Jarosław Kaczyński, the leader of Poland's ruling Law and Justice party (PiS), has initiated a criminal libel charge against the newspaper Gazeta Wyborcza for publishing reports about his reported involvement in the construction of a 190-meter-tall skyscraper in Warsaw. The Polish state-owned news agency PAP reported that the newspaper would be subject to public prosecution based on the defamation complaint filed by Kaczyński due to the existence of a “legitimate public interest”. Under Article 212 of the Polish Penal Code, defamation committed via mass media can result in a fine or up to one year in prison.

Gazeta Wyborcza had reported on Kaczyński's plans to build the skyscraper on a plot of land the newspaper said was given to him by political allies. Construction was to be undertaken by a company called Srebrna, closely linked to PiS, and with the help of a credit line given by a bank recently brought under state control. The newspaper also published several hours of recordings between Kaczyński and a businessman whom Kaczyński has reportedly refused to pay. Gazeta Wyborcza has said its reporting was fully substantiated and called the libel charge “an attempt to stifle criticism by the press, and in doing so to deprive the public of important, concrete allegations”. Article 212 has been the target of several failed repeal efforts in the past due to its use in stifling free expression.