



Poland

Poland plans to make censoring of social media accounts illegal

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Polish government officials have denounced the [deactivation of Donald Trump's social media accounts](#), and said a draft law being readied in Poland will make it illegal for tech companies to take similar actions there.

“Algorithms or the owners of corporate giants should not decide which views are right and which are not,” wrote the prime minister, Mateusz Morawiecki, on [Facebook](#) earlier this week, without directly mentioning Trump. “There can be no consent to censorship.”

Morawiecki indirectly compared social media companies taking decisions to remove accounts with Poland's experience during the communist era.

“Censorship of free speech, which is the domain of totalitarian and authoritarian regimes, is now returning in the form of a new, commercial mechanism to combat those who think differently,” he wrote.

Poland's ruling Law and Justice (PiS) party, which is ideologically aligned with Trump on many issues, has itself been accused of trying to limit freedom of speech in recent years.

Some of its members have made a habit of posting [anti-LGBT](#) or anti-refugee rhetoric. However, government officials have long claimed that people with rightwing views in Poland and abroad have been the victims of biased decisions by international tech companies.

Sebastian Kaleta, secretary of state at Poland's Ministry of Justice, said Facebook's decision to remove Trump's account was hypocritical, politically motivated and "amounts to censorship".

He said the draft law prepared by the justice ministry would make it illegal for social media companies to remove posts that did not break Polish law.

"Removing lawful content would directly violate the law, and this will have to be respected by the platforms that operate in Poland," Kaleta told Rzeczpospolita newspaper.

In recent years, Facebook has moved to block content from far-right Polish organisations and politicians on numerous occasions. The MP Janusz Korwin-Mikke, aligned with the Konfederacja party, was in November shut out of his account, which had 780,000 followers, for what Facebook called repeated violations of community standards. Korwin-Mikke accused Facebook of being run by "fascists and Bolsheviks".

Under the provisions of the Polish draft law, users would be able to file a court petition to force social media companies to restore removed content if they believed it did not violate Polish law. The court would rule within seven days and the process would be fully electronic.

Morawiecki called on the EU to introduce similar regulations. Other European politicians, including Germany's Angela Merkel, have also expressed unease at the ban on Trump by various social media outlets, and a new EU proposal, the [Digital Services Act](#), envisions tougher regulations on tech companies, including tough fines for failure to block illegal content.

Katarzyna Szymielewicz, president of the NGO Panoptykon, said the proposed Polish law, on paper, was "quite in line with what civil society has been fighting for, against arbitrary censorship online", noting that national laws are a better benchmark for what content should be allowed online than arbitrary decisions taken by tech companies.

However, there is a clear political context behind the Polish law, even if on paper it aligns with the thrust of the EU-wide proposals, which could take two or three years to become law.

“It would be much wiser to focus on co-creating a mature, sound EU-wide regulation,” said Szymielewicz.

PiS officials have made it clear that they believe their fight against tech companies is part of an ideological battle to defend rightwing and far-right political positions.

“Every day there is more news from the US about the mass removal of accounts criticising the left ... defending the freedom of speech is again the biggest challenge of conservatives globally,” the MEP Patryk Jaki of the United Poland party, which is in the ruling coalition together with PiS, wrote on his Facebook account.
