

POLAND: URGENT APPEAL ON PRESS FREEDOM

Polish journalist **Tomasz Piątek** has been accused by the Polish Ministry of National Defence for allegedly using 'violence or illegal threats' and 'public insults' against the 'constitutional authority of the Republic of Poland'; namely **Antoni Macierewicz**, Poland's minister of defence.

Last week, the Ministry of Defence sent the Military Department of the National Prosecutor's Office a 'notification of suspicion of committing a criminal offence' by Tomasz Piątek - immediately after he published his book entitled 'Macierewicz and His Secrets'. The book, based on deep and dilligent investigative research, reveals Mr. Macierewicz's network of aides, collaborators and political associates who, in turn, have numerous contacts, both political and financial, with Russian entities close to Kremlin, its military spy agency (GRU) and the 'Solntsevo' mafia, an international criminal organization.

The Ministry of Defence did not use the civil libel law against the author of this book; instead, the Ministry resorted to three articles of the Criminal Code which imply jail penalties. These articles are:

Art. 224. Coercion.

§ 2. Anyone who uses violence or an illegal threat with the intention of forcing a public official, or a person assisting him or her, to undertake or abstain from legal official activity is liable to the same punishment [imprisonment for up to three years].

Art. 226. Insulting a public official.

§ 3. Anyone who publicly insults or humiliates a constitutional authority of the Republic of Poland is liable to a fine, the restriction of liberty or imprisonment for up to two years.

Art. 231a. Legal protection of public officials.

The legal protection provided to public officials during or in connection with the performance of public duties extends to an official also if an unlawful attack on his person is carried because of his or her profession or position.

On 11 July 2017, the National Prosecutor's Office announced that it had received the notification from the Ministry of Defence; however, it offered no explanation how the above mentioned Criminal Code articles might apply to the contents of Tomasz Piątek's book. Previously, large parts of the same author's investigative reporting about Macierewicz's suspicious ties were published by Gazeta Wyborcza, a leading Polish daily newspaper, or by its website Wyborcza.pl. Mr

Macierewicz did not sue neither the author nor the newspaper in relation to those articles.

The present action by Mr. Macierewicz's ministry - an attempt to accuse and imprison a journalist for his publication, while using the Criminal Code and the highest prosecutor's office, fully controlled by Mr. Macierewicz's cabinet colleague, the minister of justice - amounts to the intimidation of journalists and media that criticize those in power. Also, it is a clear infringement of freedom of speech and press freedom.

Gazeta Wyborcza appeals to the international media community to protest against this action which endangers press freedom, and to step forward in defense of Tomasz Piątek.

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