire.

### ***C) Recapturing power***

The political polarisation that began during Viktor Orbán's first term in office intensified under Ferenc Gyurcsány, who was prime minister from 2004 to 2009. The disclosure of the latter's controversial remarks precipitated riots in the autumn of 2006, whilst his policy, endorsed by the liberals of the SZDSZ, merely served to exacerbate societal discontent, which culminated during the tenure of Ferenc Gyurcsány's successor, Gordon Bajnai. A former investment banker, Bajnai implemented a more radical austerity policy in an attempt to address the economic and financial crisis of 2008.

Viktor Orbán and Fidesz very clearly took advantage of this wave of anger, keeping in mind the lessons of their defeat in 2002. They then launched a massive and uncompromising campaign of black PR against Ferenc Gyurcsány, which they had still not abandoned in 2021, relying on their media machine, perfected since 2002.

In 2006, this media machine was undoubtedly still not fully up to speed and Viktor Orbán did not manage to dominate Ferenc Gyurcsány, an inferiority that was clearly visible during a televised debate between the two men. Conversely, the 2010 legislative elections witnessed the Fidesz-KDNP coalition emerge triumphant, securing a substantial majority of parliamentary seats, thereby empowering them to effect constitutional amendments.

The pro-Fidesz media exploited and fuelled the flaws in Ferenc Gyurcsány's personality and his economic and social policy to the full. Given the Hungarian population's tangible and concrete experience of these latter elements, it proved challenging for the media under the control of the liberal left, to garner international support in their efforts to combat Fidesz. From the end of 2006, the liberal left in power lost control of the narrative to the Fidesz media, and this was aggravated by the fact that tensions within the majority became more and more significant and finally led to the divorce between the MSZP and the SZDSZ in March 2008.

In this context of political decline for the Hungarian left and in a disastrous economic and social situation, the usual support and intermediaries of this political faction on the international stage became scarcer and more discreet, thus leaving a clear path to victory for **Viktor Orbán, who knew full well that, this time, objective reasons internal to Hungary would bring him to power.** The prevailing sentiment among the Hungarian populace, with the conspicuous exception of the Budapest intelligentsia, which has historically and consistently opposed Viktor Orbán, is one of profound disillusionment with the political and economic situation. This is why the international community has faced considerable challenges in undermining Orbán's credibility.

Fully aware of this exceptional media situation, Viktor Orbán had no intention of resting on his media achievements after his victory in 2010. With a two-thirds majority in parliament, he therefore prioritised the media sector at the beginning of his term, anticipating the potential for opposition regrouping and the subsequent mobilisation of a media apparatus and its international echo chambers against him. Criticism, similar to that leveled by the SZDSZ during the 2002 campaign, emerged swiftly, as certain elements of the new Prime Minister's media and press initiative were made public in the summer of 2010. The Hungarian government was immediately accused of undermining press freedom.

**This tug-of-war over the issue of press and media freedom has not wavered for a single moment since then and has even intensified considerably. The Hungarian head of government, reappointed twice in 2014 and 2018, each time obtaining a two-thirds majority in Parliament, is constantly accused of being the gravedigger of press freedom.** While these accusations predate 2010, it is evident that they have gained prominence and recognition on the global stage since Viktor Orbán's return to power nearly twelve years ago.

The consequences of the particular historical developments experienced by the satellite states of the Eastern Bloc, and the process of privatisation of the state-owned press and media following the regime change of 1989, warrant further detailed investigation. Indeed, they have given rise since 2010 to virulent reactions and condemnations from actors who are often entirely uninformed about Hungary's history.

## **II. Hungarian media policy confronted with its critics**

### ***A) Conflicting political choices from the outset***

*19 January 2011: A heated exchange between Viktor Orbán and Daniel Cohn-Bendit in the European Parliament*

During a debate in the European Parliament on 19 January 2011, MEP Daniel Cohn-Bendit questioned Hungarian Prime Minister Viktor Orbán, who at that time held the presidency of the Council of the EU, about the new media reform that came into force in Hungary at the end of 2010.

Daniel Cohn-Bendit accused the Hungarian Prime Minister of being on his way to becoming a European Chavez, a national-populist leader. According to him, the new Hungarian Prime Minister does not understand the essence and structure of democracy and goes against the common values of the European Union, the basis of which is freedom of expression. The Green MEP drew parallels between the situations in Belarus, Tunisia (where the Jasmine Revolution is underway), Russia and Algeria, which he designates as dictatorial regimes that the European Union must challenge. He expressed disappointment with the Hungarian Prime Minister's reticence to openly endorse regime change in Tunisia and expressed concern over what he perceives as a potential shift in Orbán's commitment to countering totalitarianism, citing his previous stance in the 1980s.

In relation to Hungary's media reform, the second law of which was passed in the Hungarian parliament on 21 December 2010, Daniel Cohn-Bendit offered his perspective on the concept of 'balanced information'. He asserted that this concept is embedded within the Hungarian legal framework. However, he contended that the role of the press is not to provide balanced information, but rather to challenge those in positions of authority when the situation demands it. To substantiate this opinion, he cited the Watergate and Abu Ghraib scandals, which, in his view, would not have come to light if the press had been content to provide 'balanced information'.

The Hungarian Prime Minister reserved the first part of his answer for this last point, arguing that the Hungarian media law does not provide for sanctions against media organisations that produce unbalanced information. Viktor Orbán argued that it would be illusory to want to restrict freedom of expression in the internet age, noting that this tool partly enabled him to win the elections in 2010.

To those accusing him of wanting to restrict freedom of expression, the media and the press, he explained that prior to this reform, this sector was governed by a law dating from 1986, which did not comply with European standards on freedom of the press, as it allowed, in particular,



for the activities of a television channel or newspaper to be terminated without any transparency. He expressed surprise that this legal framework, in force until 2010, had never bothered anyone within the European institutions.

In his speech, Viktor Orbán also stood up to German critics and explained that the Hungarian media law — which Daniel Cohn-Bendit did not address in detail — is no more restrictive than the legal framework provided for this sector in Germany.

During the course of this debate, it became clear that the technical provisions of the new Hungarian media law are not the main issue. The media reform initiated by Viktor Orbán at the start of his term of office is not being debated point by point and in an adversarial manner, but is becoming a pretext for partisan, political and ideological confrontation.

### *The starting point of a decade of criticism levelled at Viktor Orbán*

The reactions to this media reform have provided the foundation for the sustained criticism of Hungary, which has not abated since then and is articulated by public figures who have subsequently become staunch opponents of Viktor Orbán's policies.

Among these personalities, Jean Asselborn, Luxembourg's Minister of Foreign Affairs since 2004 and member of the Luxembourg Socialist Workers' Party (social democrat, has been particularly consistent in his criticism of the Hungarian government in power since 2010. In December 2010, he was the first European political leader to condemn the media reform in Hungary, stating:

*'It is a direct danger to democracy. The state will control opinion. [...] Until now, Alexander Lukashenko was considered the last dictator in Europe. When this law comes into force, this will no longer be the case. [...] This raises the question of whether such a country is worthy of leading the EU. (4)*

Jean Asselborn, before he was joined by the Dutch Prime Minister during the debates raised by the adoption of a law against LGBT propaganda in schools in June 2021<sup>5</sup>, is one of the few European leaders to have very clearly called for Hungary to leave the European Union over the past ten years.

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4 La Hongrie adopte une loi controversée sur le contrôle des médias, [touteurope.eu](https://touteurope.eu/economie-et-social/la-hongrie-adopte-une-loi-controversee-sur-le-controle-les-medias/), 22 December 2010, [https://www.touteurope.eu/economie-et-social/la-hongrie-adopte-une-loi-controversee-sur-le-controle-les-medias/](https://touteurope.eu/economie-et-social/la-hongrie-adopte-une-loi-controversee-sur-le-controle-les-medias/)

5 Loi anti-pédophiles : des sanctions européennes contre la Hongrie ? Visegrád Post, 17 June 2021, <https://visegradpost.com/fr/2021/06/17/loi-anti-pedophiles-des-sanctions-europeennes-contre-la-hongrie/>

Very shortly after Jean Asselborn's criticisms of the media reform in Hungary, Prime Minister Viktor Orbán responded by explaining that this was the position of a Luxembourg minister expressing his personal opinion, and not that of the Luxembourg government.

As part of the debates surrounding the Hungarian reform of 2010, Jan Philipp Albrecht, a German Green MEP, called on the President of the European Commission, José Manuel Barroso, to activate Article 7 of the TEU to 'force Hungary to withdraw this repressive media law'.

Furthermore, during the debates in the European Parliament, Martin Schulz, President of the Alliance of Socialists and Democrats, joined Daniel Cohn-Bendit in calling for the withdrawal of the media law, delivering the following analysis:

*'In a democracy, the media controls those in power. With this law, it is those in power who control the media, and that is not how things should be in a European democracy and community based on the rule of law. That is why we are so concerned.'* (6)

It is important to note that, with regard to this law, Fidesz's allies in Parliament, as well as other members of the European right, did not voice their opposition to the Hungarian government. This changed in the coming years. Instead, it was members of the European left and a small number of centrists who voiced their opposition through highly critical statements. As a result, the newly elected government found itself in a defensive position, having to resort to a political strategy of claiming victimhood in the face of criticism from hostile political actors while simultaneously benefitting from the backing of its alliance partners within the European right-wing. During these tumultuous weeks, Viktor Orbán was keen to point out that, despite the criticism from the German Social Democrats, the German government's position on this law was reasonable and that he had the support of German Chancellor Angela Merkel.

**From December 2010 to January 2011, Viktor Orbán was for the first time placed in the "camp of evil" and was the subject of a unanimously negative European and international press campaign.** This criticism was based on a reform that had not yet been implemented, and paid almost no attention to an analysis of the substance of the laws in question. The government's defence consisted of asserting that its media reform was European-inspired and that all the provisions it contained existed in other legal systems of European Union member countries.

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6 Débat houleux au Parlement européen sur la loi hongroise sur les médias, [touteurope.eu](http://touteurope.eu), 19 January 2011, <https://www.touteurope.eu/institutions/debat-houleux-au-parlement-europeen-sur-la-loi-hongroise-sur-les-medias/>

With the benefit of hindsight, it is now easier to evaluate this reform, which caused so much concern in the Western press, but also, for example, in the Polish press, particularly in the media controlled by Adam Michnik, to which we will return later (7), and on the European left, and to see whether all this criticism was justified.

### *The 2010 media reform*

Following his return to power in April 2010, Viktor Orbán soon initiated a series of reforms within the media sector. The new Hungarian Parliament, consisting of a two-thirds majority of MPs from the Fidesz-KDNP coalition, passed a series of laws pertaining to the media and press sector. These legislative measures were met with criticism from both the opposition and the European Union, with varying degrees of severity.

This reform of the media sector had been a long-standing aspiration in Hungary, as the sector was still organised by laws dating from 1986 and 1996, which successive political contexts did not allow to be repealed. The two-thirds majority obtained by the Fidesz-KDNP coalition had now put an end to this situation.

As early as the summer of 2010, elements of this legislative package began to circulate, provoking an outcry from the opposition. However, it was not until late autumn, when these laws were presented to Parliament, that the criticism became more radical, with the international press taking up the subject and the opposition organising a demonstration in Budapest on 20 December, i.e. on the eve of the Hungarian Parliament's adoption of the last part of the legislative package. (8)

The two most important laws in this legislative package are the law on the fundamental rules of freedom of the press and media content and the law on media services and mass communication.

Following the enactment of this legislation, the National Media and Information Authority (*Nemzeti Média- és Hírközlési Hatósági—NMHH*) was established on 11 August 2010. The opposition accused this institution of being under the influence of the government led by Viktor Orbán, particularly due to the appointment of individuals with close ties to the governing party.

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<sup>7</sup> See below pp. 112-114

82010. évi CLXXXV. törvény, a médiaszolgáltatásokról és a tömegkommunikációról, ["Law on media services and mass communication"], <https://mediatorveny.hu/dokumentum/11/Mttv.pdf>

This regulatory body was entrusted with the pivotal mission of restructuring the public service media, a sector that, as per a Commission communication dating back to 2009, now falls short of the European standards for public service programme funding.<sup>(9)</sup>

**Very quickly, voices were raised against this change in the media sector, even if very few legal arguments were put forward to challenge this reform, which, as we understand it, was not disturbing so much in its content as in its general spirit.**

In terms of form, the opposition parties, the media outlets hostile to the government and certain rights organisations criticised the government for moving too quickly on the legislative procedure and for not having consulted the professionals in the media sector. In essence, these critical voices were targeting the partisan infiltration of the new media authority (the two-thirds majority of the government coalition in Parliament permitted the appointment of Fidesz supporters)) and the prerogatives granted to this authority, which they considered too broad. Furthermore, the extent of the fines that the media authority is empowered to impose on press organisations in the event of infringements of the rights of the individual, public morality, or groups of individuals (for example, religious groups) was also a point of contention.

**Critics of the legislation expressed concerns that the government had identified a method of suppressing the press that was expressing criticism. Critics from abroad denounced these actions as reminiscent of dictatorial practices, alleging that a government-controlled entity possessed the capability to directly impact journalistic content by instilling fear in editorial offices that might publish content contradicting the agenda of the ruling government.**

In reality, unlike a number of media authorities in European Union member states, the Hungarian media authority is not under the direct control of a ministry but is subject to a law passed by Parliament with a qualified two-thirds majority. As mentioned above, despite how it may appear, the main problem with all the criticism levelled at the government is the two-thirds majority obtained by the Fidesz-KDNP coalition, a feat repeated in 2014 and 2018.

Naturally, the Hungarian government takes advantage of this democratic legitimacy and, where necessary and possible, pushes through reforms under the banner of this legitimacy. Nevertheless, when it comes to media authority, several European countries do not bother with democratic and parliamentary legitimacy to make their own media authorities work.

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<sup>9</sup> Official Journal of the European Union, C 257, 27 October 2009

This is particularly the case in Sweden and Denmark, where the media authority reports directly to the Ministry of Culture. In the Netherlands, which is undoubtedly the country whose leaders are most critical of Hungary, the members of this authority are appointed directly by the Minister for Education and Media. In Austria, the director, the deputy director and three members of this authority are appointed by the President of the Republic on the proposal of the federal government, while in Ireland the director is appointed by the minister responsible for Communication.

**Since its establishment in 2010, this Hungarian media authority has faced consistent criticism. It can be argued that, while the government's influence has expanded into the media and press sector, this has not been achieved through its direct impact on the media authority.**

**Indeed, the Hungarian media authority imposes sanctions more frequently and more severely on media outlets that are close to the government than on those that are critical of the government.** A detailed breakdown of the sanctions imposed between January 2012 and December 2020 reveals that more than two-thirds of them were directed towards pro-government media outlets, with opposition media outlets accounting for less than a third of the total. During the period under review, the media outlets that were favourable to the government were fined 357,057,810 forints, while those that were critical of the government were fined 183,101,165 forints.

These figures, which are undoubtedly surprising for critics of Hungary who believe that a media authority close to the government is on the trail of opposition journalists, mainly relate to factual errors that anyone can report to the authority. The distribution of fines therefore means that pro-government media make more factual errors than media critical of the government. In our view, this is because journalists working in pro-government newsrooms tend to take a more light-hearted approach to their work and are part of organisations less likely to be threatened by fines than opposition media organisations.

**In any event, it is evident that the imposition of financial penalties does not align with political criteria, thereby invalidating the initial concerns raised by critics of Hungary in 2010/2011.** Following a decade of observation, it is evident that this media authority does not function as a means of the government curtailing journalists who are not aligned with its interests.

The mechanism of fines provided for by the 2010 reform, which had caused significant concern among certain Western European political leaders, does not serve as a means of controlling the media and exerting pressure on journalists. The system of fines is exclusively used for factual errors and cases of violations of the rights of a minority or of human rights.

However, in the face of mounting criticism, the government amended its media law in February 2011. The amendments introduced included the removal of the concept of 'balanced information', modifications to the media registration procedure, and a relaxation of sanctions applied to foreign-based media. In reality, what was then presented as a failure of Viktor Orbán to perfect his 'populist hold' (10) on Hungary was merely a cosmetic change to the law and did nothing to change the initial nature of the reform, which was never conceived as a tool for silencing voices opposed to his government action.

#### *The beginnings of the 'Orbán method'*

This episode of antagonism between Budapest and its critics, in which the European Commission is not yet directly involved, is in a sense the opening salvo in the hostilities between Prime Minister Viktor Orbán and the forces opposed to him. This incident is therefore very revealing of the negotiating and governmental tactics used by Viktor Orbán with his interlocutors in Brussels and other Western capitals. Concerning the widely criticised aspects of the media reform, particularly the concept of balanced information and the system of fines, it is evident that Viktor Orbán could not have been unaware that these points were likely to cause problems and draw criticism. As has been evidenced on multiple occasions since then, Viktor Orbán, at the head of a country with considerably less economic and political influence than his detractors in Brussels, has since 2010 employed a negotiating tactic of creating conflict and a power struggle over a single issue. This approach has enabled him to maintain a favourable position, even if it involves making concessions later on - concessions that he always presents as proof of his commitment and good will in the European game. In this instance, the decision to abandon the notion of balanced information has no impact whatsoever on the project of reshaping the media landscape. **This notion, which caused a stir in the European Parliament, is a vague concept with no legal definition liable to give rise to all kinds of fantasies but not really open to criticism beyond political accusations.**

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10 Florence LA BRUYÈRE, 2016, La Hongrie sous l'emprise médiatique du populiste Viktor Orbán, Libération, 8 February 2016, [https://www.liberation.fr/planete/2016/02/08/la-hongrie-sous-l-emprise-mediatique-du-populiste-viktor-orban\\_1432003/](https://www.liberation.fr/planete/2016/02/08/la-hongrie-sous-l-emprise-mediatique-du-populiste-viktor-orban_1432003/)

It could be argued that the issue was purposefully introduced to the European stage to provoke the ire of the Hungarian government's political opponents, who were unable to present a legal and factual argument. This enabled Viktor Orbán to make his mark on the European stage through conflict. Even among his most ardent opponents, Viktor Orbán is recognised as a leader who exerts influence in situations of conflict and power struggles, particularly when he is the initiator of hostilities and subsequently seeks to dictate the tempo of the conflict. This first clash with European politicians in his second term is a perfect example of what can be called the "Orbán method".

### ***Taking back control of the public service media***

In the course of media reform, the new government also committed to a comprehensive restructuring of public service broadcasting. Initially, this remodelling has been met with minimal controversy, and criticism of the new Hungarian government's policy has been focused on the aforementioned aspects of the reform. It is therefore interesting to note that the concept of balanced information (totally vague and without legal content and the system of fines (which subsequently proved to be more unfavourable to pro-government media than to opposition media seemed at first glance to attract more attention from the fierce opponents of Prime Minister Viktor Orbán's policy, as if these people were well aware that, in terms of the neutrality of public service media, the problematic cases within the European Union are far from being isolated. Viktor Orbán is also acutely aware of the situation of public service media in other European countries, and it is for this reason that, upon his return to power in 2010, he was swift to overhaul these media in a manner that favoured his own position.

Between 2002 and 2010, there was a demonstrable bias in the reporting of public service media, with a clear favouring of the various government majorities in power. A particularly illuminating case study in this regard is that of the riots that occurred in the autumn of 2006. On this occasion, the public service media evidently protected the socialist-liberal government in power and its violent repression of the demonstrators. The public media also fostered an environment that was hostile towards anti-government protests. This helped to minimise the scandal caused by the leaked recording of Prime Minister Ferenc Gyurcsány declaring on the day after the spring 2006 elections that he had lied to Hungarians "morning, noon and night".

Viktor Orbán and Fidesz never expected the slightest concession from the public service media between 2002 and 2010, and knew full well which side they were on.

The events of 2006 and the government's handling of the economic and financial crisis of 2008 served to highlight the fact that the public service media were unquestionably working for the liberal-socialist majority in power at the time, with no criticism levelled at them on the European or international stage. It is also noteworthy that the aforementioned media outlets did not attempt to conceal their animosity towards the Fidesz party, despite being aware that it was highly likely to assume power in 2010, given the growing unpopularity of the liberal-socialist government's policies.

Well aware of the prevailing hostility, the Orbán government set about restructuring these media from its earliest days in 2010 by creating a non-profit public fund to oversee public service media: the MTVA (Médiaszolgáltatás Támogató és Vagyonkezelő Alap - Asset Management and Public Service Media Support Fund). Around a thousand people were made redundant when the Fidesz-KDNP coalition came to power, with its members filling key posts in the newly created directorates.

The government's aspirations to regain authority over Hungarian public television and radio have been transparent. Its primary contention has consistently been that, prior to 2010, the Hungarian media landscape was marked by a pronounced imbalance between the pervasive presence of liberal and progressive ideologies and the limited space allocated to conservative and national perspectives. **The government coalition, securing a constitutional majority in the 2010 elections, sought to address this imbalance, not only to consolidate its power but also to showcase its commitment to media pluralism in a period marked by profound polarisation within Hungarian public opinion.** Moreover, the Orbán government has repeatedly asserted - and a political research institute recently corroborated this claim in a study (11) - that the situation of public media in many other Member States of the European Union is also characterised by government oversight of the information disseminated by the public information service. The Hungarian government is keen to highlight cases involving the politicisation of public service media in Germany, France, Italy, Spain and Greece. It has also noted that criticism of these countries is confined to national levels and is not employed as a means of exerting pressure at the European level. It is evident that these countries do not face international press campaigns or allegations from European institutions asserting that freedom of the press is under threat or has even ceased to exist, as has been repeatedly claimed in the case of Hungary.

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11 Növekvő Sokszínűség [growing plurality], institut Nézőpont, 30 september 2020, <https://nezopont.hu/novekvo-sokszinuseg-10-teny-a-magyar-mediáról/>



For instance, the censorship of the intellectual Michel Onfray requested by the Conseil supérieur de l'audiovisuel from France 5 in 2018 (12) did not extend beyond the stage of national controversy, while the unquestionable stance taken by public television in Germany in favour of the German government's immigration policy obviously raised no problem in Brussels.

The accusation of state control over public service media is a flexible tool and proof of a permanent double standard at the European level. According to critics of Hungary since 2010, there is good and bad state control over the media. The arbitrariness practised by the media authority is an act of neutrality if it is applied to defend the fashionable ideology within the European institutions and an attack on the freedom of the press if it goes against this ideology. **The Hungarian government has chosen to openly assume this conflict and expose the hypocrisy of claiming neutrality and respect for public service while in fact conveying political and ideological messages.**

Added to this is a Central European peculiarity that those who comment on the 'death of press freedom' in Hungary pretend to ignore, or even, most of the time, totally ignore. Western Europe has witnessed a long-standing shift towards less pronounced political polarisation within the press, a transition that has been in effect for several decades. In France, the final ideological clashes through the press can be considered to have taken place in the extremely tense political climate caused by decolonisation (1950s, early 1960s). Since that time, there has been only limited political change in these countries, and there is no indication of ideological polarisation. The disparities amongst partisan factions have been rendered relatively negligible by the presence of a political elite that is, in essence, remarkably homogeneous in its political orientation. In Western Europe, the media war can be seen as a conflict of individuals and positions rather than one driven by ideological differences between political families. Even if, after each change of government, the party that comes to power does not fail to place its people in editorial offices and media management positions (Mitterrand in 1981, Sarkozy in 2007), the political turmoil caused by these changes in the public service media is negligible.

**In Central and Eastern Europe, the ideological clashes in the press that were experienced in Western Europe during the 1950s remained frozen for almost fifty years. Even following the collapse of the Eastern Bloc and the subsequent breakdown of the former communist parties' control over entire sections of the media sector, there was still considerable difficulty in manifesting these clashes.**

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<sup>12</sup>Alexis FEERTCHAK, 2018, *Michel Onfray déprogrammé de France 5 après une lettre polémique contre Emmanuel Macron*, Le Figaro, 8 october 2018, <https://www.lefigaro.fr/actualite-france/2018/10/07/01016-20181007ARTFIG00045-michel-onfray-deprogramme-de-france-5-apres-une-lettre-polemique-contre-emmanuel-macron.php>

During his first term in office, Viktor Orbán endeavoured to effect a change in this situation. However, he was not able to achieve convincing results, since the progressives and liberals - who include numerous former communists among their ranks - managed to maintain their domination of the media landscape. This cost Fidesz, at least in part, its victory in the 2002 parliamentary elections. However, a shift in the political landscape occurred in 2010, when Viktor Orbán gained greater democratic legitimacy and legislative authority, enabling him to challenge the liberal left's media dominance. A critical analysis of the political, financial, and human resources allocated towards the restructuring of public service media should be conducted from this perspective, a task often neglected by Western observers..

Hungary's culture of public service information was almost non-existent due to historical and cultural reasons. The country spent almost half a century under Soviet rule and experienced significant political and economic chaos in the 1990s during a rapid transition. This transition was partly led by politicians who had been part of the pre-1990 communist elite. This culture involves considering information as a public good and requires a depoliticisation of information, or a rebalancing of the latter, which is a highly difficult task requiring staff who are convinced of the importance of fulfilling a public service mission. Having never really been applied perfectly, respect for this guiding principle has deteriorated in recent years in Western Europe, where the ideologisation of the information delivered by public service media is striking. In Hungary, and more broadly in all the former satellite countries of the Soviet Union, this principle is brandished by certain left-wing media personalities in Hungary, who, however, have difficulty explaining that this principle was supposedly respected before 2010 and, moreover, occasionally admit that respect for this principle never existed in Hungary, as does the head of the online channel *Partizán*, Márton Gulyás, a media organisation that will be discussed later in this report (13)

The reality is that the ideological stranglehold of communism and the savage privatisations of the 1990s have not allowed the development of a public service information culture in Central and Eastern Europe. Whether or not one may regret this, **European institutions, which are often quick to advocate for diversity and understanding of others, do not pay sufficient attention to this historical peculiarity of Central and Eastern Europe. Instead, they impose a cultural model specific to Western Europe on this region - even though there is considerable doubt as to whether the principle of public service information is actually respected there - on post-communist societies, where information is a highly politicised commodity.**

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13 See below. p. 71

This may or may not be deplored, but to contradict this observation would be to deny the history of these countries. Since their establishment in Hungary, public service media have been subject to direct oversight by political authorities. This was particularly evident in 2004, when Hungary's accession to the European Union coincided with the emergence of controversies surrounding the close ties between the ruling Socialists, communications advisors and public television executives, a situation that elicited minimal response from Brussels and Western European capitals. At the time of Hungary's accession to the European Union, the Hungarian media landscape was characterised by a significant absence of pluralism, with liberal and progressive ideologies – those that were most in vogue within the European institutions – dominating the media discourse. In contrast, conservative and nationalist viewpoints were largely marginalised, with their representation primarily attributable to the influence of Viktor Orbán's political presence.

Given that the Hungarian press has been an opinion press since at least the end of the communist regime, or at least a press that does not have an autonomous existence separate from the political forces in play, critics of Hungary could undertake a real examination of the media forces involved and demand that they have the opportunity to function in the media sphere in a balanced way, , i.e. that they all have media outlets that allow them to express themselves. However, not only do the critics of Hungary ignore this particularity of post-communist countries, but they also accuse the Hungarian government of killing the opposition press and exercising overwhelming domination over the media landscape.

It is no exaggeration to say that the vast majority of the personalities who have been critical of Viktor Orbán's government in recent years regarding press freedom often have only a fairly vague knowledge of the Hungarian media landscape, if any at all. Indeed, it is reasonable to expect that they would be unable to name more than three newspapers or news websites. This may create a misleading impression among observers, leading them to believe that Hungary is a nation where the government exerts significant control over the media, and where independent voices are effectively stifled. The present report aims to address this dearth of information, which is often the result of obvious political hypocrisy. To this end, the compilation of an annotated list of the media present on the Hungarian market is an essential exercise, the result of which could serve as a practical guide for anyone wishing to form an opinion on the state of the press in Hungary.(14)

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14 See below, IV. General list of Hungary's mass media, p. 46

## *Conflicts over the law on the taxation of media advertising revenue*

In 2014, the government was accused of a new attack on the freedom of the press and the media with the introduction of a tax on media advertising revenue, with a progressive rate of between 0 and 50%. The Hungarian opposition and journalists from *Die Welt* and the *Financial Times* (15) argued that this new tax was secretly intended to target the *RTL Klub* television channel (16), critical of government policy and belonging to the German group *Bertelsmann*. According to the Hungarian opposition, all this was to get *TV2* back up and running, as it was then being taken over by circles close to the government.

Furthermore, it is probable that this legislation played a role in the rift that emerged between the media and financial arm of *Fidesz*, Lajos Simicska and Viktor Orbán. The businessman expressed concerns that the government's tax initiative would result in a reduction of his profits, which clearly illustrates the relatively political nature of this legislation. In any case, this taxation did not influence the activities of *RTL Club* and the *Bertelsmann group*, which, seven years later, are still very present on the Hungarian media market and steadfast in their opposition to Viktor Orbán's policies. Nevertheless, in 2014, the American-Latvian Commissioner for Human Rights of the Council of Europe, Nils Muižnieks, stated that the law was a threat to the diversity of the press in Hungary. (17)

In addition, following an investigation that began in March 2015, the Commission considered this 'disguised support' for the pro-government channel *TV2* to be state subsidies in violation of European Union law, since the progressive nature of the rate applied would place certain companies at a disadvantage compared with others, in this case the *RTL Group* compared with the *TV2 Group*. Taking account of this position of the European Commission, the Hungarian government chose to standardise the rate at 7.5%, and even to reduce it to 0% on 1 July 2019, until 31 December 2022.

However, the resolution to effectively annul this tax by establishing its rate at zero is not directly attributable to the criticisms addressed by the European Commission to Hungary.

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15 Boris KÁLNOKY, 2014, Ungarn belegt private Sender mit Sondersteuer [Hungary imposes special tax on private channels], welt.de, 11 June 2014, <https://www.welt.de/politik/ausland/article128954511/Ungarn-belegt-private-Sender-mit-Sondersteuer.html>, published on 12 June 2014 and Hungarian advertising tax raises fear of media clampdown, Financial Times, 11 June 2014, <https://www.ft.com/content/a5a2869a-f08e-11e3-8f3d-00144feabdc0>

16 Európai Bíróság: Nem sérti az uniós jogot a reklámadó [European Commission: The advertising tax does not violate EU law, hvg.hu, 16 March 2021, [https://hvg.hu/gazdasag/20210316\\_Europai\\_Birosag\\_nem\\_serti\\_az\\_unios\\_jogot\\_a\\_reklamado](https://hvg.hu/gazdasag/20210316_Europai_Birosag_nem_serti_az_unios_jogot_a_reklamado)

17 Sándor ZSÍROS, Újabb bírálat az Orbán-kormányról Strasbourgból [New criticisms of the Orbán government from Brussels], Euronews, 15 December 2015, <https://hu.euronews.com/2014/12/15/news-ujabb-biralat-az-orban-kormanyrak-strasbourgbol>

Indeed, a few days before this decision, on 27 June 2019, the CJEU ruled against the Commission's opinion, thus giving the Hungarian government free rein to politically capitalise on this victory over the European institutions. The outcome of this procedure would result in a new victory for Hungary on 16 March 2021. (18)

**The issue of government influence over advertising in the Hungarian media remains a contentious subject. Critics often point to the perceived imbalance in the media market, citing the government's tendency to allocate state advertising more readily to media outlets that align with its policies, rather than to those that are perceived as antagonistic.** The veracity of this accusation is indisputable, and it is evident that in terms of advertising revenue, pro-government media significantly outstrip those media outlets that claim to be 'free and independent'. This imbalance partially explains why, in the Hungarian media market as a whole, government-friendly media outlets account for more than two thirds of the total market, if we consider only the revenue of press groups. (19)

The opposition media never miss an opportunity to denounce this monopolisation of revenue by the pro-government media. This observation is presented as the primary evidence of the Hungarian government pursuing a policy that stifles the critical press and prevents free media from expressing themselves. However, a study (20) co-authored by an analyst who is critical of government policy and is affiliated with the *Mérték* project, which is supported by a partnership with *the National Endowment for Democracy*, demonstrates that the strategic and selective allocation of advertising is not a novel phenomenon and was already prevalent prior to 2010. Moreover, prior to 2010, the liberal and socialist forces dominated the media market in the same proportions in terms of net revenue. An analysis of the media market from the perspective of advertising revenue is largely incomplete because it necessarily suffers from a lack of information that would allow for an accurate measurement of online media content. For instance, the most recent study on this subject (21) exclusively considers four news portals (*Origo*, *Index*, *24.hu*, *444.hu*), while obviously prioritising more conventional media such as television and the regional press. The links of interest and the partnerships available to the opposition media are not taken into account, as such studies focus on the media market in the traditional sense. However, as shall be demonstrated later, the dynamics of real media are at another level.

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18 Judgments in cases C-562/19 P Commission v Poland and C-596/19 P Commission v Hungary

19 Mindent beborít a Fidesz-közeli média [The Fidesz-affiliated media monopolise everything], Mértékblog, 25 April 2019, <https://mertek.atlatszo.hu/mindent-beborit-a-fidesz-kozeli-media/>

20 Attila BATORFY, Ágnes URBÁN, 2019, State advertising as an instrument of transformation of the media market in Hungary, *East European Politics*, 7 September 2019, <https://www.tandfonline.com/doi/full/10.1080/21599165.2019.1662398>

21Ibid.

In these calculations, which take advertising revenue into account, no mention is ever made, for example, of the funding possibilities available to the *Mérték* project through its partnership with the *National Endowment for Democracy*, a shadowy North American organisation whose financial clout is infinitely greater than that of the Hungarian government.

### ***B) Nature and origin of the criticism***

It is an arduous task to compile a comprehensive list of all the criticisms directed towards Hungary with regard to press freedom since 2010. However, the consistency of some of these criticisms is noteworthy. The Western press frequently elects to report these criticisms by quoting slogans, without evidently addressing the question of the origin of such criticism when required. The following three examples seek to interrogate the objectivity of this criticism.

#### ***Reporters Without Borders***

The Worldwide Press Freedom Index, compiled by Reporters Without Borders (RWB), has seemingly become the global standard for evaluating press freedom. The opposition frequently cites this index to substantiate claims that Hungary's press and media environment has deteriorated since the rise of Viktor Orbán to power in 2010. Indeed, Hungary has since fallen to 92nd place in this ranking, which is equivalent to a loss of 33 places since 2013 (22).

**The methodology of the World Press Freedom Index includes the following topics and indicators: pluralism, media independence, environment and self-censorship, legal framework, transparency, infrastructure and finally abuses.** The final score is calculated in two stages: the first score only takes into account the first six indicators, while the second score includes the first six indicators plus the seventh - abuses. The final score for a given country is the higher of the two, bearing in mind that the higher the score, the worse the result. This methodology has been developed in order to prevent a country from automatically ascending in the ranking in the event that there is little or no recorded abuse. Consequently, Hungary finds itself positioned in the ranking at the level of countries where abuses and physical violence against journalists are prevalent. This raises significant concerns about the validity of the methodology and the reliability of the resulting ranking.

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22 Agnès FAURE, 2020, La liberté de la presse en Europe, 9 December 2020, <https://www.touteleurope.eu/l-europe-et-moi/la-liberte-de-la-presse-en-europe/>

The application of generic and abstract criteria to all countries without consideration of their historical context and national media markets is a key point of concern.

Although it claims to be the result of scientific work, the RWB ranking undoubtedly contains a political bias, as evidenced by the recurrent use of the term 'populist' in the organisation's various reports. RWB rightly points out that the allocation of advertising space in the media in Hungary has the effect of distorting the media market in Hungary. **But at no point does RWB mention that this system is not new and that it was already widely used by the socialists and liberals before Viktor Orbán returned to power in 2010, i.e. at a time when the situation of the press in Hungary did not provoke negative reactions from international organisations.** In reality, this system of distributing advertising revenue exists mainly because the Hungarian press does not benefit from a system of subsidies as is the case in France.

Furthermore, the objectivity of RWB can be questioned in many respects. Indeed, 40% of RWB's financial resources are provided by public subsidies from various states (Germany, France, the United Kingdom, Sweden) or even directly from the EU (23), which obviously raises a problem of independence when it comes to judging the situation of the press in other states. This raises concerns about Western countries undermining the credibility of Eastern countries through the application of a methodology that they regard as scientific. The moral superiority exhibited by these Western nations is a valid subject for scrutiny.

### *Freedom house*

In March 2021, the US-based organisation *Freedom House* downgraded Hungary's rating again (24) in its report on democracy, political freedoms and human rights (25). In this report, *Freedom House* gives Hungary a rating of two out of four for media freedom and independence. The organisation's report draws attention to the cases of *Népszabadság* (26) and *Index* (27), the *KESMA* (28), the government's stranglehold on public television, and the regional press, as well as the laws passed during the covid crisis that began in March 2020.

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23Transparence financiere, RSF, accessed on 4 December 2021, <https://rsf.org/fr/transparence-financiere>

24Vladyiszlav MAKSHIMOV, 2021, Hungary drops in Freedom House report, 26 March 2021, [https://www.euractiv.com/section/politics/short\\_news/hungary-drops-in-freedom-house-report/](https://www.euractiv.com/section/politics/short_news/hungary-drops-in-freedom-house-report/)

25 Freedom in the world, Hungary, accessed 4 December 2021, <https://freedomhouse.org/country/hungary/freedom-world/2021>

26 See below p. 33

27 See below p. 60

28 See below p. 33

It is important to note that these are subjects that all Hungarian media outlets critical of the government are free to discuss without being hindered by political authorities. Even less accurate than the work carried out by RWB, that of *Freedom House* oozes partiality and struggles to hide its political bias. Its latest report covers cases and conflicts that the Hungarian opposition freely discusses in Hungary. It is notable that all the information contained within this report is freely available in the Hungarian press, which is known to be hostile to the government of Viktor Orbán..

*Freedom House* is an organisation that is mainly financed by the American government, but also by the European Union (29). It does not really hide the role it plays in defending American interests. **Moreover, its activities are regularly criticised by press organisations that can hardly be suspected of political and ideological collusion with Viktor Orbán, such as the *Washington Post* (30).** *Freedom House* is very clearly a tool for projecting US power beyond the borders of the United States. Its proximity to fringes of the US state apparatus is no secret, and its annual reports on the state of democracy in the world are a way for it to gauge the level of compatibility of a state's policy with US interests. The same goes for the *Carnegie Foundation* (31) or media projects funded by the *National Endowment for Democracy* in Hungary - all of them nebulous organisations making it difficult to refute the observation that a 'free and independent' press for *Freedom House* actually means a press favourable to the strategic interests of the United States. In this respect, the episode of Donald Trump's presidency is ambiguous, as President Trump never really had a grip on US diplomacy and services. Although openly favourable to Donald Trump, the Hungarian government did not manage to escape criticism from US organisations defending interests that President Trump did not control.

### ***The media and freedom of the press in the Sargentini report***

The report, presented by the Dutch Green MEP Judith Sargentini, relates to a proposal calling on the Council to determine, in accordance with Article 7(1) of the Treaty on European Union (TEU), the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded (32).

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29 Stanislas DE SAINT HIPPOLYTE and Philip CROWTHER, *Freedom House, une ONG au service de la promotion de la démocratie* [Freedom House, an NGO promoting democracy], FRANCE 24, 14 February 2012, <https://www.france24.com/fr/2012-02-11-droits%20de%20l%27homme-politique%20%C3%A9trang%C3%A8re-Etats-Unis-d%C3%A9mocratie>

30 Sarah BUSH, 2017, Should we trust democracy ratings? New research finds hidden biases, *The Washington Post*, 7 November 2017, <https://www.washingtonpost.com/news/monkey-cage/wp/2017/11/07/why-do-we-trust-certain-democracy-ratings-new-research-explains-hidden-biases/>

31 Mihály KECSKEMÉTHY, 2017, La fondation Carnegie attaque Budapest et Varsovie [The Carnegie Foundation attacks Budapest and Warsaw], *Visegrád Post*, 11 September 2017, <https://visegradpost.com/fr/2017/09/11/la-fondation-carnegie-attaque-budapest-et-varsovie/>



The report was adopted on 12 September 2018 by a majority of 448 votes in favour, 197 against and 48 abstentions. This vote in the European Parliament enabled Article 7 of the TEU to be invoked against Hungary, marking a significant point in the ongoing tensions between Hungary and the European institutions. Notably, 116 elected representatives of the European People's Party broke their coalition with Fidesz, aligning with Judith Sargentini's position.

In the section dedicated to 'media and freedom of expression', the report parrots the arguments deployed by the anti-government Hungarian media and the Hungarian opposition since 2010, as well as the results of the 2017 RWB ranking, and those of the 2017 *Economist Intelligence Unit* (33). The report fails to provide any concrete evidence that the Hungarian press is genuinely 'free and independent' or not. Apart from the studies and rankings mentioned above, there is an absence of any evidence to suggest that the Hungarian government exerts more influence over the public service media than other governments of European Union member countries do over theirs.

This report refers to the work of the Venice Commission on Hungary, which, in its opinion of 22 June 2015 (34), had taken up most of the criticisms levelled at the 2010 media reform. In fact, every time a commission goes to Hungary to inquire about the press and media situation, it is advised by members of Viktor Orbán's opposition. In September 2021, this was simply admitted, as one of the members of the LIBE 35 Committee in Budapest to 'investigate' was none other than Hungarian MEP Anna Donáth, a member of the Momentum party and known to be one of the most vocal opponents of the Hungarian government's policy.

It is evident that the methods employed by the LIBE Committee, the Venice Commission, the Office of the OSCE Representative for Media Freedom, and the Council of Europe Commissioner for Human Rights (all cited in the Sargentini Report) remain consistent. These methods involve the relaying of the grievances of the Hungarian opposition at the European level. Conversely, it could be argued that the Hungarian opposition is merely repeating a discourse that has been dictated to it in Brussels.

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32'Report on a proposal calling on the Council to determine, in accordance with Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded', 12 September 2018, [https://www.europarl.europa.eu/doceo/document/A-8-2018-0250\\_FR.html](https://www.europarl.europa.eu/doceo/document/A-8-2018-0250_FR.html)

33 British company belonging to The Economist Group, which is itself owned by Exor (43.4%) and the Cadbury, Rothschild and Schroder families.

34 Opinion on media legislation (Act CLXXXV on media services and the media, Act CIV on freedom of the press and legislation concerning the taxation of media advertising revenue) in Hungary, adopted by the Venice Commission at its 103rd plenary session (Venice, 19-20 June 2015), [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2015\)015-f](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2015)015-f)

35Ábrahám VASS, 2021, EP's LIBE Committee in Hungary to Assess Rule of Law Situation, Hungary Today, 30 September 2021, <https://hungarytoday.hu/ep-libe-eu-committee-hungary-government-orban-rule-of-law-press-democracy/>

Accurate tables of the real media forces are never drawn up. There is no examination of the reality of discrepancies in editorial lines within the Hungarian media landscape, while Hungarian citizens are completely excluded from these processes. Instead, dialogue takes place between the investigators and those hostile to the Hungarian government. Furthermore, it can be argued that the conclusions of these reports are often predetermined, as the majority of investigators are affiliated with political forces that are in opposition to Fidesz-KDNP.

### **III. The Hungarian media in action**

#### ***A) An intensely polarised media landscape***

Following his return to power in December 2010, Viktor Orbán found himself the subject of a growing opposition, as critics accused the Hungarian government of undermining freedom of the press and the media. The progressive press in Western Europe was soon joined by the first critics from the Hungarian opposition parties and 'civil society', followed by non-governmental organisations taking an interest in the Hungarian case. The unifying message from these disparate groups was one of condemnation, with the sentiment that press freedom in Hungary had been effectively extinguished.

#### ***Developing a common front against Orbán***

The Hungarian Socialist Party (MSZP) expressed its opposition to the adoption of the media law as early as December 2010, but became increasingly antagonistic towards the reform as the debate continued at the European level, with Hungary assuming the presidency of the European Union in January 2011. On 16 February 2011, the MSZP called for a full review of the law and amendments to bring it into line with 'civilised European standards' and the requirements of freedom of the press and media independence (36). Fidesz then accused the MSZP of acting against the interests of Hungary in the European Parliament by circulating a document in Brussels and Strasbourg that expressed a strong opposition to the media law and sought to garner European support for a campaign against the government in Budapest. This accusation by Fidesz serves as a quintessential illustration of the pattern that has characterised Hungarian politics ever since: Fidesz accuses its opposition of acting as agents of Brussels, a political stance that leads to a situation in which opportunities for dialogue become increasingly few and far between, if not non-existent.

From the moment this media reform was voted on, the LMP (*Lehet Más a Politika* - Politics can be different) was also highly critical, but its opposition to the government took longer to be directly connected to European and international spheres, whereas this was very quickly the case for the MSZP. A similar dynamic was observed in Jobbik, which, in the 2010-2011 period, still believed that such deliberations should be resolved at the national level and did not yet hold a favourable view of the European Union and international actors.

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36 Az MSZP a médiatörvény teljes felülvizsgálatát szeretné [The MSZP would like a complete review of the media law], HVG/MTI, 17 February 2011, [https://hvg.hu/itthon/20110217\\_mediatorveny\\_mszp](https://hvg.hu/itthon/20110217_mediatorveny_mszp)

This far-right nationalist party, which would later shift its support to the liberal left (37), expressed opposition to certain provisions of the law and proposed amendments to that effect (38).

It is evident that the opposition parties have come to the realisation that it is almost impossible for them to prevail over Viktor Orbán, particularly in light of the dispersal of their forces, as evidenced by the 2014 elections. This realisation is compounded by the escalating number of grievances lodged against Hungary (new fundamental law, cooperation with Putin's Russia, etc.), which have led to the gradual formation of an anti-Orbán coalition, including Jobbik. All the while, it became increasingly clear that the rhetoric they used was largely identical to that used by the anti-Orbán narrative at the European and international level. Concerning freedom of the press and media, this observation cannot be disputed, as the Hungarian anti-Orbán front seems to speak with the same voice as the Western media and NGOs.

### ***Two irreconcilable blocs***

Following the return to power of Viktor Orbán in 2014, significant movements took place in the Hungarian media and press market. The most substantial media market movement to be witnessed in Hungary since the 2010 reform occurred on 6 February 2015: Lajos Simicska, the financial arm and long-time friend of Prime Minister Viktor Orbán, who owns a significant share of the Fidesz media empire, severed ties with his clan and called his old friend Viktor Orbán a "fuckhead". Lajos Simicska initiated a purge of his newspapers (particularly *Magyar Nemzet*) and television channel (*Hír TV*), transforming them into a vehicle for anti-Orbán propaganda. Simicska's subsequent rapprochement with Jobbik, a far-right party undergoing a radical transformation to align with the liberal opposition, further underscores this strategic shift. The *G-nap* (G-nap, for 'geci', literally 'fuck', in English 'fuckhead') symbolically marks the beginning of the 'all against Orbán' strategy, often referred to as O1G ('Orbán egy geci', in English O1F: 'Orbán is a fuckhead').

The governing coalition found itself deprived of its flagship media outlets, with only the public media to fall back on. Paradoxically, after almost five years in power and a constitutional majority, two landslide victories in the 2010 and 2014 general elections, Fidesz-KDNP now finds itself, after the 'G-nap', in the minority in the media, as was the case before 2010. Of course, since the hatred of Viktor Orbán began long before 2015, no member of the European institutions or NGO was offended by this new imbalance in the Hungarian media and press market.

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37 Jobbik: brève histoire d'un virage à 180 degrés (Jobbik: a brief history of a 180-degree turn), Visegrad Post, 24 March 2019, <https://visegradpost.com/fr/2019/03/24/jobik-breve-histoire-dun-virage-a-180/>

38 Jobbik: A médiatörvény magyar belügy [Jobbik: The media law is a matter of Hungary's internal affairs], HVG/MTI, 20 January 2011, [https://hvg.hu/itthon/20110120\\_jobik\\_mediatorveny](https://hvg.hu/itthon/20110120_jobik_mediatorveny)

Without the 2015 migration crisis, the government coalition, whose leeway in the media was greatly reduced at the time, could have found itself in serious difficulties. Even with far fewer media weapons than before the defection of Lajos Simicska, the government still managed to skilfully use its position on the migration issue to put its opponents in a great deal of embarrassment, essentially on two levels:

- **The migration crisis of summer 2015 provided an opportunity to observe that the government's firm stance was supported not only by its voters but also by a considerable proportion of the opposition electorate. In reality, with the exception of a liberal and ultra-connected fringe in the Budapest city centre, there is virtually no support for a pro-immigration policy in Hungary.**
- **This crisis constituted the political moment at which Fidesz stripped Jobbik of its essence and individuality. It appeared that the primary concern of the party was its alliance with the Hungarian left rather than the formulation of a coherent discourse on immigration.**

The Fidesz-KDNP thus attempted to regain lost media momentum due to G-nap by garnering public support for its unequivocal stance on immigration and its capacity to impose this issue, a matter that has received scant attention in Hungarian society. Nevertheless, this 'triumph of ideas' will not be sufficient to satisfy the Fidesz system, which then set to promote Lőrinc Mészáros in order to compensate for the departure of its oligarch Lajos Simicska.

#### *Lőrinc Mészáros and KESMA*

Lőrinc Mészáros was still mayor of the village where his friend Viktor Orbán came from when he first started winning tenders in various sectors before becoming an absolutely key element of the Fidesz system. From 2017, Lőrinc Mészáros clearly became the financial arm of the Hungarian government, and since 2019 he has been the richest man in Hungary and the first billionaire in euros in Hungarian history.

His role in the media market is pivotal, as he is at the core of the strategy to regain lost ground following Lajos Simicska's departure in February 2015. The new Fidesz media strategy is implemented with the purchase of *Mediaworks*, the company that manages *Népszabadság*, the historic daily newspaper of the Hungarian left, by circles close to Lőrinc Mészáros. As with all European print media, this daily newspaper was facing significant economic difficulties due to a decline in readership (from 460,000 copies in 1989 to 37,000 in 2016).

It is important to note that in France, such challenges are often addressed through state subsidies. The survival of most French printed newspapers hinges on this state support, which inevitably raises concerns about the independence of the press. It is noteworthy that European institutions and NGOs, often swift to denounce perceived violations of press freedom in Hungary, appear reluctant to address this issue. In contrast, Hungary's press relies on private investment, and the system of subsidies available in France does not exist.

The takeover of *Mediaworks* resulted in the closure of the daily newspaper *Népszabadság* and prompted an outcry from the Hungarian opposition and its European and international representatives, once again bringing Hungary to the forefront of progressive Western media outlets. It could be argued that, even without the involvement of Viktor Orbán's associates, the daily newspaper would have eventually gone bankrupt and closed. This could therefore be considered a strategic error by the government, which has once again drawn the ire of Brussels and the foreign media that are hostile to it. This is without factoring in the 'Orbán method' described above, which, it should be remembered, consists of deliberately creating conflict and a power struggle, a situation from which Viktor Orbán always emerges stronger, particularly when he manages to set the pace of the conflict for his opponents. This has been a winning method since Fidesz-KDNP won a two-thirds majority for the third time in the 2018 parliamentary elections, while Lajos Simicska withdrew from politics after the defeat of his 'all against Orbán' strategy.

The day after the elections, the government used the ruins left behind by Lajos Simicska to establish a large foundation (*KESMA—Közép-Európai Sajtó és Média Alapítvány*, in English: Central European Press and Media Foundation) bringing together almost all pro-government press and media organisations, with the obvious exception of the public media managed by the MTVA, which was the government's last refuge during Simicska's anti-Orbán cabal between February 2015 and April 2018. The creation of *KESMA* marks the return of *Hír TV* and *Magyar Nemzet* into the government coalition, thereby forming a prominent Hungarian media entity that enjoys unwavering support at the highest echelons of the state.

Nevertheless, this new Fidesz media empire will not be sufficient to prevent the end of its domination of Hungarian politics. The most recent Hungarian municipal elections took place on 13 October 2019, marking the conclusion of a significant sequence of electoral victories for the Fidesz-KDNP coalition that began in 2006. The government coalition lost the mayoralty of Budapest and several major provincial towns, while its dominance was maintained in villages and smaller provincial towns. Although the outcome is not a defeat for the coalition led by Viktor Orbán, this 13 October 2019 marks the conclusion of an era and provides the Hungarian opposition with a renewed sense of optimism as it unites its efforts in opposition to the Prime Minister.

The media tactics employed by both sides played a significant role in determining the election outcome. This event, akin to a minor seismic shift, offers a valuable perspective on the dynamics of media and politics in Hungary.

### ***B) The real dynamics at work in the Hungarian media***

Despite the recent changes to the public service media landscape, the purchase of several opposition press outlets, and the formation of a pro-government media consortium, Hungary's media landscape remains highly diverse, defying the notion of uniformity that Hungary's critics have been talking about since 2010.

It is also worth noting that, since Fidesz-KDNP came to power, if those condemning the situation of the media in Hungary are to be believed, press freedom should have ended a good ten times already. As demonstrated above, these accusations are driven more by political agendas than by any genuine concern for the state of the media and the press in Hungary. In reality, the Hungarian media landscape is divided into two more or less equal parts, which corresponds to the Hungarian political landscape, which has been characterised by a strong bipolarisation since 2002, and even more so since 2010.

Viktor Orbán recently commented on this subject during an interview with the German newspaper *Welt am Sonntag*, stating: **'More than half of our media outlets are very critical of the government; objective studies show that the media critical of the government represent more than 50% of the market.'** In response to this statement, the online media outlet *Válasz Online*, which is owned by journalists with a liberal-conservative stance and a critical view of the government, published an overview of the Hungarian media on 4 January 2021. This overview briefly focused on their editorial stance and funding. We have updated, greatly expanded and, above all, analysed this table, which in Hungarian is still the most up-to-date on the subject, with comments and considerations for the use of the non-Hungarian public, a work that can be consulted in part IV of this chapter (39).

### ***Lack of political correctness***

Like all Member States of the European Union, Hungary has constitutional guarantees of freedom of the press and freedom of expression -

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<sup>39</sup> See below p. 46

in this case, Article IX of the section on rights and duties ('Freedom and Responsibility') in the Hungarian Fundamental Law (40):

*'Everyone has the right to freely express their opinion [...] Hungary recognises and defends the freedom and diversity of the press, and guarantees the free information necessary for the shaping of a democratic public opinion.'*

As with other so-called 'liberal' democracies, this constitutional guarantee, which is central to the legal identity of these states, **remains formal and cannot be taken into account as something in itself without considering the economic and political implications that characterise the media sector.** The main difference between the Hungarian media sector and the media sector in Western Europe is the place occupied by conservative and national political positions. In the French case, it is clear that progressive and pro-European ideas have an overwhelming majority, while bonuses are even provided for *France Télévisions* journalists who mention the EU the most (41) - a market domination that is only counterbalanced by certain voices expressed in a few mainstream media (*CNews*, *Valeurs Actuelles*, *Figaro Magazine*, etc.). The criticisms levelled at the methods of billionaire Vincent Bolloré (42) undoubtedly stem from the unease caused by the modest challenge to the undeniable domination of progressive ideas in the French media.

Taken as a whole, the French media sector, the private media (monopolised by a handful of investors), and the public service media, conveying biased ideas and analyses, leaves only a tiny space for conservative, sovereignist and national visions. In France, for instance, there is a discernible discrepancy between public opinion and the content disseminated by the media landscape. In Hungary, this share is not insignificant, representing 50% of the media landscape. Importantly, it is not subject to thought control mechanisms as in Western Europe. In Hungary, conservative and national voices are expressed much more freely than in France, and do not shy away from the political correctness imposed in the mainstream media in France. Freedom of speech is more robust in Hungary than in France when discussing subjects such as immigration, the LGBT lobby and national sovereignty, which the major French media tend to stifle.

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40 Fundamental Law of Hungary, 25 April 2011,

[https://nemzetikonyvtar.kormany.hu/download/1/00/50000/francia\\_nyomda.pdf](https://nemzetikonyvtar.kormany.hu/download/1/00/50000/francia_nyomda.pdf)

41 Étienne CAMPION, 2021, Des journalistes de France TV mieux payés s'ils parlent de l'UE ? Le rêve européen à marche forcée, *Marianne*, 19 January 2021, <https://www.marianne.net/agora/humeurs/des-journalistes-de-france-tv-mieux-payes-sils-parlent-de-lue-le-reve-europeen-a-marche-forcee>

42 'Le système B': le documentaire choc de RSF sur le système Bolloré, RSF, 15 October 2021, <https://rsf.org/fr/actualites/le-systeme-b-le-documentaire-choc-de-rsf-sur-le-systeme-bollore>



**The Hungarian media landscape is characterised by significant division and polarisation, resulting in a considerably broader scope of discourse compared to that observed in Western European media. There are clearly fewer taboo subjects there than in France.**

This ideological divide within the Hungarian media is moreover openly acknowledged - an attitude that is difficult for the Western public to grasp - although the Hungarian opposition media tend to deny their political involvement and claim objectivity and independence.

#### *The issue of independence and objectivity*

This issue is a recurring point of contention between the opposition and pro-government media, with the latter accusing their opponents in the media market of hiding behind an alleged objectivity and independence, thus erecting a façade concealing their political activism. *Telex.hu* and *444.hu* journalists regularly reiterate their role of fulfilling a public information mission based on objective and independent work. In two recent debates with pro-government journalists, journalists László Szily (*444.hu* (43)) and Tamás Fábíán (*telex.hu* (44)) recalled the conviction with which they strive to fulfil this role. It is rather difficult to judge the sincerity of their words, but objective factors can be used against them.

**Firstly, in our opinion, there is no such thing as independent journalism when a media organisation is not funded exclusively by its readers.** However, as detailed in the overview of the media organisations in this report (45), media organisations claiming to be 'independent and objective' cannot operate without private investment, which is often linked, as we shall see, to Western financial interests. Media outlets have noted that this financial support does not obligate them to any specific actions. This is undoubtedly correct, as the system is so well-oiled that it would be inconceivable for them to act against their sponsors, who probably do not give them any direct orders and are well aware that the beneficiaries of this financial support will not cause any problems.

**Secondly, the journalists working in the editorial offices of these 'objective and independent' media outlets are transparent about their political orientation and their opposition to the government.** While they may not be directly affiliated with political parties, their thematic approach is fundamentally at odds with that of the government.

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<sup>43</sup>Huth vs Szily - Ki a hiteles újságíró? [Huth vs. Szily - Who is a credible journalist?], *444.hu*, 17 September 2021, <https://www.youtube.com/watch?v=83S64kMBIaI>

<sup>44</sup>Fábíán Tamás - Bohár Dániel vita az újságírásról [Debate between Tamás Fábíán and Dániel Bohár on journalism], YouTube channel of Tamás Fábíán, 10 March 2021, <https://www.youtube.com/watch?v=uEAivakwXmQ>

<sup>45</sup>See below p. 46

In summary, a journalist who opposes same-sex marriage and mass immigration would not be suitable for employment at *telex.hu* or *444.hu*, as their teams are clearly comprised of individuals with shared intellectual, ideological and political affinities. This façade of objectivity and independence is also, if not even more, a subject of debate in France: the recent report on the Bolloré system (in which some media outlets show conservative and nationalist views) is based on testimonies from journalists outraged by the methods of the French businessman, which they claim go against the profession and vocation of journalists, whose core purpose is to carry out their work with complete neutrality.

**Thirdly, the tone and style of the articles in the 'objective and independent' media (particularly those of *Telex* and even more so those of the *444* website) are undeniably subjective.** This subjectivity is further compounded by the assertion of *444* as a *pure-player*, claiming to be the heir to *gonzo journalism*, the very principle of which is hyper-subjectivity. This pure-player has also just launched a fact-checking site in partnership with *AFP* and the European Commission (46), which demonstrates the true face of this supposed objectivity.

It is one thing for these media outlets to have journalists who are convinced of their vocation and their role as neutral journalists. On the other hand, it would be extremely difficult to refute the observation that their work consists first and foremost of attacking the Hungarian government, which is their strictest right, moreover constitutionally guaranteed and never seriously challenged by the government in power. On the contrary, the rise and domination of opposition media seems well under way, and even irreversible, especially online, a place of media expression that is gaining momentum—a phenomenon from which Hungary is obviously not exempt.

### *The Hungarian left rules the web*

Recent studies have examined the media consumption habits of Hungarians, challenging the notion that pro-government media dominate the Hungarian media landscape. In fact, the findings of these studies indicate that anti-government media outlets are more successful in terms of online reach and engagement than pro-Fidesz media outlets. However, this discrepancy is primarily attributable to social habits rather than to political affiliations.

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<sup>46</sup>See below p. 46

The most up-to-date study (47) is that of the *Republikon* Institute, which was published in June 2021. It is funded by the European Union and headed by former SZDSZ minister Gábor Horn, meaning that the institute cannot possibly be suspected of pro-government sympathies.

One of the key findings of this study is that *RTL Klub*, a clear opponent of Viktor Orbán's policies, holds the distinction of having the highest audience ratings in Hungary, second only to the pro-government channel *TV2*. These two channels dominate the Hungarian media landscape, with television remaining the preferred medium among the Hungarian population.

The study also shows that 56% of Hungarians use online news portals to get their news, with *Origo* (pro-government), *Index* (undecided status (48)) and *24.hu* (opposition) being the most visited sites. The study also notes the growing role of social networks in the media consumption habits of the Hungarian population, with half of the population using Facebook daily to get information and only a third of the population claiming never to use Facebook.

**The key finding is that there is a marked divide in terms of demographics; television is mainly watched by older people with fewer educational qualifications, while news portals are the preferred information source for young graduates living in large urban centres.**

The government therefore exerts significant influence over a relatively static press that may not always reflect the pace of change in Hungarian demographics and society. Without public television and the regional press, which are subject to a government monopoly and primarily appeal to an elderly and provincial electorate, the government would face significant challenges in the media landscape. It cannot compete with the steamroller of liberal online media, which exerts an overwhelming media domination, despite the one and only success of a pro-government site: *origo.hu*.

**It is interesting to note that Hungary's detractors on the issue of freedom of the press never make this observation: the government is in many ways at a disadvantage with regard to the growing size of online media that is unfavourable to it.**

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47Médiafogyasztás Magyarországon Televíziós csatornák, hírportálok, közösségi média [Media consumption in Hungary - TV channels, news sites, social networks], Republikon Intézet, 28 June 2021, <http://republikon.hu/media/98833/republikon-mediafogyasztas-21-06-28.pdf>

48 The Index portal was bought out by circles close to the government in 2020. Its current editorial line remains difficult to identify. See below p. 60

Another study (49), this time carried out by an institute close to the government, *Nézőpont*, points out that only 4.6% of the adult population exclusively consumes pro-government media. This figure highlights the limited influence of pro-government media in Hungary, with the majority of the population relying on opposition media for their information. It is interesting to note that government-affiliated institutes seem to welcome this hold of the opposition media, as it serves to contradict claims made by Hungary's detractors and demonstrates the existence of media pluralism in the country. This is an admission of weakness and a recognition that the pro-government media are clearly lagging behind their opposition adversaries. Faced with the media machine deployed on the web thanks to the media fiercely opposed to government policy (444, *Telex*, *Partizán*, *24.hu*, *Mérce*, *HVG*, etc.), the Hungarian government and its media are completely disoriented and are lagging behind, thinking that the consolidation of their television assets (public television, *TV2*) and their monopoly on the regional daily press (addressing an electorate that they will not lose anyway) can be of any use in catching up with the lead taken by the opposition in the media landscape.

The *Nézőpont* institute's study provides further evidence of the government's challenges in adapting to and effectively managing the evolving media landscape, particularly in light of the growing influence of social networks and online platforms. 43.5% of the Hungarian population sources information from opposition and pro-government media, without consulting public media. Consequently, almost one in two Hungarians has no need of the government-controlled public media for keeping themselves informed. Only 38.5% of the population consumes public media. Finally, 84.4% of the population consume conservative media and 82.7% liberal media, which means that the majority of media consumers in Hungary have access to all types of information and consume media content from both Hungarian political camps.

Furthermore, the ideology and standards accepted on social networks are equally unfavourable to the Hungarian government. Hungarian-language content is moderated by a German company, *Arvato*, a subsidiary of the Bertelsmann group, which owns the leading Hungarian private television channel, *RTL Klub*. **Censorship on social networks has so far never affected content relayed by the media and Hungarian opposition politicians, but can instead affect those close to the government.**

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49 op. cit. *Nézőpont* institute

### *Hungarian media in the age of social networks*

In February 2020, a protest involving 5,000 people (50) took place in front of Google's Budapest headquarters to protest against the removal of the YouTube channel of the pro-government site *Pesti Srácok* for allegedly spurious reasons that struggled to hide a clear political bias.

Among the demonstrators was the former opposition MP and left-wing lawyer András Schiffer, who gave a speech targeting the censorship exercised by Big Tech:

*'When discussing freedom of the press, we always thought of television and radio, and we believed that everyone would express themselves freely on the internet, which has not been the case. [...] Whoever holds sway over opinion on the internet will be able to dominate the political and cultural sphere. And we will not be able to vote against these people. This is what is happening right now.'*

Other speakers at the event expressed their dismay at the reticence of organisations that are always quick to point the finger at 'attacks on press freedom', such as *Amnesty*, *Transparency International*, *TASZ* (*Társaság a Szabadságjogokért*—*Association for Public Liberties*), etc. The European Union also failed to react to this online media censorship.

It appears improbable that *Google* will ever implement such suppression measures on any Hungarian media outlets that are not aligned with the current government. The opposition media has a significant online presence and appears to be undeterred by content moderation measures. This is perhaps not surprising, given that these media outlets share financial, ideological and political interests with the companies responsible for carrying out this moderation work.

Although it knows it is overwhelmed and dominated by its opposition in the field of online media and social networks, the government only openly admits this weakness following the government coalition's setbacks in the 2019 municipal elections (loss of Budapest and several major provincial cities). **The changing demographics of the Hungarian electorate indicate that a growing segment of the electorate is no longer aligned with the traditional political discourse of Fidesz, which emphasizes the alleged betrayal of regime change by the Socialists and the persistent reminder of the disastrous Gyurcsány years (2004-2009).**

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50 László VÉSEY KOVÁCS, 2020, Sok ezer ember tüntetett a kibersztalinizmus és a cenzúra ellen [Several thousand people demonstrated against cyber-Stalinism and censorship], *Pesti Srácok*, 2 February 2020, <https://pestisracok.hu/maga-a-lopakodo-diktatura-sok-ezer-ember-tuntetett-a-kibersztalinizmus-es-cenzura-ellen-kepgaleriaval/>

**Young voters are not receptive to this discourse, and their media consumption behaviour poses a challenge for the Hungarian government.**

So in autumn 2019, the government took note of this and changed its media strategy, even though the next election was not imminent at the time - the parliamentary elections would be held in April 2022. Fidesz figures took over social networks, pro-government YouTube channels were created and influencers praising the government's political line were brought on board.

Every week, on the progressive government-critical website Telex, the Hungarian journalist Zsolt Hanula publishes a weekly summary of what he calls the 'like championship' (*Lájkbajnokság* (51)), a quantitative study of political and media presence on social networks. While his work may appear futile at first glance, it is essential for understanding the evolving landscape of political communication. In today's digital age, political forces no longer rely solely on traditional media outlets such as print media, television, and radio. Instead, they constantly monitor digital indicators that provide them with real-time insights into their current standing and the dynamics of the political market.

The government's media strategy experts have evidently referenced examples such as the YouTube channel *Partizán*, hosted by Márton Gulyás, which features content that is critical of government policy. This YouTube channel is undoubtedly, along with *Telex*, the biggest media success in Hungary in recent years, and has a visibility that, for certain programmes, can be ten times higher than that of the private pro-government television channel *Hír TV*, whose audience share struggles to exceed 3% (52).

In May 2021, in response to the success of the *Partizán* channel, the pro-government YouTube channel *Patrióta* (53) was launched, run by a Fidesz supporter, Philip Rákay. The latter made it clear that his channel was a response to the *Partizán* phenomenon and was intended to be a 'pro-government *Partizán*'. Despite several months of operation, the channel has not achieved the level of success and visibility of *Partizán*, underscoring the Hungarian government's ongoing challenges in engaging the younger electorate, who are the most active social network users.

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51 Zsolt HANULA, 2021, Lájkbajnokság [Like Championship], Telex, <https://telex.hu/cimke/lajkbajnoksag>

52 Dániel SZALAY, 2020, Íme a HírTV és a Pesti TV 2020-as nézettségi adatai [Here are the audience figures for Hír Tv and Pesti TV], Media 1, 31 December 2020, <https://media1.hu/2020/12/31/hirtv-pesti-tv-nezettség/>

53 YouTube channel Patrióta [Patriot], <https://www.youtube.com/channel/UCR09wFPwRrCHKr36Wc6qKcw>

Significant resources have also been allocated via various government channels for the *Megafon* platform, which was launched in early 2021 and unites pro-government journalists and political analysts. The success of this initiative has been varied and has fallen short of the achievements of *telex.hu*, *444.hu* and *Partizán* online.

On an individual basis, a small number of influencers whose social media posts are funded by individuals and organisations with links to Fidesz nevertheless manage to achieve a high ranking in the weekly 'like championship'. This is particularly evident in the cases of Dániel Deák, an analyst at a pro-government *think tank* (54), and Dániel Bohár, a pro-government journalist. Three or four government heavyweights, including the Prime Minister himself, also regularly make it into the top ranks. However, no pro-government media organisation can compete with the massive online presence of the Hungarian progressives.

The weakness of pro-government discourse on social networks can be partly attributed to censorship mechanisms employed by major social media platforms, such as shadow banning on topics related to immigration and the LGBT community. However, this lag is primarily attributable to demographic and sociological shifts that are unfavourable to the Hungarian government.

**It is interesting to note that this aspect of the media situation in Hungary is not mentioned by the European voices that are hostile to the Hungarian government. These voices chose to focus on the takeover of a press group whose main newspaper was in total decline (*Népszabadság* case (55)), the takeover of an opposition news portal at a time when the online media sector is dominated by progressives (*Origo* case (56)), the government's management of the public media (as in the past, under socialist and liberal governments) and on the termination of a radio station's licence, which today still broadcasts online, thus preserving its economic health (*Klubrádio* case (57)).**

The reality of the situation is as follows: in view of the current developments in the way the Hungarian population consumes the media, the Hungarian government's media strategies have a lot to worry about and appear powerless in the face of the numerical strength deployed by Fidesz's progressive opponents.

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54The 21st Century Foundation, led by Mária Schmidt, a government insider

55 See below, p. 54

56 See below, p. 61

57 See below, p. 51

### *COVID-19, or proof that the Hungarian government does not have control over the media*

As has been mentioned several times in this report, the Hungarian government, through its various circles of influence, has a hand in about 50% of the Hungarian press and media. The rest is managed by investors who, to varying degrees, are hostile to the policy of the government coalition. This distribution of media influence matches the distribution of political power and seriously challenges the assertion that the press in Hungary is not free or that it is almost exclusively run with an iron fist by Viktor Orbán and his men.

However, we believe that this observation of distribution is too static and does not take sufficient account of what should be called 'media tempo', 'media narrative' and 'media thematisation', i.e. not the static distribution of the media, but the dynamics of the latter. Consequently, evaluating the balance of power in the media solely in terms of market share is insufficient to comprehensively understand the dynamics of the media market. It is essential to understand the movements at work in this market and the capacity of a particular medium to impose a topic dictating a media narrative.

**In this respect, the topic of the Coronavirus has been a prime example of a thematic that has seen limited influence from pro-government media outlets, with the opposition media having established the pace of media coverage on the 'health issue' since March of 2020.** It is evident that each government announcement of restrictive measures has been preceded by a systematic undermining of work by the opposition media (such as *Telex.hu*, *444.hu* and *ATV* in the lead). This has forced the pro-government media to enter the field of health restrictions, despite their reluctance to do so. The pressure from the opposition media has been so significant that the government has ultimately conceded to the themes launched by the opposition media a few weeks earlier.

The global pandemic has created an opportunity to gain a clear and in-depth understanding of the Hungarian political and media landscape. On the one hand, there are the media and political forces that are firmly opposed to the government, whose core of supporters is in Budapest and consists above all of an urban and connected culture, oriented towards Western Europe and the West. This category is fuelled by the editorial lines and progressive political discourse that are very present in Western Europe. As Hungary is not immune to the phenomena of urbanisation and gentrification, there is an increasing interconnection with the ideas conveyed in Western Europe. Indeed, this is the element with the greatest driving force in Hungarian media and political life. Health measures, an area in which Western countries are at the forefront, are the best embodiment of this driving force.



In contrast, pro-government media outlets adopt a more traditional and less connected approach to information, particularly effective in reaching a rural population that is less open to Western ideas. This media bloc is playing catch-up with the dynamics on which the opposition media outlets are capitalising. The driving force of the first bloc is so powerful that these pro-government media often lack the capacity to impose their own media agenda, and instead react to the themes chosen and set in motion by the first bloc. Consequently, these media outlets have limited capacity to influence the agenda, and are faced with a population that is increasingly receptive to Western ideas.

The government and its media's strong return to the LGBT issue in June 2021, in the context of a law that made headlines in Europe (58), highlights the challenge of taking control of the thematisation and the media-political tempo. The government is aware that Hungarians, including a significant segment of the opposition electorate, are not receptive to the European Commission's LGBT agenda. It appears to be a calculated move to raise this issue in order to embarrass the opposition media and encourage them to adopt a more radical stance, thereby reducing their operational capacity. From this perspective, the LGBT media focus at the beginning of summer 2021 can be regarded as a success for government communication, as it resulted in the opposition media pursuing the topic imposed by the pro-Fidesz media.

This short-term success was short-lived, as by September the opposition media had meticulously pushed the government and its media into a corner by criticising the lack of restrictive measures to counter a fourth wave of the epidemic. In doing so, they pointed to the examples of European countries that had opted for public health measures. Initially, the pro-government media ridiculed this obsession with restrictive measures, even going so far as to say that it was the result of hysteria. At the end of October, the government and its media outlets voiced their support for the roadmap proposed by the opposition, with the initial health measures for the 2021/2022 season being announced on 28 October and subsequently on 18 November. These announcements came at a time when Hungarian leaders are well aware that the rate of rejection of the new health measures is between 70 and 80% among the Hungarian population, with the government thus entering a downward spiral that could be politically fatal in the legislative elections of April 2022. **This case demonstrates the extent to which the media spotlight is, in reality, on the opposition media and its European and international relays, a fact that Hungary's detractors in Brussels will be careful not to reveal.**

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58 See above. p.13

#### **IV. General overview of the media in Hungary**

*Introductory remark: it would obviously be impossible to mention all Hungarian media here. Our selection below is based on the desire to give an overall idea of the media market in Hungary by showing the dynamics at work on it. The numbers of site visits reported in this table were obtained using the Similarweb tool.*

##### **A) Television**

###### *TV2 Group (TV2, Super TV2, etc.)*

Launched in 1997, this television group was bought in 2015 by businessman and Hollywood film producer Andy Vajna, then in 2019, following Vajna's death, by circles close to Lőrinc Mészáros, Hungary's richest man and current financial arm of the Fidesz system. The news programme on the flagship channel of the *TV2 group* is thus pro-government, this channel having been the second most watched channel in the country since the early 2000s. Since April 2019, the channel's managing director has been the Franco-Bulgarian Pavel Stanchev, a media man who has worked for *Ringier AG*, *HBO* and *TF1*.

###### *Public television - MTVA*

Established as part of the media reform programme initiated by the new coalition government in 2010, this consortium comprises *M1* (news), *M2* (general interest), *M5* (culture) and *M Sport* and *Duna TV* (for Hungarians abroad). This group is widely regarded as the most pro-government entity in the media landscape, consistently lauding government initiatives and disparaging opposition parties. The government does not attempt to conceal the true nature of this channel, and any Hungarian viewer is fully aware of the link between public television and the government. As demonstrated above, there is no tradition of public service media in Hungary, or more broadly throughout Central and Eastern Europe, as these media are systematically controlled by the political force in power. However, numerous studies show that only a small percentage of the population watches this channel exclusively, which calls into question the frequently criticised aspect of media propaganda in Hungary, as most media consumers obtain their information from pro-government and anti-government sources.

### *Hír TV (Info TV)*

Launched in 2002 following Fidesz's defeat in the parliamentary elections, the private channel *Hír TV* was created by Lajos Simicska, the former financial arm of Fidesz, and became the privileged communication tool of Fidesz in opposition until 2010. The channel played a particularly important role in broadcasting the 2006 riots, which enabled it to relentlessly criticise the actions of the Ferenc Gyurcsány government (2004-2009). In its early days, the channel aimed to be a Hungarian version of *Fox News* and was openly favourable to the right-wing Fidesz party. However, following the *G-nap* episode, Lajos Simicska utilised the channel as a propaganda tool against the Hungarian government in the lead-up to the 2018 elections. Following Viktor Orbán's reappointment as prime minister in 2018, the channel re-established its alignment with Fidesz through Lőrinc Mészáros, and has since reverted to a platform that endorses government policy. The news programmes on this channel are just as politically biased as those on public television.

*Hír TV* broadcasts debates between columnists, including opponents of the government, during which journalists close to the government criticise the Fidesz strategy in a measured way while remaining clearly pro-government. This was particularly the case in autumn 2019, when Fidesz lost control of many cities in the municipal elections..

The audience ratings of Fidesz's prestigious channel are, in reality, negligible, with figures between 1 and 3% of the total viewership depending on the time slot. It is reported in political circles that the channel is experiencing an economic and identity crisis, and that its continued operation is largely due to the support of the ruling elite, who are well aware of the symbolic and historical significance of *Hír TV*, particularly its role in the reconquest of power between 2002 and 2010. **Its influence on public opinion and its ability to mobilize support have significantly diminished, making it of limited interest to the general public, with the exception of a narrow segment of the Fidesz electorate.**

hirtv.hu - October 2021: 53rd most visited site in the Media and Information category; 1.55 million visits

### *Pesti TV*

This channel began broadcasting in September 2020 and is mainly made up of young journalists from Pesti Srácok, a pro-government website. This project, financed by groups close to Lőrinc Mészáros, was established in response to the loss of Budapest in the municipal elections of autumn 2019.

This loss was often analysed as a weakness of Fidesz on the internet and unpopularity among the young electorate. Pesti TV is active on social networks and adopts a pro-Fidesz stance, featuring young presenters, including a notable number of female presenters, who adopt a casual American alt-right style. It is evident that the project has not been successful, as evidenced by the low number of views on social networks and the poor audience rating. Since spring 2021, the journalists of this channel have been expressing concerns about delays in salary payments, which have not yet been resolved. This episode clearly suggests that *Pesti TV's* sponsors have realised that this project was a failure, as the channel was constantly ridiculed by the opposition media, which remain the only ones who know how to speak to young urban voters. **The *Pesti TV* case confirms the observation that sociological developments in Hungary (gentrification in Budapest, rise of wokeness, etc.) have a much greater electoral impact than Viktor Orbán's alleged 'stranglehold' on the press.**

*RTL Group (RTL Klub, RTL II, etc.)*

This television group, along with TV2, is one of two private groups launched in Hungary in 1997. It is part of the German media group *Bertelsmann*, which is one of the largest in Europe. It also owns the world's largest publishing house, *Penguin Random House*, while a company belonging to this group, *Arvato*, moderates the Hungarian-language Facebook pages. *Bertelsmann* also holds a 25% stake in the German magazine *Der Spiegel*, a fact that speaks volumes about the editorial and political line of the group, which, with regard to its activities in Hungary, is openly hostile to the policy pursued by the Hungarian government since 2010, and clearly interferes in Hungary's internal affairs. In 2017, *RTL Klub* broadcast a video message from George Soros (59), a television moment that showed a channel in total agreement with the positions taken by the Hungarian-born businessman concerning the national consultation that the government had just launched. At Christmas 2020, the channel broadcast a short film, presented as a social advert, promoting rainbow families. The film was directed by *Háttér Társaság* ('Háttér society'), a Hungarian association campaigning for the rights of the LGBT community, which is mainly funded by George Soros' foundations.

rtlklub.hu - October 2021: 87th most visited site in the Media and Information category; 998,780 visits

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59 Soros György videóüzenete [Video message from George Soros], RTL Klub, 21 November 2017, <https://rtl.hu/rtlklub/hirek/soros-gyorgy-videouzenete>

### *ATV Group (ATV, ATV Spirit)*

A private group founded on 2 January 1990, whose flagship channel is *ATV*, is now owned by Broadcast *Projekt Kft.* (Hungary) and *Woodham Enterprise Ltd.* (Panama). The general-interest *ATV* channel is the competitor of *Hír TV*, which it surpasses in terms of audience (approximately 3-4% of the total viewership) and broadcasts news programmes with a clearly critical slant on government policy. The group falls within the sphere of influence of the Assembly of the Faith (in Hungarian: *Hít Gyülekezete*), an evangelical charismatic movement closely associated with the Alliance of Free Democrats (SZDSZ) since the party's establishment in 1988. While Viktor Orbán has had contentious relations with this movement, it was he who initiated its constitutional recognition with the new Hungarian Fundamental Law in 2012.

Even today, this channel continues to reflect the ideology and positions of the SZDSZ, which favours the westernised intelligentsia of Budapest and is critical of overly nationalist and conservative approaches. From 2003 to 2016, Olga Kálmán, the star presenter of the channel, served as a politician in the *Democratic Coalition*, a former political alliance led by Ferenc Gyurcsány, a former Prime Minister and a historical political rival of Viktor Orbán. Kálmán ran unsuccessfully in the left-wing primaries for the Budapest municipal elections. Following the editorial change at *Hír TV* initiated by Viktor Orbán's former friend Lajos Simicska, Olga Kálmán moved to *Hír TV* to present the same programme that she had presented for more than ten years on *ATV*. This change was seen by some as a direct challenge to Fidesz, given Ms Kálmán's long-standing reputation as a vocal critic of Viktor Orbán. For years she had endeavoured to maintain an air of objectivity and professionalism - not without a certain talent. **Olga Kálmán's career demonstrates that, regrettably, authentic journalism in Hungary is often intertwined with political infighting. To deny this fact – which is what non-Hungarian observers, who do not have close knowledge of Hungarian politics and the media, tend to do – leads to missing the essential nature of how the Hungarian media operates.**

Another notable presenter and programme host (*Csatt, A Nap híre*) and key figure on the *ATV* network, András Simon, announced his departure on 3 December 2021 to join the campaign team of Péter Márki-Zay, the united opposition candidate challenging Viktor Orbán in the April 2022 legislative elections (60).

In addition to its news programmes that are politically biased in favour of the opposition, the *ATV* channel also broadcasts debate programmes in which personalities

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60 Simon András távozik az ATV-től [András Simon leaves ATV], atv.hu, 3 December 2021, <http://www.atv.hu/belfold/20211203-simon-andras-tavozik-az-atv-toi>

close to the government and those close to the opposition clash with each other. However, these programmes struggle to conceal the channel's bias against the government majority in power since 2010.

atv.hu - October 2021: 19th most visited site in the Media and Information category; 5.97 million visits

### *Euronews Hungary*

A Hungarian-language version of the *Euronews* channel was launched on 30 May 2013, and *Euronews* also has a news portal in this language. The line of this media organisation is clearly opposed to government policy. *Euronews* SA is 88% owned by *Media Globe Networks*, a company owned by the Egyptian businessman Naguib Sawiris. Euronews is run by Philippe Cayla, a pure product of the French administrative, political and economic elite (Sciences PO, ENA, Aspen Institute) and husband of Véronique Cayla, former president of *Arte* and former chair of the board of *Arte France*. Philippe Cayla is a board member of the European Movement and founder of the association Européens Sans Frontières, having created the pro-EU association *Let Me Vote* while serving as director of international development at *France Télévisions* in the 2000s.

## **B) Radio**

### *Public radio - Kossuth rádió*

In a manner similar to public television, upon Fidesz's return to power in 2010, the public radio stations came under the government's control. The government uses them to advocate for its policies in a transparent and public way.

On Friday mornings, Prime Minister Viktor Orbán gives an interview to *Kossuth rádió* to discuss current political and governmental affairs. This segment has become a platform for significant announcements and has emerged as a key conduit for disseminating government decisions.

### *Karc FM*

Now under the control of *KESMA*, this station was launched in 2016 and is aligned with the government coalition. A key figure at this radio station is Ottó Gajdics, a journalist who supports Fidesz.

*RetróRádió*, *Rádió 1* and *Best FM* are also part of the media empire close to the government, but they are all music stations and therefore less politically charged than the public radio or *Karc FM*.

### *Klubrádió*

Since its launch in 1999, this radio station has maintained close ties with Hungary's progressive political forces. In February 2021, it found itself at the centre of a controversy with international repercussions. When the station's licence came up for renewal, the media authority chose not to automatically renew *Klubrádió*'s broadcasting authorisation. The subsequent renewal documents submitted by the station were invalid. The station then ceased broadcasting on its frequency as it did not submit a new application..

The Western press and the Hungarian opposition have both defended *Klubrádió* and raised concerns about an attack on media freedom in Hungary. This issue was discussed in a debate in the European Parliament in March 2021 (61). During its final broadcast, *Klubrádió* played the European anthem. However, it should be noted that the radio station was facing economic difficulties, which has made it challenging to clarify the actual issues involved in the cessation of its broadcasting activities. However, the opposition did have the opportunity to find a theme on which to criticise the government. It is conceivable that the economic collapse of this station was presented as the result of an attack on the press. However, it is important to note that the radio station continues to broadcast on the internet, which is undoubtedly a more effective way of maintaining a viable economic model. The station is still as opposed to government policy as ever. Finally, the director of the station presented as 'independent', András Arató, is more of a former businessman close to the Hungarian left than a defender of freedom of expression. The narrative that has been spun about the disappearance of the last 'independent radio station' is also quite simply false, as the *Spirit FM* station took over the frequency of *Klubrádió*, while *Tilos Rádió* (in English: Banned Radio) and *InfóRádió* are also on a different political spectrum from the government.

Despite its anecdotal nature – since it is simply the end of a station that can no longer support its economic model – this case is being used by both Hungarian political camps. Together with the law on the LGBT issue, it is at the heart of the current conflict between Hungary and the CJEU on the application of the rule of law mechanism.

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61 See below p.100

### C) The daily press

#### Local press

The regional daily press market in Central and Eastern Europe proved to be a lucrative opportunity for Western investors in the 1990s. In Poland, the Polish company *PKN Orlen* purchased regional titles in 2020, indicating that the influx of foreign capital into this sector has been a prominent feature since 1990.

In Hungary, the situation was comparable to that in Poland until Viktor Orbán's return to power in 2010. He designated the media sector as a strategic industry and made every effort to Magyarise the media, especially the local daily press. This strategic objective was achieved in 2017 and 2018 with the takeover of Mediaworks and the creation of *KESMA*, under which the entire regional daily press (19 titles) is now placed through various financial arrangements. As previously emphasised, this printed regional daily press is of negligible significance in the Hungarian media landscape and is exclusively of interest to a very rural electorate that supports Fidesz. The daily distribution of newspapers in the provinces can be seen as a relic of the past, and the fact that it is managed directly by the political authorities is disconnected from the real developments in the media that are likely to shake up Hungarian politics, as these dynamics are all taking place online and in Budapest.

#### *Bors (Pepper)*

*Bors* is a scandal and celebrity tabloid founded in 2001 and now under the wing of *Mediaworks* and *KESMA*, and therefore in line with the government. This daily newspaper has a circulation of around 50,000.

borsonline.hu - October 2021: 13th most visited site in the Media and Information category; 9.96 million visits

#### *Blikk*

*Blikk* is a scandal and celebrity tabloid founded in 1994 and belonging to the German group *Rigier Axel Springer*. It has a left-liberal stance and is therefore opposed to the Hungarian government. This daily newspaper has a circulation of 80,000 copies per day, making it the leading Hungarian daily at the present time. The online version of *Blikk* is also one of the most visited sites in Hungary.



blikk.hu - October 2021: 4th most visited site in the Media and Information category; 26.48 million visits

### *Ripost*

Established in 2016 under the oversight of *KESMA* and *Mediaworks* with the aim of complementing *Bors* and competing with *Blikk*, this outlet has been identified as Fidesz's scandal sheet. It is widely regarded as the pro-government media outlet that has the least consideration for the Hungarian opposition, employing a style that could be characterised as 'pushy'.

ripost.hu - October 2021: 16th most visited site in the Media and Information category; 8.35 million visits

### *Magyar Nemzet (The Hungarian Nation)*

*Magyar Nemzet* is a daily newspaper that was founded in 1938 and is representative of the Hungarian conservative right. Between 1998 and 6 February 2015 (the date of the 'G-nap' (62)), the newspaper was closely associated with Lajos Simicska and Viktor Orbán, who strategically utilised *Magyar Nemzet* as a primary platform for Fidesz. Along with *Hír TV*, it played a significant role in the reporting of the events of 2006, contributing to the cohesion of the Fidesz electorate and the negative portrayal of Prime Minister Ferenc Gyúrcsany. Following the conflict between Lajos Simicska and Viktor Orbán, *Magyar Nemzet* underwent a sudden change in its editorial line, becoming an anti-Fidesz propaganda tool. The daily newspaper ceased publication following the opposition's defeat in the 2018 legislative elections.

During this period of *Magyar Nemzet*'s turnaround in favour of opposition interests (2015-2018), pro-government circles set up the daily newspaper *Magyar Idők* (Hungarian Times). Following Fidesz's new victory in 2018, Lajos Simicska left public life. On 6 February 2019, exactly four years after 'G-nap', *Magyar Nemzet* was relaunched and took the place of *Magyar Idők*.

Today, *Magyar Nemzet* and its online version are owned by *Mediaworks*, the pro-government media consortium.

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62 See above. p. 32

This daily is widely regarded as the most prestigious publication of Fidesz, with a readership primarily comprising senior executives from the government coalition. The paper is known for its traditional, rather austere, journalistic approach and its online version is struggling to get off the ground and compete with the Telex and 444.hu sites. Noting this sluggish operation and with the campaign for the 2022 legislative elections beginning in full swing, key positions at *Mediaworks*, the company overseeing the pro-government media consortium, were changed in November 2021. Reports indicate that these sudden changes were driven by frustration at the highest levels of government, acknowledging the failure of the daily newspaper *Magyar Nemzet* and the other media outlets within the consortium to effectively target young voters – a key initiative within the Fidesz apparatus since the ruling party lost ground in the 2019 municipal elections.

magyarnemzet.hu - October 2021: 27th most visited site in the Media and Information category;  
3.61 million visits

It should be noted that the online version of the major pro-government daily newspaper accounts on average for only 1% of website visits in the Media and Information category.

#### *Magyar Hírlap (The Hungarian Newspaper)*

Founded in 1968, this daily has been following the political line of Fidesz since 2006 through the intermediary of the businessman Gábor Széles, who has close ties to the government. *Magyar Hírlap* is one of the two major pro-government Hungarian daily newspapers (the other being *Magyar Nemzet*).

magyarhirlap.hu - October 2021: 115th most visited site in the Media and Information category;  
549,430 visits

#### *Népszava (The Voice of the People)*

*Népszava* is the oldest Hungarian daily newspaper that is still in operation. Established in 1877, it is the historical newspaper of the Hungarian social-democratic left and today has an editorial line clearly and openly opposed to the policy of the Hungarian government. It is owned by Tamás Leisztinger, the 14th wealthiest person in Hungary, who is close to Kata Tüttő, deputy mayor of Budapest, a city run since October 2019 by Gergely Karácsony, an eco-socialist and political opponent of Viktor Orbán.

This newspaper's political stance is diametrically opposed to that of *Magyar Nemzet* and *Magyar Hírlap*, and it makes no secret of its political stance on the Hungarian scene.

Like the rest of the print media, *Népszava* is developing its online presence in response to declining sales. While its online portal may not have achieved the same level of success as *telex.hu*, *24.hu* or even *444.hu*, *Népszava* is a well-established news site that publishes content critical of the Hungarian government.

The long-standing tradition of Hungarian emigration to the United States has resulted in *Népszava* having an American version since 1891. Today, it has a digital presence in the form of a website (*American Népszava – nepszava.us*), which, in terms of its criticism of the government, can be regarded as even more radical than the traditional *Népszava*.

nepszava.hu - October 2021: 26th most visited site in the Media and Information category; 2.7 million visits

nepszava.us - October 2021: 175th most visited site in the Media and Information category; 352,560 visits

#### **D) The weekly press**

##### *Szabad Föld (Free Land)*

*Szabad Föld*, which was founded in August 1945, is now a weekly magazine owned by the pro-government group Mediaworks. It is the magazine of the Hungarian provinces, with a circulation of more than 40,000 copies. Like the regional press, this magazine is therefore aimed at a readership that supports the Fidesz party. Its editor-in-chief is Ottó Gajdics, a journalist with a pro-Fidesz background. Gajdics previously worked at *Hír TV* and *Magyar Nemzet*, and he currently holds a management position at the pro-government radio station Karc FM.

##### *Magyar Demokrata (Hungarian Democrat)*

Established in 1997, this pro-government weekly magazine is owned by the journalist András Bencsik. Among the press organisations close to the government, it is the most critical of liberalism and is often considered to be the most radical medium within the Fidesz media galaxy. Its conservative and national stance is more pronounced than that of another pro-government weekly, *Mandiner*.

## *Mandiner*

Established in 2017 as an online portal (*mandiner.hu*) and subsequently as a weekly magazine in September 2019, *Mandiner* is under the leadership of *KESMA*, the pro-government media consortium. The team behind *Mandiner* is youthful and has close ties to MCC (Mathias Corvinus College), a training centre for conservative executives. *Mandiner* is widely regarded as a leading voice in the pro-government press. While the magazine and website are clearly aligned with the government, they do not adhere to a rigid ideological line, instead publishing analyses that range from liberal to conservative. This diversity of viewpoints makes *Mandiner* one of Hungary's most interesting intellectual platforms.

While *Mandiner* has undoubtedly been able to mobilise and bring young people together, this success tends to be too socially limited, as these new groups of young conservatives almost exclusively comprise a fringe of a Budapest middle class of a certain kind, from conservative families. Consequently, *Mandiner* has not succeeded in addressing the problem facing the Hungarian government: the formidable challenge posed by the online opposition press, which is adept at leveraging urban and digital platforms with ease.

mandiner.hu - October 2021: 24th most visited site in the Media and Information category; 3.68 million visits

## *HVG (Heti Világgazdaság / Weekly World Economy)*

Established under communism in 1979 by reformers, this weekly was the first to introduce an online version in 1996, following an initiative by the then editor-in-chief, Mátyás Vince, who undertook a visit to the United States during which he received counsel from World Bank officials. Since its inception, it has served as a gateway for Western liberal ideas, and it now has a centre-left editorial line. Despite its claims of being 'objective and independent', its slogan is 'Darkness is not forever - let there be light'. Given its long-standing presence in the media landscape, it continues to serve as a key barometer for the current government in gauging public opinion regarding its policies, as the weekly has been consistently and openly opposed to Viktor Orbán and his policies.

The front pages and covers of this weekly publication are known for their use of caricature and sarcasm, with a particular focus on the Hungarian Prime Minister, his policies, associates and allies.

For many years following the fall of communism, HVG was the primary source for economic and financial articles, and was indispensable for Hungarian-speaking readers interested in these issues, regardless of their political leanings.

In recent years, there has been a noticeable decline in the quality of the content of this weekly, with feature and analysis articles being gradually replaced by a significant number of articles with a political slant and very critical of the Orbán government. *HVG*, which was majority-owned by German capital from 2003 to 2013, is now mainly Hungarian-owned, notably through Péter Szauer, a historical figure of the weekly, whose son Tamás Szauer was responsible for the treasury of the Momentum party and now also works at *HVG* (63). This publication has always shown complacency towards this pro-European and liberal party founded by young people in 2017.

hvg.hu - October 2021: 5th most visited site in the Media and Information category; 21.46 million visits

#### Magyar Hang (The Hungarian Voice)

Established in 2018 by former journalists from *Magyar Nemzet*, this weekly rapidly emerged as the third most widely read weekly publication in the country. It is typically characterised as the weekly for those disillusioned with Fidesz, taking a liberal-conservative line that is critical of the government but reticent towards the liberal-libertarian themes of the left. Owned by its editor-in-chief, György Zsombor, the weekly is a success and proof that a special kind of press (in the sense that it does not fall into pro- or anti-Orbán excesses) also exists in Hungary.

Following the appointment of Péter Márki-Zay as the united opposition candidate against Fidesz, it would appear that *Magyar Hang* is becoming increasingly directly involved in Hungarian politics and is starting to support this candidate, who claims to be conservative but opposed to Viktor Orbán's policies. Some of the newspaper's regular contributors have openly declared themselves in favour of Péter Márki-Zay, including the publicist Róbert Puzsér. Puzsér is a regular columnist for *Magyar Hang* and defines himself as a centrist who wants to put an end to thirty years of Hungarian politics dominated by the Hungarian left and right, which he accuses of having betrayed the regime change of 1989.

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63 Tamás Szauer then became marketing director of HVG on 5 March 2019: A Momentum volt pénzügyi igazgatója lett a HVG egyik vezetője [The former financial director of Momentum becomes one of the directors of HVG], Mandiner, 5 March 2019, [https://mandiner.hu/cikk/20190305\\_a\\_momentum\\_volt\\_penzugyi\\_igazgatoja lett\\_a\\_hvg\\_egyik\\_vezetoje](https://mandiner.hu/cikk/20190305_a_momentum_volt_penzugyi_igazgatoja lett_a_hvg_egyik_vezetoje)

## 168 Óra (168 hours)

Founded in 1989, this weekly has historically had a liberal left editorial line and is therefore opposed to the policy of the Hungarian government. However, recent rumours have suggested that its owner, businessman Pál Milkovics, may have ties with individuals close to the government. This has led to speculation about a potential takeover of the weekly by these circles. Milkovics is also heavily involved in the life of the Jewish community in Budapest and runs the *neokohn.hu* portal, which has a right-wing, neo-conservative editorial line favourable to the Israeli right, while often defending, albeit indirectly, the policies of the Hungarian government, particularly with regard to its positions on immigration and the Muslim question.

There is a certain degree of crossover between the editorial perspective of *168 Óra* and that of the Hungarian government, but the weekly newspaper's editorial stance is decidedly not pro-government. In any case, *168 Óra* recently signed a partnership with the American agency *Bloomberg* for the publication of content in Hungarian, which is clearly unfavourable to the policy pursued by the government of Viktor Orbán, even if the economic content of this information makes the opposition to the government of Viktor Orbán much less direct.

168.hu - October 2021: 38th most visited site in the Media and Information category; 2.76 million visits

## *Magyar Narancs (The Hungarian Orange)*

Initially under the control of the emerging Fidesz, then still openly liberal, between October 1989 and the summer of 1990, this weekly has consistently upheld a liberal and progressive stance. Since 2010, this magazine has been very clear in its opposition to the policy of the Hungarian government. *Magyar Narancs*, meaning 'Hungarian Orange' (a reference to a line from the 1969 satirical film *The Witness* about Hungarian communism), was the first media organisation in Hungary to adopt the *gonzo* journalism style. *Gonzo* journalism is an ultra-subjective style combining reality and fiction, which first appeared in the 1970s in the United States. This weekly's writers are highly talented, and it is undoubtedly the best written in Hungary. Since its inception, it has included among its editors a large number of Hungarian writers who are hostile to the Hungarian government.

Although it is mainly owned by its long-standing editor-in-chief Endre Bojtár B. – who stated in 2016 that the only thing that differentiates Viktor Orbán from Admiral Miklós Horthy is that the former is not a mass murderer –

*Magyar Narancs* is also financed through the *Media Investment Fund*, which is partly managed by George Soros' *Open Society Foundations*. During the 2015 migration crisis, *Magyar Narancs* published an issue with a controversial cover showing the Hungarian Prime Minister wearing a Hitler moustache shaped like barbed wire. This did not have any repercussions for the functioning of the media organisation, which has always operated freely and remains as critical of the Hungarian government's policies as ever.

magyarnarancs.hu - October 2021: 100th most visited site in the Media and Information category;  
723,080 visits

### *Élet és Irodalom (Life and Literature)*

Established in 1957 during the communist era, it is the foremost literary weekly in Hungary. Initially close to the Socialists, this weekly moved closer to the positions of the Alliance of Free Democrats (SZDSZ) when the regime changed, and has not really deviated from this editorial line since. It serves as a prominent gathering place and point of convergence for Budapest's literary intelligentsia, which is predominantly liberal and pro-Western in its outlook. The readership of this publication is negligible, but its presence and longevity are indicative of a social fact that is likely to be vexing to critics of the Hungarian government since 2010: **there is an intellectual life in Budapest that includes intellectuals and writers who are very openly hostile to Viktor Orbán's policies. These intellectuals and writers have never been subjected to harassment by the government, and have enjoyed greater freedom - including financial support - than they did prior to 2010.**

This phenomenon highlights the divide between Budapest, a city led by a left-wing environmentalist since autumn 2019, and the provinces, which are predominantly in favour of the government. Furthermore, Fidesz has historically struggled to establish a strong rapport with this group of intellectuals, exhibiting a sense of inferiority. The party has consistently faced challenges in competing with these circles of writers who significantly influence Budapest's cultural landscape. In 2018, the pro-government daily newspaper *Magyar Idők* published a series of articles (64) by the journalist Árpád Szakács. These articles denounced the liberal takeover of the cultural and artistic world, with the intention of starting a *Kulturkampf* (a 'culture war') against the liberal left. This campaign did succeed in imposing a number of topics, particularly those related to the LGBT issue. However, it did not alter the prevailing liberal dominance in the Budapest cultural and media landscape, which remained closely aligned with the opposition.

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<sup>64</sup> Árpád SZAKÁCS, *Magyar Idők*, 2018, <https://www.magyaridok.hu/szakacs-arpad-kinek-a-kulturalis-diktaturaja/>

## Jelen Hetilap (The present Weekly)

Founded in 2020 by three former journalists from *168 Óra* and the former daily newspaper *Népszabadság*, *Jelen* is owned by its founders through the company *Liberty Press Kft.* This weekly newspaper has a very clear editorial line opposing government policy. Its editor-in-chief and co-owner, Zoltán Lakner, who publicly came out at the Budapest Pride in 2014, contributes regularly to the *ATV* television channel and has expressed criticism of Viktor Orbán. *Jelen's* partner is *IMEDIA*, a media observatory founded in 2001 and working with numerous multinational companies based in Hungary (*Coca-Cola*, *Audi*, *Tesco*, *Google*, *Microsoft*, *Erste Bank*, *Bayer*, *Sanofi*, *TEVA*, etc.). *Jelen* is known for providing a platform for opposition politicians, often offering them favourable coverage and prominent front-page exposure.

### E) Online press

The analysis tools from *Similarweb*, *Semrush* and *Gemius* offer comparable results when it comes to the breakdown of visits to Hungarian news websites. In 2021, 75% of site visits were made to so-called 'free and independent' sites, with the remaining quarter being pro-government sites (65). In this analysis, we have selected the sites that provide the most comprehensive overview of the Hungarian online media landscape.

#### *index.hu*

*index.hu* was founded in 1999 and for a significant period it was the most widely read and most renowned progressive information portal on the web. The site's success was such that its name and the act of consulting it had become deeply ingrained in Hungarian habits and language, dominating people's minds and crushing the competition in the field of online information. It is reported that the government attempted to acquire Index through Lajos Simicska prior to the G-nap episode. However, this attempt was unsuccessful, as the portal remained consistently hostile to the government until 2020. In March 2020, Miklós Vaszily, a businessman with close ties to Lőrinc Mészáros, acquired a stake in Index through the *Indamedia group*. These developments led to defections within the editorial staff in the summer of 2020 and resulted in the establishment of a new progressive online media outlet, *telex.hu*.

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65 Attila SZUHI, Kormánypárti és független/ellenzéki weboldalak látogatottsága 2021-ben – I. rész [Visits to pro-government and independent/opposition websites in 2021 - Part 1], *inte.hu*, <https://ite.hu/kormanyparti-es-fuggetlen-ellenzeki-weboldalak-latogatottsaga-2021-ben-i-resz/>



The *Index* affair is a case study in the ongoing power struggle within the Hungarian media landscape. The government's attempt to acquire a prominent opposition website ultimately led to its decline, resulting in a site with a confused message. This strategic misstep paved the way for the emergence of *Telex*, a new and thriving media entity that has undoubtedly marked a significant milestone in the Hungarian media industry in recent years. This underscores the notion that government influence alone is insufficient to shape public opinion. The dynamics of opinion are clearly on the side of the liberal left, as the example of *Telex* proves. Currently, *Index*'s editorial stance is ambiguous, encompassing both criticism and pro-government bias.

index.hu - October 2021: most visited site in the Media and Information category; 39.16 million visits

### *Origo*

*Origo*'s history mirrors that of *Index*. *Origo* was founded in 1998 and became a successful progressive website until 2014, when, in the aftermath of the elections, it was taken over by groups close to the government. *Origo* is now owned by the *KESMA/Mediaworks* consortium, and it is the only pro-government portal that can rival the progressive portals in terms of traffic.

The quality of the content and the professionalism of *Origo* are, nevertheless, questionable. It is the media organisation most frequently sanctioned by the media authority for inaccurate information, and its style is extremely biased and simplistic. However, the government's decision to acquire *Origo*'s online presence has potentially benefited the opposition, given the criticism it has received for the professionalism of its journalists. This media outlet is the one that is most frequently sanctioned by the media authority for factual errors.

origo.hu - October 2021: 2nd most visited site in the Media and Information category; 30.72 million visits.

### *888.hu*

A pro-government website founded in 2015, this site was established as a response to *444.hu*, which has been openly hostile towards the government. However, this initiative has not yet achieved the same level of success as the progressive site *444.hu*. The launch of *888.hu* is a prime example of the media dynamic in Hungary, where progressives set the pace and conservative media merely react.

In September 2017, *888.hu* was at the centre of an international controversy after publishing a list of journalists it claimed were carrying out propaganda work in favour of George Soros (66). The Western press then amplified this issue, accusing the pro-Orbán press of creating lists of 'enemy journalists'. However, *888.hu* had merely referred to the funding of certain Hungarian media and the links of interest to billionaire George Soros in Hungary. The Western press interpreted this as an attack on certain Hungarian journalists, even fostering a climate that could suggest that some of them were in physical danger. However, this controversy was simply an episode in the ongoing clan warfare between Hungarian political forces in the run-up to the 2018 legislative campaign. It is important to note that the *Le Monde* article relaying this information and referring to a 'list of journalists' was written by a correspondent in Vienna. This raises questions about the reporter's familiarity with the Hungarian context.

888.hu - October 2021: 56th most visited site in the Media and Information category; 1.4 million visits

*ojim.hu*

A partner of the Observatoire du journalisme, the Foundation for Transparent Journalism (Transzparens Újságírást Alapítvány) was founded in 2018 and offers content informing its readers about the Hungarian press and journalists in the manner of the French OJIM.

*Magyar Jelen (Hungarian Present)*

*Magyar Jelen* was founded as a fortnightly in 2003 by László Toroczkai, in partnership with Hungarian emigrants in Canada. It was published until 2005, and resumed in February 2007 following the events of autumn 2006. It was one of the major publications of the nationalist camp for a time, before the emergence of the internet and better-funded media from *Jobbik* led to its decline from 2010, and its disappearance in May 2013.

In August 2020, this publication resumed operations, but only as an online media outlet. It is linked to Toroczkai's party, Mi Hazánk (Our Homeland), after the latter ceased to cooperate with Elemi.hu, another nationalist online media outlet.

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66 Blaise GAUQUELIN, 2017, Une liste de « journalistes ennemis » publiée en Hongrie (A list of 'enemy journalists' published in Hungary), *Le Monde*, 7 September 2017, [https://www.lemonde.fr/europe/article/2017/09/07/une-liste-de-journalistes-ennemis-publiee-en-hongrie\\_5182252\\_3214.html](https://www.lemonde.fr/europe/article/2017/09/07/une-liste-de-journalistes-ennemis-publiee-en-hongrie_5182252_3214.html)

This medium gained considerable visibility when it opposed the health measures and compulsory vaccination during the coronavirus crisis. Personalities from *Mi Hazánk* and content that questioned the health narrative faced off against the leading pack of the 'Like Championship' (*Lájkbajnokság*) (67) at the end of November 2021. This development significantly impacted the existing polarisation between those in favour of and those against Orbán, creating a new media space for viewpoints that were both critical of the opposition and of the government.

It is important to note that prior to its takeover by the liberal left (68), Jobbik controlled a number of media outlets that aligned with its agenda, including *alfahir.hu*, *N1TV*, *dailynewshungary.com*, *zsurpubi.hu*, *Kuruc Info*, and more. Presently, the pro-Jobbik media outlets that still exist have also been restructured and are now operating within the sphere of the opposition, aligned with the government.

#### *24.hu*

Owned by the Hungarian businessman Zoltán Varga, who is also the head of the group *Central Médiasoport Zrt.*, the site was founded in 2010 under the name *Hír24*, and was later changed to *24.hu* in 2015. In 2014, Varga took over the site from the Finnish group Sanoma. It is the news site with the greatest consistency in its success in appearing among the leading sites most consulted in Hungary. The site's editorial stance is known to be in opposition to that of the Hungarian government, and it is widely acknowledged that its primary focus is on economic and political entities that are not aligned with the Fidesz system.

October 2021: 3rd most visited site in the Media and Information category in Hungary; 29.67 million visits;

#### *telex.hu*

This news portal was created in October 2020 from the split of journalists working for *index.hu* - which for years was the reference portal for liberals in Hungary, before circles close to the government launched a takeover operation in the summer of 2020. The site was established by Veronika Munk, a prominent figure from the *index.hu* editorial team, and her husband, who also held key positions within the *index.hu* editorial team. Within a few weeks, the site became the new reference portal for liberals, progressives and the 'woke' youth of Budapest.

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67 See above, p. 42  
68 See above, pp. 31-32

*Telex.hu* operates on a contribution-based funding model, which was launched following the anti-government protest organised by the Momentum party in Budapest on 24 July 2020 in the aftermath of the 'Index affair'.

*Telex* has received a transfer of €200,000 from the Czech billionaire Zdeněk Bakala (69), who has close ties to the George Soros foundations. *Telex*, in collaboration with the portal *444.hu*, is widely regarded as one of the most critical media outlets in terms of governmental oversight, consistently leveraging opportunities to critique the administration's preoccupation with the influence networks attributed to George Soros. The site claims to be an objective journalistic outlet and intends to fulfil a public interest mission consisting of revealing facts, and thus exerting a role of counter-power. However, the government charges that *Telex* is very clearly partisan, which is obviously only partly true, as the editorial staff of *Telex* is not directly in the hands of one or more Hungarian political parties. Nevertheless, the volume of daily content produced by this site unmistakably demonstrates an ongoing anti-Orbán sentiment. **Furthermore, the rapidity with which this media organisation was established and the extent to which it has become recognised as a modern, fashionable and 'European' media entity demonstrates that Hungary is not a nation in which the government exerts significant control over the media sector, as has been suggested by some.** In fact, the *Telex* success story demonstrates the high level of organisation within the Budapest journalistic intelligentsia, as well as its ability to launch a highly influential media outlet in record time.

From Brussels, on 29 November 2021, *Telex* editor-in-chief Veronika Munk posted a message on her Facebook account (70):

*"Following a long day, I am pleased to report that I had the opportunity to speak at the European News Media Forum conference in Brussels. It was a great honour for me to see that Telex is already so well known internationally, to the extent that media companies that have been operating for several decades are interested in the history of our medium, such as the Tagesschau news programme on the first German channel, Swedish public television, the Polish daily Gazeta Wyborcza and the French channel TF1. It was also a great honour to have been able to discuss Telex, barely a year old, with leading media specialists, such as the director of the Reuters Institute for the Study of Journalism and the CEO of Agence France-Presse.*

*European Commissioner Thierry Breton and Commission Vice-President Věra Jourová also delivered speeches at the event.*

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69 Márton KÁRPÁTI, 2021, Megérkezett a 200 ezer euró a Telexnek [Telex has received its 200,000 euros], *Telex*, 21 March 2021, <https://telex.hu/belfold/2021/03/25/megerkezett-a-200-ezer-euro-a-telexnek>

70 Read the publication in Hungarian and English (translation provided by Veronika Munk) posted on 29 November 2021: <https://www.facebook.com/munkveronika/sagiroposts/560485525058201>

*Jourová specifically cited Telex as a positive and courageous example of a representative of the changes taking place in the media sector. Breton and Jourová announced their intention to guarantee the non-intervention of political power in the life of press organisations within the framework of the new media regulations desired by the EU (71), and to actively fight against media monopolies. They want rules to prevent excessive concentration in media ownership.*

*I am really curious to know if the media situation in Hungary will have an impact on the EU's new endeavours."*

The forum on 29 November provided an ideal setting for the announcement of the release of 1.76 million euros by the European Commission for the establishment of a 'European press room' that will bring together 16 press agencies, including AFP (France), ANSA (Italy), Agerpres (Romania), APA (Austria), ATA (Albania), Belga (Belgium), BTA (Bulgaria), EFE and Europapress (Spain), FENA (Bosnia), HINA (Croatia), MIA (North Macedonia), STA (Slovenia), Tanjug (Serbia) and TASR (Slovakia) (72).

October 2021: 22.24 million visits; No. 1 site in the Travel and Tourism category

#### *444.hu*

Launched in 2013 by a group of journalists who had previously worked at *Index.hu*, this site features gonzo journalism and is characterised by a consistently provocative tone towards the politics of the Orbán government. While one of the site's primary authors, László Szily, asserts that *444. hu* prioritises factual accuracy (a claim that is quite true under Hungarian media law, as the site is rarely condemned for factual errors) and fulfils a public-interest mission of information and counter-power, it is undeniable that the work of *444. hu*'s journalists consists of mocking and denigrating government policies in a more or less subtle satirical tone. Journalists on this site have been known to criticise the ruling coalition when the occasion calls for it. However, they always make sure to comply with the law and present their readers with an image of a corrupt, authoritarian and retrograde government.

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71 A Media Freedom Act is expected to be presented by the European Commission in 2022: La Commission veut protéger la liberté de la presse en Europe avec une loi sur les médias, [The Commission wants to protect press freedom in Europe with a media law], Ouest France/Reuters, 29 November 2021, <https://www.ouest-france.fr/europe/ue/la-commission-veut-protéger-la-liberté-de-la-presse-en-europe-avec-une-loi-sur-les-medias-678ad270-511d-11ec-98ea-01c2d1f03942>

72 Création d'une « salle de rédaction européenne » par 16 agences de presse, [Creation of a 'European newsroom' by 16 news agencies] FRANCE 24/AFP, 29 November 2021, <https://www.france24.com/fr/info-en-continu/20211129-cr%C3%A9ation-d-une-salle-de-r%C3%A9daction-europ%C3%A9enne-par-16-agences-de-presse>

Thematic sections of the site address subjects such as the rule of law (in partnership with the *Helsinki Committee* or the *Blinken Archives of the Open Society* (73), i.e. offshoots of the Soros universe) or gender issues (on which the editorial line is very clear and openly goes against the positions of the Hungarian government). A few months after its launch, *444.hu* received a donation of \$49,500. The editor-in-chief of *444.hu* was compelled to acknowledge this financial support from billionaire George Soros, telling the daily *Magyar Nemzet* that the money had been used to develop a mobile application. Pro-government media often refer to the *444.hu* site as a Soros blog, **while the government is careful not to interfere with the editorial independence of this media, as it is living proof of the very clear connection of certain Hungarian media with the Soros network.**

As with *telex.hu*, it should be noted that *444.hu* does not have any formal affiliation with any specific opposition political party. On occasion, it has been known to voice criticism of the former socialist guard and of former Prime Minister Ferenc Gyurcsány, who was Orbán's historical opponent. In this case, the site's position is clear: to weaken anything that could hinder the potential for a change of government, with the dinosaur Gyurcsány and the last of the Socialists being perfect examples of this type of obstacle. In summary, *444.hu* provides a daily illustration of the complete freedom of expression in Hungary for harsh, virulent and uncompromising criticism of the government's policies.

October 2021: 7th most visited site in the Media and Information category; 19.36 million visits

### *azonnali.hu*

*azonnali.hu* was established in 2017 by a group of journalists who had previously worked for the pro-government media outlet *Mandiner*. Since 2018, the majority ownership of the website has been held by Péter Ungár, a politician representing the green party LMP. Mr Ungár is notable for having been one of the first politicians to openly disclose his homosexuality, although he has also expressed opposition to the activism of the LGBT lobby and does not participate in the Budapest Pride. Péter Ungár is the son of businesswoman Mária Schmidt, who runs several foundations close to the government. She is widely regarded as one of the most influential figures in Hungary, often referred to as part of the 'Hungarian deep state'.

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73 Blinken OSA at 444.hu! [OSA Blinken at 444.hu], osaaarchivum.org, 26 January 2021, <https://www.osaarchivum.org/press-room/announcements/blinken-osa-at-444hu>

This Ungár-Schmidt politico-financial cementing, which spans almost the entire Hungarian political spectrum, makes *azonnali.hu* undoubtedly the least politically biased media outlet. While the site as a whole is opposed to government policy, it also provides a platform for contributors with different political views to exchange ideas, which, in the opinion of the author of this report, but with which many Hungarian observers would concur, makes it the most professionally-run media outlet on the Hungarian market. Its content is not dictated by political objectives or agendas, but instead aims to provide its readers with different points of view in a professional and respectful manner. One of the site's editors-in-chief, Bea Bakó, was among the few Hungarian journalists to give voice to a robust debate on the measures restricting freedom during the covid crisis (74), transcending the narrow confines of Hungarian politics. *Azonnali.hu* stands as a testament to both the prevalence of freedom of expression in Hungary and the creation of high-quality content.

October 2021: 149th most visited site in the Media and Information category; 481,970 visits

#### *atlatszo.hu (transparent.hu)*

Launched in 2011, this site is an investigative portal, a civil watchdog, with the aim of investigating the use of public money by the political authorities. Drawing inspiration from the precedent set by *WikiLeaks* and digital activism, this portal is committed to maintaining its independence and encourages the dissemination of factual information that could implicate members of the political class in corruption or the misuse of public funds. Since autumn 2020, *Atlaszto.hu* has enjoyed a partnership with the weekly magazine *Magyar Hang*, which demonstrates the site's alignment with a growing trend in Hungary, particularly following Péter Márki-Zay's victory in the opposition primary. This approach entails maintaining an oppositional stance within the opposition, while avoiding radical leftist stances on societal issues, which are unpopular with the Hungarian population, including among the electorate that does not support the government. This site has been financially supported by the *Norwegian Fund*, the *Open Society Foundations* of George Soros and the *CEE Trust* (75).

October 2021: 130th most visited site in the Media and Information category; 576,020 visits

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74 Bea BAKÓ, 2021, Le confinement a été l'expérimentation à échelle mondiale de 2020 – celle de 2021 sera la vaccination, Visegrad Post, 16 January 2021, <https://visegradpost.com/fr/2021/01/16/le-confinement-a-ete-lexperimentation-a-echelle-mondiale-de-2020-celle-de-2021-sera-la-vaccination/>

75 Válasz a Pesti Srácoknak: nyilvánosságra hozzuk a Norvég Alaphoz benyújtott pályázatot [Response to Pesti Srácok: we publish the grant application sent to the Norwegian Fund], Átlátszó, 22 September 2014, <https://atlatszo.hu/2013/08/21/valasz-a-pesti-sracoknak-nyilvanossagra-hozzuk-a-norveg-alaphoz-benyujtott-palyazatot/>

### *Direkt36.hu*

Since its launch in 2015, this portal has partnered with *444.hu*, leveraging its extensive coverage and visibility to establish itself as a reliable source for factual news on cases of corruption and corporate asset misuse. *Direkt36.hu* publishes detailed articles with sources, with the aim of exercising a role of control over political power. Its networks and support are aligned with those of *444.hu*, including the foundations of George Soros and the Rockefeller Fund (76). *444.hu* and *direkt36.hu* have been the subject of criticism regarding their association with the Soros networks. However, the websites have consistently clarified that this support does not entail the obligation to adhere to a predetermined political course dictated by their benefactor. While this assertion is indeed accurate, it is nevertheless illogical. It is difficult to imagine that George Soros, or any other NGO with a similar agenda, would support journalists who are hostile to their activities. Or would journalists who are critical of George Soros approach the Open Society Foundations for financial support? There is no doubt that the editorial staff of *444.hu* and *direkt.hu* are in tune with the ideology and political projects that the American billionaire deploys through his 'philanthropic' activities.

October 2021: 377th most visited site in the Media and Information category; 153,820 visits

### *startlap.hu*

The website is a central repository of information from portals that oppose government policy.

October 2021: 8th most visited site in the Media and Information category; 28.55 million visits;

*End of October 2021: announcement of the creation of a Hungarian fact-checker in partnership with the European Commission and AFP*

'*Magyar Jeti Zrt.* [the company behind *444.hu*, ed.] is launching a *fact-checking* site with the support of the European Commission and in collaboration with the French press agency AFP,' announced the *444.hu* portal on 26 October.

In 2020, the European Commission launched the *European Digital Media Observatory* (EDMO), which aims to coordinate the centres and editorial teams across

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76 Direkt36.hu Wikipedia page, accessed 8 December 2021, <https://hu.wikipedia.org/wiki/Direkt36.hu>



the Member States that are carrying out *fact-checking* and 'scientific research on the propagation of false information and disinformation, as well as strengthening organisations involved in defending the conscientious consumption of media content and educating in this sense'. In the context of this EU project in Hungary, the website *444.hu* and its partner *Qubit* will be the only entities authorised to determine what constitutes fake news and what does not. Ferenc Hammer, head of the *Media Universalis Alapítvány* (*Media Universalis Foundation*), will be responsible for coordinating research for this project. According to the *Open Society Foundations* (OSF), *Media Universalis Alapítvány* has received \$11,700 from the Soros foundations (77).

Maria Nemcová (78), former programme director of the *Open Society Foundations* in Prague, is on the board of directors of *Magyar Yeti Zrt.* Maria Nemcová now works for the *Media Development Investment Fund* (a George Soros-linked fund that also finances the weekly magazine *Magyar Narancs*), where she is deputy director of operations. The fact-checking project will be led by a journalist from *direkt36.hu*, a pure player supported by the OSF to the tune of \$50,500 in 2016, \$47,136 in 2018, and \$47,430 in 2019. In 2018, *direkt36.hu* acknowledged having received support from international foundations, including the *Open Society Foundations*.

Fact-checking has become a real hobbyhorse of the activities of the George Soros-linked foundations, which finance a series of projects aimed at fighting 'fake news and misinformation', such as the *PolitFact.com* project (*Tampa Bay Times*, *Poynter Institute for Media Studies*, with close links to the *Center for Investigative Reporting*, amply funded by the OSF).

#### *forbes.hu*

An online Hungarian version of the American magazine *Forbes*, this portal deals mainly with economic and financial news, and the world of business and affairs. It is supported by dozens of Hungarian and international companies.

October 2021: 77th most visited site in the Media and Information category; 940,000 visits

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77 Sándor BÉRES, 2021, Amerikai mintára, baloldali portálok újságíróival indul 'tényellenőrző' oldal [Left-wing portals launch fact-checker based on American model], *Mandiner*, 29 October 2021, [https://mandiner.hu/cikk/20211029\\_belfold\\_gyurcsany\\_ferenc\\_soros\\_gyorgy\\_444\\_hu](https://mandiner.hu/cikk/20211029_belfold_gyurcsany_ferenc_soros_gyorgy_444_hu)

78 Team, Maria Nemcova, viewed on 4 December at: <https://www.mdif.org/people/marie-nemcova/>

This economic portal is 50% owned by the *Central Médiasoport group* of Zoltán Varga. While it does not engage in constant criticism of the government to the same extent as other sites, it publishes numerous articles on companies belonging to individuals close to the Orbán family. This portal, which is half-owned by the consortium managed by Zoltán Varga, is clearly opposed to the Hungarian government, although not excessively so.

October 2021: 104th most visited site in the Media and Information category; 805,100 visits

*merce.hu (standard.hu)*

Established in 2008 under the name *Kettős Mércé*, this portal was relaunched as *Mércé* in 2017. Its initial objective was to counter the rise of the far right in Hungary, and it continues to serve as a platform for left-wing and far-left activists who are critical of capitalism. The website is linked to András Jámbor, an opposition candidate in the 8th district of Budapest for the 2022 legislative elections, president of the political movement *Szikra (The Spark)* and close to the mayor of Budapest, Gergely Karácsony. *Mércé* is also significantly influenced by the figure of the renowned Hungarian intellectual and philosopher Gáspár Miklós Tamás (nicknamed TGM), a pillar of the Budapest intellectual milieu, who has repeatedly gone so far as to explain that the Hungarian government was fascistoid (79).

*Mércé* is financed by donations and European funds from journalists. This site is, by its very nature, radically opposed to government policy. Although it is critical of capitalism, and therefore in theory also indirectly of what the overwhelming majority of opposition politicians advocate, it is characterised by a very clear LGBT activism and a position in favour of immigration. In an article published in August 2016, **András Jámbor commented on the funding provided by George Soros to the Democrats as part of the presidential campaign, explaining that, apart from donations, the only people to help the non-Fidesz Hungarian press were George Soros and the Norwegian Fund (80).**

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79 TGM: Orbán beállt a fasiszták közé [TGM: Orbán joins the fascists], klubradio.hu, 7 August 2021, <https://www.klubradio.hu/adasok/tgm-orban-beallt-a-fasisztak-koze-119344>

80 András JÁMBOR, 2016, A nagy, döbbenetes Soros-leleplezés [The great and astonishing Soros revelation], Mércé, 16 August 2016, [https://merce.hu/2016/08/16/a\\_nagy\\_dobbenetes\\_soros-leleplezes/](https://merce.hu/2016/08/16/a_nagy_dobbenetes_soros-leleplezes/)

### *Partizán YouTube channel (Partisan)*

Launched on the eve of the municipal elections in autumn 2019, this YouTube channel is the continuation of the *Slejm* channel of Márton Gulyás, who is still the owner and central figure of *Partizán*. The channel's primary focus is on two areas: documentaries that examine the professional trajectories of politicians and businessmen with close ties to Fidesz, and daily interviews with prominent Hungarian figures. While the founder and presenter of the channel often advocates factual, objective journalism that fulfils a public information mission, it is evident that his work involves putting the Hungarian government in a difficult position, while being much more lenient towards the political forces that could bring about political change in Hungary.

*Partizán* played a significant role in the media coverage of the primary of the united opposition in early autumn 2021, organising debates between candidates competing in the constituencies. It became the primary source of news for politicians opposed to the government. In October 2021, the channel announced that in the coming months it would be targeting its media content at constituencies where Fidesz and the united opposition were neck and neck, confirming the channel's active role in the electoral strategy of Viktor Orbán's opponents. (81)

The channel boasts a significant reach for a nation of 10 million inhabitants: 207,000 subscribers and more than two million views per month. It is funded by donations and declared revenues equivalent to 16,000 euros in 2020, which is clearly insufficient to rent premises of several hundred square metres in Budapest and maintain a team of 20 people. Notably, the channel has not been directly affected by censorship on social networks, a practice that has however been applied to some pro-government media (82), and, to the best of our knowledge, its work has never been obstructed by the Hungarian government, despite the fact that it publishes well-researched and very in-depth content and, with a certain talent, reveals the architecture of power in Hungary and the workings of the circles of influence close to Fidesz. The success of this channel is proof that the Hungarian government does not exercise direct control over media content that could be objectively and clearly unfavourable to it. On 4 November, the head of the *Partizán* channel stated that his role was to provoke and that he fulfilled a mission of training the social conscience, explaining that he was not a professional journalist (83).

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81 Gábor NAGY, 2021, Újsorozatindul, kampányeszköz lehet a Partizánból [New programme launched, Partizán could become a campaign tool], mandiner.hu, 27 October 2021, [https://mandiner.hu/cikk/20211027\\_partizan\\_baloldal\\_kampany\\_ellenzek](https://mandiner.hu/cikk/20211027_partizan_baloldal_kampany_ellenzek)

82 See above. p. 41

83 Gábor NAGY, 2021, Elvtárs nem vész el, csakátalakul: Gulyás Márton [A comrade is never lost, he transforms: Márton Gulyás], mandiner.hu, 4 November 2021, [https://mandiner.hu/cikk/20211103\\_gulyas\\_marton\\_partizan\\_baloldal\\_portre](https://mandiner.hu/cikk/20211103_gulyas_marton_partizan_baloldal_portre)

In December 2021, one of this channel's programmes was removed from YouTube for using content that is automatically subject to censorship. In this case, it was images of the Hungarian nationalist movement HVIM (*Hatvannégy Vármegye Ifjúsági Mozgalom* - Sixty-Four Counties Youth Movement). Although technically this was censorship of a Hungarian media organisation opposed to government policy, in reality the incident originated from the censorship of a Hungarian nationalist political movement.

### *Portfolio.hu*

Launched in 1999, this portal has been in the hands of Sándor Csányi, boss of *OTP* and for a long time Hungary's richest man, and Zoltán Spéder, businessmen who have gradually distanced themselves from Fidesz, since 2016. The portal addresses economic, monetary, financial and stock market issues, and does not take a defined political stance, instead focusing on delivering analytical content. This approach has led to its recognition as the leading economic information site in the Hungarian language. This high standard and relative independence can be attributed to the fact that, similar to the *Azonnali* site, Portfolio is partly owned by a figure who embodies continuity and a form of deep state that transcends political divides: the CEO of Hungary's leading bank, *OTP*. A similar situation is observed with *mfor.hu* and *privatbankar.hu*, which are partially owned by Róbert Barlai, a former *OTP* banker.

October 2021: 6th most visited site in the Media and Information category; 18.26 million visits

### *Szabadeuropa.hu — Radio Free Europe*

Returning to Hungary in September 2020 in the form of a portal publishing multimedia content (including a lot of infographics), *Radio Free Europe* had played a key role in the fight against communism in Central and Eastern Europe, and is directly funded by the United States (through the *United States Agency for Global Media*). Some analysts have gone so far as to interpret *Radio Free Europe's* return to Hungary in 2020 as indicative of the strategic intent of progressive and Atlanticist forces to bring an end to Viktor Orbán's government. It is clear that this site publishes content that is openly hostile to the Hungarian government, and that it employs Hungarian journalists who are the most loyal opponents of Fidesz-KDNP, in the same way as those of *Telex* or *444*. One of the journalists at *Radio Free Europe Hungary* is György Kerényi, former communications director of the Hungarian Socialist Party. It is widely acknowledged that historical archives provide evidence of the connection between *Radio Free Europe* and the CIA.

October 2021: 84th most visited site in the Media and Information category; 1.04 million visits

*Valaszonline.hu (Online response)*

Launched in December 2018 by six journalists from the former conservative weekly *Heti Válasz*, this media outlet is owned by its founders and has a small but highly professional team, working with limited resources. This website publishes articles in English and has a liberal-conservative line, similar to that of *Magyar Hang*. It specialises in publishing in-depth interviews with prominent Hungarian figures and has become a prominent voice in the opposition within the opposition niche, a movement now led by Péter Márki-Zay. In early January 2021, *Válasz Online* published a study on the distribution of the media in Hungary (84), which formed the basis for the general media table drawn up by the author of this report. The article makes it clear that, contrary to what the Hungarian government's detractors have been saying from abroad, the government's circles of influence only control half of the press in Hungary. The remaining portion, despite often self-identifying as 'objective' and 'independent', is, in reality, controlled by entities that are vehemently opposed to the government.

October 2021: 164th most visited site in the Media and Information category; 432,840 visits

*The sensational return of Deutsche Welle (DW - German Wave) to Hungary*

In April 2021, the German public news agency *Deutsche Welle* (DW) launched a Hungarian-language YouTube channel to address, according to its director Péter Limbourg, the fact that the press and media were coming under increasing pressure in Hungary, which justified DW's return to the country (85), previously present in the market through a television channel. DW's return to Hungary prompted an immediate reaction from the Hungarian government, which is aware that the German channel will be added to the growing list of online media outlets that are hostile towards the government. The response was articulated by Zoltán Kovács (86), the government spokesman responsible for international relations, who expressed a sense of bemusement at the pathos with which DW announced its return to Hungary.

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84 András BÓDIS, 2021, A NER már a sajtó 50 százalékát kontrollálja – itt a nagy médiatérkép [The NER (Fidesz system) now controls 50% of the press - here is the big media map], *valaszonline.hu*, 4 January 2021, <https://www.valaszonline.hu/2021/01/04/a-ner-mar-a-sajto-50-szazalekat-kontrollalja-itt-a-nagy-mediaterkep/>

85 DW Magyar: Deutsche Welle startet Programm in 'alter, neuer' Sendesprache Ungarisch [DW Magyar: Deutsche Welle starts programme in 'old/new' broadcast language: Hungarian], *dw.com*, 28 April 2021, <https://www.dw.com/de/dw-magyar-deutsche-welle-startet-programm-in-alter-neuer-sendesprache-ungarisch/a-57358676?fbclid=IwAR2cTbN98L3aTDp8ZKRWWo5qfnjIE9-hYxSrNQzHvrTOTAJNL05J0ag76yk>

Shortly before returning to the Hungarian market in March 2021, *Deutsche Welle* (DW) broadcast a report on the urban redevelopment work in Budapest carried out by the Hungarian government (87). This report featured opposition politicians and characterised the developments undertaken on Kossuth Square and in the Buda Castle district as indicative of extreme nationalism, suggesting that these projects had made life impossible in these neighbourhoods. This journalistic approach, which was factually inaccurate, even according to many opposition voters, prompted a strong response from the Hungarian authorities. The Hungarian government could not accept that a German media organisation was telling Hungarian audiences that the state of the sites being renovated was "a reminder of 1944". The media organisation DW apologised to the Hungarian people for any offence caused, but continues to broadcast content that is unwelcome to the Hungarian government.

Deutsche Welle apologised to the Hungarians by publishing this message on its website:

*'Hungary: Orbán is rebuilding Budapest*

*Some viewers found the historical references in this report problematic. We would like to make this clear: Nazi Germany is responsible for the deportation and murder of several hundred thousand Hungarian Jews. We unreservedly apologise if this report conveyed a different impression and appeared to be biased. (88)'*

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86 Dániel SZALAY, 2021, Ellenségesen fogadta a magyar kormány a Deutsche Welle bejelentését [The government is annoyed by the DW statement], media1. com, 24 February 2021, <https://media1.hu/2021/02/24/kovacs-zoltan-deutsche-welle-magyar-tartalom-ellenseges-fogadtatas/>

87 Hungary: Orbán is rebuilding Budapest, dw.com, March 2021, <https://www.dw.com/en/hungary-orban-is-rebuilding-budapest/av-56659043>

88 Ibid.

## CHAPTER CONCLUSION

In many respects, the historical elements and sociological influences discussed in this chapter, along with their impact on the real media dynamic, the general picture of the Hungarian media, and the comparison of the Hungarian situation with a few Western European examples, are likely to disturb the traditional narrative that has been deployed against Viktor Orbán's government since 2010.

In Hungary, there is no political power characterised by a desire to silence journalists who are unfavourable to it. However, in the post-communist era, Hungary has been a nation where the press and media have been highly politicised, operating within a framework of political balance of power since 1990. The concept and practice of a public media service are absent elements of media culture and operation, an absence for which Viktor Orbán is not to blame and which stems from almost half a century of the rule of the socialist parties of the Eastern Bloc over information..

Since 2010, the Hungarian government's media policy has been to address the discrepancy between the over-representation of progressive and liberal ideas in the media landscape and the real state of Hungarian public opinion. Critics have labelled this policy of rebalancing as part of a 'desire to kill press freedom', but it has in fact resulted in a more pluralistic media landscape in Hungary, with greater diversity than was the case before 2010. In today's media landscape, there are two main comparable and irreconcilable poles: on the one hand, the pro-government press, and on the other, the media that oppose the government's policies. This opposition bloc struggles to convince when it claims that its work is carried out objectively and independently, when its vested interests and tone show that it is fully engaged in the Hungarian political battle. **Furthermore, in contrast to the perceptions of the Hungarian government's detractors, this bloc does not perceive any hindrance to its activities from Viktor Orbán's administration, and it is known to articulate its positions with great fervour (89). Despite this, the political authorities do not attempt to silence these radically dissenting voices.**

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89 Unlike in France, defamation proceedings are very rare in Hungary. Those targeted by the press do not generally have the habit of responding in court to the accusations, caricatures and attacks to which they are subjected.

In Hungary, these dissenting voices are not only not in danger, but they are increasingly dictating the media agenda and rhythm. The pro-government media is unable to free itself from its traditional approach to information (print newspapers, television) and is powerless in the face of Hungarian sociological developments (urbanisation, digitisation). Consequently, the ball is in the court of the opposition media. The issues raised by these media outlets play into the hands of Hungarian politics, and the pro-government media do not have the means to challenge the rules of the game and are subject to this agenda-setting.

Aware of being permanently on the defensive, the government responded to this delay in 2019 by imitating the methods of the opposition media (creating YouTube channels, funding influencers on social networks). While this approach has been successful in increasing the presence of conservative media, it has not yet enabled the government to effectively impose its own themes and media rhythm. To achieve this, the ideas conveyed by the pro-government media would need to benefit from a sociological and technical dynamic. However, this dynamic favours the ideas put forward by the opposition media, which in turn dictate the Hungarian media agenda..

**The government's close control over the regional press and public television is reminiscent of a bygone era, rather than a contemporary strategy for shaping public opinion in the age of instant information, digital lifestyles and urbanisation. These developments are evident worldwide, including in Hungary.** Those who criticise this takeover are also fighting a battle from the past, undoubtedly in good faith, because they are aware that opinion is no longer influenced through the regional press and television news programmes.

Ultimately, this ongoing dispute between the Hungarian government and its critics, who accuse it of stifling the press, is beneficial for both parties. The government can exaggerate its resistance to the attacks of its detractors. Its detractors, meanwhile, can avoid addressing the fact that **the government does not exert significant influence over shaping public opinion in Hungary, and that the opposition political and media forces hold greater influence than the government's propaganda apparatus.** It is a worrying fact for those involved in Hungarian political life that, after more than ten years of what some might call 'authoritarian management' of his country, Viktor Orbán has not yet succeeded in creating an autonomous and dynamic media and opinion sphere. His approach to media is static and defensive. Furthermore, this defence is often characterised by a protracted response time, with pro-government media allowing a considerable amount of time to elapse before reacting to a new topic initiated by progressive Hungarian media. This has led to pro-Fidesz journalists abruptly altering their narrative, and at times, even ridiculing themselves.



In summary, Viktor Orbán is facing challenges from a media opposition that is well-informed, technologically advanced, and connected to the networks that dominate the Western world. The Hungarian government media apparatus resembles a centralised Soviet machine, making it susceptible to external pressures and changes in the global environment. In Brussels, the Hungarian government's media apparatus is often portrayed as a formidable force, but in reality, it is rigid, sluggish and vulnerable.

## **Section 2: The media and the press in Poland**

### **INTRODUCTION**

Many observers in Western Europe have noted similarities between the policies pursued by Viktor Orbán in Hungary since 2010 and those of the PiS in Poland since 2015. These parallels are rooted in tangible realities: both countries have exhibited a political and ideological understanding since the Polish conservatives assumed power in autumn 2015, and are seeking to establish it as the distinctive characteristic and driving force of the Visegrád Group. The Czech Republic and Slovakia have been more occasional partners on an ad hoc basis, especially since the departure of Czech Prime Minister Andrej Babiš in November 2021.

From the moment it took office on 16 November 2015, the Polish conservative government increased its public statements praising the policies of Hungarian Prime Minister Viktor Orbán, aware that the Polish electorate, which had brought a conservative majority to power, was closely observing developments in Budapest. In Warsaw, there was a perception that the new government would be inspired by the turn taken by Viktor Orbán and that a 'Budapest in Warsaw' was needed. It is in the area of family policy aimed at increasing the birth rate that this copycat approach will prove to be the most far-reaching, as the new Polish elites in power clearly share the same position as the Hungarian government on the issue of non-European immigration. They are well aware that their electorate – but also, as in Hungary, other sections of Polish society, as a whole much less open to progressive ideas than Western Europeans – was perfectly in tune with this political line and anti-immigration discourse.

With regard to the subject of interest in this report, namely the question of freedom of the press and the media, it is noteworthy that there are similarities in the political agenda and the government's discourse between Warsaw and Budapest. In the first chapter of this report, we set out to explain how and why the reform of the media sector was one of the first major projects of Viktor Orbán's government in 2010. In Poland too, the media sector is the issue that will occupy Beata Szydło's government the most from the outset, so much so that it was only at the end of 2015, on 31 December, that the new majority laid the foundations of its media policy by voting through a law known as the 'small media law'. Not only would the Polish government prioritise the media issue, but it would also take an approach similar in many respects to that of the Hungarian government in 2010, particularly with regard to the management of public service media.

It is evident that the congruence in media approaches between Poland and Hungary is predominantly attributable to their common historical experiences, namely their former affiliation with the Eastern Bloc and the subsequent economic and political ramifications of the Bloc's dissolution. As with Hungary, Western Europeans often struggle to comprehend the rationale behind media practices in Poland and other former Soviet satellite countries. This complexity is largely attributable to the economic and political environment that emerged following the dissolution of the Eastern Bloc.

The media landscape of Hungary is marked by a pronounced polarisation between the government and the opposition. This polarisation is also evident in Poland, as will be demonstrated in this chapter, though it is in some respects more complex than in Hungary. Geopolitical debates and divisions are more prominent within the political class and, by extension, the media sector. Polish politics is characterised by a greater variety and number of players, as well as more significant political currents than in Hungary. While Hungarian politics can sometimes appear to be a series of clan wars, Polish politics is enriched by debates and the confrontation of points of view - a relative richness that obviously has an impact on the media sphere. This complexity, which is nascent in Hungary, and the strong focus on international issues, which are more of a posture in Hungary, contribute to a more multifaceted Polish media landscape compared to Hungary.

The fact remains that since 2015 Poland has become, alongside Hungary, the thorn in the side of Brussels and progressive Western media when it comes to freedom of the press. Beyond the differences between these two countries, the narrative used to criticise Warsaw is the same as that which has been used against Hungary since 2010. This has taken the form of press campaigns against the Polish government, European Parliament resolutions, concerns from the European Commission, and diplomatic condemnations. The methods employed in criticising the situation of the press in Poland are strikingly similar to those used against the government of Viktor Orbán since 2010.

However, given the heightened geopolitical sensitivity in Polish media compared to Hungarian media, the reactions from Brussels and Poland's Western allies offer more insight into the true nature of these denunciations than an analysis of the Hungarian case. The interpenetration of geostrategic interests is more evident in the Polish media market than in the Hungarian one. As a result, there is more evidence that Western indignation over press freedom in the Polish case is a façade masking deeper problems than in the Hungarian one.

The Warsaw/Brussels conflict over press freedom, which occurred more recently than the Budapest/Brussels conflict, is a rich source of information that sheds light on and deepens the understanding of the Hungarian case. Given the similarities between the Polish and Hungarian situations, and the greater complexity of the Polish media landscape, this wealth of information further undermines the theory popular in Brussels that there are 'free and independent' media on the one hand, and pro-government propaganda media attacking the former on the other. This oversimplified view of the media reflects a fundamental misunderstanding of the complexities of the Polish context. The following study aims to challenge this by providing a more nuanced perspective, contextualising events in a chronological framework (I, II, III), and offering a comprehensive overview of the current state of media in Poland (IV).

## **I. 2007-2015: a media landscape dominated by progressives**

In power between 2005 and 2007, a period during which it was the subject of severe criticism from the Western media, especially in Germany, and the liberal Polish media, the PiS then spent eight years in opposition between 2007 and 2015 - as did Viktor Orbán's Fidesz in Hungary between 2002 and 2010 - facing government coalitions positioned on a pro-European and progressive political line.

The period during which the Civic Platform (PO) was in power was marked by a series of media and political scandals. These events, however, garnered little attention from the Western media and European institutions, despite these entities' recent adoption of a more critical stance towards the media policies of the PiS and the 'United Right' coalition.

There has been a conspicuous silence on the part of both the European Commission and the mainstream Western European media regarding the state of press freedom in Poland, following the revelation that Prime Minister Donald Tusk, who served as the head of the Polish government from 2007 to 2014 before his appointment as President of the European Council, was implicated in a series of actions that entailed the direct manipulation of the editorial policies of prominent Polish media outlets. It was inconceivable that he could have been unaware that the Polish services were drawing up lists of journalists to be actively monitored.

**Donald Tusk became President of the European Council in September 2014, so it is not really surprising that the European institutions have not reacted to these scandals, which go far beyond the current accusations against the 'United Right' coalition on media matters.**

In 2011, the editor-in-chief of the esteemed daily newspaper *Rzeczpospolita* was dismissed, and the publication's editorial stance shifted to align with government policy following a share acquisition of the media company by businessman Grzegorz Hajdarowicz, a personal acquaintance of Pawel Graś, Secretary of State in the Prime Minister's Office and Secretary General of the Civic Platform. Pawel Graś is also implicated in the events of April 2014, in which Jan Kulczyk is involved through his intervention with the Springer family (specifically with Axel Springer's widow, Friede Springer, a personal friend of Angela Merkel, whose husband Joachim is a member of the Board of Directors of the *Friede Springer Foundation*). Kulczyk's aim was to request a pro-Tusk shift in the editorial line of *Fakt*, which is owned by the *Axel Springer press group* (90).

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90 Quand Donald Tusk « président de l'Europe » muselait la presse d'opposition, Observatoire du journalisme, 6 May 2016, <https://www.ojim.fr/quand-donald-tusk-president-de-leurope-muselait-la-presse-dopposition/>

Furthermore, it has been revealed that when Donald Tusk was head of the Polish government, the Polish counter-intelligence agency (ABW) and the anti-corruption bureau had drawn up a list of 42 journalists to be monitored. This monitoring included tailing, wiretapping, tracking journeys and listing calls. Particularly targeted were journalists whose investigations threatened the official narrative surrounding the 2010 Smolensk disaster, as well as those covering corruption cases involving the Prime Minister, notably the Amber Gold case, which revealed that the judge who declared the company in question bankrupt was acting on behalf of Donald Tusk (91).

An episode of this case involving Donald Tusk, the Polish services and journalists from *Wprost* even provoked the anger of *Reporters Without Borders*. On 18 June 2014, the weekly *Wprost*, the first to publish some of the secretly recorded material, was raided by prosecutors assisted by ABW agents. This police raid was later condemned by *Reporters Without Borders* (92).

During Donald Tusk's tenure, the majority of the media and newspapers expressed support for him, and this never posed any significant challenges to the Western media or European institutions. During his term as European leader, it appears that Donald Tusk was unfazed by these concerns, and it is noteworthy that he is presently re-emerging in the political landscape of Poland, with some observers hypothesising that he might harbour national ambitions.

The poor state of public debate, the difficult situation of the conservative press and the repeated corruption scandals acted as a springboard for the PiS and facilitated its return to power. The lack of plurality in the media was one of the main criticisms that voters who supported the PiS made with regard to the Tusk era, and the new government made media reform one of its priorities and one of its first political projects in the first weeks of taking office.

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91 En Pologne sous Donald Tusk, les journalistes d'opposition étaient surveillés de près..., Observatoire du journalisme, 23 May 2016, <https://www.ojim.fr/en-pologne-sous-donald-tusk-les-journalistes-dopposition-etaient-surveilles-de-pres/>

92 Violating confidentiality of sources, police raid magazine for recordings, RSF, 20 January 2016, <https://rsf.org/en/news/violating-confidentiality-sources-police-raid-magazine-recordings>

## II. Media and press reform following the PiS's return to power in 2015

Following its return to power in 2015, PiS proceeded to implement measures aimed at realigning the media landscape, thus addressing the discrepancy between public sentiment and the actual state of the media sector, a strategy reminiscent of Fidesz's actions in 2010.

On 31 December 2015, the Polish Parliament passed a 'small media law' amending the procedures for appointing members of the boards of directors and supervisory boards of public radio and television. The law stipulates that the Minister of the Treasury, who also acts as the supervising minister for all public companies, is responsible for appointing the members of these bodies. Previously, this responsibility lay with the National Radio and Television Council (KRRiT).

On 8 January 2016, Jacek Kurski, a politician and journalist with close ties to PiS, was appointed to the role of head of the Polish public television channel *TVP*. This change was accompanied by the appointment of a new president of the public radio station *Polskie Radio* and a new director of the public news channel *TVP Info*. The PiS thus put an end to the progressive reign in the Polish public media, and the consequence of its reform was to bring diversity to the audiovisual landscape by counterbalancing the pro-European and progressive line of the two major private television groups (*TVN* and *Polsat*). As in Hungary a few years earlier, the editorial and political direction of public media underwent a significant shift, becoming favourable to the new government after having been favourable to the previous one, notably after Donald Tusk's government took over with the support of post-communist social democrats from the SLD from 2010.

Intended as a first step towards a 'major media law', this law of December 2015 was accompanied, in June 2016, by the creation of the *RMN (National Media Council—Rada Mediów Narodowych)* in order to appoint and dismiss the directors of the public media, as well as those of the Polish press agency *PAP*. The council has renewed Jacek Kurski's term of office and is composed of three members appointed by the majority party in Parliament, one member proposed by the largest opposition party in Parliament (the Civic Platform) and one member proposed by the conservative opposition party Kukiz'15. Although dominated by the ruling coalition, this council can no longer, as was the case with the KRRiT, be changed every year by the Diet (by a vote rejecting the KRRiT's annual report, which the PO-PSL majority did with the support of the SLD in 2010, to purge the public media of their conservative and pro-PiS elements (93)).

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93 Olivier BAULT, 2018, 'Comprendre la situation politique en Pologne', Report for the European Parliament, December 2018, p.110, <https://present.fr/wp-content/uploads/2019/10/rapport-sur-la-pologne-olivier-bault-version-definitive.pdf>

Following the vote on the 'small law on the media' on 31 December 2015, the French daily newspaper *Le Monde* published an article focusing on the media situation in Poland. The article, which was based on an *AFP* dispatch, expressed concerns that the executive would have more control over public media in Poland in the future, referring to a 'risk of systematic editorial interference' (94).

*Le Monde* reported on international protests against the new Polish government's measure and quoted indignant statements from the *European Broadcasting Union (EBU)* (95), the *Association of European Journalists (AEJ)* and *Reporters Without Borders (RSF)*, who described it as a 'provision hastily introduced without consultation'. They had forgotten that parliamentary elections had taken place a few weeks earlier and that the PiS had won 37.58% of the vote. It is precisely this electorate that deplores the cruel lack of plurality in the Polish media landscape and is pushing for changes in the editorial line of the public media. **This electorate had grown weary of seeing the public and private media clearly dominated by a line close to the PO, a party that obtained only 24.09% of the vote in October 2015.** Ignoring the media situation that favours the liberal PO, Poland's critics developed a narrative about the EU's 'common values' and the 'freedom and pluralism of the media'. However, it is precisely this takeover of the public media by the new government that has enabled Poland to have a less univocal media landscape, more in line with the political balance of power and the differences within Polish society. This is because Polish voters, who did not align with these declarations of principle on the values of the European Union, were under-represented in the media – a situation that the law of 31 December 2015 aimed to remedy.

It is also important to note that the article in *Le Monde*, which initiated a one-sided narrative about Poland that is still going strong, provides the essential elements of the method subsequently used to attack the Polish government's media policy. *Le Monde* reproduced an *AFP* dispatch and did not provide direct testimony from a correspondent on the ground. For the most part, major Western media outlets rely on *Reuters*, the *American Associated Press* and *Agence France-Presse* for their information on Poland.

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94 En Pologne, l'exécutif aura plus de contrôle sur les médias publics, *Le Monde/AFP*, 31 December 2015, [https://www.lemonde.fr/europe/article/2015/12/31/la-pologne-adopte-une-loi-donnant-a-l-executif-plus-de-contrôle-sur-les-medias-publics\\_4839962\\_3214.html](https://www.lemonde.fr/europe/article/2015/12/31/la-pologne-adopte-une-loi-donnant-a-l-executif-plus-de-contrôle-sur-les-medias-publics_4839962_3214.html) 95 Chaired since 1 January 2021 by Delphine Ernotte, President of France Télévisions, the EBU was headed between 2009 and 2019 by Jean-Paul Philippot, a senior Belgian civil servant and Director General of Radio Télévision Belge de la Communauté Française (RTBF).



Despite being legally independent, *AFP* has experienced financial difficulties for several years and would not survive without the support of the French state. *AFP*'s coffers have regularly been in the red in recent years, in spite of very significant funding from the state (96). In 2017, *AFP* also launched a fact-checking website (*Factual*), a verification service in collaboration with several international media outlets, including the Hungarian website *444.hu*. As we demonstrated in the first chapter of this report, *444.hu* was not exactly an example of neutrality or independence.

**The European institutions never express concern about the monopoly of information held by the major press agencies. This would be surprising, moreover, given that in Hungary the fact-checking project between *AFP* and *444.hu* is being carried out in partnership with the European Commission. However, there is a real question of ethics in the almost systematic use of dispatches written by these three agencies to discuss the situation in any given country.**

#### *Creation of the Committee for the Defence of Democracy (KOD)*

The Committee for the Defence of Democracy (*KOD: Komitet Obrony Demokracji*) was established in November 2015, shortly after the PiS's landslide victory in the 25 October parliamentary elections. It began as a group on social networks (97), which led to a protest (98) against the government on 12 December. This was a protest against the government's plans to appoint judges to the Constitutional Tribunal. In the context of this event, the KOD did not hesitate to refer to a 'coup d'état', a rather vague and hazardous proposition when compared with the democratic legitimacy obtained by the PiS in the legislative elections a few weeks earlier or the eminently political method of appointing members of the constitutional court in other EU countries, such as in France, where the members are appointed directly by the President of the Republic and the presidents of the parliamentary chambers. However, the new majority was only cancelling appointments of members of the Constitutional Court made in advance by the previous Diet, for five judges whose terms were due to end in November and December, i.e. after the October elections.

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96 Cédric HERMEL, 2019, L'AFP : un mastodonte de l'information sous surveillance, *franceculture.fr*, 28 August 2019, <https://www.franceculture.fr/medias/lafp-un-mastodonte-de-linformation-sous-surveillance>

97 Similarly, in Hungary, a Facebook group ('Egy millió a sajtószabadságért') was created to protest against the government's media policy and served as a basis for the demonstrations at the end of 2010 in Budapest.

98 Nathalie LACUBE, 2015, En Pologne, grande manifestation contre le gouvernement, *La Croix/AFP*, 13 December 2015, <https://www.la-croix.com/Actualite/Monde/En-Pologne-grande-manifestation-contre-le-gouvernement-2015-12-13-1392369>

On Saturday 9 January 2016, at the urging of *KOD*, 'tens of thousands of people' (99) demonstrated in Poland against the 'small media law' passed on 31 December, rallies that the international press presented as the result of a 'spontaneous citizens' initiative'. In the provinces, a few hundred people gathered in front of the headquarters of the public television channel *TVP* (in Gdansk, Wroclaw, Krakow, Poznan and Bialystok), where the law has allowed for a reshuffling of the management at the beginning of the year.

In reality, a good number of personalities from the Civic Platform as well as anti-PiS journalists are present at the *KOD* protests, and it is not certain that such events could have taken place without their support. The spontaneous nature of these demonstrations raises significant questions. Significant members of the PO are in attendance, as well as journalists with an extensive international network, including Tomasz Lis, whose impartiality has been called into question on multiple occasions, notably when it came to light that he had orchestrated a disinformation campaign targeting the then-future Polish president and PiS member, Andrzej Duda (100). Tomasz Lis is one of the most prominent Polish journalists on the international stage, along with Adam Michnik (101). His political and ideological affiliation and reputation in Western progressive circles, and his participation to *KOD* events, cast doubt on the spontaneous nature of this committee, which includes citizens who sincerely disagree with the PiS's political line. However, the movement would not have had the same international impact if it had not been politically and mediatically supervised.

It should also be noted that, as a whole, Central and Eastern Europe is not generally associated with 'spontaneous movements'. Citizens tend to mobilise only when they feel secure within a robust political framework. This is in contrast to France, which often appears to be a country where spontaneity without structure is more common. The most recent example of this was the series of Yellow Vest protests in France that took place for several months in 2018/2019. These protests did not have any real oversight. In fact, it is fair to say that the movement started to decline when official political supporters started to take it over. This absence of spontaneous citizen action is particularly evident in Hungary, a country smaller than Poland and more centralised, where any protest movement must necessarily be organised through an existing structure.

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99 Les Polonais dans la rue pour défendre les libertés des médias, L'Humanité, 9 January 2016, <https://www.humanite.fr/les-polonais-dans-la-rue-pour-defendre-les-libertes-des-medias-594982>

100 Tomasz Lis i Tomasz Karolak cytowali w TVP fałszywe konto córki Dudy. Wydawca i Lis przepraszają [Tomasz Lis and Tomasz Karolak quoted a false story about Duda's daughter on TVP. They apologise], wyborcza.pl, 18 May 2015, <https://wyborcza.pl/7,75398,17941873,tomasz-lis-i-tomasz-karolak-cytowali-w-tvp-falszywe-konto-corki.html>

101 see below pp. 112-114

As discussed in the first part of this report, Hungary essentially operates according to a feudal logic. Citizen mobilisation can only take place if it is overseen and managed by individuals with a connection to Hungarian political circles.

In Central and Eastern Europe, the terms 'civil society' and 'citizen initiative' have been used for the past fifteen years or so to refer to actions which often turn out to be politically motivated. As with the actions of NGOs in certain areas, presenting a movement as stemming from civil society or as the result of a citizen initiative allows states and political forces to be absolved of all responsibility. These citizens' initiatives represent a strategic approach by political forces to occupy public space. Following their defeat in the October 2015 legislative elections, it would have been ill-advised for the PO to have directly called for demonstrations against the government. Instead, it found a way to remain relevant by aligning with a citizens' initiative, or even supporting it.

### *'The European Union threatens Poland'*

In the wake of the significant international outcry (102) to the adoption of the 'small media law', and following the Vice-President of the European Commission, Frans Timmermans, requesting further explanations from the Polish government, the German European Commissioner for Digital Economy and Society, Günther Oettinger, raised the prospect of implementing an 'unprecedented procedure for violations of the fundamental values of the EU' and activating the 'rule of law mechanism'. In an interview with the *Frankfurter Allgemeine Zeitung* on 2 January 2016 (103), he even discussed the possibility of 'surveilling Poland'. As previously, the German commissioner's remarks were repeatedly reported by *AFP* and made headlines in the European press in the first week of 2016.

The use of strong language such as 'threat', 'placed under surveillance' and 'unprecedented procedure' offers little insight into the concrete evidence that could be obtained by studying the real situation in Poland. It also demonstrates a lack of regard for the broad democratic legitimacy obtained by the PiS in the 2015 elections. The fact that the first person to use the harshest words against the new conservative government was a German with a long national political career is undoubtedly not insignificant. There are two main reasons for this.

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102 Liberté de la presse : l'Union européenne menace la Pologne [Freedom of the press: the European Union threatens Poland], Europe 1/AFP, 3 January 2016, <https://www.europe1.fr/international/liberte-de-la-presse-lunion-europeenne-menace-la-pologne-2643899>

103 Thomas GUTSCHKER, 2016, Oettinger will Warschau unter Aufsicht stellen [Oettinger wants to put Warsaw under surveillance], FAZ, 3 January 2016, <https://www.faz.net/aktuell/politik/europaeische-union/oettinger-will-warschau-unter-aufsicht-stellen-13994328.html>

**Firstly, the PiS is known to align more closely with American interests, whilst the PO is understood to be more closely aligned with German interests, a fact particularly evident in the context of Donald Tusk's appointment as 'the head of Europe', a position that underscores the significant influence of German interests within the European institutional landscape.**

**Secondly, German investors have a strong presence in the Polish media market, and it quickly became apparent that the ruling PiS intended to reduce the influence of this presence.** While the 'small media law' does not directly concern the private media sector, a politician with close ties to German interests will undoubtedly be concerned about the potential implications of PiS policy, particularly with regard to the regional daily press, which is dominated by German capital.

The German Martin Schulz used strong language to describe the situation in Poland, referring to it as a 'coup d'état' and 'Putinisation' (104). On 13 January 2016, the European Commission launched a preliminary investigation into the attacks on the rule of law in Poland due to the law on the media and the Constitutional Tribunal. This is similar to the situation in Hungary in 2012. While the German government was proceeding discreetly in the Polish case, it is evident that the most critical voices were emanating from Germany. The head of the CDU-CSU parliamentary group in the European Parliament, Herbert Reul, an MEP who has been suspected of conflicts of interest with a German company (105), even called for 'economic sanctions' to be imposed on Poland (106).

The Polish government, noting the strong German connotations of this 'international outcry', summoned the German ambassador in Warsaw on 10 January 2016 to express concern over the 'anti-Polish remarks of German politicians' (107). One month after these diplomatic incidents, Beata Szydło travelled to Berlin to meet with her German counterpart Angela Merkel and attempt to reassure her partners, asking for 'respect for Poland'. This episode, which focused on the reform of the public media and the appointment of judges to the Polish Constitutional Tribunal, marked the beginning of a ongoing conflict between Berlin/Brussels and Warsaw.

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104 Catherine CHATIGNOUX, Pologne : comment le gouvernement conservateur a repris en main la justice et les médias, Les Échos, 12 January 2016, <https://www.lesechos.fr/2016/01/pologne-comment-le-gouvernement-conservateur-a-repris-en-main-la-justice-et-les-medias-193325>

105 In 2011, Herbert Reul was placed on the list of MEPs with potential conflicts of interest drawn up by Corporate Europe Observatory and Lobby Control, as he was then chairman of the European Parliament's Energy Committee and at the same time a paid member of the supervisory board of an energy company, Rheinenergie AG.

106 Renaud HONORÉ, Thibaut MADELIN, Bruxelles met en garde la Pologne, Les Échos, 16 January 2016, <https://www.lesechos.fr/2016/01/bruxelles-met-en-garde-la-pologne-195875>

107 Poland summons German ambassador over politicians' comments, BBC, 10 January 2016, <https://www.bbc.com/news/world-europe-35276531>

At the end of 2016, another incident in the ongoing saga involving the Polish government, freedom of the press and Western media occurred. From 16 December, the government was accused of restricting journalists' access to Parliament. In France, an article was published by the journalists' society of Mediapart, also signed by the Société du personnel de l'Humanité, the journalists' societies of Les Échos, Le Figaro and Télérama. The article called for PiS to respect the right to information (108). The text states:

'Since 16 December, the Polish government has been seeking to limit journalists' access to the parliament, the Sejm. This attack on press freedom comes after the government took control of Polish public broadcasting last year. It is unworthy of a member country of the European Union. On Friday 16 December, the ruling Law and Justice Party (PiS) pushed through the 2017 budget by moving the venue of the parliamentary debates to prevent the press from attending. It has also submitted a bill explicitly aimed at limiting journalists' access to the parliament. Under these rules, due to come into force at the beginning of next year, the number of television channels authorised to film parliamentary debates would be limited to five, and only two journalists per media organisation would be accredited to Parliament. When an opposition MP went to the rostrum to protest on Friday afternoon with a poster saying 'free press', the speaker of the Sejm (PiS) expelled him from the chamber. This government project, which has sparked multiple demonstrations in Poland since Friday, comes after a worrying takeover of public broadcasting. Since the PiS came to power in autumn 2015, the editorial line of Polish public broadcasting has changed profoundly, becoming a recording chamber for government policy and systematically minimising the opposition demonstrations that have been roiling the country for a year. More than 300 journalists have been dismissed from TVP, the country's public television channel. The Société des journalistes (SDJ) of Mediapart joins those of Les Échos, Le Figaro, Télérama, as well as the Société des personnels de l'Humanité in calling on the PiS in power in Poland to respect the right to information and withdraw its project in order to maintain access to Parliament for all journalists, Polish and foreign, as has been the case since 1990. These attacks on press freedom are unacceptable in a member country of the European Union.'

This change to the regulations, which involves logistical changes (relocation of the journalists' work room) and a reduction in their numbers in the Sejm's precincts, while prohibiting the filming of MPs in the debating chamber - a subject that regularly agitates the deputies of the National Assembly in France (109) - is systematically associated in the Western press with an 'attack on the press' and 'an obstacle to the right to information'.

108 Pour l'arrêt des atteintes à la liberté de la presse en Pologne, L'Humanité, 21 December 2016, <https://www.humanite.fr/pour-larret-des-atteintes-la-liberte-de-la-presse-en-pologne-629116>

109 Jean-Baptiste DAOULAS, 2018, Qui pilote les caméras de l'Assemblée ? L'Express, 30 October 2018, [https://www.lexpress.fr/actualite/politique/assemblees/qui-pilote-les-cameras-de-l-assemblee\\_2050836.html](https://www.lexpress.fr/actualite/politique/assemblees/qui-pilote-les-cameras-de-l-assemblee_2050836.html)

The reality is that this amendment entails minimal changes and leaves room for a parliamentary press situation similar to that of many European countries. It is also noteworthy that, in general, the parliaments of the former Eastern Bloc countries are more transparent than those in the West. This is partly due to the need for these countries to present a very open and modern parliamentary outlook in order to score points with their new Western allies. In the current era of social media and immediacy, it is to be expected that MPs will advocate for greater separation and reduced media pressure. In Hungary, this issue is a recurring point of debate, with journalists who are hostile to the government having a habit of pursuing Fidesz MPs in the corridors of parliament to obtain statements. In France, the repeated controversies surrounding the partiality of the *Régie de l'Hémicycle*, which often films opposition MPs to their disadvantage, are never the subject of criticism in Brussels. However, the logistical arrangements in the Polish Diet have provoked a sit-in of several hundred people in front of the Polish parliament and in some provincial towns to protest against what they see as an 'attack on the freedom of the press'. The KOD and the PO are clearly involved in organising this demonstration, which has served to maintain the tension between Warsaw and its critics.

The high tension within the Sejm (Polish Diet - lower house) between majority and opposition MPs between 16 and 20 December obviously provided an opportunity for the various political forces with parliamentary representation to clash on a political level. In contrast to the National Assembly in France, the Sejm in Poland serves as a genuine platform for debate, a fact that is especially significant in the current context of the fragility of the 'United Right' coalition. Votes on legislation often give rise to major political debates, including within the parties themselves, which may contain several tendencies. The Polish government must engage effectively with the Sejm, which plays a pivotal role in the nation's political landscape. This is in contrast to the parliamentary role in France, which is unthinkable, and indeed in Hungary, where Viktor Orbán holds total parliamentary majority. In the context of these four-day incidents, the editor-in-chief of *Forbes Polska* published a list of instructions on his Facebook account, calling for a 'Maidan' in Poland and expressing support for a Ukrainian scenario. This has raised concerns about the 'free and independent' nature of certain Polish media outlets (110).

The situation intensified further following the government's announcement of plans to reshape the private media landscape. The public media has been the subject of much criticism, but these criticisms have not been able to counter the argument that it remains under the control of the current political power, similar to how the PiS managed public media in the period leading up to the 'small media law' vote on 31 December 2015.

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110 see above BAULT, 2018, p. 114

In contrast, the private media sector is likely to experience heightened tensions due to its role as a focal point for economic and financial interests, particularly the significant presence of non-Polish capital.

*'Re-Polonising means censoring'*

In February 2017, the government announced its intention to pass a law to address the issue of foreign monopolies in the Polish media market. The objective of the legislation was to do away with the concentration of media ownership. However, the project was shelved and subsequently revived after the 2019 parliamentary elections, which the conservatives won again. The PiS and the conservative electorate regard the influence exercised by the investors *Ringier Axel Springer* (German-Swiss) and *Verlagsgruppe Passau* (German) as abnormal and disproportionate, **given that in 2016, 90% of the Polish print media was owned by German capital**. The government then came up against two obstacles that would prevent it from successfully completing a project aimed at putting an end to this almost unchallenged domination by German investors. Firstly, EU law prevents the setting of simple quotas based on nationality when it comes to a country in the European Economic Area. Secondly, the government was confronted to a new press campaign against it, this time with the involvement of *Reporters Without Borders* (RSF).

On 21 February 2017, the French daily newspaper *Le Monde* published an article on an alleged offensive against private media in Poland (111). The article mentioned a desire to 'take control of private media', but did not mention that this 'takeover' was at that time being carried out by non-Polish investors. *Le Monde* also described Adam Michnik, director of *Gazeta Wyborcza*, as a 'long-standing enemy of the PiS' (112), even though this daily is usually described as neutral, free and independent. PiS, like Fidesz in Hungary, harbours very negative memories of the years spent in opposition, when all this so-called 'independent' press, in the hands of non-Polish investors, openly and unabashedly took the side of progressive governments, without this arousing the slightest emotion within the European institutions or in the editorial offices of major Western newspapers. Furthermore, the Tusk methods that were leaked in the form of audio recordings in April 2016 did not cause any commotion in the West either. It therefore does not require a great deal of perspicacity to realise that Donald Tusk, the Polish media, which are owned by foreign capital, and the European institutions are all playing together in the same team, with the opposing team being the Polish government.

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111 Jakub IWANIUK, 2017, L'offensive du gouvernement polonais contre les médias privés, *Le Monde*, 21 February 2017, [https://www.lemonde.fr/europe/article/2017/02/21/en-pologne-les-medias-prives-dans-le-collimateur-du-gouvernement\\_5082689\\_3214.html](https://www.lemonde.fr/europe/article/2017/02/21/en-pologne-les-medias-prives-dans-le-collimateur-du-gouvernement_5082689_3214.html)  
112 see below pp. 112-114

The Western press presents this match as a clash between the values of the European Union, the free and independent press and the Polish government, which is allegedly on an authoritarian and liberticidal slope.

Pauline Adès-Mével, Head of the EU-Balkans desk at *Reporters Without Borders (RSF)*, provided the following commentary on this "re-Polonisation" initiative:

*'RSF denounces this new attempt by the party to muzzle the press in order to better extend its political influence. [...] The authorities' plan to "re-Polonise" the local press, to use the government's expression, by using anti-monopoly tools and forcing foreign investors to sell their press titles seriously endangers pluralism.'*

RSF's Poland-related file on their website states that 're-Polonising means censoring (113)'. However, the domination of foreign-owned media, which supports the PO and the Progressives, is precisely what prevents pluralism, while the conservatives, who nevertheless have a majority and strong democratic legitimacy, are kept in a minority in the media landscape. The active presence of *Ringier Axel Springer*, *Verslagsgruppe Passau* and American investors (particularly those behind the *TVN* television group) is muzzling conservative political lines in Poland.

In this respect, an incident involving a letter from Mark Dekan, the president of the *Ringier Axel Springer* group, sent to his employees concerning the reappointment of Donald Tusk as head of the European Council, is very revealing of the real situation of the media in Poland. Polish public television revealed that Mark Dekan was clearly biased towards journalists working in the media owned by his group. On 9 March 2017, he wrote to his Polish employees:

*"Ideology and primitive manipulation have lost out to values and reason [...] On the motorway of European integration there is not only a fast lane and a slow lane, but also a car park. [...] This is where free media like ours come into play. Let us never forget the fundamental values we stand for: freedom, the rule of law and a UNITED EUROPE [capitalised in the text, ed]. Let us remember that the majority of our readers and users are among the overwhelming majority who support Poland's presence in the EU. Let's tell them what they need to do to stay on the fast track and not end up in the car park. What is at stake is the freedom and success of future generations. [...]"*

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113 'Re-Polonising' means censoring, RSF, Poland, accessed on 5 December 2021, <https://rsf.org/en/poland>



*Why do they have less faith in the idea of a common Europe? The populists who have dragged the EU through the mud and the media who have created a negative image of an EU in crisis have certainly contributed to this (114). "*

PiS has always been in favour of Poland's presence in the European Union and has recently reaffirmed its commitment to the EU as the conflict between Warsaw and Brussels has reached new heights. Mark Dekan's letter has a tone reminiscent of re-education, and shows a deep contempt for the conservative voters who brought PiS to power in October 2015. This is the argument the PiS will use to justify its plan to 're-Polonise' the media. But fearing that the situation could completely escalate, PiS did not carry out this plan and waited for the 2019 legislative elections.

In 2017, the PiS therefore decided to temporise on the issue of significant foreign influence on the Polish private media market. Poland emerged from the March 2017 European summit in a rather isolated position, and *RSF* downgraded it by 29 places in its world ranking. At the request of the European Commission, Poland was given until 21 February 2017 to clarify the situation of the press and judiciary in Poland. Poland, too, has been experimenting in this sequence with the 'Orbán method' (115) of testing the limit beyond which it is no longer possible to continue the conflict with Brussels. The Polish project to break up the concentration of media ownership acted as a trial balloon, a stone thrown into the pond to gauge reactions and negotiate on this basis. The Polish government has clearly hit a brick wall, but the revelation of its project has exposed its critics, who, despite talking about defending values and freedom, are in fact part of the same team, which includes Western investors, European institutions, the main progressive media and the NGO *Reporters Without Borders*, as well as *Amnesty International*, an NGO that focuses more on Polish judicial reforms (116).

The opening of the Polish media market in the early 1990s is at the root of this major imbalance, which is caused by the dominance of foreign investors, especially German ones. This situation is the result of historical developments over the past decades and is difficult to comprehend for Western European observers, who fail to understand the extent to which an overwhelming share of foreign capital in the information sector is likely to pose serious problems for the independence and freedom of the press.

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114 op. cit. BAULT, p. 114

115 See above pp. 18-19

116 Pologne. L'indépendance du pouvoir judiciaire et le droit d'être jugé équitablement sont menacés, amnesty.org, 10 August 2017, <https://www.amnesty.org/fr/latest/press-release/2017/08/poland-independence-of-the-judiciary-and-the-right-to-fair-trial-at-risk/>

The PiS and the Polish conservative electorate have long wanted to challenge and change this situation. They have always met with the greatest resistance from their Western partners, who, under the banner of democracy and freedom, have always managed to curb or even prevent the ambitions of Polish conservatives.

The European Commission, through its Vice-President Frans Timmermans, announced the activation of Article 7 against Poland on 20 December 2017 in Brussels. The focus was more on the judicial reform initiated by the Polish government, but the PiS's targeting of media owned by influential German and American press groups was undoubtedly not insignificant in the European Commission's decision. Unsurprisingly, Warsaw has denounced it as "a political and not a legal decision". **Indeed, it is difficult to explain legally how the European Union's core values give the *Ringier Axel Springer* and *Verlagsgruppe Passau* press groups more say in Polish affairs than to voters who sent conservative majorities to parliament.** In any case, the political and ideological implications of this conflict, in which the government's opponents not only lack a historical understanding of Poland but also do not appear to be genuinely committed to defending press freedom, become clear when *RSF* claims that 're-Polonising means censoring' (117).

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<sup>117</sup>Ibid.

### **III. The United Right coalition presses ahead with the policy started in 2015**

#### ***A) 10 February 2021: A black Wednesday for Polish press freedom?***

In its editorial of 10 February 2010, the French daily *Le Monde* expressed concern about the situation of the independent press in Poland: 'On Wednesday 10 February, readers of the private-owned Polish press were greeted by a frightening sight: black pages intended to show 'what a world without independent media looks like'. Around fifty media organisations had come together to protest against a government bill to tax advertising revenues, which would deprive them of vital resources.'

#### *The draft bill on the 'advertising tax'*

*Le Monde's* criticism, which has been echoed by many Western media and would be the subject of a plenary debate in the European Parliament, is a reaction to the Polish government's draft law on the 'advertising contribution', which provides for a tax mechanism of between 7.5% and 15% of advertising revenue.

This project involved subjecting all public and private media, as well as all public and private advertising, to a tax ranging from 7.5% to 15%, depending on the volume of advertising revenue - the project included a tax-free amount, then a rate of 7.5%, and finally a rate of 10% above a certain ceiling - which would result in small media outlets avoiding this system, since it would only affect large media outlets. Needless to say, this mechanism would apply regardless of the editorial line of the media outlet, with the volume of advertising revenue being the only criterion used to calculate the applicable tax rate.

This draft bill has not only provoked strong reactions from the opposition parties, but also dissension within the government majority of 'United Right' (the members of Porozumienie [Alliance] having declared themselves hostile to the bill).

This project is directly inspired by the law on advertising revenue passed in Hungary in June 2014, which gave rise to conflicts between the Hungarian government, the European Commission and the CJEU, whose ruling on 27 June 2019 (*case T-20/17 Hungary/Commission* (118)) annulled the Commission's decision finding the Hungarian tax on advertising to be incompatible with EU rules on state subsidies:

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118 see above p. 24

*"Neither the progressivity of this tax nor the possibility for unprofitable companies in 2013 to deduct from their 2014 tax base part of the losses carried forward from previous financial years constitutes a selective advantage in favour of certain companies."*

**Poland and Hungary have thus found themselves in the crosshairs of the Western media and European institutions because of measures that exist in countries such as Sweden or Austria, where this tax is not presented as a disguised attack on press freedom, but simply as a mechanism to generate tax revenue.** In France, too, such a tax ('Taxe sur la publicité diffusée par voie de radiodiffusion sonore et de télévision') was in force from 1982 until 1 January 2020 and had never been criticised from the point of view of media and press freedom, as is the case in Poland.

#### *Reactions in Poland: the 'Media without Choice' campaign*

10 February 2021 will be remembered as the day of the 'Media Without Choice' ("*Media bezwyboru*") operation, a headline chosen by several opposition newspapers to protest against the advertising tax proposal, while television channels and stations remained silent and some newspapers preferred to publish blank front pages. This operation involved 45 newspapers, radio and television stations, mainly those hostile to the government's policy.

The online version of the major daily newspaper *Rzeczpospolita* published an open letter signed by the newspaper's editorial team:

*'We consider the government's plan to introduce a new 'levy', a tax on media advertising, to be an unfair and reckless measure. We call on the government to withdraw its plans, as destroying the sphere of press freedom will be fatal. It will be a real loss for the Polish economy and democracy. Today we can still back out of bad decisions, but once the bad law is adopted and applied, it will be too late.'*

This letter was accompanied by an 'Open letter to the authorities of the Republic of Poland' (119) and to political leaders, in which Polish journalists who oppose the law claim that its application would lead to 'the weakening or even liquidation of some of the media operating in

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119 List otwarty do władz Rzeczypospolitej Polskiej i liderów ugrupowań politycznych [Open letter to the leaders of the Republic of Poland and the leaders of political parties], *Rzeczpospolita*, 10 February 2021, <https://www.rp.pl/kraj/art8677351-list-otwarty-do-wladz-rzeczypospolitej-polskiej-i-liderow-ugrupowan-politycznych>

Poland, [...], [...] limiting the possibilities of financing quality and local content, [...] exacerbating the unequal treatment of the entities operating in the Polish media market, [...] and effectively promoting companies that do not invest in the creation of Polish and local content'.

In its defence, the Polish government merely pointed out that the law would apply to all private and public media (including pro-government media), without, of course, taking into account the editorial line of the media concerned. Furthermore, the Polish Prime Minister, Mateusz Morawiecki, recalling the situation that had led the government to consider proposing new taxes, stressed the need to address the '*long-term health, social and economic consequences of the COVID-19 pandemic*' and explained that the tax would be used to finance the National Health Insurance Fund, a national fund for the protection of monuments and a fund to support culture and national heritage (120).

Progressive Western European newspapers were quick to strongly criticise the Polish bill, preparing unfavourable ground for the Polish government and opening the field to strong criticisms of Poland in the European Parliament on Wednesday 10 March 2021.

#### *The narrative of the Western media hostile to the Polish bill*

The French daily *Libération* immediately seized on the new Polish affair and fired a broadside at the bill to tax advertising revenue in an article published on the evening of 10 February 2021 (121), i.e. on the day of the 'Media without choice' operation. The article was illustrated by the front page of Adam Michnik's daily *Gazeta Wyborcza*, which is undoubtedly the Polish media organisation with the greatest political and ideological affinities with *Libération*.

The article in *Libération* also includes the only text available on the homepage of the most visited anti-PiS news site in Poland, *onet.pl*, on 10 February:

*'Today, we are taking a step further than we ever wanted to go, because it goes against all our journalistic values. [...] For twenty-four hours, all Axel Springer Polska press services will disappear. Find out what the world will be like without independent media.'*

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120 Des médias polonais en grève contre la « cotisation sur la publicité », Visegrad Post, 10 February 2021, <https://visegradpost.com/fr/2021/02/10/des-medias-polonais-en-greve-contre-la-cotisation-sur-la-publicite/>

121 Nelly DIDELOT, 2021, En Pologne, vingt-quatre heures sans médias indépendants, *Libération*, 10 February 2021, [https://www.liberation.fr/international/europe/en-pologne-vingt-quatre-heures-sans-media-independant-20210210\\_O4XGPHVRNJEIXIGQ72QR4YWUWU/](https://www.liberation.fr/international/europe/en-pologne-vingt-quatre-heures-sans-media-independant-20210210_O4XGPHVRNJEIXIGQ72QR4YWUWU/)

***Libération* reports on a series of statements on the bill made by media opposed to the policies of the 'United Right' government coalition: *Gazeta Wyborcza*, *Newsweek* and *TVN*, which together prove that the Polish media landscape is by no means dominated by pro-government media - a fact acknowledged by the French newspaper, which explains that *TVP*, the public television channel that supports the government line, is watched by only 40% of the population, while 60% of the population turn to other channels. These three newspapers have a financial and ideological clout, and international networks that far exceed the relays that the media favourable to the policies of the 'United Right' coalition led by the PiS are likely to mobilise.**

However, *Libération*, *Le Monde*, *Le Figaro*, *Ouest France*, *L'Express*, *France Culture*, *RTBF*, *France Info*, *Le Soir*, *LaLibre*, *the BBC*, *Bloomberg*, *Handelsblatt*, *Die Zeit*, *Deutsche Welle*, *FAZ*, *Süddeutsche Zeitung*, etc. - in fact dozens and dozens of major European media, if not all the dominant European media - have in the space of a few days produced articles and content repeating over and over again that the Polish government wants to put an end to press freedom in Poland.

Both 10 February 2021 and the days immediately following that date are proof that the media favourable to the Polish government in fact carry little weight when the Polish opposition media call on their foreign media networks, which, in the space of just a few hours, are able to launch an international campaign against a Polish government project and, thanks to the immediacy of the online press, explain to tens of millions of media consumers around the world that press freedom is being 'stifled' in Poland.

In addition to the strength provided by the international network to which the Polish 'independent' press belongs, the media's ability to condemn Poland is characterised by total freedom. In this respect, the systematic use of the term 'ultra-conservative' to refer to the Polish government – and also often the Hungarian government – is very telling.

This term, regularly used by media such as *Les Échos* (122), *L'Express* (123), *Libération* (124), *Le Monde* (125), *France 24* (126), to name but a few, is never given a precise definition and seems to serve the purpose of creating a negative media atmosphere and climate around Poland.

The use of this term is attributable to journalists residing in less conservative countries – or even a country, France, where the terms 'conservative' and 'liberal' are not claimed by any political force – and is characterised by a lesser degree of Christianisation than Poland, a country that is one of the last Catholic strongholds in Europe. In Poland, the practice of faith remains a significant social factor, in contrast to Hungary, where this aspect does not wield the same influence in both social and political spheres. The use of the term 'ultra-conservative' is therefore undoubtedly due to this cultural gap between Western Europe and Poland, but it is not justified as such and remains completely vague and insubstantial, while demonstrating a great ignorance of the reality of Polish society.

**It is difficult to find any other explanation for the use of this term than that it is clearly aimed at creating a climate of fear and revulsion towards the Polish government. The term itself is devoid of any concrete definition, with the exception of the interpretation imposed by individuals who occupy a position straddling the border between opinion journalism and the domain of so-called 'political science'. Etymologically, ultra refers to that which is 'beyond' something, although it is usually used to describe an extreme. In religious matters, ultra evokes the uncompromising defence of the Pope's absolute power against the Gallicans. In politics, it is used either in the context of French reactionary and legitimist movements of the 19th century, i.e. from a very outdated period, or to refer to violent political radicalism or hooligan movements. It seems very difficult to include politicians as modern and integrated into the European institutional game as Mateusz Morawiecki and Jaroslaw Kaczyński in these categories. The thematic bludgeoning around ultraconservatism thus corresponds much more to an element of the narrative hostile to the Polish government than to a Polish social and political reality.**

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122 Catherine CHATIGNOUX, 2019, Pologne : les ultra-conservateurs grands favoris des législatives, *Les Échos*, 13 October 2019, <https://www.lesechos.fr/monde/europe/pologne-les-ultra-conservateurs-grands-favoris-des-legislatives-1139570>

123 Paul VÉRONIQUE, 2021, Pologne : Zbigniew Ziobro, l'ultra-conservateur aux dents longues, *L'Express*, 25 July 2021, [https://www.lexpress.fr/actualite/monde/europe/pologne-zbigniew-ziobro-l-ultraconservateur-aux-dents-longues\\_2155509.html](https://www.lexpress.fr/actualite/monde/europe/pologne-zbigniew-ziobro-l-ultraconservateur-aux-dents-longues_2155509.html)

124 Justine DANIEL, 2020, À Varsovie, le régime ultraconservateur « repolinise » les journaux locaux, *Libération*, 9 December 2020, [https://www.liberation.fr/planete/2020/12/09/a-varsovie-le-regime-ultraconservateur-repolinise-les-journaux-locaux\\_1808057/](https://www.liberation.fr/planete/2020/12/09/a-varsovie-le-regime-ultraconservateur-repolinise-les-journaux-locaux_1808057/)

125 Isabelle MANDRAUD and Jakub IWANIUK, 2019, En Pologne, les ultraconservateurs remportent les législatives sans triompher, *Le Monde*, 14 October 2019, [https://www.lemonde.fr/international/article/2019/10/14/en-pologne-les-ultraconservateurs-remportent-les-legislatives-sans-triomphe\\_6015440\\_3210.html](https://www.lemonde.fr/international/article/2019/10/14/en-pologne-les-ultraconservateurs-remportent-les-legislatives-sans-triomphe_6015440_3210.html)

126 Priscille LAFITTE, 2020, À Varsovie, l'ombre des ultraconservateurs sur l'art contemporain, *France 24*, 11 January 2020, <https://www.france24.com/fr/20200111-%C3%A0-varsovie-l-ombre-des-ultraconservateurs-sur-l-art-contemporain>

**Its use has a purpose in opinion journalism, but holds no factual or intellectual weight.**

Following the establishment of this negative climate by a host of Western media outlets on Poland on 10 February, the stage was set for the consecration of this narrative in the European Parliament, exactly one month after the 'Media without Choice' campaign.

*Debate at the European Parliament during the plenary session of 10 March 2021*

On 10 March, a plenary debate (127) was held in the European Parliament entitled 'Government attempts to muzzle free media in Poland, Hungary and Slovenia'. This debate had been announced a week earlier under the title 'Media freedom under threat in Poland, Hungary and Slovenia' with the following details for Poland: 'In Poland, government plans to impose a tax on media advertising revenues to support healthcare and culture have been criticised as disproportionately targeting independent media.'

This debate, which consisted of short speeches by around fifty MEPs, could be described as a general rehearsal before the opening salvos of autumn 2021, in particular the vote by an overwhelming majority on a resolution against Poland on the subject of Lex-TVN (128), a law which was adopted well after the debate of 10 March, but whose incriminating arguments are based on the same abstract and general approach applied to the Polish case.

**Several MEPs, for example, quoted statements by journalists from Gazeta Wyborcza as if they were the words of 'free and independent media', even though this daily is the most virulent and biased against government policies in Poland and eminently indulgent towards the opposition.** For example, MEP Jeroen Lenaers (EPP) directly quoted the words of Adam Michnik, editor-in-chief of this virulently anti-PiS progressive daily:

*'We are treated like enemies for the simple reason that we are independent and have the courage to tell the truth.'*

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127 « Tentatives du gouvernement de museler les médias libres en Pologne, en Hongrie et en Slovénie (débat) », Brussels, 10 March 2021, [https://www.europarl.europa.eu/doceo/document/CRE-9-2021-03-10-ITM-010\\_FR.html](https://www.europarl.europa.eu/doceo/document/CRE-9-2021-03-10-ITM-010_FR.html)

128 Pologne : les attaques contre les médias et l'ordre juridique de l'UE doivent cesser, 16 September 2021, <https://www.europarl.europa.eu/news/fr/press-room/20210910IPR11928/pologne-les-attaques-contre-les-medias-doivent-cesser>



The same goes for the Romanian MEP Ramona Strugarlu (Renew), who, in her speech, quoted Adam Michnik's letter to MEPs, and MEP Maite Pagazaurtundúa, who simply reported Adam Michnik's words:

*'The attack on press freedom in Poland paves the way for an all-out assault on the values on which the European Union was founded.'*

In her speech, this MEP also stated that in Hungary the 'Orbán clan' owns 500 media outlets, representing 80% of the press, citing an article by *Telex*, Viktor Orbán's opposition media outlet, and dubious calculation methods that completely disregard the real media weight of the various press organisations. Hungarian MEP Anna Donáth directly quoted the title of this *Telex* analysis, entitled 'This is how Viktor Orbán has taken over the media market in ten years' (129), thus echoing one of the many 'free and independent' Hungarian media outlets that openly oppose the government's policies.

This debate in the European Parliament in March 2021 provided an opportunity to confirm two elements that we believe to be absolutely fundamental in order to go beyond the numerous accusations levelled at the Polish government concerning 'alleged attacks on freedom of the press'.

**Firstly, the so-called 'free and independent' Polish press is in reality an openly politicised, even militant press, whose activity consists of tirelessly undermining government policy while being very lenient towards opposition political parties. At the slightest mention of this state of affairs, the press speaks of an 'attack on freedom of expression and the independence of the press'.**

**Second, this press is directly linked to parliamentarians (especially MEPs from groups opposed to PiS) and progressive Western media. All speak with the same voice, some simply quoting others, forming a homogeneous bloc of political and media actors engaged in public affairs in a liberal and progressive niche.**

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129 Flóra Dóra CSATÁRI and Tamás FÁBIÁN, 2021, Így darálta le a hatalom pár év alatt a szabad médiát Magyarországon [This is how Viktor Orbán took over the media market in ten years], *telex. hu*, 23 July 2021, <https://telex.hu/komplex/2021/07/23/orban-30-eves-haboruja-a-mediaval>

## *When Slovenia is lumped together with Hungary and Poland*

Since the return of Janez Janša to the helm of the Slovenian government on 13 March, Slovenia, like Hungary and Poland, has been the subject of criticism from Western media and European institutions over press freedom. In the first weeks after Janez Janša took office, the first complaints (130) against the Slovenian government were formulated by the Vice-President of the European Commission for Values and Transparency, Věra Jourová (131), who is often very critical of Hungary and Poland. In April 2020, as hostilities broke out between the Slovenian government and the European institutions, she declared in a tweet:

*'Free and independent media are essential for democracy. [...] Contact has been made with Slovenia to discuss the situation.'*

Tensions have not really subsided since then, and the European institutions probably did not expect the prime minister of a small country with a population of just over two million to stand up to them to such an extent and to adopt a style of communication that is often reminiscent of that of former US president Donald Trump. Indeed, Janez Janša has got into the habit of responding to attacks on his government, sometimes on Twitter, without restraint, although he obviously remains within the European institutional framework, for example by sending a letter to the President of the European Commission on 26 February (132). He did so on 16 February 2021, in response to an article in *Político* (133) in which journalist Lili Bayer, who has also criticised Viktor Orbán's government in the past (134), accused the Slovenian government of waging a war against free and independent media:

*'Lili Bayer has been instructed not to tell the truth. So she mainly cited "unknown" sources from the far left and deliberately neglected named and honest sources. This is @POLITICOEurope, unfortunately. To lie as a way of earning a living.'*

The conflict between Slovenia and the EU also centres on the way in which Janez Janša intends to 'reorient' the *STN* press agency, the Slovenian equivalent of the AFP, away from the left

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130 La Slovénie attaquée à Bruxelles, Observatoire du journalisme, 25 March 2021, <https://www.ojim.fr/la-slovenie-attaquee-a-bruxelles/>

131 Alimuddin USMANI, 2020, Qui est Věra Jourová, vice-présidente de la Commission européenne ? Portrait d'une Tchèque pas comme les autres, Visegrad Post, 10 September 2020, <https://visegradpost.com/fr/2020/09/10/qui-est-vera-jourova-vice-presidente-de-la-commission-europeenne-portrait-dune-tcheque-pas-comme-les-autres/>

132 Letter of Prime Minister Janez Janša to the President of the European Commission Ursula von der Leyen, 26 February 2021, <https://www.gov.si/en/news/2021-02-26-letter-of-prime-minister-janez-jansa-to-the-president-of-the-european-commission-ursula-von-der-leyen/>

133 Lili BAYER, 2021, Inside Slovenia's war on the media, politico.eu, 16 February 2021, <https://www.politico.eu/article/slovenia-war-on-media-janez-jansa/>

134 Perspective with Alison Smith – Lili Bayer, cpac, 7 May 2017, <https://www.youtube.com/watch?v=qIN3FeVGjvU>

by suspending its funding - a suspension which has since been lifted - in order to replace its director, who despite Janez Janša's actions would subsequently retain his post.

**Like Fidesz in 2010 and PiS in 2015, Janez Janša governs a country in which the majority of the media is openly hostile to him and his every move to criticise or challenge this situation is interpreted by his opponents as an attack on media and press freedom.** In Slovenia, the left-wing media, hostile to the centre-right coalition led by Janez Janša, are in fact in the majority, and what is described in Brussels as an 'attack on press freedom' is in fact an attempt to rebalance the Slovenian media landscape, which does not correspond to the democratic legitimacy that the various Slovenian political forces have obtained at the ballot box.

The Faculty of Media Studies in Slovenia recently published a report (135) showing this imbalance in the Slovenian media landscape and the political bias of the media, which have become accustomed to describing themselves as 'free' and 'independent'. In reality, the report, which examines the political orientation of the ten most visited news portals in Slovenia (*24ur.com*, *siol.net*, *rtvslo.si*, *slovensenovice.si*, *svet24.si*, *zurnal24.si*, *delo.si*, *dnevnik.si*, *vecer.com* and *nova24tv.si*), shows a very clear imbalance in the Slovenian media landscape and an overrepresentation of left-wing and anti-government views. The public portal *RTV Slovenia* and the *STA agency*, with which the prime minister has come into conflict, are among the least balanced, publishing almost no criticism of the left-wing opposition.

During the plenary debate on 10 March, Slovenian MEP Irena Joveva (Renew) used rather vague words to ask the European institutions to react to the policy pursued by Janez Janša in Slovenia:

*'Slovenia is not Hungary or Poland, but unfortunately it could go down that road. The European Union cannot afford to have a new Member State that joins the ranks of illiberal states and uses every means at its disposal to brazenly muzzle the media. They want a monolithic society that would be tailor-made for one person (136).[...]*

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135 Študija: Slovenska spletna dijskakrajina visi v levo in antivladnostran. Pomembna utež portal RTV SLO [Study: the online media landscape is left-leaning and anti-government. The RTV SLO portal carries significant weight], domovina.je, 1 March 2021, <https://www.domovina.je/studija-slovenska-spletna-medijska-krajina-visit-v-levo-in-antivladno-stran-pomembna-utez-portal-rtv-slo/>

136 Plenary session of 10 March 2021, Speech by Irena JOVEVA, Renew Europe Group, <https://www.europarl.europa.eu/plenary/fr/vod.html?mode=unit&vodLanguage=FR&playerStartTime=20210310-16:06:32&playerEndTime=20210310-16:07:56#>

**The intervention of this MEP, a political opponent of the Slovenian Prime Minister, sums up what we believe to be one of the most important points of this report: challenging the progressive domination of the media landscape is equivalent to attacking the freedom of free and independent media and immediately sets in motion an international media machine rushing to the rescue of the media that the European institutions then consider to be back 'in line'.**

The recent Slovenian example perfectly sums up how similar the mechanisms of these accusations, which take great liberties with factual and political reality, are to the Polish and Hungarian cases. One could say that this is the case throughout the post-communist region, where, for historical reasons that Western European politicians and the Western media find difficult to understand, the media landscape is the continuation of the struggles that take place in the political sphere.

*Some examples of double standards in press freedom*

In February 2021, Hungary and Poland were almost simultaneously in the sights of the European Commission and the US Secretary of State, with the Polish government accused of muzzling the 'free and independent' press through a plan to tax media advertising revenues, while the Hungarian government was accused of destroying an 'independent' radio station (the *Klubrádio* case (137)).

In response to the "Media Without Choice" campaign, organised by the Polish opposition media and relayed abroad by Adam Michnik's networks, European Commission spokesman Christian Wigan expressed his concern after 'seeing the black screens', while US Secretary of State spokesman Ned Price said that the United States must always 'defend the independent and pluralistic press'.

On the other hand, American diplomacy and the European institutions were more discreet when, a few days before the events in Poland and Hungary, the Ukrainian president unilaterally cancelled the broadcasting licences of three opposition television channels, while the Latvian Media Council suspended the activities of a number of Russian channels based in Latvia. This is not surprising, of course, and it is quite understandable that the European Union and American diplomacy do not welcome the presence of Russian voices in an EU member country, but the Latvian affair highlights the hypocrisy of being offended by alleged 'attacks on press freedom'

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<sup>137</sup> Cf. *supra* p.

when the methods used by the Media Council in Latvia, apparently under government orders, go further than what is criticised in Budapest and Warsaw (138). The American embassy in Kiev even applauded the Ukrainian presidency's decision - a normal stance in defence of American interests, but also proof that outrage over press and media freedom is highly variable.

This selective indignation undoubtedly depends on the defence of geopolitical interests, since the actors do not in fact attach any importance to the great principles they proclaim regarding freedom of the press and media. In Poland, the media that oppose the government's policies are linked to German and American interests. The slightest objection by the 'United Right' coalition to this foreign influence is therefore presented by progressive Polish journalists as an attack on their freedom, with this discourse and narrative serving as a cover for the defence of the economic and political interests of foreign powers.

The Latvian case, however, goes very far in that it involved the outright cancellation of a fifth of the total Latvian audience, **with the channels being unilaterally removed by the Latvian Media Council - on the pretext that they were inciting hatred - which represented 20% of the audience share of the Latvian television market, in other words a radical change in the media landscape. This is a phenomenon that bears no resemblance to the *Klubrádio* affair or the planned tax on advertising revenues in Poland, which in reality have not changed the balance of power in the media.**

Nor did the European institutions react when Estonia shut down the activities of the Russian agency *Sputnik* in Estonia on the grounds that its director was affected by the sanctions adopted by the European Union against Russia. However, the person in question was not *Sputnik*'s leading figure, making the motivation for the decision to close down *Sputnik*'s activities in Estonia questionable. The Estonian authorities also put direct pressure on *Sputnik* employees, threatening them with prosecution if they did not resign.

In Ukraine, a country that is certainly not a member of the European Union, but where events always reveal the reality of the interests at stake and the hypocrisy of talking about 'attacks on press freedom', the methods used by the authorities in Kiev are even more radical than in the Latvian and Estonian examples. But they do not provoke a reaction in Brussels and Washington, which moreover hail the recent actions against the channels *ZIK*, *NewsOne* and *112* as part of the 'fight against Russian disinformation and propaganda' -

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138 András KOSZTÜR, 2021, Kettős médiamérce [Double standards in the media], XXI század intézet, 24 February 2021, <https://www.xxiszaszadintezet.hu/kettos-mediamerce/>

a Western narrative hostile to Russia that is understandable in the case of these three channels, but unfounded when it comes to the investigation by the Ukrainian Security Service (SBU) against channel 1+1, which cannot be suspected of Russian sympathies, as this investigation was in fact dictated by the desire to bring down Viktor Medvedchuk, the Ukrainian oligarch and politician who owns 50% of the shares in 1+1.

Another emblematic example of the double standards applied by the European Union when it comes to the media and freedom of expression is the case of the sentencing of the far-left activist and Catalan rapper Pablo Hasél to more than two years in prison for insulting the Crown, justifying terrorism and obstructing justice. In this instance, the Council of Europe condemned Spain for violating freedom of expression, while the Council of Europe's Commissioner for Human Rights called for greater protection of freedom of expression in Spain (139). The NGO *Freemuse* recalled that 14 other artists are imprisoned in Spain on charges of advocating terrorism and insulting the Crown (140). It is not a matter of questioning these judgements here, or on the contrary justifying them, but it is obvious that if these convictions had been handed down in Hungary or Poland, an international press campaign would have been launched against the Hungarian and Polish governments, which was not the case in the Pablo Hasél affair or with regard to everything permitted by the 'Organic Law on the Protection of Public Safety', which came into force on 1 July 2015 (141), and which also sparked protests that were harshly repressed by the Spanish police.

Whether or not the term 'violation of press freedom' is used therefore depends heavily on the interplay of economic and geopolitical interests and stems very little from an in-depth examination of the provisions that may, where applicable, run counter to the principle of freedom of the press.

### ***B) Perspectives on tensions and conflicts arising from 'Lex-TVN'***

#### *The EU Parliament up in arms against a new media law passed by the Sejm*

On 16 September, the European Parliament adopted by 502 votes in favour, 149 against and 36 abstentions a resolution condemning 'attacks on the media and the legal order in Poland' and calling for an end to them.

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139 El Consell d'Europa renya Espanya per la violació de la llibertat d'expressió i li exigeix reformes legals [The Council of Europe condemns Spain for violating freedom of expression and calls for legal reforms], vilaweb.cat, 22 March 2021, <https://www.vilaweb.cat/noticies/consell-europa-reforma-codi-penal-llibertat-dexpressio/>

140 Daryl RAMADIER, 2021, Espagne : l'arrestation du rappeur Pablo Hasél fait exploser la jeunesse, Marianne, 23 February 2021, <https://www.marianne.net/monde/europe/espagne-larrestation-du-rappeur-pablo-hasel-fait-exploser-la-jeunesse> 141 Opponents of this law call it the 'gag law'

The MEPs who voted for the adoption of this resolution - a vote that took place the day after a debate with European Commission Vice-President Věra Jourová, Commissioner Didier Reynders and Slovenian Foreign Minister Anže Logar on behalf of the Council Presidency - deplore recent developments on the media market in Poland and those concerning the Polish Constitutional Tribunal.

As for their grievances regarding the media, MEPs are concerned about the Polish government's 'attempt to silence critical content and direct attacks on media pluralism in violation of European international law'. Following the government's editorial takeover of public media and the purchase of *Polska Presse* (a regional daily) in December 2020 by the oil company in which the Polish state has a 27% stake, MEPs have taken aim at a law - known as Lex-TVN - passed in first reading by the Sejm on 11 August 2021, which they see as a further attack on media and press freedom in Poland.

Although the resolutions adopted by the European Parliament are not really among the most important political acts on the European scene, it is worth noting the very unfavourable and quite unprecedented proportions with which the resolution of 15 September was adopted (502 votes for the resolution), which certainly proves that a new threshold has been crossed in the conflictual relations between Poland and the EU.

#### *Facts about Lex-TVN*

The bill amending the law on radio and television, dubbed 'Lex-TVN', was adopted on first reading by the Sejm, the lower house of the Polish Parliament, on 11 August 2021 by 228 votes in favour, 216 votes against and 10 abstentions. This vote immediately caused a stir in Europe and the United States, with a proliferation of articles denouncing a new attack by the 'ultra-conservative' (142) government on media freedom in Poland.

The nickname given to these amendments, Lex-TVN, refers to the fact that their application would have consequences for the activities of the TVN television group and its 24-hour news channel TVN24, with close ties to the Polish government's opposition, and could potentially result in the non-renewal of the channels' licence belonging to the US group *Discovery, Inc.* — at least, that is what the critics of the law claim, all of them concerned for media freedom in Poland.

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<sup>142</sup> See above p. 98.

In reality, this law is a draft amendment to the current law on radio and television proposed on 7 July 2021 by PiS MPs led by Marek Suski, who is known to be close to Jarosław Kaczyński. The amendments pushed through by Marek Suski stipulate that the ban on a company from outside the European Economic Area (EEA) holding more than 49% of the shares in a television channel would also apply to EEA companies that are majority-owned by a non-EEA company (143). This would directly affect the TVN group, which is owned by a Dutch company but is itself owned by the US company *Discovery, Inc.*

It should be noted that in France, non-EEA companies are not allowed to hold, directly or indirectly, more than 20% of the share capital or voting rights in a media organisation, whether it is a radio station or a terrestrial television channel. The Polish amendment is therefore more flexible than the system in force in France, which did not prevent the entire French media landscape from joining the chorus of criticism and indignation in reaction to the Lex-TVN vote. But the same could be said of Germany, where the law is also much stricter than in Poland. **It was on this basis that the Polish government spokesman argued on 12 July in response to accusations of attacks on press freedom: ‘To say that is very unfair to our Austrian friends or in relation to the solutions in force in Germany or France.’**

The TVN group's channels have long been hostile to PiS - including when it was in opposition before October 2015 - and it seems that they are one of the sticking points that the Polish government has decided to rely on in the new situation that has arisen with Joe Biden's arrival in power. Indeed, after having enjoyed a good relationship with President Donald Trump, Warsaw is concerned about the presence of a president as progressive as Joe Biden and has strongly criticised the Biden-Merkel agreement on the completion of Nord Stream 2 (144). The Polish government has sent signals to its American ally, for example by moving closer to China and ordering Turkish drones (145), and is presenting its Lex-TVN amendments as a means of combating attempts by Russia or China to take control of the Polish media market.

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143 Olivier BAULT, 2021, Le PiS à nouveau accusé de porter atteinte au pluralisme et à la liberté des médias, Visegrád Post, 20 July 2021, <https://visegradpost.com/fr/2021/07/20/le-pis-a-nouveau-accuse-de-porter-atteinte-au-pluralisme-et-a-la-liberte-des-medias/>

144 Yann CASPAR, 2021, Finalisation de Nord Stream 2 : une clarification géopolitique ? Visegrád Post, 10 August 2021, <https://visegradpost.com/fr/2021/08/10/finalisation-de-nord-stream-2-une-clarification-geopolitique/>

145 Olivier BAULT, 2021, La Pologne diversifie sa politique étrangère en se rapprochant de la Turquie et de la Chine, Visegrád Post, 27 June 2021, <https://visegradpost.com/fr/2021/06/27/la-pologne-diversifie-sa-politique-etrangere-en-se-rapprochant-de-la-turquie-et-de-la-chine/>



In December 2021, to the surprise of most observers, the Sejm finally passed the Lex-TVN. This new episode in the TVN vs. PiS government saga again provoked negative reactions in Brussels and Washington, leading President Duda to veto the law on 27 December 2021.(146)

For two reasons, the reactions to the Lex-TVN are completely off the mark and - intentionally or not - misrepresent the real objective of this law. Firstly, the TVN media group is not independent. A press and media with major investors cannot be independent, especially in the historical and political context of Central and Eastern Europe, where the foreign factor and polarisation play a major role. In reality, the TVN group carries out anti-PiS undermining work and is the mirror of the pro-PiS press. **As we have mentioned many times above, this situation of total war between two camps can be deplored in that it is undoubtedly unsatisfactory from the point of view of journalistic ethics, but it is the harsh reality of the media sector in Poland and in the Central and Eastern European region.** Secondly, these amendments were designed primarily for political purposes and as part of the global geopolitical game, rather than as a technical tool to hinder TVN, **as the Polish government is well aware that what TVN conveys in Polish society has a real digital existence and cannot be suppressed, whether TVN exists or not.**

The Lex-TVN episode, which is still unfolding, illustrates the extent to which the issue of media freedom is essentially a political one - and in the case of Poland perhaps even more so a geopolitical one - as the plaintive reactions that invoke attacks 'on democracy' are tinged with political ideology and geopolitical allegiance.

*The Lex-TVN case, or proof that the concept of freedom of the press is above all political*

This time, even more than with the European institutions, the diplomatic machine swung into action to strongly condemn the Polish government. **The American Secretary of State, Anthony Blinken, was 'very disturbed' and even issued an official response, despite the fact that TVN is a private group and, in theory, has no direct link with the American government:**

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146 Pologne : veto du président Duda contre la Lex TVN, Visegrád Post, 28 December 2021, <https://visegradpost.com/fr/2021/12/28/pologne-veto-du-president-duda-contre-la-lex-tvn/>

*'The most-watched independent news channel and one of the biggest American investments in the country, [this law] would considerably weaken the media environment that the Poles have built up for so long. [...] Free and independent media strengthen our democracies, make the transatlantic alliance more resilient and are essential to our bilateral relations. [...] These legislative acts run counter to the principles and values on which modern, democratic states are built. We urge the Polish government to demonstrate its commitment to these shared principles not only in words but also in deeds.'*

Anthony Blinken is obviously acting in his role as a representative of American interests. He is well aware that the words 'independent' and 'free' are not the most appropriate to describe a channel that is openly anti-PiS and pro-opposition, and which is also financed by capital from outside Poland, in this case American.

The same is probably true of the deputy chief of mission at the US embassy in Poland, Bix Aliu, who said the following about Lex-TVN:

*'The United States is disappointed [by] the law weakening media freedom in Poland. The transatlantic alliance is based on common values, and common values mean common security.'*

The TVN24 correspondent in Washington even went so far as to talk about 'consequences for bilateral relations between Poland and the United States'.

**In short, the conflict over Lex-TVN has little to do with a debate about the alleged 'independence and freedom of the media and the press', but is evidence of the clash between networks and economic and political interests which, in Poland even more than in Hungary, is the real issue in all the more or less violent controversies caused by developments in the media sector in Central and Eastern Europe.**

## **IV. General overview of the media in Poland**

As in Hungary, the Polish press and media are clearly polarised, but the difference in size between the Polish and Hungarian markets means that this polarisation is less pronounced in Poland than in Hungary. Polish political life is stimulating in that it presents a greater number of political tendencies and sensitivities than in Hungary. Moreover, Russian, German and American issues are much more prevalent in Polish political parties, while Hungarian parties are totally pragmatic in this area. All these aspects mean that the Polish media landscape, even if it remains highly polarised, is more diverse than the Hungarian one. Here is a general table by media and press organisation. As with the Hungarian market, this is a selective overview that includes audience and traffic data from [wirtualnemedi.pl](http://wirtualnemedi.pl) and the Similarweb tool.

### **A) Daily Press**

Between August 2020 and August 2021, sales of printed daily newspapers in Poland fell by 8.79% (147).

#### Gazeta Wyborcza (Electoral Gazette)

This historic daily, founded on 8 May 1989 and led since then by the towering figure of Adam Michnik, editor-in-chief since the paper's inception, is the media par excellence in the anti-PiS galaxy, clearly pro-EU and progressive. *Gazeta Wyborcza* is based in Warsaw and has about fifteen branches in the provinces, where local daily editions are published. It is owned by *Agora SA*, a group of listed media companies co-founded by Adam Michnik, as well as the American company *Cox Communications* and the *Media Development Investment Fund*, an organisation close to George Soros' networks. Originally conceived as a press organ to represent the Solidarity trade union following the Round Table agreements signed in April 1989, in 2021 it has a daily circulation of around 60,000 copies. The newspaper also has an online version ([wyborcza.pl](http://wyborcza.pl)) and a news site ([gazeta.pl](http://gazeta.pl)).

The daily is openly opposed to the Polish government's policies, while its editor-in-chief, Adam Michnik, has considerable influence in the Western media and contacts with all the anti-polish government voices since the PiS victory in autumn 2015.

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147 Wyniki sprzedaży prasy [Press sales results], [wirtualnemedi.pl](http://wirtualnemedi.pl), 6 October 2021, [https://www.wirtualnemedi.pl/artykul/wyniki-sprzedazy-dziennikow-sierpień-2021-fakt-gazeta-election?fbclid=IwAR2oR2nf5nJcUhGTr\\_qVOHSbvtVxBdaUtpgwlrQKrMr4cKT40-XAnXibYb0](https://www.wirtualnemedi.pl/artykul/wyniki-sprzedazy-dziennikow-sierpień-2021-fakt-gazeta-election?fbclid=IwAR2oR2nf5nJcUhGTr_qVOHSbvtVxBdaUtpgwlrQKrMr4cKT40-XAnXibYb0)

Jarosław Kurski, the daily's publishing director since 2007 and a member of the editorial staff since 1992, is the brother - and a strong opponent - of Jacek Kurski, who took over as head of public television in 2016 following the 'small media law'. *Gazeta Wyborcza* is known for its opposition to the political lustration (148) defended by the PiS, while being accused of working to protect certain former communist cadres of the pre-1989 regime. The evolution of these elites, who are now close to the day-to-day running of the paper, is very reminiscent of a phenomenon that is just as widespread in Hungary. It is the transformation of communists into liberals, or even libertarian liberals, as evidenced by *Gazeta Wyborcza*'s closeness to the LGBT lobby, especially through its *High Heels* (*Wysokie Obcasy*) section, and its bias towards feminist and pro-abortion demonstrations that have taken place in recent months. *Gazeta Wyborcza* is also known to be a source of information on Poland for Western newsrooms, including the French daily *La Croix*, which cited Adam Michnik's daily when asked for its sources.

Average total paid circulation: 53,781 (September 2021)

wyborcza.pl - October 2021: 7th most visited site in the Media and Information category; 25.54 million visits

#### A portrait of Adam Michnik

**Adam Michnik, a key and historic figure in the opposition to PiS, 'a long-standing enemy of Jaroslaw Kaczynski's party' (149).**

Born in 1946 into a family of pre-war communist activists, Adam Michnik is the brother of Stefan Michnik, former captain of the Polish communist army and former judge guilty of Stalinist crimes (sentencing political prisoners to death). After the events of March 1968, he fled to Sweden, where he still lives and which refused to extradite him to Poland in 2010.

Adam Michnik, a central figure on the left in the Solidarity movement, has always had an ambiguous position on communism, oscillating between defending socialism with a human face and opposing the regime.

148 "This policy of publishing the lists of former agents and collaborators of the political police and/or purging the public administration and strategic sectors of the state of these former agents and collaborators. The argument of the proponents of such lustration is that it might be possible for people still in possession of the former files of the communist services - including within the post-Soviet FSB and GRU in Russia - to blackmail former agents and collaborators working in the public administration or, for example, in the media.", op. cit. BAULT, p.57

149 Jakub IWANIUK, 2017, L'offensive du gouvernement polonais contre les médias privés, Le Monde, 2017, [https://www.lemonde.fr/europe/article/2017/02/21/en-pologne-les-medias-privés-dans-le-collimateur-du-gouvernement\\_5082689\\_3214.html](https://www.lemonde.fr/europe/article/2017/02/21/en-pologne-les-medias-privés-dans-le-collimateur-du-gouvernement_5082689_3214.html)

Today, through his newspaper *Gazeta Wyborcza*, of which he has been editor-in-chief since it was founded in 1989, he advocates a liberal-libertarian centre-left political line (150) and was the first to raise issues that put Viktor Orbán's Fidesz and Jarosław Kaczyński's PiS in the same political category, before these two men returned to power. On 21 February 2010, he wrote in *Gazeta Wyborcza*:

*'Post-communist nationalism can take the form of the nostalgic communism of Milosevic, the post-Soviet dictator Putin, and the post-Soviet anti-communists Orbán and Kaczyński. It can have many faces. But the common denominator is always hostility to the rules of the liberal constitutional state, to the culture of dialogue, to the spirit of pluralism and tolerance.'*

The rift between Adam Michnik and Viktor Orbán dates back to 16 June 1989, the day of Imre Nagy's state funeral and Viktor Orbán's major anti-Soviet speech in Budapest's Heroes' Square. Adam Michnik is said to have criticised the young Viktor Orbán for being too radical and going too far in calling for the withdrawal of Soviet troops, which would later cause problems for the future Hungarian prime minister.

Described by the journalist Arielle Thedrel (2010, *Le Figaro*) as the moral conscience of Poland, Adam Michnik was always opposed to lustration (unlike the right wing of Solidarity, which was in favour of it), while being a supporter of the '*Gruba Kreska*' ('thick line') policy of drawing a line under the past of collaborators and agents of the communist regime. In 1990, as part of a four-member commission (the '*Michnik Commission*'), he had access to the archives of the Ministry of the Interior for a period of three months. He has since been accused of manipulating the contents of this collection of documents for his own benefit.

**In a 2013 interview with the German magazine *Der Spiegel*, Adam Michnik compared Hungarian Prime Minister Viktor Orbán to Adolf Hitler, while warning Germans against an authoritarian and fascist Jarosław Kaczyński. To this day, he remains the pre-eminent liberal left-wing intellectual and journalist in Central and Eastern Europe.** Highly influential in Poland, he has an aura that extends into Western Europe, where he is the darling of progressive newspaper editors who like to say that *Gazeta Wyborcza* is the leading 'independent' daily in Eastern Europe. Recently, in an interview with the Belgian newspaper *Le Soir*, he said of the conflict between Brussels and Warsaw that we are entering 'a battle between democratic Europe and authoritarian Europe'. (151)

150 Adam Michnik, . Du communisme à la génération 68 libérale libertaire, Observatoire du journalisme, 26 June 2016, <https://www.ojim.fr/portraits/adam-michnik-du-communisme-a-la-generation-68-liberale-libertaire/>

151 Marine BUISSON, 2021, Adam Michnik, Fondateur de *Gazeta Wyborcza*: 'On entre dans une bataille entre l'Europe démocratique et l'Europe autoritaire', *Le Soir*, 15 October 2021, <https://www.lesoir.be/400788/article/2021-10-15/adam-michnik-fondateur-of-gazeta-wyborcza-enters-battle-between-europe>

Adam Michnik is also a member of *Project Syndicate* (152), a platform for which the eco-socialist and anti-Orbán mayor of Budapest wrote an opinion piece on 14 September 2021 entitled 'Democracy can triumph again (153)'. *Project Syndicate* is a media network founded in 1995 that includes 506 media outlets in 156 countries and is funded by George Soros' *Open Society Foundations*, the Danish foundation *Politiken*, the German newspaper *Die Zeit* and the *Bill and Melinda Gates Foundation*.

In December 2021, leaks revealed a conversation between Adam Michnik and General Jaruzelski in 2000, in which the Polish journalist spoke very favourably of the General. This new scandal involving Adam Michnik has served as a reminder of the political ambiguity of the central figure of the 'independent media' in Poland.

### *Super Express*

Founded in 1991, this tabloid is now owned by *ZPR Media SA* (formerly *Murator SA*), part of the *ZPR Media Group* headed by Zbigniew Benbenek. A celebrity and scandal tabloid, it is anything but a pro-PiS medium and is firmly established in second place in terms of sales.

Average total paid circulation: 88,379 (September 2021)

### *Fakt*

Launched in 2003, it is the daily newspaper with the highest circulation in Poland. The tabloid is owned by the *Ringier Axel Springer Polska* consortium, a joint venture between *Axel Springer SE* (Germany) and *Ringier* (Switzerland). In 2014, to the indifference of Western media and European institutions, *Fakt* was the subject of a concerted manoeuvre by Donald Tusk and representatives of *Axel Springer* to forge an editorial line very favourable to the PO-PSL coalition. Designed like the German tabloid *Bild*, *Fakt* quickly surpassed *Gazeta Wyborcza*'s circulation and since 2015 has adopted an editorial line critical of the government in power, as is the case with all media owned by *Ringier Axel Springer* in Poland (for example, the website *onet.pl* and the weekly *Newsweek Polska*).

152 Adam Michnik on <https://www.project-syndicate.org/columnist/adam-michnik>, viewed on 5 December 2021

153 Gergely KARÁCSONY, 2021, Democracy can triumph again, Project Syndicate, 14 September 2021, <https://www.project-syndicate.org/commentary/building-sustainable-democracies-hungary-and-beyond-by-gergely-karacsony-2021-09/english>

Average total paid circulation: 151,121 (September 2021)

fakt.pl - October 2021: 10th most visited site in the Media and Information category; 20.48 million visits

### *Rzeczpospolita (Republic)*

With a history spanning more than a century, this daily newspaper officially has a liberal-conservative line, but since 2011 it has been owned by Grzegorz Hajdarowicz, a Polish businessman close to the Civic Platform (PO), who bought out the shares of the British company *Mecom Group* and the Polish state. Grzegorz Hajdarowicz received favourable treatment from the then prime minister, Donald Tusk, without the slightest concern on the part of the Western media or the European institutions. After this takeover, the liberal-conservative editorial line of *Rzeczpospolita*, which in the past could be critical of the PO, became favourable to Donald Tusk's government after the dismissal of its editor-in-chief and is now clearly opposed to the government policies pursued by the PiS since 2015.

Another milestone in the history of this daily newspaper was reached in November 2021. According to the *Bloomberg* website, a company under the influence of Hungarian-born American billionaire George Soros had just bought 40% of the shares in the Polish company that publishes *Rzeczpospolita*. In fact, *Pluralis BV*, based in Amsterdam, has signed an agreement with *Gremi Media*, the Polish company that owns *Rzeczpospolita*, to buy 40% of its shares, although the amount of the transaction has not been made public (154).

This is the third transaction by George Soros in the Polish media market in the last five years, the first two being *Radio Zet* and the *Agora SA* group.

Average total paid circulation: 36,595 (September 2021)

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154 Piotr SKOLIMOWSKI, Soros Boosts Investment in Polish Media Market With Paper Deal, *Bloomberg*, 26 November 2021, <https://www.bloomberg.com/news/articles/2021-11-26/soros-doubles-down-on-polish-media-market-with-newspaper-deal>

### *Dziennik Gazeta Prawna (DGP – The Law Daily)*

Founded in 2009 through the merger of *Gazeta Prawna* and *Dziennik Polska-Europa-Świat*, this daily is published Monday to Friday and focuses on legal, tax and business information. Until March 2018, *Axel Springer Polska* owned 49% of *Infor Biznes*, the company that publishes the daily, shares that have since been bought by *Infor Biznes'* main owner, Ryszard Pięrkowski. The current editor-in-chief is Krzysztof Jedlak, formerly of *Rzeczpospolita*. Although it does not represent the most progressive positions in Poland, it is certainly not favourable to the PiS.

Average total paid circulation: 31,442 (September 2021)

### *Gazeta Podatkowa (Fiscal Journal)*

Similar to *Dziennik Gazeta Prawna*, *Gazeta Podatkowa* publishes legal and economic information, but only comes out on Mondays and Thursdays. This newspaper cannot really be considered part of the direct political power struggle in Poland, but it is certainly not a pro-government press organ. However, its sales are much higher than those of the pro-PiS *Gazeta Polska Codziennie*.

Average total paid circulation: 21,329 (September 2021)

### *Przegląd Sportowy*

A historic sports daily in Poland founded in 1921, it is not of great interest in our study, except to point out that it is owned by the *Ringier Axel Springer France* group and has higher sales than the pro-PiS daily *Gazeta Polska Codziennie*.

Average total paid circulation: 16,382 (September 2021)

### *Puls Biznesu*

An economic and business daily founded in 1997, it cannot be placed directly on the Polish political chessboard and is owned by *Bonnier Business*.

Average total paid circulation: 12,180 (September 2021)



### *Parkiet Gazeta Giełdy*

Founded in 1994, this daily newspaper covers financial and stock market news and had as its chief editor between 2006 and 2012 the current editor-in-chief of *Dziennik Gazeta Prawna*. Although not strictly political, the paper is owned by *Gremi Media*, a group that also owns the daily *Rzeczpospolita*, which is politically opposed to the ruling coalition.

Average total paid circulation: 4,048 (September 2021)

### *Gazeta Polska Codziennie*

Founded in 2011, this national daily is pro-PiS. *Gazeta Polska Codziennie* is the daily version of the pro-PiS weekly *Gazeta Polska*, led by Tomasz Sakiewicz. *Nasz Dziennik* (Our Daily Newspaper), owned by the Redemptorist Order, and *Gazeta Polska Codziennie* are the only national dailies openly favourable to the PiS, but have limited circulation compared to the other dailies, all of which have been hostile to government policy to varying degrees since 2015. However, *Nasz Dziennik* can be very critical of the PiS on certain issues, such as abortion, as when the PiS is judged by the Catholic newspaper to be insufficiently committed to defending the right to life from conception. Conversely, PiS policies are rarely criticised in the columns of *Gazeta Polska Codziennie*.

Average total paid circulation: not specified on [wirtualnemedia.pl](http://wirtualnemedia.pl), usually between 10,000 and 15,000 copies

**Of the eight Polish national dailies, only one follows the PiS political line.**

## **B) Weekly press**

The weekly press is more diverse and balanced than the daily press. However, pro-PiS magazines are far from dominating this market, which also includes conservative elements critical of government policies.

### *Polityka (Politics)*

Founded in 1957 under communism, this centre-left magazine takes a liberal line.

A platform for intellectuals of the liberal left, this anti-PiS weekly is the country's second largest circulation weekly, with nearly 100,000 copies sold each week.

Average total paid circulation: 93,735 copies in November 2020

polityka.pl - October 2021: 60th most visited site in the Media and Information category; 2.31 million visits

### *Newsweek Polska*

Founded in 2001, this weekly magazine is owned by *Axel Springer* and is a Polish version of *Newsweek*, although it is not a translated version of the English original. Like all media in the Springer group, the magazine is anti-PiS and follows an editorial line similar to that of the daily *Gazeta Wyborcza*. On 1 April 2015, before the PiS had returned to power, *Newsweek Polska* published a front-page headline showing the president of the Law and Justice party, Jarosław Kaczyński, calling him a murderer and accusing him of being responsible for the death of Polish national unity in the Smolensk plane crash in 2010.

The editor-in-chief of the magazine is Tomasz Lis, a former employee of *Polsat* and *TVN* and founder of the *NaTemat.pl* website in 2012. Tomasz Lis makes no secret of his anti-PiS stance and took part in the protests organised by the *Committee for the Defence of Democracy* (KOD) in 2017, the year in which he was nominated for the European Press Prize. The prize is funded in particular by the *Media Investment Development Fund* and the *Guardian Foundation*, and was awarded in 2018 at the Budapest offices of George Soros' *Open Archives Society* and in 2019 at the offices of *Agora* in Warsaw. Thanks to his loyalty to the Civic Platform between 2007 and 2015, Tomasz Lis produced a clearly pro-government and ideologically oriented political programme on Polish public television, which of course came to an end when the PiS came to power in October 2015. Tomasz Lis, together with Adam Michnik, is proof that what we call 'free and independent media' are in fact ideologically biased media whose national political affinities are openly displayed when necessary. Tomasz Lis is also proof that when the PO was in power it controlled public television, just as the PiS does now.

Average total paid circulation: 82,632 copies in November 2020

### *Wprost (Directly)*

*(Only accessible online since March 2020)*

Founded in Poznań in 1982 as a regional weekly, it went national after the political change in 1989 and was subsequently published in the same format as *Newsweek Polska*, but with a liberal-conservative slant, which led it to play a role in the publication of Donald Tusk's government wiretaps in 2014, resulting in a police raid on its premises - a case that was even criticised by *RSF* (155). This media outlet, which has only been available online since March 2020, is owned by *PMPG Polskie Media SA*, a press group financed by Orle Pióro, the company that owns the liberal-conservative weekly *Do Rzeczy*. Completely independent of PiS, *Wprost* has a line that can be described as centrist. As we have repeatedly pointed out in this report, the main difference between the situation of the Polish and Hungarian media is that in Poland there are publications that cannot be directly linked to a political family: *Wprost* and *Do Rzeczy* are proof of this.

*wprost.pl - October 2021: 24th most visited site in the Media and Information category; 5.64 million visits*

### *Gość Niedzielny (The Sunday Guest)*

Founded in 1923, the weekly has a Catholic and conservative slant, close to that of the PiS. Its editor-in-chief is Adam Pawlaszczyk, a Catholic priest with a doctorate in law. Former 2010 presidential candidate Marek Jurek, who was a central figure in the PiS in the early 2000s and a marshal of the Sejm during the PiS's first term (2005-2007) before founding the Christian-conservative Right of the Republic party in 2007, also contributes to the weekly.

Average total paid circulation: 87,701 copies in November 2020

### *Tygodnik Powszechny (The Universal Weekly)*

Founded in Krakow on 24 March 1945, this weekly has a liberal and open Catholic stance that is often criticised by more traditional Catholic factions. In this respect, *Tygodnik Powszechny* does not share the same stance as the PiS and the 'United Right' coalition.

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155 See above p. 26

This publication demonstrates the richness of the Polish press, as this weekly offers a unique slant that can be critical of the two main political families. However, it is undoubtedly less aligned with PiS than with Polish progressive and liberal networks, as half of *Tygodnik Powszechny* belonged to the *ITI group* between 2007 and 2011 - a period during which *ITI* owned the *TVN* channel and the *onet.pl* portal, both of which are virulently anti-PiS. In 2011, *ITI* donated its shares to the *Tygodnik Powszechny Foundation*, and in 2014, Father Michał Kazimierz Heller announced that he had acquired 18% of the weekly's shares.

Average total paid circulation: 26,771 copies in November 2020

### *Do Rzeczy*

Founded in Warsaw in 2013, this weekly has a liberal-conservative line and its slogan is 'No consent to silence'. Since its launch in 2013, *Do Rzeczy's* editor-in-chief has been Paweł Lisicki, the former editor-in-chief of the prestigious daily *Rzeczpospolita*. When the editorial line of *Rzeczpospolita* was taken over by Donald Tusk's government, Lisicki was confined to the editorial office of the weekly *Uważam Rze*, which belongs to the same press group. In the autumn of 2012, Lisicki and a number of *Uważam Rze* writers left and founded *Do Rzeczy* in order to safeguard their ability to express themselves freely. Around the same time, some of the *Uważam Rze* writers joined the editorial staff of the new weekly *wSieci* (now *Sieci*). Founded in 2011, the weekly *Uważam Rze* rapidly became one of the best-selling news and opinion weeklies, but then quickly lost its readership and ceased publication in 2016. The liberal-conservative line of its successor, *Do Rzeczy*, is difficult to grasp for Western European observers, consisting of conservative positions on social issues as well as a defence of economic freedom. In the Polish context, *Do Rzeczy* holds a very interesting place on the media chessboard because it tends to be supportive of the government, but at times can be vehemently critical of it. This freedom of tone and content comes at a price: the weekly has limited resources because it is not directly or indirectly supported by any political force, which is rare in the Central and Eastern European media market.

Average total paid circulation: 28,004 copies in November 2020

dorzeczy.pl - October 2021: 17th most visited site in the Media and Information category; 9.27 million visits

### *Sieci (The Network)*

This weekly was founded in 2012 as a result of a split between journalists following a conflict within the editorial staff of *Uważam Rze* and *Rzeczpospolita*. It has a very openly pro-PiS and anti-Civic Platform line. The magazine's editorial line is against immigration and gender ideology, and it has been very hostile to Donald Tusk and Bronisław Komorowski, positioning itself in a niche market waging a cultural war against the progressive sphere revolving around *Gazeta Wyborcza* and *Newsweek Poland*, with *Sieci* being very harsh towards Adam Michnik and Tomasz Lis. In the same network as *Sieci* are the portals *wPolityce.pl* and *wNas.pl*, *wGospodarce.pl*, *wSumie.pl*, *stefczyk.info*, *gazetabankowa.pl* and *tygodnikpodlaski.pl*, as well as the online television channel *Polskie.pl*. The editor-in-chief of the magazine is Jacek Karnowski, brother of Michał Karnowski, also a central figure in *Sieci*.

Average total paid circulation: 37,794 copies in November 2020

### *Gazeta Polska*

Founded in 1992 as a monthly, this magazine is now a weekly with a national right-wing editorial line and is edited by Tomasz Sakiewicz, who is also, as of this year, chairman of the board of *Telewizja Republika S.A* and editor-in-chief of *Telewizja Republika*. In 2008, at a joint conference with Jarosław Kaczyński, Tomasz Sakiewicz declared himself to be a fierce opponent of abortion and regularly lends his support to the government's policy since 2015, notably at a protest in favour of judicial reform in 2020. *Gazeta Polska* also has a weekly, *Gazeta Polska Codzienne (Polish Daily Gazette)*, which is the only pro-PiS national weekly. *Gazeta Polska Codzienne* is the seventh national weekly in terms of circulation, as this sector is overwhelmingly dominated by anti-PiS dailies.

Average total paid circulation: 22,026 copies in November 2020

## **C) Television**

### *Public television*

The public television channels, grouped under *TVP (Telewizja Polska - Polish Television)*, came under the control of the new government through the vote on the 'small media law' at the end of 2015.

Like the Fidesz-KDNP coalition in 2010, the Polish government led by PiS openly took control of public television in its first weeks in office, given that public television has always been favourable to the ruling power since the change of regime in 1989 (which was particularly true when Donald Tusk's government took over in 2010 and purged the conservative journalists still present in the public media from that year onwards). This takeover, which was immediately criticised by Western media and European institutions, aimed to rebalance the Polish media landscape, which in 2015 was undeniably and overwhelmingly dominated by progressive and liberal press organisations. **Before the PiS came to power, public television did not really differ from the two private news channels, TVN and Polsat, especially since 2010 and also immediately after the PiS victory on 25 October 2015, taking a very harsh stance against the new government of Beata Szydło, which accelerated the PiS plan to regain control of the public channels.**

Voters who brought PiS to power found this stance of public television unfair and put pressure on the government to ensure that public media reflected the opinions that triumphed in the October 2015 elections, given that the Polish audiovisual landscape was dominated by editorial lines that conveyed progressive, pro-LGBT, pro-European and anti-PiS views. Seen by government critics as a serious attack on the freedom of the press, this takeover of the public media is seen by Polish conservatives - who gained democratic legitimacy in October 2015 - as a work of coherence and rebalancing of the Polish media landscape so that it reflects the diversity of opinions within society. This episode of reassertion of control, similar to what happened in Hungary in 2010, is widely misunderstood by Western Europeans and is a direct result of the particular nature of the media sectors in post-communist Europe, which are characterised by a strong press of opinion and a high degree of media and political polarisation.

#### Polsat Group

Founded in 1992, the private group's first channel is the most watched in Poland and is openly hostile to PiS. The group is owned by Poland's richest man, businessman Zygmunt Solorz-Żak, who in 2006 was suspected of collaborating with the Polish secret police (SB) from 1983, and is a pioneer in bringing an end to the public monopoly on information after 1989. This media empire, which includes dozens of channels in various fields, is emblematic of the way in which concessions were granted after the fall of communism to a new class of businessmen who had made their way in the former regime. The *Polsat group* is less hostile to the PiS than *TVN*, but still opposes government policy.

## TVN

At the centre of the conflict sparked by the media law passed in first reading in August (156), known as Lex-TVN, this group has been in existence since 1995 and its channels have been hostile to the policies of the PiS since 2015. Its channel, *TVN24*, is funded by the American group *Discovery, Inc*, which has owned the entire *TVN* group since 2018. The group has been particularly vehement against the Polish government in recent years, prompting the government to act by having the Sejm pass an amendment that has increased political tensions in Poland, as well as conflicts between Poland, the EU and the United States. *TVN*, along with *Polsat*, is the main private television group and is wholly owned by a holding company with American capital, a context that Western Europeans often fail to grasp and which has great potential for tension.

## Canal+ Poland Group

This group, owned 51% by the French *Canal+*, 32% by the *TVN* group and 17% by the US-Dutch-British conglomerate *Liberty Global*, has no direct political role, but is evidence of the immense porosity of Poland (and the entire region of Central and Eastern Europe) for foreign investment.

## Telewizja Republika

This newer channel, launched in December 2012, is the only private channel with a conservative editorial line and favourable to the PiS. Founded when the conservatives were in opposition, it is in a way the Polish equivalent of Hungary's *Hír TV*, at least in the context of its creation, but it has very limited resources compared to large groups such as *Polsat* and *TVN* and cannot be viewed on DTT. Like Hungary's *Hír TV*, *Telewizja Republika* has a negligible audience share of around 2.5%.

**In reality, the only influential television in Poland that takes a pro-government line is public television. The private channels, which have a wide reach and audience, all take an editorial and political line opposed to the government.**

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156 See above p. 100

## ***D) Radio***

### Public radio

Like public television, public radio stations were taken over by the government on 31 December 2015 through the 'Small Media Act' passed by the new governing coalition, and since then have been media outlets with an openly pro-PiS line, with six national stations and 17 regional stations.

### *Agora Group*

The group, which includes *TOK FM* (news) and music stations *Złote Przeboje* and *Roxy FM*, has a liberal, progressive and anti-PiS stance and is characterised by the historic figure of Adam Michnik, whose *Gazeta Wyborcza* has been the main media force opposing government policies since 2015.

### *Radio Maryja (Radio Marie)*

Founded in 1991, it is owned by the *Lux Veritatis Foundation*, part of the Redemptorist Order, which also owns the national daily *Nasz Dziennik* (Our Journal) and *TV Trwam*, a television station that was at the centre of the 2012-2013 protests. To the general indifference of the Western media and the European institutions, the KRRiT (Polish Audiovisual Council) had refused to allocate a frequency to *TV Trwam*, prompting large-scale protests across the country, the largest of which brought together 200,000 people in Warsaw in September 2012, as well as a petition in support of *TV Trwam* sent to the KRRiT and signed by 2.5 million Poles. However, this channel did not pose a direct political threat to Donald Tusk's government, as its programming schedule was primarily focused on religious and evangelising programmes, with news and political programmes comprising a smaller portion of the content. It is true, however, that its daily news service, which was of a very good quality, adopted a conservative line that was hostile to the successive liberal governments of the PO-PSL coalition.



## *Radio Zet and the Media Development and Investment Fund (MDIF) in Poland*

The *MDIF*, managed by interests close to the Hungarian-born American billionaire George Soros, has a significant presence in 44 countries and in 88.6% of states where the press is considered to be 'not free or only partially free' (157). It is present in 157 countries, including in many regions such as Guatemala, Indonesia, Ukraine and Zimbabwe. The *MDIF* plays an important role in the Polish media landscape and throughout the Central and Eastern European region.

In Poland, this fund holds shares in *Agora SA*, a media group whose key figures include Adam Michnik. The Czech company *SFS Ventures*, associated with *MFID* and *Agora SA*, holds a 60% stake in the Polish group *Eurozet*, which until 2018 was part of the *Lagardère group* before *Czech Media Investment* took control for a year. *Agora SA* retains a 40% stake, with an option to repurchase *SFS Ventures'* shares. This strategic move by a press group aligned with the opposition and with ties to the Soros network significantly impacts the radio stations that rely on *Eurozet*, positioning them firmly in opposition to the PiS.

### **E) The regional daily press**

Prior to the acquisition of the regional press by Polish capital in December 2020, in accordance with the 're-Polonisation' process advocated by the incumbent government since 2015, the regional daily newspapers were predominantly owned by the German press group *Verlagsgruppe Passau*. The German influence on the Polish regional press was in fact encouraged in 2013-2014 by the PO-PSL coalition in power, led by Donald Tusk, without causing the slightest concern among the Western media and European institutions. This resulted in 19 of the 24 regional daily newspapers being in the hands of *Verlagsgruppe Passau*. During Donald Tusk's tenure in Poland, prior to his appointment as President of the European Council in 2014, the Polish subsidiary of the German group (*Polska Presse*) had successfully doubled its presence in the regional press market.

The PiS has followed a similar path to the Hungarian government in regaining control over the country's regional press. In December 2020, *PKN Orlen*, the leading Polish oil company in which the State holds a 27% stake, acquired the *Polska Presse group*.

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157 Növvő külföldi médiabefluás Magyarországon [Increasing foreign media influence in Hungary], Institute of the XXI<sup>st</sup> Century, 30 March 2021, [https://www.xxiszazadintezet.hu/novekvo-kulfoldi-mediabefolyas-magyarorszagon/?fbclid=IwAR0epnakRSjPQPnEJHjsJ\\_d2AC79ktsBW5pK79oKgRMZVTFw0xNKyIQ2wDE](https://www.xxiszazadintezet.hu/novekvo-kulfoldi-mediabefolyas-magyarorszagon/?fbclid=IwAR0epnakRSjPQPnEJHjsJ_d2AC79ktsBW5pK79oKgRMZVTFw0xNKyIQ2wDE)

This move prompted immediate criticism from Western media, who accused the Polish government of 'an attack on freedom of expression'. After five years in power, the PiS finally implemented its plan for 're-Polonisation', which Jaroslaw Kaczynski defines as follows:

*'The Polish media landscape should be exclusively Polish. We cannot accept the involvement of these entities in foreign-orchestrated campaigns that present a false image of Poland and the world. We are committed to ensuring the presence of media outlets that provide a more realistic and accurate representation of global events and developments.'*

### **F) Online press**

#### *Wyborcza.pl*

The online site of *Gazeta Wyborcza*, a leading Polish media outlet, also features an English version that includes articles likely to have the greatest impact on the international scene. The English version serves as a valuable source for the editorial offices of progressive Western newspapers, with *Gazeta Wyborcza* being a frequently referenced publication among non-Polish journalists seeking information on Poland, particularly when it comes to critical coverage of the government's policies since 2015.

It is important to note that all national newspapers, the vast majority of which hold a negative view of PiS, also have an online version, which significantly amplifies their impact, as the demographic most susceptible to anti-government rhetoric is, as in Hungary, comprised of highly connected individuals residing in urban areas.

#### *OKO.press*

Launched in June 2015, this website aims to provide investigative journalism and fact-checking, with contributors from *Gazeta Wyborcza*, *Polityka* and TVN, as well as the regional Tok FM stations. Agora, a company in which Adam Michnik plays a key role, launched the site. OKO.press is modelled on PolitiFact, an American fact-checking site funded by George Soros through the Tampa Bay Times. This Polish website is critical of PiS and shares similarities with the current Hungarian fact-checking project involving 444, AFP and the European Commission (158), which was also inspired by PolitiFact. In 2020, OKO.press was awarded the Index on Censorship Freedom Award, an NGO currently chaired by Ruth Smeeth, a former British Labour Party MP.

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158 See above. Pp. 65-66

*OKO.press* has also been very active in defending the LGBT lobby, which has been a prominent issue in Poland in recent years. Very quickly after its creation, this portal established itself as one of the 10 most visited news sites in Poland, ranking 7th in 2020. It consistently ranks among the 10 most visited sites in Poland in the 'Media and Information' category and maintains an active presence on social networks.

#### *NaTemat.pl*

Launched by Tomasz Lis in February 2012, this website rapidly achieved unprecedented levels of traffic, surpassing one million views per month just six months after its inception. The website has around 400 partnerships with authors who have been running blogs hostile to government policy since 2015, while Tomasz Lis describes his platform as the Polish *Huffington Post*. In 2016, the portal received financial support from Google as part of its *Digital News Innovation Fund*, which was renewed in 2019. The portal's editorial stance is known for its opposition to government policy, and its founder, Tomasz Lis, is recognised as one of Poland's leading progressive journalists alongside Adam Michnik, who has never wavered from his anti-PiS stance.

#### *Onet.pl*

Launched in 1996, this news portal has been owned by the *Ringier Axel Springer Polska* group since 2012, and it currently has the distinction of being the most visited news portal in Poland. In alignment with the editorial stance of all media outlets under the *Ringier Axel Springer Polska* group, the portal adopts a critical stance towards the PiS. In February 2021, it participated in the 'Media without Choice (159)' campaign. This portal serves as a prime example of the political nature of the criticisms directed towards Poland with regard to press freedom. This media outlet, owned by non-Polish (Swiss and German) capital, is highly politicised and adopts a clearly defined stance on the Polish chessboard. It would be inaccurate to describe it as independent. This voice, which is critical of the Polish government, is openly expressed and has the distinction of being the most widely followed media voice in Poland, with the portal being the most popular in the country. It should be noted that the *Ringier Axel Springer Polska* group also owns *Newsweek Poland* and *Fakt*, media outlets that are also very present and influential on the web, while being leaders in their sector (weekly and daily press).

October 2021: 2nd most visited website in the Media and Information category; 206.76 million visits

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159 See above p. 96

### *Interia.pl*

Interia.pl was founded in 1999 and has consistently ranked as one of the most visited news portals in Poland. Having belonged to the German press group Bauer Media for twenty years, since 1 May 2020 this portal has been owned by Cyfrowy Polsat, the company that owns Polsat, belonging to the Polish businessman Zygmunt Solorz-Żak. While Polsat is less overtly anti-PiS than TVN, Interia's content is still critical of the 'United Right' coalition.

October 2021: 3rd most visited website in the Media and Information category; 136.62 million visits

### *Gosc.pl*

An online version of the weekly *Gość Niedzielny*, this Catholic and conservative website is often among the ten most visited in Poland in the 'Opinion' category, but never achieves the level of visibility of its progressive competitors.

### *Tysol.pl*

An online version of the renowned weekly Solidarity (*Tygodnik Solidarność*), which was first published in 1981, *tysol.pl* is among the ten most visited opinion websites in Poland. The website's stance is known for its criticism of the Civic Platform and Donald Tusk. Its editor-in-chief, Michał Ossowski, has been known to voice strong opposition to journalists who are critical of government policy, particularly one of the best known of them: Tomasz Lis.

*Tysol* also has a French version (*tysol.fr*) which is run by Patrick Edery, a French businessman who has been living in Poland for twenty years. He recently made the following statement: '90% of the information about Poland is false!' (160)

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160 '90% des informations sur la Pologne sont fausses' (90% of the information about Poland is false) - Le Zoom - Patrick Edery - TVL, 1 November 2021, <https://www.youtube.com/watch?v=kvJkEW3ZmKU>

## CHAPTER CONCLUSION

As outlined in this chapter, the Polish and Hungarian media landscapes bear notable similarities. This is due to the parallel histories between the two countries in terms of their current political configuration. Following the regime changes of 1989-1990, both countries experienced significant trauma. This historical background largely explains what could be called a 'conservative and national backlash'. **As in the Hungarian case, this resurgence of conservative and national themes in the Polish media is a cause for embarrassment for the European institutions.**

But Poland is not Hungary, and there are many differences in terms of the media. Although Jaroslaw Kaczynski exerts a strong influence over the Polish right, the discord between Brussels and Warsaw is not as clearly defined as that between Brussels and Budapest. In the Hungarian case, criticism is often focused on Viktor Orbán as a person. This is an advantageous position for the Hungarian government, which has no difficulty demonstrating the inaccuracy of the claim that 'Orbán controls the press'. A significant proportion of Hungarian media content is directed towards criticising Viktor Orbán on a daily basis, without this giving rise to any desire for censorship or repression on the part of the Hungarian authorities. The situation in Poland is more complex and the dispute with Brussels over the media issue is less personalised. The Polish media market is more diffuse than its Hungarian counterpart. **There are more players involved and the conservative media is less centralised than in Hungary.**

This discrepancy between Poland and Hungary is both beneficial and disadvantageous for Poland when it comes to countering the narrative that the press in Poland is no longer free. An advantage because the Polish media sector is prosperous and includes outlets that are ideologically aligned with the PiS but politically critical or even in disagreement. **While it is clear that Viktor Orbán has his own political and media camp, there is no 'PiS media system' in Poland, except for public television and, more recently, the regional press.** Consequently, Poland potentially has more arguments than Hungary to defend itself and refute the allegations levelled against it, but this also makes its defense more subtle and therefore likely less audible. For example, 'Viktor Orbán's Hungary' can simply highlight the frequent and open attacks on the Prime Minister by the Hungarian media.

The economic market and political diversity in Poland are both larger than in Hungary. This state of affairs has a mechanical impact on the media sector. Poland's economic and political structures are less centralised compared to Hungary, resulting in a more complex and hybrid capitalist structure of Polish press groups and a larger investment surface for non-Polish groups. The presence of more investment opportunities in the Polish media market than in the Hungarian market leads to a situation where market forces play a more significant role in Poland than in Hungary. In contrast, Hungary's media market is binary, with relatively low economic stakes. In contrast, Poland's media market is characterised by diversity, with significant economic implications.

**The capital/province divide is also evident in Poland, but it does not encapsulate national media life.** In Hungary, the distinction between provincial media culture and the open and connected Budapest media culture effectively summarises the essence of Hungarian media life. A similar trend is evident in Poland, however, the Polish media landscape is characterised by a greater variety of political orientations, a more lucrative economic market and a stronger ideological intransigence compared to Hungary.

In contrast to Hungary, Poland is a country where religion is a social and political fact. Personal convictions are more likely to prevail over political alignments. In Hungary, the internal struggles between political factions often take precedence over more universal considerations. It is rare for voters or media consumers to place a higher value on convictions, ideals, or principles than on the sentiments associated with the clans and individuals that dominate Hungarian politics. In many respects, Hungarians retain feudal reflexes and a tendency to personify politics. In Poland, political orientations are present on both the left and the conservative right. **This political and media landscape is made up of actors with strong principles, who are able to put clan and party affiliation aside. The most successful example of this is the magazine Do Rzeczy, which is clearly conservative but can be very critical of government policy.** The success of such a magazine is unthinkable on the Hungarian market, where the media positioning game can be summarised as follows: heads: for Orbán, tails: against Orbán. **To summarise: Polish conservatism and Christianity exist outside the political sphere, whereas in Hungary they are instilled and encouraged by the actors of the political theatre. While Hungary is clearly more conservative and less dechristianised than Western Europe, it is also less marked by the Christian tradition than Poland when compared to other countries in the region.**

For all these reasons, Polish political life is more unstable than Hungarian political life. The Polish government coalition is subject to ongoing discord between its majority partners, a scenario that would be unthinkable in Hungary, where the Prime Minister maintains strict control over his parliamentary troops. In comparison to many other European countries, Polish parliamentary life is both lively and interesting. This political dynamism is also evident in the media sector, which is characterised by a greater degree of ambiguity and abundance compared to Western European media markets.

It is understandable that Westerners may find it challenging to comprehend that in Hungary, a man and his network collectively possess approximately 50% of the media and press. In the first chapter of this report, we have outlined the main historical, economic and political factors that contribute to this unique media landscape in Hungary. In contrast, it is less understandable why Westerners express similar indignation in the Polish context, **given that Polish media outlets exhibit less pronounced partisan bias compared to their Hungarian counterparts and their origins extend beyond the confines of the political divide between the ruling party and its opposition.**

Finally, foreign investment in the Polish media has a much more geopolitical dimension than in Hungary. The geostrategic importance of this sector is more pronounced in Poland than in Hungary. Poland is much more convinced of the necessity of its Atlanticist commitment than Hungary. The return of the Democrats to power in Washington complicates the position of the PiS, a party that leans more towards the US than Germany, while Donald Tusk's Civic Platform is more aligned with Germany than the US. In the Hungarian case, interference in a television channel with American capital (*TVN*) would be regarded as an attack on the freedom of the press, while in the Polish case it is also a sudden and direct move in the game of Poland's strategic interests.

In the context of Poland, the challenges faced by Western observers in comprehending the nuances of a post-communist society, compounded by a significant geostrategic dimension, are likely to contribute to an ongoing debate on press freedom in Poland.

# GENERAL CONCLUSION

The above study of the Hungarian and Polish media sectors highlights facts and figures with which Central Europeans with a background in history and politics are well acquainted, but which are not generally recognised or acknowledged by their Western European counterparts. It is likely that the European authorities are already aware of the various findings of this study. While it is improbable that these authorities will make use of the findings, we propose to summarise them here:

- The absence of a public information service culture in Hungary and Poland is not due to the alleged authoritarian tendencies of Fidesz or PiS, but rather to the Soviet legacy, which prevented the development of such a culture at a time when the countries of Western Europe were laying the foundations for it. **In Poland and Hungary, the public media have been under the oversight of the ruling political class since the regime change of 1989-1990.** Furthermore, the culture of public service information has also been significantly impacted in Western Europe, where the bias in ideology of public service broadcasting is an everyday reality.
- The transformation of the economies of Central and Eastern Europe following the fall of the Berlin Wall was characterised by a rapid process of privatisation and an openness to Western investment. This led to the emergence of a unique media landscape in Poland and Hungary, with implications that are not fully understood by Western Europeans. **The excesses of this rapid integration into Western investment have been a contributing factor to the tensions seen in post-Communist societies, as evidenced by the electoral successes of Fidesz in 2010 and PiS in 2015.** These electoral victories can be seen as reactions to the perceived excesses and broken promises of Hungary and Poland's accession to Western institutions.
- A key consequence of this rapid liberalisation has been a marked over-representation of liberal and progressive ideas in the Hungarian and Polish media landscapes, in comparison to the proportion of the population that supports these ideas. **The media reforms implemented by Fidesz and PiS shortly after assuming power were driven by a commitment to address this imbalance.**



- This rebalancing policy is being implemented in countries with inherently politicised media landscapes. **In Hungary and Poland, for instance, this policy has entailed an increase in conservative and critical content regarding the European Union. This shift has been facilitated by the landslide electoral victories of Fidesz and PiS, and is being supported by their respective electoral bases.** Despite its modest and incomplete nature, this policy of rebalancing the media landscape in favour of conservatives is described by the Western media and European institutions as an 'attack on free and independent media'. **However, evidence is growing in Central Europe that these media outlets are linked to specific interests, suggesting that 'free and independent' may in fact mean 'pro-EU and progressive'.** Despite this rebalancing policy, progressive ideas continue to predominate in certain sectors of the media market in Hungary and Poland.
- This rebalancing policy is modest in nature, in that the real dynamics at work in the Hungarian and Polish markets do not take place on the ground occupied by the governments (public television, regional press), but rather through digital channels. **In the Hungarian context, it is notable that the online press, which is critical of Orbán, is the only entity that can effectively set the media agenda; the pro-government press, in contrast, merely reacts to the agenda set by its opponents.**
- If Hungary and Poland were truly under the thumb of authoritarian governments with dictatorial tendencies, they would try to curb this numerical and ideological dynamic that is clearly unfavourable to them. However, this is not the case, and in reality, the opposite is true. **Online censorship is not applied to media outlets that are opposed to Fidesz or PiS. These media outlets are able to articulate their views, often with great vehemence, regarding the governments of Hungary and Poland.** However, conservative media outlets seeking to enter the online press market face censorship from digital giants.

The overall conclusion of this study is a cause for concern. After over fifteen years within the European Union, Hungary and Poland appear to be in perpetual disagreement with the policies decided in Brussels. The European Union has not fully grasped the unique historical and political complexities of these countries, which emerged from the Eastern Bloc. In terms of the media and press market, the European Union has not yet successfully integrated and absorbed the historical distinctiveness of the nations that joined in 2004. This would require governments in Budapest and Warsaw that were openly and unreservedly supportive of the EU, a condition that is not met at present.

But isn't this permanent conflict precisely what keeps the European Union ticking? **The declarations of principle and the agitation on either side certainly allow for the possibility, when politically necessary, of ignoring other issues. The decades-long conflict surrounding press freedom, for instance, ultimately benefits all stakeholders.** In terms of political exploitation of conflict, Viktor Orbán demonstrates a high level of expertise, strategically leveraging tensions with Brussels to consolidate his political standing at the national level. In Western Europe, the bad examples of Poland and Hungary are a godsend. By pointing the finger at them, we can avoid dealing with the problems of press freedom in Germany, or the question of the significant influence of Big Tech.

Finally, does the ongoing discord between the European institutions and the Hungarian and Polish governments not overshadow the crucial issue of information and the media in today's world? The traditional discourse surrounding freedom of the press and the perceived threat of political influence on the media has become obsolete. Nevertheless, it is from this standpoint that the European institutions offer criticism of Hungary and Poland. This angle and this approach seem outdated to us. **In the current era of 24-hour news and social networks, the dynamic has shifted such that the political class is now influenced by the media, rather than the other way around. The media set the agenda, while politicians respond to the demands imposed on them.**

Although less systematically and extensively than in Western Europe, this role reversal in favour of the media, which today dominate the political class, has also taken place in Central and Eastern Europe. A prime example of this phenomenon is the effective opposition online media in Hungary that has been undermining the government's efforts during the pandemic. The Hungarian government's response to the pandemic has highlighted its reliance on, rather than its control of, media outlets. In this sense, the ongoing dispute regarding press freedom in Hungary and Poland can be considered a matter of the past. It is possible that the energy expended in maintaining this conflict is due in part to an attempt to conceal the real issues of the present. These include the stranglehold of the media on contemporary political life, the disproportionate and illegitimate influence of Big Tech on information, and the decline of civil liberties in Europe since March 2020.

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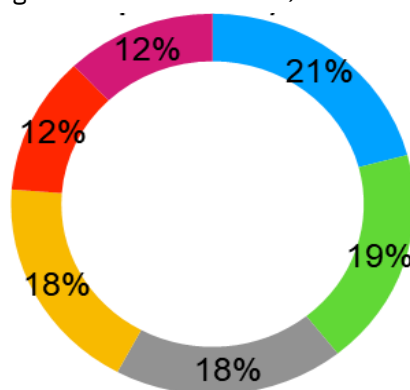
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# APPENDICES

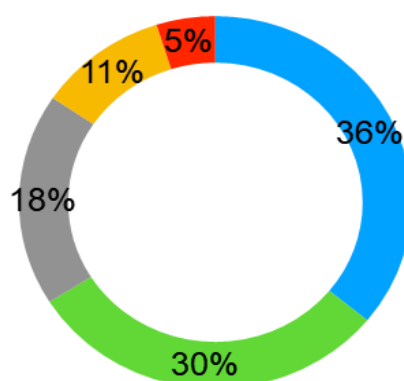
Viewing figures for the first fortnight of November 2021 (panel including the 6 largest Polish TV channels)



- TVP1 (Pro-government)
- Polsat (« Independent »)
- TVP2 (Pro-government)
- TVN (« Independent »)
- TVP Info (Pro-government)
- TVN24 (« Independent »)

Source : <https://www.wirtualnemedia.pl/>

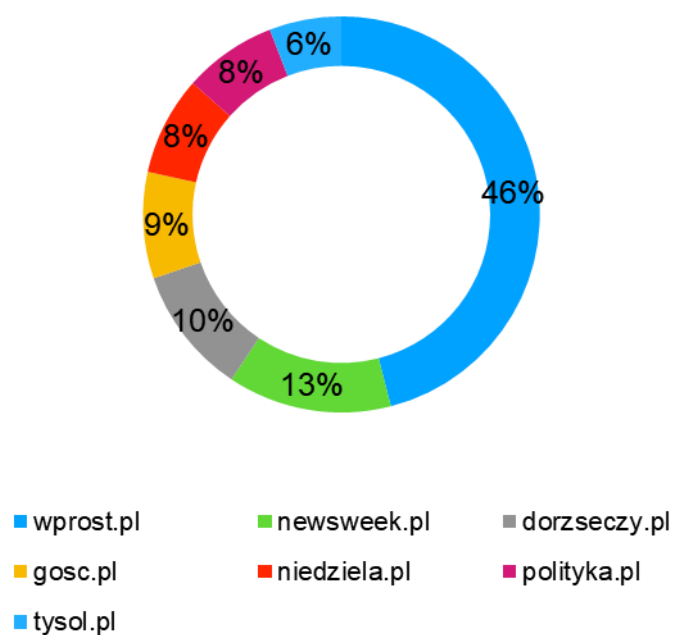
Daily viewership in percentage (panel including the 5 biggest Hungarian TV channels)



- RTL Klub (« independent »)
- TV2 (pro-government)
- Public TV (pro-government)
- ATV (« independent »)
- Hír TV (pro-government)

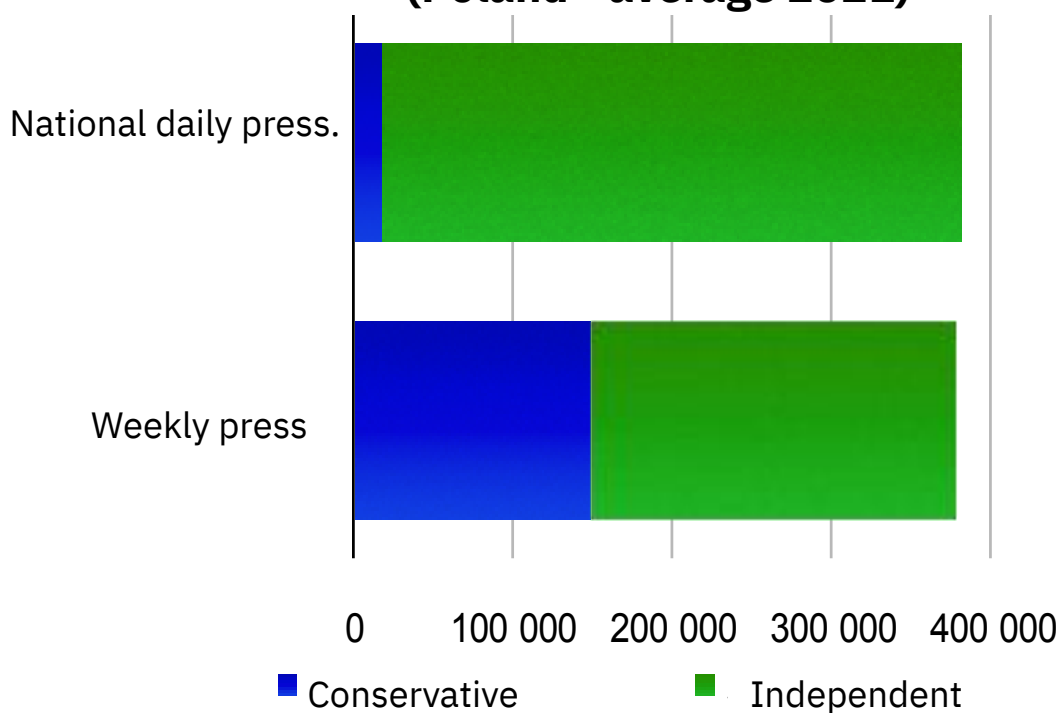
Source : *Republikonintézet (June 2021)*

**Visits to the 7 main Polish opinion websites in percentage (June 2021)**



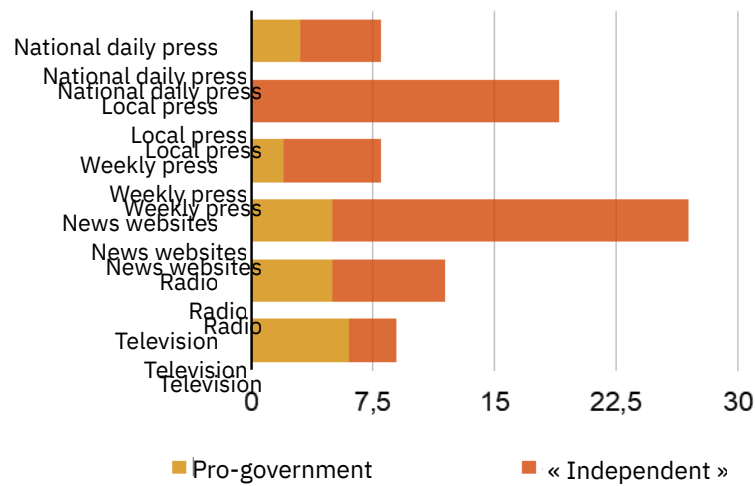
Source : <https://www.wirtualnemedi.pl/>

**Average total paid circulation (Poland - average 2021)**



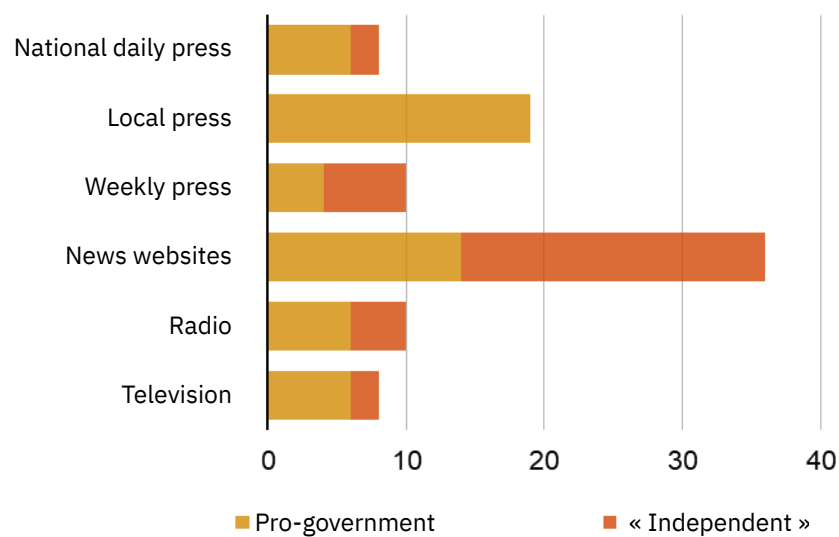
Source : <https://www.wirtualnemedi.pl/>

**Media and press market share in Hungary -  
number of media (2011)**



Source : <https://atlo.team/media2020/>

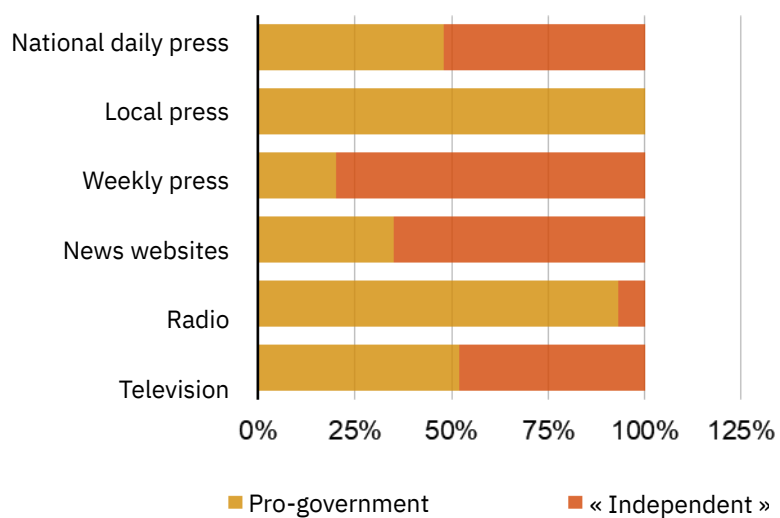
**Media and press market share in Hungary -  
number of media (2020)**



Source : <https://atlo.team/media2020/>

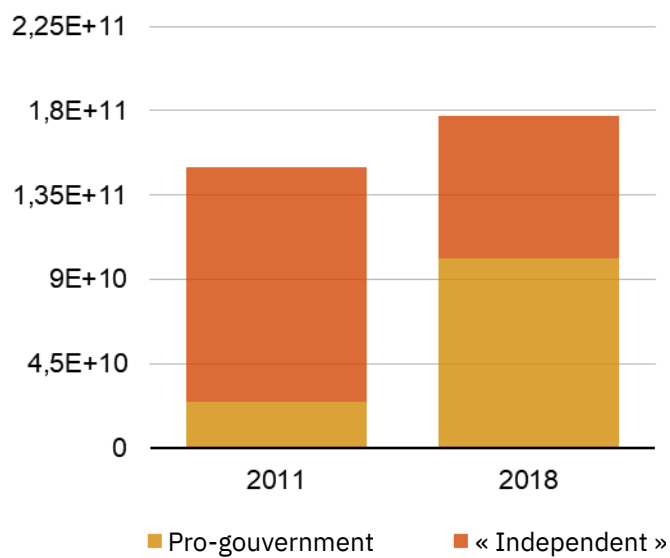


### People reached by the media (2020) – Percentage



Source : <https://atlo.team/media2020/>

### Net revenues of Hungarian media (in forints)



Source : <https://atlo.team/media2020/>



Cover of the weekly HVG dated 16 August 2018: 'Gold Coast: what happens to the money from holiday homes'  
[Image showing Lőrinc Mészáros, the country's richest man and close ally of Viktor Orbán, wearing a pendant in the shape of Lake Balaton]



Cover of the weekly magazine Magyar Narancs on 10 September 2015: 'A country that has become a disgrace - the failure of the Hungarian migration police'



Article headline in Telex on 13 April 2021: 'The fact that fewer and fewer people dare to talk to the press proves the authoritarian nature of the Hungarian system'



Article headline from nepszava.us on 25 November 2021: 'Hungary among the opponents of democracy, one of the greatest shames to befall this country in 1000 years'



MANDINER.HU

**Donáth Anna: Nagyon veszélyes, amit a miniszterelnök csinál | Mandiner**

The pro-government website Mandiner.hu publishes the statement of one of Viktor Orbán's fiercest opponents: 'Anna Donáth: What the Prime Minister is doing is very dangerous' (3 December 2021)

[Reaction to Viktor Orbán's comments that Brussels could intervene in Hungarian elections.]



NEPSZAVA.HU

**Nagy bukással zárult a jobboldali populista pártok találkozója Varsóban**

Article headline in the Hungarian daily Népszava on 5 December 2021: 'The meeting of right-wing populist parties in Warsaw ends on a major failure'

**NYUGATI FÉNY**

VLÁGOSAN BESZÉLŐNK

ROVATOK

Keresés...

**Lyukra futott Rogán propagandagépezete:  
Villámgyorsan derült ki az újabb mocskos hazugság**

**NYF**

Nyugati Fény  
2021. december 3., 13:19

Article headline by Nyugati Fény on 3 December 2021:  
'Rogán's propaganda machine misses the mark: a dirty lie once  
again exposed at lightning speed'  
[Antal Rogán is a close associate of Viktor Orbán and is in  
charge of media policy.]



On the website of Klubrádio on 7 August 2021 (the media at the centre of the controversy in the European Parliament in March 2020), the Hungarian intellectual Gáspár Miklós Tamás (TGM) denounced Fidesz's signing of a declaration with 13 other European parties: 'Orbán joins the fascists'.



Cover of the weekly HVG on 9 April 2020: 'Get out there and reign! Orbán's power defence action plan'

## Orbán Varsóba utazott, hogy szélsőjobboldali pártvezetőkkel tárgyaljon

Szász Zsófi  
POLITIKA · december 3., péntek 21:06 · 2

Article headline from 444.hu on 3 December 2021: 'Orbán travels to Warsaw to negotiate with far-right party leaders'

## Magyarország uniós támogatásoktól eshet el a homofób törvény miatt

Földi Kitti  
POLITIKA · szeptember 18., szombat 7:51

Article headline from 444.hu on 18 September 2021: 'Hungary may not receive European funds due to homophobic law'



Newsweek Polska cover on 17 November 2021: ‘You can leave, we’re staying’  
[Implied: ‘Kaczyński, leave the EU’]



Cover of Sieci on 2 November 2021: ‘How Poland and Hungary are winning the war against Brussels and why they had to wage this war’



Gazeta Wyborcza, 4 December 2021: ‘Anne Applebaum, Donald Tusk - Will the West be able to defend itself?’



Cover of Do Rzeczy on 8 November 2021: ‘It's time to get rid of the European Parliament’



## Michał Szuldrzyński: Szkodliwy dysonans dyplomacji PiS

Prezes Kaczyński, spotykając się z Klubem Parlamentarnym PiS, tak zmobilizował posłów, że czwartkowe głosowania przebiegły po myśli kierownictwa partii. Sięgnął jednak po najcięższy arsenał retoryczny, który pokazuje, jak niespójna jest polityka PiS.

Aktualizacja: 02.12.2021 23:10 Publikacja: 02.12.2021 19:01

Article by journalist Michał Szuldrzyński in Rzeczpospolita on 2 December 2021: 'The harmful dissonance of PiS's foreign policy'



| Wojciech Czuchnowski, | Anita Karwowska |

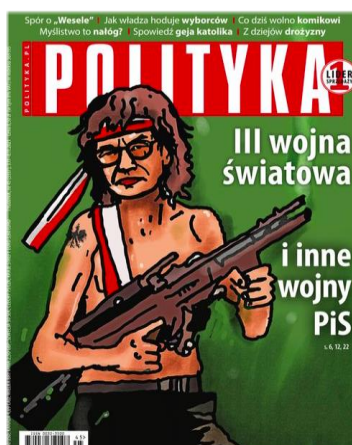
### Ofiary PiS idą do Trybunału w Hadze. Do adwokatów zgłosiło się ponad tysiąc osób

- Ponieważ represjonowani obywatele nie mogą znaleźć sprawiedliwości w kraju, postanowili zgłosić się do Trybunału w Hadze - mówi mec. Jacek Dubois, który razem z Romanem Giertychem i Mikołajem...

26-11-2021 12:39

Article in Gazeta Wyborcza on 26 November 2021: 'PiS victims go to The Hague. Over a thousand people have sought help from a lawyer'

[The image shows Franek Broda, LGBT activist, nephew of Prime Minister Mateusz Morawiecki]



Cover of Polityka on 8 November 2021: 'The Third World War and the Other Wars of the PiS'

[Alluding to an interview given by Morawiecki to the Financial Times in which he explains that the Commission could trigger a Third World War by withholding recovery funds – figuratively, of course]

# ***PATRIOTS***

## ***FOR EUROPE FOUNDATION***

This study is published by the Patriots for  
Europe Foundation  
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President: Andràs Laslo, MEP  
Director: Raphaël Audouard  
Published in 2025

The Patriots for Europe Foundation is partially funded by the European  
Parliament and bears sole responsibility for this publication.  
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