

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: EUR 37/7344/2017
25 October 2017

Poland: Concerns over the use of force against protesters in Bialowieza forest

Amnesty International is alarmed by reports of the use of force by Polish forest guards against protesters attempting to block the logging that continues in Bialowieza forest, which has been designated as a World Heritage Site by UNESCO. The European Court of Justice (ECJ) had ruled in July 2017 that the logging was unlawful and ordered the government to halt it immediately. The Polish authorities have ignored the Court's judgment and logging continues apace. It is unacceptable that an EU member state would not comply with a temporary injunction ordered by the Court. Since the ECJ decision, protesters from Poland and a dozen other countries present in Bialowieza forest have reported the increased use of physical force against them by the forest guards.

Incidents that took place on the evening of 19 October 2017 are of particular concern. The forest guards, who operate as law enforcement agents in Bialowieza, reportedly employed physical force against three protesters who were blocking the road to prevent the loggers from access to the forest. The protesters told Amnesty International that the guards removed by force a group of activists who were chained to metal barrels by violently squeezing and pulling their hands from the chains. The protesters claimed that they were not threatening the forest guards, who resorted to the use of force against the protesters without first attempting to employ less violent means such as cutting the chains and removing them without potentially exposing them to risk of injuries.

One protester, Anette, suffered from emotional shock afterward, and remained lying on the ground for an hour. In the meantime, the guards removed the 300kg barrels filled with concrete from just a few meters away from where Anette was lying. After about an hour, an ambulance came and Anette was hospitalised. "At first I couldn't feel anything, then my hands started shaking uncontrollably," she told Amnesty International, adding that her symptoms – such as shaky and tingling hands – persisted for a day after the action.

Other reports of force included an incident during which a forest guard slapped a protester in the face and then took him to the police station where the protester was held for 24 hours on the suspicion of having assaulted the forest guards. The protester has denied using any violence or making threats and told Amnesty International that he had simply videotaped the action and asked the guards to present their identification.

In another incident, a forest guard threatened a protester who was sitting on a wooden tripod tied to a tree in protest against the logging. The forest guard approached the structure with a chainsaw and pretended that he was about to cut into it, causing fear that she could fall and risk serious injury. A policeman observed the situation, but did not intervene. Shortly after that she was pulled down by force by the forest guards.

The incidents of 19 October reflect an escalation in the use of force against protesters in the forest, where demonstrations and protest actions are not routinely covered by the media. Some protesters told Amnesty International that the frequency of physical force used by the forest guards has increased

since July. Despite being present at the incident on 19 October, the police failed to take measures to ensure the safety of the peaceful protesters. In August 2017, Poland's Human Rights Commissioner had reminded the police of their obligation to protect those exercising their right to peaceful assembly in the forest.

Under international human rights law, which is binding on Poland, the use of force by law enforcement officials, including forest guards, should be exceptional and must comply with the principles of necessity and proportionality.

Amnesty International is concerned that recent actions by the forest guards, including the use of force, and the police, who have failed in some cases to protect peaceful protesters, do not comply with Poland's obligation to ensure that law enforcement does not engage in the excessive use of physical force. The Ministry of the Environment responsible for the forest guards and the police should halt the use of any excessive and unlawful force against the protesters. The Polish authorities should ensure that law enforcement agents in Bialowieza forest perform their duties in a manner that respects human rights, in particular the rights to freedom of peaceful assembly and freedom of expression. The authorities must also effectively investigate any reported cases of excessive use of force by the forest guards in Bialowieza forest and hold accountable those responsible for any human rights violations.

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