

## **The Polish Government's response to the alert concerning actions undertaken by the Polish Ministry of Defence against journalist Tomasz Piątek.**

In response to the *Council of Europe Platform to promote the protection of journalism and safety of journalists* alert dated 13<sup>th</sup> July 2017, concerning actions undertaken by the Polish Ministry of Defence against journalist Tomasz Piątek, we would like to emphasise that press and other media freedom, as well as freedom of expression and the right to acquire and disseminate information are guaranteed in Poland on the highest possible, i.e. constitutional, level. Polish Constitution also prohibits preventive censorship. Due to their paramount importance for the well-being and development of democracy, these freedoms and safeguards are universally respected by all public institutions.

At the same time, it should be stressed that the Constitution of the Republic of Poland ensures to everyone the right to legal protection of their private and family life, of their honour and good reputation. Moreover, owing to their special role, Polish law provides for enhanced protection of public officials whenever they exercise their official duties, including the protection of their dignity. In order for these guarantees to work, the Polish legislator obliged journalists to proceed with special care and honesty when collecting and utilising press materials, notably by ensuring that the acquired information is based on real events. Protecting the rule of law and the established legal order requires, on the one hand, respecting the rights of journalists and, on the other, safeguarding the rights and individual freedoms enjoyed by all citizens.

By publishing his book "Macierewicz and his secrets", Mr Piątek may have discredited the Ministry of National Defence. This in turn could have dire consequences for Poland's security.

Bearing in mind the aforementioned, Mr Antoni Macierewicz, the Minister of National Defence, notified the National Prosecutor's Office on 26<sup>th</sup> June 2017 of a suspected offence. The notification was then immediately transferred to the Regional Prosecutor's Office in Warsaw where it was determined that the case will be further proceeded by the Circuit Prosecutor's Office in Warsaw. The Circuit Prosecutor's Office in Warsaw obtained the notification on 18<sup>th</sup> July 2017. Any action subsequently undertaken pursuant to the Polish penal procedure will be aimed at clarifying all relevant circumstances of the case and making an appropriate decision in conclusion of the proceedings."