

In response to alert 216/2021 *Poland Bans Media Coverage in Poland/Belarus Border Area* we would like to provide the following statement:

According to the regulation by the President of the Republic of Poland dated September 2, 2021 Poland has introduced a state of emergency in parts of the Podlaskie and Lubelskie Voivodeships for a period of 30 days which was subsequently extended to a period of another 60 days (starting as of October 1, 2021). The state of emergency was introduced in connection with a particular threat to security and public order related to the artificially provoked migration crisis on the Polish-Belarusian border.

Pursuant to Art. 23 of the Act of June 21, 2002 on the State of Emergency, a person who during the state of emergency violates the orders, prohibitions or obligations indicated in this act, including staying or not leaving a designated place, facility or area at the set time – and recording by technical means the appearance or other feature of a specific place, facility or area – is subject to penalty. The examination of these cases takes place in accordance with the provisions on proceedings in cases of offenses in accelerated proceedings.

It should be underlined that in the course of performing their duties the Police acknowledge the significant role of journalists as unbiased observers. Hence, Police officers carry out their duties not to restrict the ability of journalists to report freely on matters of public interest, but solely to ensure public order and safety.

In carrying out the above obligation, the Police conducts official activities adequate to the situation, which are based on the criterion of purposefulness, taking into account the social interest. As part of performing official duties, pursuant to Art. 45 of the Act of August 24, 2001 – the Code of Conduct in Petty Offenses, Police officers have the right to detain persons committing offenses. The journalists are not exempt from the obligation to respect generally applicable law, which means that in the event of committing an offense, they are subject to the same legal regulations as any other citizens.

According to the presently binding Regulation of the Minister of the Interior and Administration of November 30, 2021 on the Introduction of a Temporary Ban on Staying in a Specified Area in the Border Zone Adjacent to the State Border with the Republic of Belarus, new rules concerning the access of journalists in abovementioned area have been introduced for the period from 1 December this year to 1 March 2022. Their access is now possible and based on granted accreditations.