

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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SLOVAKIA: AUTHORITIES SHOULD NOT USE HAMMER AGAINST PEACEFUL ACTIVISTS

Amnesty International welcomes the 4 December decision of the Prosecutor General to release all 12 Greenpeace activists who were arrested and detained after they hang an anti-coal banner on a mine tower in the town of Nováky on 28 November.

The organization calls on the Slovak authorities to investigate the circumstances and the grounds for the detention of the activists, which lasted six days. Amnesty International is concerned that the initial decision to keep the environmental human rights defenders in detention until the trial may have been brought to discourage other activists from taking non-violent direct action in defense of the environment and human rights.

The 12 Greenpeace activists from Slovakia, Czech Republic, Finland, Germany and Belgium were detained from 28 November until 4 December. On 2 December, the district court in the town of Prievidza denied their request for bail and held the defenders should remain in detention until the trial. The activists are charged with the criminal offence of damaging and endangering the operation of a public facility.

The district prosecutor who requested the detention until trial argued that the activists “could again occupy and put on hold an operation” of another energy company. The district judge agreed that there was no adequate guarantee that the activists would not recommit their offence.

While it is legitimate for the authorities to investigate and prosecute offences, including those against property, Slovakia is bound by its human rights obligations to ensure that any measure against those exercising their rights is proportionate. In this case, the environmental human rights defenders were exercising their right to freedom of expression, which they used to inform the public about the impact of the coal industry on the health of people in Slovakia and on the lives of people around the world for its contribution to climate change.

It is concerning that the Slovak authorities were ready to use a sledgehammer to crack a nut with this case. Public protest and non-violent direct action are a legitimate way to defend human rights or protect the environment. Such action is particularly important in the context of the climate change, where urgent action is needed and the voices of all those demanding effective and immediate measures to limit climate change must be heard.

Environmental human rights defenders around the world are the targets of criminalization and ruthless campaigns aimed at stopping them from protecting vital natural resources and a stable climate, especially when their activities clash with the state’s or corporations’ economic interests. Slovakia must ensure that it does not enter the slippery slope of criminalizing those who act peacefully to defend the environment. Authorities must refrain from the use of groundless criminal proceedings and ensure that activists can enjoy the right to freedom of expression and assembly.

BACKGROUND

The aim of the action by Greenpeace was to bring to the public attention the responsibility of the coal industry for climate change. The activists displayed banners on the mining tower calling to “end the era of coal”. By means of the direct action, they also aimed to advocate for a more ambitious and just phase out deal between the Slovak Government and the coal mining company. The 12 activists continue to face charges under Article 286.1(h) “criminal damage and threat to the operation of a public facility punishable for one to five years”.