

Response to the alert “Smear Campaign against Journalist Jacek Harłukowicz” published on the CoE Platform to Promote the Protection of Journalism and Safety of Journalists on the 29th of July 2021 (reference number 153/2021)

On July 19, 2021 Mr Jacek Harłukowicz submitted a notification of a possibility of a crime to the District Prosecutor’s Office for Wrocław Krzyki-Zachód in Wrocław. In this document, the author described the events and circumstances that – in his opinion – constitute an infringement of the law of a criminal nature. In particular, he described the events that occurred on July 15, 2021 when a so called “open letter” (“list otwarty”) was published on the social network “Twitter” in which an unknown author described Mr Harłukowicz in a very unfavorable light. The description contained a lot of moral opinions, compromising him and closely related to his work in the newspaper “Gazeta Wyborcza”. The journalist attached a copy of the “open letter” to the above-described notification of the possibility of committing a crime as well as a printout of the mostly offensive comments placed under this publication. It should be stated that the information contained in the notification of the possibility of committing a crime submitted by Mr Harłukowicz to the Prosecutor’s Office are identical to the information included in alert No 153/2021 published on the Platform to promote the protection of journalism and safety of journalists.

On July 23, 2021 Prosecutor Magdalena Kucharska from the District Prosecutor’s Office for Wrocław Krzyki-Zachód issued a decision on initiating an investigation into an insult of Mr Jacek Harłukowicz done via social media, i.e. the “Twitter” platform and website, that took place in an undetermined place in the period between April 13, 2021 and May 20, 2021. By virtue of the prosecutor’s order issued on the same day, this investigation was entrusted in full to the police officers from the Police Station Wrocław-Krzyki.

As part of the procedural steps carried out in this case, Mr Jacek Harłukowicz was summoned as a witness–injured to appear at the Police Station Wrocław-Krzyki on August 19, 2021. Moreover, it was established that Mr Harłukowicz did not submit in 2021 other notifications about the possibility of committing a crime to his detriment. He also did not apply to the Regional Police Commander in Wrocław with a request for Police assistance or protection.