

AMNESTY INTERNATIONAL PUBLIC STATEMENT

10 June 2020 EUR 37/2498/2020

POLAND: HOUSE SEARCH AND DETENTION OF AN ACTIVIST IN WARSAW

Amnesty International is concerned over a search that the police conducted in Warsaw on the night of 8 June at the house of an activist and her subsequent detention without adequate explanation. According to information provided by the activist's lawyer, the police entered her house at 8:30pm on 8 June. They carried out a house search in the presence of her teenage daughter and parents, and confiscated an old laptop, phones and a tablet. After that, at midnight, they transferred the activist in handcuffs to the police station.

The activist is known to Amnesty International as an outspoken human rights defender who has been taking part in protests in Poland since 2016. She has stood up in defense of women's rights and helped develop a legal aid network for protesters in Poland.

The police justified its action arguing that the activist was detained to ensure that she would not destroy evidence related to an open investigation into the replacement of bus advertisements with posters. The posters alleged that the government manipulated statistics about COVID-19. The posters also depicted the Minister of Healthcare, Łukasz Szumowski, dressed as a Knight of Malta holding the sign "Gospel of Łukasz Sz.",¹ and listed allegations against him. However, the advertisements were replaced on 30 May and the police action, only 10 days following, would appear to make the argument about protecting evidence less persuasive.

Amnesty International is concerned that a night house search and detention at the police station are tactics to harass and intimidate the human rights defender, as they appear unnecessary and disproportionate. We are further concerned that such actions may result in a chilling effect on the exercise of right to freedom of expression in Poland and create additional barriers to the work of human rights defenders in the country.

Furthermore, Amnesty International has learned that the police did not allow the activist's lawyer to be in contact with her on 9 June.² The lawyer also raised concerns that the police might interrogate the activist only on 10 June, which would mean she would be kept in detention for more than 24 hours. The law permits detention of suspects for a maximum of 48 hours.³ Amnesty International reminds the authorities in Poland that they should either promptly charge the activist with an internationally recognized offence or else release her.

Given the elevated risks of transmission of COVID-19 in prisons and other places of detention, extended detention would likely further compound public health problems caused by the pandemic, and fail to meet the test of necessity and proportionality required for police action.

Amnesty International urges the police to provide a clear explanation as to the reasons for the house search and arrest of the human rights defender. The authorities must avoid any disproportionate and punitive measures that risk causing a chilling effect on the exercise of human rights.

¹ In Polish this amounts to a pun, *St Lukas*.

² As confirmed in a communication with the lawyer on 9 June 2020.

³ Under the Code of Criminal Procedure. (Art.248.1.)