The District Prosecutor of Gdańsk has reportedly opened a criminal investigation against journalist Katarzyna Wlodkowska under Article 241 of the Polish Criminal Code on the basis of articles she published alleging “unauthorised distribution of messages from a public trial before they were disclosed in court proceedings.” The offence carries a fine or a maximum prison term of two years.

The case concerns a series of articles by Wlodkowska, published in January 2020 in Duzy Format magazine and Gazeta Wyborcza, the main independent Polish daily. The articles probed the ongoing investigation of the murder of the mayor of Gdańsk, Pawel Adamowicz and the motives of the accused. The reports were based on anonymous interviews, including with sources close to the accused and law enforcement. The journalist claimed that the accused carefully planned and premeditated the assassination but that the prosecutor's office had failed to fully investigate the motive for the killing. The article also highlighted deficiencies in the murder investigation and possible failures of the prison service and the police.

On 5 February 2020, the local news portal Gdanska Strefa Prestizu published a reply from a spokesperson of the District Prosecutor in Gdańsk to a request for comment on Wlodkowska's allegations, confirming that the prosecutor's office was opening an investigation into the unauthorised distribution of messages from a public trial. The response was followed by a link to an earlier reply from the Regional Prosecutor to Wlodkowska's articles, in which the Regional Prosecutor had denied her findings, stating that the investigation had been conducted by experienced prosecutors in a correct, efficient and substantive manner, in accordance with applicable regulations, respecting the rights of all parties.

Wlodkowska, who has not been notified in person that she is being under investigation, asked the District Prosecutor in her capacity as journalist what specific materials were being
investigated. Over the phone, she was informed that several publications, not only by Wlodkowska, were subject of the investigation, without any further details. It remains unclear if other journalists than Wlodkowska are also under investigation.

### ADDITIONAL INFORMATION

- Article in Gazeta Wyborcza about the opening of the investigation against the journalist: "Prokuratura straszy dziennikarkę "Wyborczej" za tekst o zabójcy Pawła Adamowicza"

- Press release of the regional prosecutor in Gdańsk concerning the information published in Katarzyna Wlodkowska's articles

### STATE REPLIES

- 27 Feb 2020 | NEW Reply from the Polish authorities
  - Letter from the Permanent Representation of Poland to the Council of Europe