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*Electronic community media in Poland – current situation
and future prospects*

KEY WORDS

social media, community media, civil media, civic media, third sector media, community radio, non-commercial radio, internet radio

ABSTRACT

The electronic community media are an important element of media systems in many countries. What is more, in some documents EU members are encouraged to create and support the third sector of electronic media. However, in Poland there is little social awareness of what community media are and the existing legal regulation does not support the development of this kind of media. Thus, this article will discuss the idea of community media and the development of this sector of media in other countries. Moreover, characterized will be the current situation of community media in Poland. Additionally, the possibility of development of this kind of media will also be analysed.

Social media¹, community media², civil media³, civic media⁴, third sector media⁵, non-commercial local stations⁶ – these are all different names for non public and non-commercial media in Poland. The amount of various terminology used, however, does not stem from extensive research on the subject, heated public debate or even any activity regarding this type of media in Poland. On the contrary, there are few publications on the subject hence, their authors do not have a chance to compare their findings with their predecessors and they introduce new terminology which further complicates proliferation of this subject

¹ Cf. EU Parliament resolution from September 25, 2008 regarding community media in Europe 2008/2011(INI), www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0456+0+DOC+XML+V0//PL.

² Cf. M. Sienkiewicz, *Rada Europy opublikowała Deklarację Komitetu Ministrów o roli mediów społecznościowych*, "Tygodnik Medialny MediaFM.net" No. 438 (2009), <http://mediafm.net/tygodnik/438>.

³ This expression was used by Monika Chabowska when translating John Hochheimer's article, *Who do civil media serve in the United States*, "Przekazy i Opinie" 1990, No. 3/4, p. 146–168.

⁴ This term is predominantly used by representatives of non-government organizations. The term "civic" is present in different names of non-government media organizations' initiatives. For example, there is the Civic Media Centre in Lublin associated with the Nowy Staw Foundation and Civic Television connected to Elbląg Association Supporting Non-Government Initiatives.

⁵ Cf. P. Stępa, *Media trzeciego sektora w państwach europejskich*, "Analiza Biura KRRiT" 2006, No. 6, www.krrit.gov.pl/bip/Portals/0/publikacje/analiza/Analiza2006_06.pdf and, *Rozwój mediów trzeciego sektora w Europie*, "Zeszyty Prasoznawcze" 2007, No. 1/2, p. 69–82; this term was also used R. Kowalczyk in her book *Media lokalne w Polsce*, Poznań 2008.

⁶ Cf. H. Odziemkowska, *Niekommercyjne radio lokalne w Europie Zachodniej*, "Aktualności Radiowo-Telewizyjne" 1990, No. 2, p. 26–34.

There are differences in terminology as well as in ways of defining this type of media world wide. This is due to the diverse character of this media sector as far as organization, broadcasting forms and set goals. In general, all definitions do include some common elements which enable us to define what social or community media really are. Among the universal elements there are:

- non-profit activity in order to achieve goals from the point of view of a given community or society;
- broadcasting of programmes targeted at local community groups or members of given cultural communities;
- local or cultural community taking part in the creation of programmes and station management;
- independence of authorities and commercial subjects.

One of the most extensive definitions of community media was delineated in the Declaration of the Committee of Ministers on the role of community media in promoting social cohesion and intercultural dialogue⁷ passed on February 11, 2009 by the Council of Europe. Electronic community media were characterized in this document as, “independent of state, commercial and religious institutions as well as political parties, non-profit organizations based on the cooperation of civic community volunteers in the management of the station, acting for the good of civic society which they serve, engaged in activation of representatives of different social group and developing intercultural dialogue”⁸.

The level of social consciousness on the subject of what community media are in Poland and what role they are to play is minute. This is so for several reasons. Firstly, still unresolved is the issue of the role and place of public media and this is a subject which is dominant in public discussion on the shape of the media system in this country. Secondly, there are few studies or papers on the issue of this type of non-profit radio or TV initiatives in Poland. Thirdly, and perhaps most importantly, community media circles are dispersed and generally they exist solely via the Internet, which influences their ephemeral and niche character. It is worth explaining then what the idea of community media is and what are the chances for the development of this type of initiatives in this country.

⁷ Declaration of the Committee of Ministers on the role of community media in promoting social cohesion and intercultural dialogue.

⁸ The text of the declaration is available on www.coe.int/t/dghl/standardsetting/media/news/CMDDec_Community_media_110209_en.asp.

Community media world wide

The history of community radio is almost as long as the history of radio itself. The idea of community media was first born in the United States. The first organization lobbying for amateur radio of limited scope dates back to 1906 and was initiated by an 11 year old New Yorker, Jessie Walker⁹. A true break through for the development of community media in the US was the decision of the Federal Communication Commission from 1945 regarding making available 20% of frequency (between 88.0 and 92.0 MHz) for non commercial stations¹⁰. To this day, the American non-commercial radio and TV sector is one of the most developed in the world with over 2 500 non-commercial, licensed radio stations and over 400 TV stations of the same type¹¹.

Third sector media, however, are not only an American domain where the media system is entirely different from those in Europe. The role and place of this type of media are a heated subject of debate in many European countries. What is more, many of these countries have introduced advantageous legal regulation which have resulted in the development of this type of media on an unprecedented scale. There are three segments (public, commercial and community) electronic media systems existent in over 100 countries¹². Presently, there is legal regulation supporting the existence of the third sector in many European countries such as France, the Netherlands, Denmark, Austria, Ireland, Sweden, Finland, Germany and Great Britain. The list of friendly to community media countries is, of course, not limited to “old” EU countries. One other country in which this media sector is considered particularly developed is Hungary where there are several dozen licensed community media. These media are also established on other continents including South Africa and Australia.

In many countries, however, the legal regulation regarding this media sector is unclear and largely limited. This is the case in Bosnia where technically it is possible to apply for such a license for community broadcasting but there is no one willing to get anything like that started¹³. This is probably because, similarly to Poland, of the lack of available financing for this kind of stations.

Where there is no proper legal regulation on community media, there are, at times, broadcasters active outside the official system. This is the case in Thailand where there are

⁹ E. Rennie, *Community Media. A Global Introduction*, Lanham, Md 2006, p. 62.

¹⁰ *Broadcasting, voice and accountability. A public interest approach to policy, law, and regulation*. Aut. P. Buckley at all., Washington 2008, p. 211.

¹¹ *Ibidem*.

¹² K. Jakubowicz, *Polityka medialna a media elektroniczne*, Warszawa 2008, p. 44.

¹³ K. Coyer, *Community media and civil society-based communication infrastructure*, lecture present during Summer School “Media, Democratization and Civil Society”, Central European University in Budapest, June 26, 2008.

anywhere between 4000 and 7000 “pirate” stations. It appears that the need to transmit is often stronger than the risk involved¹⁴. How dangerous community broadcasting can be we can see on the example of Mexico where in 2008 two young journalists from radio La Voz que Rompe el Silencio were kidnapped and probably murdered¹⁵.

According to many media experts, the creation of friendly to community broadcasters legal regulation is crucial to the progress of this type of media. A good example of this is Great Britain where special regulation on electronic community media was introduced in 2004 and in 2005 the first licenses were awarded. Licensed community radio has the right to apply for financial support from the Community Radio Broadcasters Fund, managed by the Office of Communications (OFCOM), an organ regulating the activity of broadcasters in Great Britain. The financing cannot, however, exceed 50% of costs incurred by broadcasters.

Within four years of the regulation being in effect in Great Britain, noted was a dramatic growth of this media sector. According to an OFCOM report, there are presently over 8 million people within range of community stations. So far registered have been 130 licensed community stations and there are 50 more waiting to begin their activity. They are financed via public funds (45%), sponsoring (12%), cooperation with local authorities (11%) and advertising (18%)¹⁶.

It is difficult for community media to survive without the support of public funds. It works differently in various countries and can be based on:

- the creation of a special community media fund financed from taxes;
- financing from means which commercial broadcasters pay for licensing (Hungary);
- financing from profits gained by commercial broadcasters from advertising (France);
- financing from funds subscription fees (Ireland);
- creation of a special local tax for community media in the area (the Netherlands);
- announcement of competitions for the realization of specific community tasks (for example, related to the promotion of a healthy lifestyle or intercultural dialogue) in which community media can take part;

¹⁴ Ibidem.

¹⁵ C. Magallanes-Blanco, *An analysis of independent videos about the zapatistas*, lecture during the Summer School “Media, Democratization ad Civil Society”, Central European University in Budapest, June 18, 2008.

¹⁶ *Community Radio: Annual Report of the Sector*, OFCOM, March 2009, www.ofcom.org.uk/radio/ifi/rbl/commun_radio/cr_annualrpt/cr_annualrpt.pdf.

- financial support from local authority funds¹⁷.

Again, different countries provide financial support on various levels. In 2004, in France the funds for local non-commercial broadcasters were set at 21 mln Euro. In Australia, for 2006–2007, it was about 6.5 mln USD¹⁸. In Holland it is estimated at 8 mln Euro per year while in Hungary – it is about 1 mln Euro¹⁹.

When talking about community media, we cannot forget about the activity of organizations representing this type of media. In Europe, they are the European World Association of Community Radio Broadcasters (AMARC Europe) and Community Media Forum Europe (CMFE). It was thanks to their initiatives that two imperative European documents were created specifying the character and role of community media in Europe – the above mentioned Council of Europe Declaration from February 2009 and the European Parliament Resolution of 25 September 2008 on Community Media in Europe.

Polish community media on air

Even though in Poland existent are several dozen non-commercial stations or ones that have other than commercial gains in mind, it is difficult to say that they are typical community stations. Most of them do not meet at least one of the conditions specified in the Council of Europe Declaration. It can be said that they are a kind of budding community media and perhaps it is worth to take a more in depth look at them.

Among the stations whose basic activity is not about making profit but rather community activity there are: student stations, local government ones, Catholic and other religious stations as well as ethnic minority stations.

Closest to model community broadcasters are probably student stations. Among 11 licensed academic broadcasters, exemplary is Student Radio Żak from Łódź which does not play any commercials. The chief editor is chosen from among the station's members and everyone, including the chief, works on a volunteer basis. The station broadcasts exciting journalist programmes on student life and many original author programmes²⁰.

However, the organizational format of other academic broadcasters differs from the typical community one. Generally, these transmitters are supervised by the university

¹⁷ A list of various forms of financing community media was created based on reports by representatives of these media from different countries at the “Community Media and European Policy” Conference, Halle, March 13–14, 2009.

¹⁸ *Broadcasting, voice...*, p. 222–225.

¹⁹ *Understanding Community Media*, ed. by K. Howley, Los Angeles 2010, p. 298.

²⁰ U. Doliwa, *Radio studenckie w Polsce*, Olsztyn 2008.

chancellor and they are financed from the schools' budgets. In most cases, the chief editor is also nominated by the chancellor. On the one hand, these stations want to be student broadcasters but, on the other, they promote the school they are financed by. In most cases, they also play commercials. Another radio worth noting here is academic radio from Cracow. It is owned by a foundation established by several higher education schools from the city. After numerous transformations, changes of name and a period of cooperation with the Time group, it is attempting to reform itself into a community academic radio, this time as Radiofonia – Academic Community Radio. Yet another station with a license for academic broadcasting is typically commercial in character. That is Radio Planeta in Kielce.

As far as local government stations, because of their ownership status as well as type of management they cannot be called community broadcasters. There are eight such stations, financed and managed by local government, hence, they cannot be considered platforms for the exchange of thoughts and information on local matters. There is too little input from local people in the creation and running of these stations. Additionally, these broadcasters cannot carry out one of the basic functions of community media, that is monitoring local authorities.

Another large sector of radio in Poland are Catholic radios. All in all, archdioceses, dioceses, parishes and convents have about 50 licenses to broadcast. A large number of them are part of the Plus and Vox networks, under the auspices of large media concerns. In many cases, their financing is community based as they may be entirely financed from listener donations. However, the listeners have little influence on management or what is broadcasted. They are rarely authors of any programmes. Moreover, as we know, stated in the Council of Europe Declaration was that community media need to be “independent of government, commercial and religious institutions”.

In Poland, there are also broadcasters of other religions. There is evangelical Radio CCM in Śląsk and Śląsk Cieszyński. It is financially supported by Deo Recordings Association. There is Radio Orthodoxy from Białystok for the Orthodox, part of the Białystok-Gdansk Orthodox Diocese. Finally, there is radio FARA, belonging to the Przemyśl Archdiocese, of Latin rite²¹.

An interesting example of radio, due to its religious diversity, is Radio Mazury, part of the Media Education Foundation. The station represents Catholic, Protestant and Orthodox religions. The radio's mission is in tune with the mission of the Foundation which runs it. Among its main goals there are, “aid in spiritual, physical and material spheres, proliferation

²¹ R. Kowalczyk, *Media lokalne...*, p. 165.

of Christian morality values based on gospel, helping older, ill, lonely, handicapped people, difficult and addicted youth, aid to families and other people in difficult situations as a result of different disasters or accidents, support of initiatives and activity of other foundations and associations with similar goals”²². These goals are carried out through on air programmes such as: *E-mail od Pana Boga, Okruchy Biblii czy Porady Spencera Johnsona*²³. In the winter, organized are charitable actions aiding the poor in the region. Radio Mazury, however, is predominantly financed from advertising which takes up, according to the license, up to 7% of air time.

Another intriguing example is the activity of broadcasters targeting ethnic minorities such as Belarusian Radio Racja, owned by the Belarusian Information Centre transmitting over short, medium and FM waves, and via the Internet. The station is available in the Warmińsko-Mazurskie and Podlaskie voivodeships as well as in Belarus, within 100 km of the Polish border. Its activity is mainly financed by the Ministry of Foreign Affairs and the Ministry of Internal Affairs and Administration, with 10% from European grants²⁴. According to the vice-president, Piotr Jankowski, the radio targets both Belarusians living in Belarus and in Poland. Particularly popular is the three hour long *Podlaski koncert życzeń* (Request koncert) programme through which people on both sides of the border, via phone or text messages, can send greetings to their loved ones. There is also a weekly news broadcast with more in-depth information targeted at the Belarusian ethnic minority in Poland called *Podlaski tydzień*²⁵. The programme is created by both Polish and Belarusian journalists. From time to time, also Belarusian students on scholarships in Polish universities take part in making the programme.

For the Kashubian ethnic group, imperative is the role played by Radio Kaszebe, established in 2004²⁶. The station, however, is commercial in character and supports itself from advertising profits²⁷. The radio was established by the “Ziemia Pucka” Association and it mostly targets Kashubians, but with some information for ‘regular’ local people as well. It is broadcasted half in Polish and half in Kashubian language. Additionally, one in four songs played by the station is Kashubian. According to the president of the “Ziemia Pucka” Association, Artur Jablonski, within several years of existence the station has gained a group

²² Statute of the Media Education Foundation, Radio Mazury archives.

²³ Interview with Jarosław Brycka, the president of Radio Mazury [8.12.2009].

²⁴ Interview with Piotr Jankowski, the vice-president of Radio Racja [8.12.2009].

²⁵ Ibidem.

²⁶ Programme *Etniczne klimaty*, episode *Radio Kaszëbë* from December 7, 2009, produced by TVP Kraków, w2.tvp.pl/7478,20091207947200.strona [accessed: 8.12.2009].

²⁷ 25% is financed by the Ministry of the Interior and Administration means allotted for the development of cultural identity and ethnic minority language.

of loyal listeners. In some areas of the region like Kościerski, Kartuski, Wejherowski and Pucki it is more popular than other radio stations²⁸. The chief editor, Anna Kosciukiewicz, states that with growing popularity of the radio, more popular has also become Kashubian ethnicity. Established are more Kashubian music bands and more people are speaking the language on a daily basis²⁹.

Concluding, most radio stations transmitting in Poland whose creators have other than commercial (not excluding) goals in mind still cannot be classified as community broadcasters. Most of all, a large majority of them is not managed in a democratic way and the input of local communities is minute. Lack of legal regulation for third sector media also results in problems with determining their place and role. Their organizational model and programme offer, though, require further research.

Polish community media on the Internet

Most non-commercial media, active more or less in accordance with regulation for community broadcasting delineated in the above mentioned European documents, function through the Internet. When researching the Web, we can find a broader offer than in comparison to regular radio and numerous original ideas. These are the conclusions of analysis of broadcasters part of Polish Internet stations included in the catalogue available at the nadaje.com³⁰ site. The catalogue includes stations which predominantly or only broadcast via the Internet. This does not include licensed stations for which Internet broadcasting is just an additional form of transmission. The analysis was carried out between May 14–20th, 2008.

Among ambitious Internet stations specializing in the promotion of interesting cultural initiatives there are two stations from Cracow – Radio ART and Radio bez Kitu. The creators of Radio ART like to call it ‘radio for the demanding’ as it predominantly plays classical music. There are also journalistic reports and discussions on art and literature. Additionally, worth noting are other initiatives by radio journalists such as famous actors reading books aloud in public places. Reports from such events are then transmitted over the radio. Radio ART was established by the composer and conductor Tomasz Lida.

Radio bez Kitu is one of the oldest (established in 2002) and most popular Polish Internet stations. It broadcasts original programmes on music, film, theatre and literature. There are also reports and live transmissions from various cultural events. The radio promotes

²⁸ Programme *Etniczne klimaty...*

²⁹ Ibidem.

³⁰ <http://nadaje.com/katalog.php?action=all&lang=pl> [accessed: 25.05.2008].

independent artists and less popular music genres such as rock, metal, blues, jazz, reggae and punk. Its creator, Romuald Stankiewicz, is an individual who received his first award for a radio report as an 11 year old³¹ and as a 17 year old he launched Radio Bez Kitu.

Some Internet stations attempt to play the role of local broadcasters. In their programmes and on their websites, we can find information about the station's home town. For example, there are: Enerstacja from Nowa Ruda, Radio Fabryka from Tczew, Radio Śrem from Śrem, Radio Vis connected with the "Prowincja" Cultural Association from Żywiec and Radio Fajer Mix which promotes Silesian culture, folklore and dialect. Actually, there are several more Internet folk radios such as Radio Muzyczna Karczma or Nisha.pl which plays traditional Lemk, Jewish, Russian, Belarusian and Gypsy songs.

On the Internet, we can also find some religious stations. For Catholics, there is Radio Katolik. For the Evangelical, there is Radio Chrześcijanin whose creators declare that they wish to be a multi-denomination platform for the exchange of thought. The Evangelical Misja Laski Church has their ggw.pl station and 7th Day Adventists – radio Nadzieja.pl. The Evangelical-Augsburg Church on the Mission and Evangelization Centre site transmits radio programmes in the form of podcasts. There is also Internet Rodzimowiercze Radio Wid which represents religion based on native Slavic tradition and mythology.

Additionally, there is Internet radio for children. The analysed catalogue includes two stations: BabyRadio.pl which broadcasts children's music (hit list) and promotes children's poetry and Radio Bajka which transmits, aside from children's songs, also English and French lessons as well as radio theatre and fables read aloud.

The Internet also has got stations for sports fans. There is Radio iGol which broadcasts live transmissions and reports from various sport events. Its creators say that they can meet the needs of a wide range of fans, from reports from World Cup Finals to IV league games. Found were also stations representing particular football clubs such as: Radio Widzew and Legia Live which predominantly offer match commentary from a particular team's games.

Students also use the Internet as a channel of transmission. The catalogue lists stations such as: Akademickie Radio Sygnały (Opole), Radio Aktywne (Warszawa), Radio Egida (Katowice), Studencka Agencja Radiowa (Gdańsk), Studenckie Radio Frycz (Kraków), Radio Uniwersytet (Bydgoszcz), Radio 17 (Kraków).

³¹ It was the VII National Competition "Szukamy Mistrza Reportażu"; cf. Grat, *11-letni reporter*, "Echo Krakowa" from 24.04.1996.

Additionally, found were also stations such as Radio Nago.fm with programmes about the art of seduction and sexual relations and Radio-Heaven Muzyka i Tolerancja addressed to homosexuals.

Aside from radio, on the Internet we can also find TV broadcasters. Worth mentioning are Internet projects developed by non-government organizations such as Telewizja Obywatelska (Civic TV) from Elbląg connected with the Elbląg Association Supporting Non-Government Initiatives. They, similarly to these types of initiatives around the world, aim to include in the creation of their broadcasts people marginalized by commercial media. For example, on the www.telewizjaobywatelska.org.pl website we can find several reports on the elderly, the handicapped and youth. Telewizja Obywatelska focuses on various civic initiatives and the activity of other non-government organizations. Their materials are sometimes used by local Elbląg TV.

Another noteworthy project is the activity of the Nowy Staw Foundation from Lublin and the associated with it Civic Media Centre. It organizes trainings in media education for young people. Most of their projects are of international character as the association cooperates with partners in Belarus, the Ukraine, Germany, France and Georgia. Together they broadcast the *Prioritaire!* TV programme on youth problems. With their foreign partners, the foundation is developing the Project of European Internet TV for non-government organizations, the www.ngotv.eu³².

In conclusion, it can be said that the majority of the discussed above Internet projects are run by communities. They seem to be grass root and open for cooperation with representatives of the communities they serve. Their financing is generally community based and democratic. In most cases, they are small stations which are supported by their creators and those who cooperate with them; aside from providing their time and they also support the initiatives financially. On most of these websites, we can find information that they are seeking financial support, similar to what it says on the Rodzimowiercze Internet Radio, "Radio Wid" is a radio financed entirely by donations from listeners and co-founders. If you like our radio and wish to support it financially, this is the number of our bank account. All donations are used only to support the radio, for agreements with ZAiKS, server for radio broadcasting signal rental and webhosting. Every penny counts. We are deeply thankful to all those who have supported the radio"³³. The organizational model and way of management of

³² www.eds-fundacja.pl/00/media_obywatelskie/0000.php [accessed: 28.12.2009].

³³ <http://radio.wid.pl/lib/viewartmenu.php?id=16> [accessed: 25.05.2008].

such projects still requires more in depth research and analysis than carried out for the purposes of this article.

Legal situation of electronic community media in Poland

In Poland, the situation of community media can be described as not fully regulated. In 1992, passed was the Act on radio and television which divided the media into two sectors – public and commercial. However, even back then there were opinions that there should also be a third sector. Such a proposal was put forward by the dr Karol Jakubowicz, the vice president of the Committee for the reform of radio and television. He postulated for the replacement of state broadcasting with two types of broadcasters – public and private with non-commercial goals. He noted that there are private broadcasters who have goals that do not target a wide auditorium and are, therefore, not attractive to sponsors and advertisers³⁴. He said that, “financing of these solely from advertising profits is, first of all, extremely difficult and, secondly, it will result in the commercialization and loss of community character. Providing these broadcasters with conditions for survival requires a conscious decision by the legislation and state administration regarding support of such initiatives as well as a thought out policy as far as licensing and proliferation of such programmes. Aid for such stations could, for example, be in the form of lower license and other fees paid to the state treasury, tax exemptions or forms of additional funding”³⁵. His proposals, however, were ignored by the legislation.

A significant change from the point of view of community media took place in Polish legislation in 2001. This is when the category of community broadcasting was introduced. Deputies decided that such community status can be obtained by religious or faith legal entity, a foundation or an association. Such a broadcaster should “proliferate educational and charitable activity, respect the Christian values system with universal ethical values and consolidate ideas of national identity”³⁶.

These broadcasters cannot transmit advertising, tele-sales or any kind of sponsored programmes but they do not have to pay license fees. In practice, this offer turned out to be attractive only for religious stations. Presently, it is Radio Maryja and nine other Church broadcasters which have this license. This happened probably because the legislation does not

³⁴ M. Gmerek-Rajchel, *Formatowanie radia lokalnego*, Toruń 2005, p. 49.

³⁵ K. Jakubowicz, *Tworzenie nowego systemu radia i telewizji w Polsce. Elementy nowej ustawy o radiofonii i telewizji*, [in:] *Opinie na temat modelu funkcjonowania radiofonii i telewizji*, Biuro Studiów i Analiz Senatu, No. 31 (1992), p. 7–8.

³⁶ Act of February 1, 2001 on the changes in the act on radio and television, Dz.U. 2001, No. 42, pos. 469.

allow broadcasters to make profits from advertising and it does not specify how else they could support themselves. As a result, foundations and associations are more likely to apply for commercial licenses than the status of community broadcaster.

Entirely new and advantageous changes in legislation from the point of view of community media was proposed by Sejm on June 24, 2009 regarding legal changes in the act on public tasks as part of media services. The plan was to introduce a new broadcasting category – public service broadcasting. According to the legislation, such status could be obtained by schools, universities and non-government organizations with a goal of cultural activity. Moreover, community and public service broadcasters could now apply for financing from the Public Tasks Fund (mostly for public media activity) on preferential in comparison to commercial transmitters terms. However, the act was vetoed by the president and the Sejm upheld the veto on September 10, 2009.

It should be noted that the so far attempts made to define the place and role of community media were focused on determining the list of subjects which could take advantage of different types of privileges³⁷. Recommendations included in the above mentioned documents as well as existing legal regulation in other countries shows that in the creation of the definitions more attention needs to be paid to the character of this media's activity.

In the creation of a new act project, whose creation should just be a matter of time, it is worth to take a look at community media from a slightly different perspective. It seems that so far this type of media has been treated as an insignificant addition to the established for years dual system of electronic media in Poland and not as an imperative element of the media environment. The existence of the third segment can bring about, from a social point of view, imperative change. Instead, the debate on the shape of the media system in Poland has been dominated by discussion on the place and role of public media in the system, leaving community media aside, as an unknown and ambiguous category.

Movement for the development of community media in Poland

The beginnings of movement for the development of community media could be found on springing up from time to time pirate stations. With the progress of the Internet, most of these initiatives were transferred onto the Web. It took several years ago for this environment to

³⁷In the definition of community broadcasters it is stated that such status can be obtained by: associations, foundations, religious or faith legal entities. In the definition of public broadcasters and public tasks regarding media services rejected by Sejm, it said that such status can be obtained by schools, higher education universities, local government units and specified non-government organizations.

formulate postulates regarding greater availability of airwaves for the people. In 2005, an Independent Broadcasting Initiative, NINA, was established, created by the founder of Internet Radio ART, Tomasz Lida. The goal was to lobby for non-licensed access to airwaves by small, local radio stations with receivers up to 10W and range no greater than 10 km. These stations were to broadcast programmes integrating local communities. Anyone could obtain the right to broadcast, if they had the consent of the Office of Telecommunications and Post Regulation (Urząd Regulacji Telekomunikacji i Poczty) and local government. Creators of NINA were inspired by solutions adopted in the US where the idea of small range radio (LPFM – Low Power FM) was successful³⁸. Members of NINA, however, lacked the determination in their fight for the passing of legal regulation supporting community media³⁹.

The impulse for other lobbying activity by creators of community media was the proposal for the act on public tasks in the area of media services, presented in March 2009. It was a chance for Internet community broadcasters, supported by representatives of student media, to put forward a protest against a lack of place for third sector media in Polish media law. The letter addressed to the Commission of Culture and Mass Media of the Sejm delineated a long term strategy for the development of community media as well as proposals for specific changes in the legislation. The letter also pointed out the fact that there are no adjustments in Polish law with regard to European recommendations included in the two documents regulating this issue; European Parliament resolution from September 25, 2008 on community media in Europe and Council of Europe declaration from February 11, 2009 on the role of community media in the promotion of social cohesion and intercultural dialogue⁴⁰. The postulates by representatives of community media were supported by the two above mentioned organizations supporting civic media: Community Media Forum Europe and World Association of Community Radio Broadcasters⁴¹. Representatives of community media took part in public consultations on the legislation, organized in Sejm by the Commission of Culture and Mass Media. Some of the postulates presented then were taken into consideration in the new version of the act, passed by Sejm on June 24, 2009. During a meeting in Warsaw on April 16, 2009, representatives of community media indicated the need for further action in this area. The most important issues to consider were: the promotion of community media in Poland, integration of community media circles, establishment of an information website

³⁸ *Uwolnić eter*, www.wirtualnemedial.pl/arttykul/uwolnic-eter [accessed: 18.07.2005].

³⁹ Interview with one of NINA founders, Tomasz Lida [accessed: 10.05.2008].

⁴⁰ Letter sent to the chairwoman of the Commission of Culture and Mass Media of the Sejm, Iwona Śledzińska-Katarasińska on April 16 2009, author's archives.

⁴¹ The joint CMFE and AMARC declaration regarding support for the development of civic media in Poland can be found at www.cmfe.eu.

on community media in Poland and further lobbying for advantageous legal regulation for this type of media.

Presently, there are growing consolidation tendencies in community media circles. Being aware how difficult it is to be active on this market, representatives of these media decided to establish the Community Broadcasters Association⁴². Their main goals are: the establishment of social consciousness for community broadcasters as a separate sector on the media market, integration of community media circles, growing cooperation between civic broadcasters, popularization of media education in society, increasing the competences of civic broadcasters, action for the implementation of advantageous to civic media legal regulation⁴³. Representatives of Community Broadcasters Association take part in the work of the Public Interest Committee part of the Civic Public Media Committee established by the Congress of Polish Culture in order to create a new proposal for the media act. Additionally, members of the Community Broadcasters Association have prepared a document which proposes specific legal solutions regarding community media⁴⁴.

Conclusion

The situation on the Polish radio market is very difficult. As a result of financial problems and an unspecified state policy on the radio market, year by year there is growing consolidation of radio transmitters. According to data by the National Broadcasting Council, in 2008 there were only 43 independent broadcasters, while in 2001 there were 91⁴⁵. Stations part of bigger networks cease to play the role of local broadcasters. Such functions as controlling local authorities, the promotion of local artists, being a platform for the exchange of local opinions and problems and enabling local people to take part in the creation of programmes are either minimized or eliminated altogether. On such large stations music is dominant and it is often music from play lists which cyclically play the same songs over and over. In Poland, the offer is limited and not very diversified while local radio, which should be the essence of radio, is gradually disappearing.

There is an urgent need to enrich airwaves. One such way is the return of local radio which would be created by the people. What goes on in other countries and the research on

⁴² The Association applied at KRS for registration on October 13, 2009.

⁴³ Community Broadcasters Association statute, association's archives.

⁴⁴ Cf. *Postulaty Stowarzyszenia Nadawców Społecznych do nowej ustawy medialnej*; author's archives.

⁴⁵ *Informacja o podstawowych problemach radiofonii i telewizji w 2008 roku*, www.kkrit.gov.pl.

community media show that this would be an effective way to activate civic society and to make the media offer more diverse⁴⁶.

For that to be possible, it is necessary to create favourable conditions in which this sector could develop. It will be very difficult since most available frequencies in Poland have already been allocated. However, putting off changes in legal regulation until the analogue system changes into the digital one is not a good idea. Firstly, as far as radio this process will take several more years at least. Secondly, with the development of digital radio and greater amount of space for stations, there will probably be another barrier, significant from the point of view of small stations, a financial one.

That is why it is worth to think about the development of the third sector of media in Poland today. Experiences of other countries show that there are two factors which play a significant role here – suitable and friendly to this media legal regulation as well as small but predictable financial support for such initiatives.

In Poland, what should be created is a new category of broadcasters or the existing definition of community broadcaster should be redefined as a subject which can meet the conditions required of this type of broadcasters around the world, as delineated at the beginning of this article. Some preferential treatment for these stations should also be introduced regarding the awarding of licenses. One way to deal with lack of airwave space could be, similarly to Great Britain, the creation of low power stations. Finally, essential would be the establishment of a special fund with grants for the support of such stations, as important centres from the social point of view. The research carried out and examples from other countries show that expenses incurred are minute in comparison to possible gains. It would be enough to devote as little as 1% of low as it is subscription fees to make non-commercial broadcasters' dreams come true.

Keeping in mind our experiences as far as media market concentration in view of planning a new media order, we need to make sure that these stations are not taken over by large broadcasting networks and remain in the hands of the people. It would probably be enough to include such notes in the regulation, on their non-profit character and to define their programme tasks. Additionally, we could base our regulation on, for example, anti-

⁴⁶ Mentioned here could be, for example, a report from research by Peter M. Lewis, ordered by the Council of Europe *Promoting social cohesion – the role of community media*, Strasbourg 2008, www.amarc.org/conference_europe/document/Promoting_Social_Cohesion_The_Role_of_Communit_Media.pdf or the report *The Arts & Community Radio – a research report*, prepared in 2008 by the order of a British organization associating community broadcasters, Community Media Association, www.commedia.org.uk/2008/11/17/the-arts-community-radio-a-research-report [accessed: 24.10.2010].

concentration regulation adopted in Great Britain which states that an entity which already has a license cannot apply for a community broadcasting one⁴⁷. Independence of such media could also be ensured by regulation which states that entities cannot be financed through public funds if they obtain more than 50% of their finances from one source.

The analysis of activity of Internet stations and some other licensed broadcasters shows that there are enthusiasts in Poland who are willing to create something not for profit but because of passion and because they want to transmit something interesting. They are conscious representatives of civic society and this is how they interpret their civic duty. They are waiting for legal regulation which would enable them to spread their wings. It is high time to take advantage of this civic enthusiasm.

⁴⁷ *Community Radio Order 2004*, www.England-legislation.HMSO.gov.uk/si/si2004/20041944.htm.