

„ObyPomoc” REPORT

11 April 2017 - 31 July 2018

This report was drawn up on the basis of information gathered from persons who turned for help to the legal assistance group operating within the Free Citizens of the Republic of Poland (Wolni Obywatele RP) Foundation. It includes only documented cases, among them: interrogations at police stations and at the prosecutors’ offices as suspects or witnesses, “fast track” sentences based on claims for punishment prepared by the police and proceedings conducted based on the regulations of the Penal Code.

The summary of this report contains the updated list of court cases, both those that have been finalized, as well as those that are still pending. The Annex at the end of the Report contains the list of legal regulations on the basis of which charges are formulated against the protesters.

Data is updated on a monthly basis.

Contact

telephone: +48 576 161 505

e-mail: pomocORP@protonmail.com

www.obywatelerp.org

Prepared by Magda Bakun and Barbara Pomorska.

GENERAL INFORMATION

The number of people who have at least once come in contact with the law enforcement or the justice system because they had taken part in peaceful protests – **536**

CASES WHICH ARE AT THE INVESTIGATION STAGE

Petty Offences Code

- **579 investigations** (interrogations)

Penal Code

- **45 investigations** (interrogations at the police station or prosecutor's office), including **28** persons interrogated as witnesses

Hunting Law

- **1 person** was interrogated as a suspect reg. committing an offense – a journalist accused of impeding a hunt.

COURT CASES

Petty Offences Code

- “Fast track” sentences - **109** “Fast track” sentences for **402 people**, incl.:

- for the counter-monthly celebrations - 100 people
- for protests in defence of the independence of courts - 147 people
- for protests against the far-right - 108 people
- for protests in front of the Polish Parliament - 14 people
- for other street protests - 12 people
- for supporting interrogated persons - 18 people
- for refusing to disclose personal data - 3 people

- Discontinuance of proceedings/acquittal/refusal to initiate proceedings in the first instance - **27** cases involving **112 people**:

- for the counter-monthly celebrations – 46 people
- for protests in defence of the independence of courts - 20 people
- for protests against the far-right – 7 people
- for protests in front of the Polish Parliament – 4 people

for supporting interrogated persons – 20 people
 for refusing to disclose personal data – 1 person
 for ecological movement protests – 14 people

- Second instance – referring the case for re-examination in the first instance – **3 cases involving 28 people:**
 - for the counter-monthly celebrations – 22 people
 - for protests in defence of the independence of courts – 6 people
 - for refusing to disclose personal data – 1 person

- **Legally binding sentence, code of petty offences (acquittals or discontinuations) - 11 sentences involving 85 people:**
 - for the counter-monthly celebrations - 18 people
 - for protests in defence of the independence of courts - 67 people

Penal Code

- **7 criminal cases** in which 11 people are appearing as defendants, and in particular:

art. 224 § 2	2 people
art. 193	6 people
art. 226 § 1	2 people
art. 222 §1	1 person

- First instance – **1 acquittal**, one person charged under art. 224 § 2 of the Penal Code

- **Legally binding sentence, penal code (acquittals) – 2 sentences involving 6 people, charged under art. 193 of the Penal Code**

Press Law

- **1 person** – a participant of the counter-monthly celebration was accused of disrupting the work of a journalist.

Proceedings that are pending based on the Code of Petty Offences

Event	Legal regulation	Description	Interrogations (police)	“Fast track” sentences
COUNTER-MONTHLY CELEBRATIONS	Offences against public peace and order: art. 52 § 2 point 1, 2 art. 52 § 3 point 2 Offences against public peace and order: art. 63a § 1 Offences against traffic safety and order: art. 90 art. 97 Offences against public decency: art. 141	<ul style="list-style-type: none"> protest against the unconstitutional regulations amending the Law on Assemblies, peaceful blockage of the march of the participants of the monthly celebrations, being in the vicinity of the march of a cyclical assembly placing stickers on barriers (e.g., invoices for the monthly celebrations) marching from the Parliament (Sejm) to the Zamkowy Square 	149	6 accused XI W 1258/17 ^a 2 accused XI W 1957/17 ^a 9 accused XI W 2630/17 ^a 6 accused XI W 2631/17 ^a 7 accused XI W 2694/17 ^a 16 accused XI W 2634/17 [#] 5 accused XI W 3579/17 1 accused XI W 2596/17 1 accused XI W 3691/17 1 accused XI W 3580/17 ^a 1 accused XI W 3681/17 4 accused XI W 3679/17 ^a 1 accused XI W 4483/17 1 accused XI W 5662/17 3 accused XI W 4190/17 9 accused XI W 3706/17 1 accused XI W 4672/17 6 accused XI W 4279/17 1 accused XI W 4471/17 1 accused XI W 5755/17 7 accused XI W 32/18 5 accused XI W 5779/17 1 accused XI W 1096/18 5 accused XI W 2742/18

^{a)} discontinuance of proceedings or acquittal following the submission of an objection against an imperative order, **first instance**

^{#)} legally binding acquittal

Event	Legal regulation	Description	Interrogations (police)	“Fast track” sentences
PROTESTS AGAINST THE FAR-RIGHT	Offences against public peace and order: art. 52 § 2 point 1 art. 51 § 1 Offences against traffic safety and order: art. 90	<ul style="list-style-type: none"> 29 April 2017, Warsaw, blocking the march of the ONR (the National-Radical Camp) 	21	9 accused XI W 2254/17 5 accused XI W 2200/17 10 accused XI W 2116/17 ^a 14 accused XI W 2060/17 21 accused XI W 2059/17 4 accused XI W 1999/17
	Offences against public peace and order: art. 52 § 2 point 1	<ul style="list-style-type: none"> 1 August 2017, Warsaw, Wrocław, protest against the Warsaw Uprising anniversary being appropriated by the nationalistic circles, expressed by banners „<i>Stop fascism</i>” etc. 	2 2 (as a witness)	[no data]
	Offences against public peace and order: art. 52 § 2 point 1	<ul style="list-style-type: none"> 15 August 2017, Warsaw, blocking the march of the „ALL-POLAND YOUTH” (MW) 	46	2 accused XI W 1251/18 11 accused XI W 714/18 3 accused XI W 1411/18
	Offences against public peace and order: art. 52 § 2 point 1, 4 art. 52 § 3 point 2	<ul style="list-style-type: none"> 11 November 2017, Warsaw, protest against the progress of fascism in Poland expressed by a demonstration attempt in the vicinity of the „Independence March”, picketing on Smolna Str., protest by women from the Wolni Obywatele RP (ORP) and the Nationwide Strike of Women (OSK) from within the „Independence March” expressed by a banner „<i>Stop fascism</i>” and shouts of „<i>Women against fascism</i>” and others 11 November 2017, Wrocław - attempt at blocking the March of the Great Independent Poland 	47 2 (as a witness)	1 accused II W 476/18 1 accused II W 479/18 1 accused II W 475/18 1 accused II W 477/18 1 accused V W 698/18 1 accused V W 697/18 ^b 1 accused V W 699/18 ^b

^{a)} discontinuance of proceedings or acquittal following the submission of an objection against an imperative order, first instance

^{b)} sentence – guilty, without a fine, costs of the court case transferred onto State Treasury

Event	Legal regulation	Description	Interrogations (police)	“Fast track” sentences
PROTESTS AGAINST THE FAR RIGHT	Offences against the State, self-government and social institutions: art. 65 § 2 Offences against public peace and order: art. 52 § 2 point 1 art. 52 § 2 Offences against traffic safety and order: art. 90	<ul style="list-style-type: none"> 24 February 2018, Hajnówka, counter-demonstration in connection with the nationalist circles’ march honouring, among others, Rajs „Bury”; the counter-demonstration ended with the police demanding identification documents, 6 people refused and they were transported to the police station 	7	1 accused VII W 435/18 1 accused VII W 436/18 3 accused VII W 498/18 1 accused VII W 541/18
	Offences against public peace and order: art. 52 § 2 point 1	Day of the Cursed Soldiers <ul style="list-style-type: none"> 1 March 2018, Warsaw, blocking the March of the Cursed Soldiers 5 March 2018, Bydgoszcz, verbal and physical aggression of participants of the March of the Cursed Soldiers towards members of the opposition organisations 	2 (as a witness) 15	1 accused III W 542/18 1 accused III W 534/18 1 accused III W 536/18* 1 accused III W 533/18* 1 accused III W 537/18 2 accused III W 620/18 1 accused III W 621/18* 1 accused III W 606/18* 1 accused III W 619/18* 1 accused III W 664/18* 1 accused III W 625/18 1 accused III W 659/18 1 accused III W 535/18 3 accused III W 802/18* 1 accused III W 539/18
	Offences against public peace and order: art. 52 § 2 point 1	<ul style="list-style-type: none"> 6 May 2018, Katowice, blocking the nationalists’ march, ended by the City’s President dissolving the march 	1	[no data]

*) the order – a reprimand, costs of the court case transferred onto the State Treasury

Event	Legal regulation	Description	Interrogations (police)	“Fast track” sentences
PROTESTS IN FRONT OF THE PARLIAMENT OF THE REPUBLIC OF POLAND	Offences against public peace and order: art. 52 § 3 point 3 Offences against traffic safety and order: art. 90	December 2016, Warsaw <ul style="list-style-type: none"> protest against restricting freedom of the media blocking entry routes and entrances into the Polish Parliament on 16/17 and 20 December 2016. 	13	13 accused XI W 1997/17
	Offences against public peace and order: art. 51 § 1	<ul style="list-style-type: none"> 24 September 2017, Warsaw, crossing the barriers separating Wiejska Str, from the pavement on 24 September 2017 	4	1 accused XI W 322/18
PROTESTS IN THE DEFENCE OF THE INDEPENDENCE OF COURTS	Offences against traffic safety and order: art. 90 art. 97 Offences against public peace and order: art. 51 § 1	July 2017, Warsaw <ul style="list-style-type: none"> blocking entry routes and entrances into the Polish Parliament on 14/15 July and 20/21 July 2017 crossing the barriers and entering the premises of the Parliament of the Republic of Poland on 20 July 2017 protest in front of the seat of the PIS party on Nowogrodzka Str, 24 July 2017 protest in front of J. Kaczyński’s house, Mickiewicza Str., 23 July 2017 	98 1 (as a witness)	2 accused XI W 4338/17 3 accused XI W 3412/17# 13 accused XI W 3417/17# 8 accused XI W 3769/17 7 accused XI W 3416/17# 5 accused XI W 3711/17 ^a 4 accused XI W 3408/17 5 accused XI W 3833/17 ^a 2 accused XI W 3836/17* 15 accused XI W 3409/17 4 accused XI W 3713/17* 2 accused XI W 4884/17 4 accused XI W 3718/17 ^a 1 accused IV W 1806/17 1 accused XI W 3879/17
	Offences against traffic safety and order: art. 90 art. 97 Offences against public peace and order: art. 51 § 1 art. 52 § 2 point 3	<ul style="list-style-type: none"> December 2017, Warsaw <ul style="list-style-type: none"> blocking the exit driveway from the Senate, stepping over the barriers in front of the Parliament of the Republic of Poland a spontaneous walk from the Parliament of the Republic of Poland to the seat of the PiS Party ending with a blockage 	78	1 accused XI W 2013/18* 5 accused XI W 1843/18* 17 accused XI W 1821/18 31 accused XI W 1803/18*

#) legally binding acquittal

^a) discontinuance of proceedings or acquittal following the submission of an objection against an imperative order, first instance

*) the order – a reprimand, costs of the court case transferred onto the State Treasury

Event	Legal regulation	Description	Interrogations (police, the Internal Security Agency)	“Fast track” sentences
<p align="center">PROTESTS IN THE DEFENCE OF THE INDEPENDENCE OF COURTS</p>	<p>Offences against traffic safety and order: art. 90 Offences against public peace and order: art. 51 § 1 Offences against State, self-government and social institutions: art. 65 § 2</p>	<ul style="list-style-type: none"> • 27 April 2018, Warsaw, attempt at blocking the exit driveway on Rakowiecka Str. preceding the meeting of the new National Council of the Judiciary 	<p align="center">7</p>	<p>1 accused XI W 891/18 1 accused XI W 890/18* 1 accused XI W 956/18 1 accused XI W 963/18</p>
<p align="center">SUPPORTING PEOPLE BEING INTERROGATED (PICKETS IN FRONT OF POLICE STATIONS)</p>	<p>Offences against State, self-government and social institutions: art. 65 § 2 Offences against public peace and order: art. 63a § 1 Offences against public peace and order: art. 52 § 2 point 2</p>	<ul style="list-style-type: none"> • supporting people being interrogated for standing with such banners like: <i>"We have laws/rights: the laws of logic, laws of physics and human rights,; „We will not be intimidated"</i> • Wroclaw, „Trzemeska za Trzemeską”, one person’s details were taken down on the day when they arrived at their own interrogation • Warsaw, refusal to disclose one’s personal identity during the support picket in front of the police station on Rydygiera Str. in Warsaw 	<p align="center">30 1 (as a witness)</p>	<p>1 accused VI W 2980/17 1 accused II W 190/18^a 1 accused V W 520/18^a 1 accused V W 182/18^a 1 accused II W 414/18^a 1 accused V W 615/18^a 1 accused V W 611/18^a 1 accused V W 465/18 1 accused V W 469/18 1 accused V W 464/18 4 accused IV W 1886/17^a 1 accused V W 693/18 1 accused II W 466/18 1 accused V W 551/18^a 1 accused II W 436/18</p>

*) the order – a reprimand, costs of the court case transferred onto the State Treasury

^{a)} discontinuance of proceedings or acquittal following the submission of an objection against an imperative order, **first instance**

Event	Legal regulation	Description	Interrogations (police, the Internal Security Agency)	“Fast track” sentences
<p style="text-align: center;">OTHER STREET PROTESTS: PUTTING UP LEAFLETS, GRAFFITI, LEAFLET DISTRIBUTION ETC.</p>	<p>Offences against public peace and order: art. 63a § 1 Offences against public utility equipment: art. 145</p>	<p>Protests against the actions of PiS:</p> <ul style="list-style-type: none"> • Warsaw - spraying on pavements among others: „<i>enough of PiS propaganda</i>” „<i>Polish TV is lying</i>”, quotes from the letter of Piotr Szczęsny • Warsaw - projecting Piotr Szczęsny’s letter onto a wall • Gdańsk - placing stickers with the text: „We won’t sit quiet” on the PiS office • Gorzów Wielkopolski - protest in front of the PiS Party office in connection with Piotr Szczęsny’s death (lighting candles, putting up obituaries and slogans) • Przemyśl - placing banners and written notices on the PiS Party offices during the December protests in defence of the courts, • Łowicz - distribution of the „Wake Up” leaflets • Warsaw - picketing in front of the Ministry of Internal Affairs and Administration on Rakowiecka Str. in response to the passive behaviour of police during the so-called “Independence March” • Przemyśl, Sanok - painting inscriptions on the streets 	<p style="text-align: center;">11 5 (as a witness)</p>	<p>1 accused V W 6034/17 1 accused VII W 1035/17 4 accused V W 6035/17 4 accused III W 70/18</p>
<p style="text-align: center;">WOMEN’S MOVEMENTS’ PROTESTS</p>	<p>Offences against public decency: art. 141</p>	<ul style="list-style-type: none"> • 8 March 2017, Poznań, making a speech during the assembly 	<p style="text-align: center;">1</p>	<p style="text-align: center;">[no data]</p>

Event	Legal regulation	Description	Interrogations (police, the Internal Security Agency)	“Fast track” sentences
OTHER EVENTS	Offences against public peace and order: art. 51 § 1 art. 52 § 1 art. 52 § 2 point 1, 2 Offences against traffic safety and order: art. 92 § 1 Offences against State, self-government and social institutions: art. 65 § 2 Offences against property: art. 127	<ul style="list-style-type: none"> • refusing to disclose personal data about employment during the interrogation • 13 November 2017, Warsaw, spontaneous assemblies (Citizens of the Republic of Poland do not respect the unconstitutional amendment to the Law on Assemblies) e.g., a demonstration without notification in front of the City Council of Warsaw, during which colour flares were set alight, a protest against the absence of any reaction to a similar situation during the Independence March on 11 Nov 2017 • activities on the social media • Wroclaw, protesting against the Pro Right to Life demonstration by using a loudspeaker • refusal to disclose information about identity resulting from not being presented with legal grounds for the request to disclose personal data • Warsaw, entering the police car in protest against the police detaining one of the demonstrators in front of the PiS bureau 	18 3 (as a witness, Internal Security Agency)	1 accused V W 174/18 ^b 1 accused III W 1655/17 1 accused II W 614/18 1 accused XI W 4162/17

^{b)} sentence – guilty, without a fine, costs of the court case transferred onto State Treasury

Proceedings conducted based on the Penal Code

Event	Legal regulation	Description	Interrogations (police/prosecutor's office)	Court proceedings/indictment acts
COUNTER- MONTHLY CELEBRATIONS	Forcing official action: art. 224 § 2 Crimes against the freedom of conscience and freedom of religion: art. 195 § 1 Crimes against life and health: art. 160 § 1	10 May 2017 , the defendant used the expression: „I'll punch you in the ear” towards a policeman behaving aggressively. Disrupting alleged religious celebrations. 10 September 2017 , Twardowskiego Square, 10 September 2017 – reacting to a police officer's unjustified checking of identity papers of the participants of a legal demonstration 10 October 2017 , projecting statements onto the Observation Tower of St. Anne's Church. The Government Protection Bureau officials filed a report to the prosecutor's office stating that they were being blinded by the projector.	1 3 (as a witness)	1 defendant V K 269/17^ 1 indictment act
	Insulting a public official: art. 226 § 1	29 April 2017, Warsaw , blocking the march of the ONR (the National-Radical Camp) Reacting to police behaviour during the removal of the blockade 1 August 2017, Warsaw , Reaction to a police officer's unjustified and aggressive behaviour towards a counter-demonstrator who was holding a banner with anti-fascist slogans	[no data]	1 defendant V K 687/17
	Crimes against action of state and territorial self-government institutions: art. 222 § 1	1 May 2018, Warsaw – police intervention towards one of the participants of the blockage of the SZTURM's nationalist organisation march	[no data]	1 defendant II K 331/18

^ acquittal, first instance

Event	Legal regulation	Description	Interrogations (police/prosecutor's office)	Court proceedings
PROTESTS IN FRONT OF THE PARLIAMENT OF THE REPUBLIC OF POLAND	Crimes against freedom: art. 191 § 1 art. 193	December 2016 Protesting against the appropriation of the public space surrounding the Parliament which is becoming inaccessible for citizens, protesting against limiting the freedom of the media.	6 1 (as a witness)	[no data]
	Crimes against freedom: art. 193	November 2016, January, June, July 2017 Protesting against the appropriation of the public space surrounding the Parliament which is becoming inaccessible for citizens. The protest was expressed by entering green areas surrounding the Parliament of the Republic of Poland Entering the venue of the Parliament with a valid pass and unfolding the Polish flag.	6 11 (as a witness)	4 defendants K II 362/17# 2 defendants K II 292/17#
PROTESTS AGAINST EXHUMATIONS	Crimes against freedom: art. 193	24 April 2017, Łódź - Old Cemetery, an attempt at blocking the exhumation of the body of Joanna Agacka-Indecka,	6 (as a witness)	[no data]
ONLINE ACTIVITIES	Crimes against public order: art. 255 § 1	Publishing an article on the Internet in connection with the July protests in defence of judiciary independence	4 (as a witness)	[no data]
OTHER STREET PROTESTS: PUTTING UP LEAFLETS, GRAFFITI, LEAFLET DISTRIBUTION ETC.	Crimes against dignity and bodily integrity: art. 212 § 1 Crimes against the Republic of Poland: art. 135 § 2	A protest against the actions of PiS: 31 December 2017, Nakło – two people were accused of libel against a group of PiS MPs as a result of placing an inscription on the doors of their parliamentary office „ <i>you have blood on your hands, Piotr Szczęsny died because of you</i> ” Bydgoszcz – protest against the unconstitutional actions of President of the Republic of Poland Andrzej Duda	3 3 (as a witness)	[no data]

#) legally binding acquittal

Proceedings conducted on the base of the Press Law

Event	Legal regulation	Description	Interrogations (police/prosecutor's office)	Court proceedings
COUNTER- MONTHLY CELEBRATIONS	art. 43	One of the demonstrators was accused by a right-wing journalist of hindering the carrying out of the job of a journalist	1	[no data]

Proceedings conducted on the base of the Hunting Law

Event	Legal regulation	Description	Interrogations (police/prosecutor's office)	Court proceedings
PROTESTS OF ECOLOGICAL MOVEMENTS	art. 51-part 1 point 8	A journalist accompanied people who were blocking a hunt.	1	[no data]

Status of the court proceedings:

COUNTER- MONTHLY CELEBRATIONS

- XI W 2043/17 – on 7 March 2018, **Łukasz Biliński, Regional Court Judge, acquitted** Maciej Bajkowski accused of displaying onto the Presidential Palace on 10 March the inscription: WHOEVER VIOLATES THE COUNTRY’S SUPREME LAW, COMMITS TREASON AGAINST THE COUNTRY, i.e., an offence under art. 63a § 1 Code of Petty Offences.

Defence Counsel: Krzysztof Stępiński

- XI W 1957/17 - on 7 March 2018, **Łukasz Biliński Regional Court Judge, acquitted** Maciej Bajkowski and Arkadiusz Szczurek, both accused of "disruption by attracting the attention of participants" of State ceremonies on 10 April 2017, i.e., an offence under art. 51 § 1 Code of Petty Offences.

Defence Counsel: Krzysztof Stępiński

- XI W 3679/17 - 25 May 2018 - **Regional Court Judge Łukasz Biliński discontinued proceedings** against 15 people: Roman, Marek, Tomasz, Piotr, Józef, Dariusz, Michał, Oskar, Janusz, Andrzej, Grzegorz Łach, Krzysztof, Paweł Olejniczak, Dagmara Drozd and Eugeniusz, accused of disturbing a non-banned demonstration on 10 August 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences.

- X Kz 679/18 – **the Public Prosecutor lodged a complaint against the Court’s decision** dated 12 April 2018 (XI W 4191/17), when Regional Court Judge Łukasz Biliński discontinued proceedings against 4 people: Ewa, Mikołaj Przybyszewski, Beata and Bożena, accused of disturbing a non-banned demonstration on 10 July 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences.

- X Kz 680/18 - 29 June 2018 – **District Court Judge Grzegorz Miśkiewicz – referred the case for re-examination to the Court of first instance** – 17 April 2018 – **Regional Court Judge Łukasz Biliński discontinued proceedings** against 4 people: Robert, Iwona Gregorek, Marek and Izabela, accused of disturbing a non-banned demonstration on 10 June 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences. XI W 2694/17, the Public Prosecutor lodged a complaint against the Court’s decision

- X Kz 725/18 – **the Public Prosecutor lodged a complaint against the Court’s decision** dated 19 April 2018 (XI W 3577/17), when **Regional Court Judge Łukasz Biliński discontinued proceedings** against 7 people: Mikołaj Przybyszewski, Jan Wójtowicz, Danuta Zawadzka, Jerzy Dramowicz, Janusz Polowczyk, Patryk and Bogna Blankenberg, accused of disturbing a non-banned demonstration on 10 May 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences.

- X Kz 810/18 - **the Public Prosecutor lodged a complaint against the Court’s decision** dated 26 April 2018 (XI W 2973/17), when **Regional Court Judge Łukasz Biliński discontinued proceedings** against 22 people: Kinga Kamińska, Rafał, Zofia, Tadeusz Szczęśniewicz, Tadeusz, Tomasz,

Janina, Paweł Kasprzak, Marta, Jolanta, Paweł Wrabec, Anna, Jerzy, Iwona, Ewa, Agnieszka Markowska, Władysław, Feliks, Katarzyna, Bogna Blankenberg and Ewa, accused of disturbing a non-banned demonstration on 10 June 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences.

- X Kz 693/18 – 20 July 2018 – **District Court Judge Grażyna Puchalska – referred the case for re-examination to the Court of first instance**, the Public Prosecutor lodged a complaint against the Court's decision dated 12 April (XI W 2630/17), when **Regional Court Judge Łukasz Biliński discontinued proceedings** against 18 people: Beata Geppert, Rafał, Małgorzata, Klementyna, Rafał Wiktorowski, Bogumił, Ewa Trojanowska, Jarosław, Daniel, Piotr Pytlakowski, Hania Frem, Marcin, Janusz Polowczyk, Małgorzata, Urszula, Agnieszka Dzikowska, Mikołaj Przybyszewski and Agnieszka, accused of disturbing a non-banned demonstration on 10 June 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences.

- V K 269/17 – 5 July 2018 – **Regional Court Judge Katarzyna Rutkowska-Giwajno acquitted** Tadeusz Jakrzewski accused of „articulating an unlawful threat towards a police officer” on 10 May 2017 while his ID papers were being checked, because he said: „**I'll punch you in the ear if you do that again**”, i.e., an offence under art. 224 § 2 Penal Code.

- XI W 1258/17 – 17 July 2018 – **Regional Court Judge Łukasz Biliński acquitted** Marek, Monika Dąbrowska, Wojciech Kinasiewicz, Paweł Wrabec, Michał, Tadeusz Jakrzewski and Paweł Kasprzak accused of attempting to block – on 10 March 2017 – the Smolensk March, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences, art. 52 § 4 Code of Petty Offences, Wojciech Kinasiewicz accused of breaking the police cordon. The Court found Paweł Kasprzak guilty of committing an offence of using a swear word in a public place, i.e., an offence under art. 141 Code of Petty Offences, however, considering the incidental nature of the act and the accompanying emotions, the Court refrained from imposing a sanction.

PROTESTS IN FRONT OF THE PARLIAMENT OF THE REPUBLIC OF POLAND

- XI W 2988/17 – 20 June 2018 - **Regional Court Judge Adam Pruszyński discontinued proceedings against** 3 people: Mikołaj, Ireneusz, Karolina accused of refusing on the night 16/17 December 2016 to leave the spontaneous assembly convened in front of the Polish Parliament after the said assembly was dissolved, i.e., an offence under art. 52 §. 3 point 3 Code of Petty Offences, and of obstructing and disrupting in that same place the movement of vehicles in front of the Polish Parliament, i.e., an offence under art. 90 Code of Petty Offences.

- XI W 2987/17 – 28 June 2018 - **Regional Court Judge Paweł Macuga discontinued proceedings against** Jarosław accused of disrupting the movement of vehicles in front of the Polish parliament on the night 16/17 December 2016, an offence under art. 90 Code of Petty Offences.

PROTESTS IN THE DEFENCE OF THE INDEPENDENCE OF COURTS

- III W 1594/17 – 8 November 2017. **Piotr Nowak, Regional Court Judge, decided to discontinue proceedings** regarding charges on grounds of art. 52 §. 2 point 2 of the Code of Offences and. 63a § 1 of the Code of Offences against Lucyna Łukian, a participant of the picket in front of J. Kaczyński's home on Mickiewicza Str. in Warsaw. Lucyna held a banner: „THERE IS NO STATUTE OF LIMITATIONS ON BETRAYING YOUR COUNTRY"

- IV W 1799/17 – 22 November 2017. **Agnieszka Berezowska, Regional Court Judge, decided to discontinue proceedings** regarding charges on grounds of art. 52 §. 2 point 2 of the Code of Offences and. 63a § 1 of the Code of Offences against Agnieszka Markowska, a participant of the picket in front of J. Kaczyński's home on Mickiewicza Str. in Warsaw. Agnieszka held a banner: „THERE IS NO STATUTE OF LIMITATIONS ON BETRAYING YOUR COUNTRY"

- XI W 4674/17 – 19 April 2018 - **Regional Court Judge Łukasz Biliński discontinued proceedings** against 2 people: Małgorzata and Angelika, accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences.

- XI W 3833/17 – 19 April 2018 - **Regional Court Judge Łukasz Biliński discontinued proceedings** against 3 people: Hanna Frem, Magdalena and Arek Szczurek, accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences.

- X Kz 499/18 - **the Public Prosecutor lodged a complaint against the Court's decision** dated 15 March 2018 (XI W 3407/17), when Łukasz Biliński, Regional Court Judge, discontinued proceedings against Aleksander, Izabela Moźdrzeń, Magdalena, Konstanty, Diana, Nawojka, Juliusz, Maciej, Wojciech, Waław, Piotr, Andrzej, Konrad, Krzysztof, Tomasz, Łukasz, accused of blocking the road during protests in defence of judiciary independence in July 2017, an offence under art. 90 Code of Petty Offences.

- X Kz 424/18 – 29 May 2018 – **District Court Judge Mariusz Iwaszko filed a motion for the case to be reconsidered in the First Instance** – on 13 March 2018 the Regional Court Judge Łukasz Biliński discontinued proceedings against 5 people: Tadeusz Jakrzewski, Beata Geppert, Marek, Agnieszka and Leokadia Jung, accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences.(XI W 3767/17), 12 April – the public prosecutor lodged a complaint against the sentence

- XI W 3711/17 – 13 June 2018 – **Regional Court Judge Jakub Kamiński discontinued proceedings** against 5 people: Jacek Zabokrzycki, Urszula, Wojciech Kinasiewicz, Ewa and Marek, accused of blocking the road during the protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences.

- XI W 3889/17 – 18 June 2018 - **Regional Court Judge Agnieszka Modzelewska discontinued proceedings** against 6 people: Rafał, Marek, Maria, Lech, Karolina and Irena, accused of blocking the road during the protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences.

PICKETS IN FRONT OF POLICE STATIONS

- IV W 1655/17 – 18 December 2017. **Regional Court Judge Piotr Nowak refused to initiate proceedings** against Wojciech Kinasiewicz (art. 52 §.2 point 2 and art. 63a §1), participant of a picket supporting persons being interrogated at the Police Station on Rydygiera Str. in Warsaw. One more charge is still pending, relating to art. 65 para 2 of the Code of Offences (refusal to disclose information about identity).

- IV W 1886/17 – 27 December 2017. **Renata Kielak-Komorowska, Regional Court Judge, dismissed some of the charges** on grounds of art. 52 §. 2 point 2 of the Code of Offences and. 63a § 1 of the Code of Offences brought against the accused: Bogusław Zalewski, Piotr Warczykowski, Iwona Wyszogrodzka and Jarosław. The case concerns participation in a picket supporting persons being interrogated at the Police Station on Rydygiera Str. in Warsaw. One more charge is still pending, relating to art. 65 para 2 of the Code of Offences (refusal to disclose information about identity)

- V W 611/18 - on 29 March 2018 – **Izabella Gabriel, Regional Court Judge, discontinued proceedings against** Ewa Trojanowska accused of holding up a banner in public view while standing on the pavement next to the Police Station on Trzemeska Str. in Wrocław during solidarity pickets on 27 October 2017 and 8 November 2017, the banner containing the inscription “We will not be intimidated”, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- V W 615/18 - on 29 March 2018 – **Izabella Gabriel, Regional Court Judge, discontinued proceedings against** Rafał Wiktorowski accused of holding up banners in public view while standing on the pavement next to the Police Station on Trzemeska Str. in Wrocław during solidarity pickets on 30 October 2017 r., the banners containing inscriptions “We have Laws/Rights, Laws of Physics, Laws of Logic, Human Rights – Obywatele RP” and “We will not be intimidated”, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- II W 190/18 - 24 April, **Regional Court Judge Wojciech Sawicki, at the request of the Defence, discontinued proceedings** against Małgorzata Farynowska, accused of “holding up, together with other persons, banners in public view” on 17 November 2017 in Wrocław, on Trzemeska Str. 12, the banners containing inscriptions: “WE HAVE LAWS/RIGHTS, LAWS OF PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP” and “WE WILL NOT BE INTIMIDATED”, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- II W 182/18 and V W 201/18 – on 29 March 2018 - **Wojciech Sawicki, Regional Court Judge, acquitted** Ewa Trojanowska, Iza Witowska, Małgorzata Farynowską and Włodzimierz Komisarczyk, accused of holding up banners in public view while standing on the pavement during a solidarity picket on 7 November 2017 in Wrocław, on Trzemeska Str. 12, the banners containing inscriptions: “WE HAVE LAWS/RIGHTS, LAWS OF

PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP” and “WE WILL NOT BE INTIMIDATED”, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- V W 551/18 – 29 May 2018 – **Regional Court Judge Wojciech Sawicki acquitted** Iza Witowska who had been accused of organising on 23 October 2017 in Wrocław on Trzemeska Str. 12 a solidarity picket, i.e., an offence under art. 52 §. 2 point 2 of the Code of Offences.

- II W 414/18 - 8 June 2018 - **Regional Court Judge Wojciech Sawicki acquitted** Patryk Iwanicki accused of holding up a banner in public view on 27 October 2017 in Wrocław, on Trzemeska Str. 12, the banner containing the inscription: WE HAVE LAWS/RIGHTS, LAWS OF PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- II W 464/18 - 15 June 2018 - **Regional Court Judge Wojciech Sawicki discontinued proceedings** against 5 people: Małgorzata Farynowska, Bartosz Gawroński, Patryk Iwanicki, Paweł Drozd, Włodzimierz Komisarczyk accused of holding up banners in public view while standing on the pavement during a solidarity picket on 28 December 2017 in Wrocław, on Trzemeska Str. 12, the banners containing inscriptions: “WE WILL NOT BE INTIMIDATED” and “WE HAVE LAWS/RIGHTS, LAWS OF PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP”, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

- V W 520/18 – 21 June 2018 – **Regional Court Judge Izabella Gabriel acquitted** Adam Witas accused of holding up a banner in public view while standing on the pavement in front of the Police Station during a solidarity picket on 7 November 2017 in Wrocław, on Trzemeska Str. 12, the banner containing an inscription: “WE HAVE LAWS/RIGHTS, LAWS OF PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP”, without permission of the administrator of the spot, i.e., an offence under art. 63a § 1 Code of Petty Offences.

REFUSING TO DISCLOSE PERSONAL DATA

- XI W 4162/17 – The Regional Police Station submitted a complaint relating to the decision made by Regional Court Judge Łukasz Biliński to discontinue proceedings against a person who refused to cite their place of employment during an interrogation at the Police Station on 9 January 2018.

District Court Judge Wanda Jankowska-Bebeszkó referred the case for re-examination to the Regional Court (X Kz 1596/17)

Defence Counsel: Jarosław Kaczyński

- XI W 4315/17 – 21 June 2018 - **Regional Court Judge Łukasz Biliński found** Wojciech Kinasiewicz **innocent** of the accusation that on 10 August 2017 he refused to present his ID papers to a police officer, i.e., an offence under art. 65 § 2

PROTESTS AGAINST THE FAR-RIGHT

- V K 687/17 – 24 January 2018 – consideration of the Prosecution’s application for conditional discontinuation of proceeding. The case concerned insulting a police officer on 29 April 2017 during the blocking of the ONR march, i.e., for a crime under art. 226 para 1 of the Penal Code. The Court granted the Prosecution’s request and due to the low degree of harm of the deed adjudged **conditional discontinuation for a trial period of one year**, lowered the sum the defendant is to donate to the Fund of Aid to the Aggrieved and Post-Penitentiary Assistance and released the defendant from the court costs

Defence Counsel: Hanna Gajewska – Kraczkowska

- XI W 2116/17 – 12 June 2018 - **Regional Court Judge Justyna Dalkowska discontinued proceedings** against 6 people: Joanna, Maciej, Artur, Bartosz, Jacek and Renata, accused of attempting to obstruct on 29 April 2017 the passage of a non-banned public assembly by blocking the route of the march “in commemoration of the anniversary of the foundation of ONR”, i.e., an offence under art. 52 §2 point.1 Code of Petty Offences and art. 90 Code of Petty Offences.

OTHER STREET PROTESTS

- VII W 1035/17 – On 5 February 2018 in Gorzów Wielkopolski, a case was held against Leszek Pielin. The case concerned events of 1 November 2017, when Leszek Pielin went to honour the memory of Piotr S. Together with other persons, he placed lights in front of the office of Elżbieta Rafalska. Obituary notices were also attached to the door as well as a few slogans. Leszek was accused on the grounds of art. 63a para 1 Code of Petty Offences and art. 145 Code of Petty Offences (littering). Andrzej Krzyżowski, Regional Court Judge, ruled that the **accused is guilty** of putting up an obituary notice without permission of the owner of the premises and imposed **the penalty of reprimand**, and at the same time **cleared him of the accusation on grounds of art. 145 Code of Petty Offences**.

PROTESTS OF ECOLOGICAL MOVEMENTS

- V W 6892/17 – 20 June **Regional Court Judge Anna Ziemińska discontinued proceedings** against 14 people: Karolina, Kinga, Marta, Wojciech, Tomasz, Maria, Augustyn, Dariusz, Mateusz, Piotr, Marta, Estera, Jan and Anna accused of disturbing the public peace on 9 November 2017 at the premises of the seat of the General Directorate of State Forests, i.e., an offence under art. 51 §1 Code of Petty Offences.

Finalized cases

1. For entering the premises of the Parliament of the Republic of Poland on 25 January 2017 - Wojciech and Rafał had been accused on grounds of art. 193 of the Penal Code.

On 17 August 2017, **Regional Court Judge Jakub Kamiński passed a sentence of acquittal** (II K 292/17). Following an appeal submitted by the prosecutor, the appeal hearing was held on 30 October 2017 in the regional court. **Judge Krzysztof Chmielewski announced the legally binding sentence of acquittal** (X Ka 1113/17).

Defence Counsels: Daniel Dzierzbicki, Krzysztof Kaczor

2. For entering the premises of the Sejm RP (Polish Parliament), 30 November 2017 - Wojciech, Tadeusz, Ewa and Paweł accused on grounds of art. 193 of the Penal Code

On 20 October 2017, **Regional Court Judge Jakub Kamiński passed a sentence of acquittal** (II K 362/17). Following an appeal submitted by the prosecutor, the appeal hearing was held on 8 February 2018 in the District Court. **Judge of the District Court Monika Jankowska announced the legally binding sentence of acquittal** (X Ka 1420/17).

Defence Counsels: Jacek Dubois, Małgorzata Jadowska

3. On 17 February 2018, the court decision entered into force with regard to case V W 4255/17 of 18 January 2018, when **Anna Ziemińska, Regional Court Judge, discontinued proceedings** against the accused: Wojciech Kinasiewicz, Arek Szczurek, Paweł Kasprzak, Dominik, Kamila, Kinga Kamińska, Francesca, Zbigniew, Rafał Suszek, Romuald „on the grounds that their act does not amount to an offence”

4. On 24 May 2018, **District Court Judge Krzysztof Chmielewski maintained in force the decision of the Court of the First Instance** of 15 March 2018 (X Kz 468/18), when **Regional Court Judge Łukasz Biliński discontinued proceedings** against Arkadiusz Szczurek, Michał Suliborski, Olga Skrzypek, accused of blocking the road during protests in defence of judiciary independence in July 2017, an offence under art. 90 Code of Petty Offences.

(XI W 3412/17).

5. On 5 June 2018, **District Court Judge Hubert Zaremba maintained in force the decision of the Court of the First Instance** of 13 March 2018 (X Kz 467/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against Iwona Wyszogrodzka, Paweł, Ula, Janusz, Piotr, accused of blocking the road during protests in defence of judiciary independence in July 2017, an offence under art. 90 Code of Petty Offences. (XI W 3890/17).

6. On 6 June 2018, **District Court Judge Grzegorz Miśkiewicz maintained in force the decision of the Court of the First Instance** of 20 March 2018 (X Kz 562/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against Grzegorz Łach, Ewa Błaszczyk, Kajetan Wróblewski, accused of disrupting a non-banned demonstration on 10 June 2017. i.e., an offence under art. 52 §2 point 1 Code of Petty Offences. (XI W 2595/17).
7. On 20 June 2018, **District Court Judge Hubert Zaremba maintained in force the decision of the Court of the First Instance** of 5 April 2018 (X Kz 572/18), when **Regional Court Judge Łukasz Biliński discontinued proceedings** against 11 people: Tomasz, Mateusz, Zuzanna, Jakub, Joanna, Paweł, Robert, Emil, Aleksandra, Barbara and Katarzyna, accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences. (XI W 3875/17).
8. On 21 June 2018, **District Court Judge Mariusz Jackowski maintained in force the decision of the Court of the First Instance** of 22 March 2018 (X Kz 580/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against Marcin, Bartosz Gawroński, Dariusz, Karol, Magdalena, Anna, Joanna, Bartłomiej, Agnieszka Dzikowska, Aneta Miechowicz, Aleksandra, Piotr, Kamila, Anna, Wojciech, Francesca, accused of blocking the road during protests in defence of judiciary independence in July 2017, an offence under art. 90 Code of Petty Offences. (XI W 3872/17).
9. On 22 June 2018, **District Court Judge Anna Bator-Ciesielska maintained in force the decision of the Court of the First Instance** of 20 March 2018 r. (X Kz 495/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against Agnieszka Markowska, Maria, Bartek Sabela, accused of disrupting a non-banned demonstration on 10 July 2017. i.e., an offence under art. 52 §2 point 1 Code of Petty Offences (XI W 4304/17)
10. On 25 June 2018, **District Court Judge Grzegorz Miśkiewicz maintained in force the decision of the Court of the First Instance** of 5 April 2018 (X Kz 590/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against 15 people: Helena, Konrad, Marta, Zofia, Stanisław, Paweł, Zofia, Witold, Diana, Krzysztof, Patryk, Witold, Magdalena, Martyna and Piotr accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences (XI W 3420/17)
11. On 25 June 2018, **District Court Judge Piotr Schab maintained in force the decision of the Court of the First Instance** of 22 March 2018 (X Kz 496/18), when **Łukasz Biliński, Regional Court Judge, discontinued proceedings** against Mateusz, Olaf, Dorota, Joanna, Aleksandra, Karolina, accused of blocking the road during protests in defence of judiciary independence in July 2017, an offence under art. 90 Code of Petty Offences. (XI W 3416/17)
12. On 12 July 2018, **District Court Judge Mariusz Iwaszko maintained in force the decision of the Court of the First Instance** (X Kz 700/18). On 19 April 2018, **Regional Court Judge Łukasz Biliński discontinued proceedings** against 2 people: Natalia and Paweł accused of blocking the road during protests in defence of judiciary independence in July 2017, i.e., an offence under art. 90 Code of Petty Offences (XI W 3417/17)

13. On 23 July 2018, **District Court Judge Piotr Schab maintained in force the decision of the Court of the First Instance (X Kz 692/18)**. On 17 April 2018, **Regional Court Judge Łukasz Biliński discontinued proceedings** against 12 people: Danuta, Lucyna Łukian, Bogusław Zalewski, Rafał Szymczak, Wojciech Kinasiewicz, Andrzej, Elżbieta, Szymon, Urszula, Anna Grad-Mizgała, Anna and Jerzy Dramowicz accused of disturbing a non-banned demonstration on 10 June 2017, i.e., an offence under art. 52 §2 point.1 Code of Petty Offences (XI W 2634/17)

Agenda of the coming hearings: August - October 2018

Warsaw:

9 August 2018

District Court in Warsaw, al. Solidarności 127:

- For attempting to block the Smoleńsk March on 10 May 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences, case X Kz 725/18, **appeal hearing on the matter of the Public Prosecutor's complaint** against the decision dated 19 April 2018, on the matter of discontinuance of proceedings (XI W 3577/17) starts at **12:00 hrs, room 237 (corridor J, 2nd floor)**.

Defendants: Danuta Zawadzka, Mikołaj Przybyszewski, Jan Wójtowicz, Jerzy Dramowicz, Janusz Polowczyk, Patryk, Bogna

13 August 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For blocking the route of the march of a non-banned assembly on 1 March 2018 on Rakowiecka Str. in Warsaw, case III W 539/18, art. 52 § 2 point 1 Code of Petty Offences, **the hearing starts at. 9:30 hrs, room 4**

Defendant: Beata

17 August 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For participating in the events 16/17 December 2016 in front of the Polish Parliament, case XI W 1997/17, art 52 § 3 Code of Petty Offences and others, the hearing starts at **9:30 hrs, room P37**

Defendants: Mateusz, Piotr, Arkadiusz Szczurek, Bartłomiej, Marcin, Jarosław, Karol, Jerzy Kozłowski, Jan, Rafał, Arkadiusz, Kacper, Kamil

Defence Counsel: Jarosław Kaczyński

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For heading an assembly, without the required permission, which took place on 21 November 2017 on Rakowiecka Str. 2a in front of the seat of the Ministry of Internal Affairs and Administration, Case III W 70/18, art 52 §2 point of the Code of Petty Offences, the hearing starts at **14:30 hrs, room 524**

Defendants: Ewa Borguńska, Wojciech Kinasiewicz, Ewa Błaszczyk, Michał Szymanderski-Pastryk

Defence Counsel: Jarosław Kaczyński

23 August 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For not using the pavement and pedestrian crossing on 10 January 2018 on the way to Zamkowy Square, case XI W 1274/18, art. 97 Code of Petty Offences, hearing starts at **11:40 hrs, room 361**

Defendants: Małgorzata Farynowska, Zuzanna Radzka

28 August 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For refusing to disclose information about place of employment during an interrogation at the Police Station on Dzielna Str. in Warsaw, case XI W 5330/17, art. 65 §2 Code of Petty Offences, **hearing starts at 9:00 hrs, room P21**

Defendant: Marek

- For ownership of pyrotechnic products during an assembly on 13 November 2017 in front of the Capital City Police Station and refusal to present an ID document, case XI W 5776/17, art. 52 §1 Code of Petty Offences and art 65 §2 Code of Petty Offences, **hearing starts at 10:00 hrs, room P21**

Defendant: Bartłomiej Sabela

29 August 2018

Regional Court for Warsaw-Żoliborz, Kocjana Str. 3:

- For refusing to disclose personal identity information when asked for papers during a solidarity picket in support of those being interrogated in the Police Station on Rydygiera Str. in Warsaw, case IV W 1886/17, art. 63a §1 Code of Petty Offences, **hearing starts at 13:00 hrs, room 1162**

Defendants: Bogusław Zalewski, Piotr Warczykowski and Jarosław.

30 August 2018

District Court in Warsaw, al. Solidarności 127:

- For disturbing a non-banned demonstration on 10 July 2017, i.e., an offence on grounds of art. 52 §2 point.1 Code of Petty Offences, case X Kz 679/18, appeal hearing on the matter of the Public Prosecutor's complaint against the decision dated 12 April on the matter of discontinuance of proceedings (XI W 4191/17) starts at **9:00 hrs, room 237 (corridor J, 2nd floor)**.

Defendants: Mikołaj Przybyszewski, Ewa, Bożena, Beata

- For disturbing a non-banned demonstration on 10 June 2017 r., an offence on grounds of art. 52 §2 point.1 Code of Petty Offences, case X Kz 810/18, appeal hearing on the matter of the Public Prosecutor's complaint against the decision dated 26 April on the matter of discontinuance of proceedings (XI W 2973/17) starts at **10:00 hrs, room 352 (corridor H, 3th floor)**.

Defendants: Kinga Kamińska, Rafał, Zofia, Tadeusz Szczęsniewicz, Tadeusz, Tomasz, Janina, Paweł Kasprzak, Marta, Jolanta, Paweł Wrabec, Anna, Jerzy, Iwona, Ewa, Agnieszka Markowska, Władysław, Feliks, Katarzyna, Bogna Blankenberg, Tadeusz Jakrzewski, Ewa

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For disturbing a non-banned demonstration on 10 October 2017, i.e., an offence under art. 52 §2 point 1 Code of Petty Offences, case XI W 35/18, **hearing on the discontinuance of proceedings starts at 9:30 hrs, room 361**.

Defendants: Roman, Agnieszka, Bogusław Zalewski, Elżbieta, Jakub, Mariusz, Dariusz, Elżbieta, Tomasz, Waldemar

4 September 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For refusing to disclose information about identity while being asked for ID papers by a police officer, case XI W 3071/17, art. 65 §2 Code of Petty Offences, hearing starts at **11:30 hrs, room P22**

Defendant: Tomasz

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For blocking the route of the march of a non-banned assembly on 1 March 2018 on Rakowiecka Str. in Warsaw, case III W 621/18, art. 52 § 2 point 1 Code of Petty Offences, hearing starts at **13:30 hrs, room 524**

Defendant: Adam Różycki

7 September 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For blocking the route of the march of a non-banned assembly on 1 March 2018 on Rakowiecka Str. in Warsaw, case III W 533/18, art. 52 § 2 point 1 Code of Petty Offences, hearing starts at **8:30 hrs, room 4**

Defendants: Piotr Stańczak, Anna

10 September 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- The motion filed by the Minister of Internal Affairs and Administration will be considered during the hearing on the matter of suspending the board of the Foundation Free Citizens of Poland and appointing a compulsory administrator in connection with violation of the clauses of the statute of the Foundation, among other, by calls to break the law in the "Citizen's Declaration" and "Disobedience Declaration", case I Ns 637/17 starts at **9:00 hrs, room 210**

14 September 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For attempting to block the ONR march on 29 April 2017, case XI W 2200/17, art. 52 § 2 point 1 Code of Petty Offences, hearing starts at **13:30 hrs, room 379**

Defendants: Jerzy Kozłowski, Mateusz, Maria

24 September 2018

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For refusing to leave the place of an assembly in front of the Polish Parliament on the night 16/17 December 2016, after it was dissolved, case XI W 3652/17, art. 52 § 3 point 3 Code of Petty Offences, hearing starts at **9:00 hrs, room 379**

Defendant: Wojciech Kinasiewicz

25 September 2018

District Court in Warsaw, al. Solidarności 127:

- For disturbing a non-banned demonstration on 10 August 2017, i.e., an offence against art. 52 §2 point 1 Code of Petty Offences, case X Kz 929/18, **hearing regarding the appeal to the complaint lodged by the public prosecutor** against the decision dated 24 May 2018 concerning the discontinuance of proceedings (XI W 3679/17) starts at **10:00 hrs, room 237 (corridor J, floor 2)**.

Defendants: Roman, Marek, Tomasz, Piotr, Józef, Dariusz, Michał, Oskar, Janusz, Andrzej, Grzegorz Łach, Krzysztof, Paweł Olejniczak, Dagmara Drozd, Eugeniusz

26 September 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For blocking the route of the march of a non-banned assembly on 1 March 2018 on Rakowiecka Str. in Warsaw, case III W 537/18, art. 52 § 2 point 1 Code of Petty Offences, hearing starts at **9:00 hrs, room 524**

Defendants: Kalina, Krystyna Zdziechowska, Tomasz Sikora

27 September 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For heading an assembly without the required permission, which took place on 21 November 2017 on Rakowiecka Str. 2a in front of the seat of the Ministry of Internal Affairs and Administration, Case III W 70/18, art 52 §2 point of the Code of Petty Offences, the hearing starts at **10:00 hrs, room 524**

Defendants: Ewa Borguńska, Wojciech Kinasiewicz, Ewa Błaszczyk, Michał Szymanderski-Pastryk

Defence Counsel: Jarosław Kaczyński

12 October 2018

Regional Court for Warsaw-Mokotów, Ogrodowa Str. 51a:

- For blocking the route of the march of a non-banned assembly on 1 March 2018 on Rakowiecka Str. in Warsaw, case III W 802/18, art. 52 § 2 point 1 Code of Petty Offences, hearing starts at **12:00 hrs, room 4**

Defendants: Leokadia Jung, Lucyna Łukian, Wojciech Kinasiewicz

- For disturbing the public order on 27 April 2018 in front of the seat of the National Council of the Judiciary and for refusing to disclose place of employment, case III W 891/18, art. 51 § 1 Code of Petty Offences, art. 65 § 1 Code of Petty Offences, hearing starts at **13:30 hrs, room 4**

Defendant: Konrad Korzeniowski

XI Department of the Regional Court for Warsaw-Śródmieście, Marszałkowska 82, entrance from Żurawia Str.:

- For insulting a policeman during Obywatele RP's protest in 2017 against the ONR march on the anniversary of the outbreak of the Warsaw Uprising, i.e., an offence against art. 226 § 1 Penal Code, Case II K 715/17, the hearing starts at **14:15 hrs, room 258**

Defendant: Adam Czerwonec

Defence Counsels: Marta Sereżyńska, Martyna Kęsy

16 October 2018

Regional Court for the Capital City of Warsaw, Marszałkowska Str. 82:

- For painting inscriptions with the text: "And freedom I love above all" and "19 X 2017 WE REMEMBER" on Nowogrodzka Str., in front of the seat of the PiS Party in October 2017, case V W 6035/17, art. 63a §1 Code of Petty Offences, the hearing starts at **9:00 hrs, in room P60**

Defendants: Wojciech Kinasiewicz, Anna, Maciej and Grzegorz

25 October 2018

Regional Court for the Capital City of Warsaw, Marszałkowska Str. 82:

- For placing the inscription: “BLOOD ON YOUR HANDS” on Nowogrodzka Str. 84/86 (29 October 2017), Case V W 6034/17, art. 63a §1. the hearing starts at **12:00 hrs, room A09**

Defendant: Iwona Wyszogrodzka

Wrocław:

21 August 2018

Regional Court for Wrocław-Śródmieście, Penal Department 5, Podwale Str. 30, Wrocław:

- For standing on the road and together with other people blocking on 11 November 2017 in Wrocław, on Kazimierza Wielkiego Str. the route of the march and thus interrupting the passage of a non-banned assembly, i.e., an offence against art. 52 § 2 point 1 of the Code of Petty Offences, Case II W 475/18 and V W 699/18, the hearing starts at **10:00 hrs, room 274**

Defendants: Dagmara Drozd, Patryk Iwanicki, Bartosz Gawroński, Włodzimierz Komisarczyk, Anna, Marta, Jacek Zabokrzycki and Małgorzata Farynowska
Defence Counsel: Miłosz Śliwiński

28 August 2018

Regional Court for Wrocław-Śródmieście, Penal Department 5, Podwale Str. 30, Wrocław:

- For having together and in agreement with another person, on 28 December 2017 in Wrocław on Trzemeska Str. 12, placed in public view and without permission, banners with inscriptions: WE HAVE LAWS/RIGHTS, LAWS OF PHYSICS, LAWS OF LOGIC, HUMAN RIGHTS – OBYWATELE RP and WE WILL NOT BE INTIMIDATED, this being an offence under art. 63a § 1 Code of Petty Offences, case II W 472/18, hearing starts at **10:00 hrs, room 243**

Defendant: Miłosz Kłosowicz

4 September 2018

Regional Court for Wrocław-Śródmieście, Penal Department 5, Podwale Str. 30, Wrocław:

- For disturbing on 12 August 2017, the legal public assembly of the PRO RIGHT TO LIFE Foundation, i.e., an offence under art. 52 § 2 point 1 Code of Petty Offences., case VII W 480/18, hearing starts at. **9:30 hrs, room 243**

Defendant: Miłosz Kłosowicz

- For by using a loudspeaker on 12 August 2017 disturbing the legal public assembly of the PRO RIGHT TO LIFE Foundation, i.e., an offence under art. 52 § 2 point 1 Code of Petty Offences, case V W 174/18, hearing starts at **9:40 hrs, room 243**

Defendant: Ewa Trojanowska

14 September 2018

Regional Court for Wrocław-Śródmieście, Penal Department 5, Podwale Str. 30, Wrocław:

- For obstructing on 11 November 2017 in Wrocław on Kazimierza Wielkiego Str. the passage of a non-banned assembly, by standing together with other persons on the street and blocking the route of the march, i.e., an offence under art. 52 § 2 point 1 Code of Petty Offences., case V W 696/18, hearing starts at **10:00 hrs, room 58**

Defendant: Izabela Witowska

27 September 2018

Regional Court for Wrocław-Fabryczna, Świebodzka Str. 5, Wrocław:

- For an offence under art. 63a § 1 Code of Petty offences, case II W 544/18, hearing starts at **10:30 hrs, room 8**

Defendant: Paweł Wrabec

Hajnówka:

11 September 2018.

Regional Court in Bielsk Podlaski Branch Departments in Hajnówka, Warszawska Str. 87:

- For attempting on 24 February 2018 on Ks. Antoni Dziewiatowski Str. in Hajnówka to obstruct the non-banned assembly „3rd Hajnówka March in Memory of the Damned Soldiers" organised by nationalist circles, i.e., an offence under art. 52 § 2 point 1 Code of Petty Offences, and for refusing to present their ID papers to a police officer, i.e., an offence under art. 65 § 2, case VII W 498/18, hearing starts at **9:30 hrs, room III**

Defendants: Michał Wojcieszczuk, Agnieszka Markowska

ANNEX

Persons who report to the ObyPomoc group as well as activists of the Wolni Obywatele RP Movement are faced with charges arising from the Petty Offences Code, Penal Code, Press Law as well as the Hunting Law. The following constitutes the contents of those laws cited in the Report.

Code of Petty Offences

Offences against public order and peace:

Art. 51

§ 1. Whoever by way of shouting, noise, alarm or any other excess actions disturbs public peace, order, night rest or causes depravation is subject to a penalty of arrest, restriction of freedom or a fine.

§ 2. If the deed referred to in § 1 is of a disorderly nature or the perpetrator carries it out when being under the influence of alcohol, a narcotic or another substance or agent with similar effects is subject to a penalty of arrest, restriction of freedom or a fine.

§ 3. Inciting and aiding are punishable.

Art. 52

§ 1. Whoever participates in an assembly when carrying weapons, explosive materials, fireworks or other hazardous materials or tools – is subject to the penalty of arrest for up to 14 days, a penalty of restriction of freedom or the penalty of a fine.

§ 2. Whoever:

- 1) disturbs or attempts to disturb the organisation or the process of a non-banned assembly,
- 2) organizes an assembly without the required notification or heads such an assembly or a banned assembly,
- 3) heads an assembly after it has been dissolved,
- 4) unlawfully occupies or refuses to leave a location site lawfully used by another person or organisation as an organiser or head of an assembly – is subject to the penalty of restriction of freedom or a fine.

§ 3. Whoever:

- 1) when heading or organizing an assembly purposely does not take the necessary steps to ensure that the assembly proceeds in compliance with the laws and regulations and to prevent that any damage is caused which is the fault of the participants of the assembly,
- 2) does not adhere to the demands or orders of the leader of the assembly or its organizer, as described in the Act of 24 July 2015 – Law on Assemblies (Journal of Law, part 1485),
- 3) refuses to leave the site of the assembly after it is dissolved

– is subject to a fine.

§ 4. Inciting and aiding are punishable.

Art. 63a

§ 1. Whoever places in a public place that is not for such a purpose an announcement, poster, placard, appeal, leaflet, wording or drawing or places them in public sight in another location without the consent of the administrator of this location, is subject to the penalty of restriction of freedom or a fine.

§ 1a. Inciting and aiding are punishable.

§ 2. In such case when the offence is committed, it is possible to decide about the confiscation of objects that are used or meant for conducting the offence, even if they are not the property of the perpetrator, as well as punitive damages at the level of up to 1500 zlotys or the obligation to restore the site to its previous state.

Art. 65

§ 1. Whoever purposefully misleads a State body or an institution authorized by the Act of Law act to check documents:

- 1) regarding own or another's identity,
- 2) regarding own citizenship, occupation, place of employment or residence,

- is subject to a fine.

§ 2. The same penalty affects that person who contrary to the obligation does not inform the relevant State body or institution, authorized by the Act of Law the information or documents regarding circumstances referred to in §1.

Offences against traffic safety and order:

Art. 90

Whoever impedes or disrupts traffic on a public road, in a residence area or in a traffic zone is subject to a fine or reprimand.

Art. 92

§ 1. Whoever does not comply with a traffic sign or signal or to the signal or order of a person authorized to direct traffic or to control road traffic is subject to a fine or reprimand.

§ 2. Whoever to avoid control does not comply with the signal of the person authorized to control road traffic that commands stopping the vehicle is subject to the penalty of arrest or a fine.

§ 3. In such case when an offence as referred to in § 2 is committed, a ruling may be passed to ban this person from driving vehicles.

Art. 97

A road user or another person present on a public road, in a residential zone or traffic zone, including owner of the vehicle or the person in possession of the vehicle, who violates other regulations of the Road Traffic Act dated 20 June 1997 or other regulations issued arising from the said Act, is subject to a penalty fine of up to 3000 zlotys or reprimand.

Offences against property:

Art. 127

§ 1. Whoever wilfully uses another's movable belongings is subject to a fine or reprimand.

§ 2. Prosecution is initiated upon request of the grieved party.

Offences against public decency:

Art. 141

Whoever presents in a public place an indecent announcement, statement or drawing, or uses indecent words, is subject to the penalty of restriction of freedom, a fine of up to 1500 zlotys or reprimand.

Offences against public utility equipment:

Art. 145

Whoever contaminates or litters places accessible to the public, and in particular a road, street, square, garden law nor green area, is subject to a fine of up to 500 zlotys or reprimand.

Penal Code

Crimes against the Republic of Poland:

Art. 135.

§ 1. Whoever commits an active assault on the President of the Republic of Poland shall be subject to the penalty of the deprivation of liberty for a term of between 3 months and 5 years.

§ 2. Whoever insults the President of the Republic of Poland in public shall be subject to the penalty of the deprivation of liberty for up to 3 years.

Crimes against life and health:

Art. 158.

§ 1. Whoever participates in a brawl or a beating in which a human being is exposed to the immediate danger of the loss of life or to a consequence referred to in Article 156 § 1 or in Article 157 § 1, shall be subject to the penalty of deprivation of liberty for up to 3 years.

§ 2. If the consequence of the brawl or beating is a serious bodily injury or a serious impairment of health, the perpetrator shall be subject to the penalty of the deprivation of liberty for a term of between 6 months and 8 years.

§ 3. If the consequence of the brawl or beating is the death of a human being, the perpetrator shall be subject to the penalty of the deprivation of liberty for a term of between 1 and 10 years.

Art. 160

§ 1. Whoever exposes a human being to an immediate danger of loss of life or a serious bodily injury, is subject to a penalty of deprivation of liberty for up to 3 years.

Crimes against freedom:

Art. 191

§ 1. Whoever uses violence towards a person or an unlawful threat to force a person to commit, refrain from or endure a particular act is subject to a penalty of deprivation of liberty for up to 3 years.

Art. 193

Whoever breaks into somebody else's house, apartment, premises or fenced grounds or contrary to the demands of an authorised person does not leave such a site is subject to a fine, restriction of freedom or deprivation of liberty for up to one year.

Crimes against the freedom of conscience and religion:

Art. 195

§ 1. Whoever maliciously disturbs the public conduct of a religious act of a Church or another religious association that have a settled legal status is subject to a fine, restriction of freedom or imprisonment for up to 2 years.

§ 2. The same penalty shall be imposed on anyone who maliciously interferes with a funeral, mourning ceremonies or rite.

Crimes against dignity and bodily integrity:

Art. 212.

§ 1. Whoever accuses another person, a group of persons, an institution, a legal person or an organisational unit without legal personality, of such conduct or characteristics as may degrade them in public opinion, or expose them to the loss of confidence necessary for a given position, occupation, or type of activity, shall be subject to a fine or limitation of liberty.

§ 2. If the perpetrator conducts the deed described in § 1 with the help of mass means of communication, shall be subject to a fine, shall be subject to a fine, limitation of liberty, or imprisonment for up to 1 year.

§ 3. In the case a sentence is passed for the crime described in § 1 or 2, the court may award damages in the interest of the aggrieved party, the Polish Red Cross or any other social cause cited by the aggrieved party.

§ 4. Prosecution of the crime described in § 1 or 2 is initiated by a private prosecution.

Crimes against actions of state and territorial self-government institutions:

Art. 222

§ 1. Whoever violates the personal inviolability of a public official, or a person called upon to assist them during or in connection with the performance of official duties, shall be subject to a fine, limitation of liberty, or imprisonment for up to 3 years.

§ 2. If the deed as specified in § 1 has been in response to the inappropriate conduct of the public official or the person assigned to assist them, the court may apply an extraordinary mitigation of the penalty or even renounce its imposition.

Forcing of official actions:

Art. 224

§ 1. Whoever, by using violence or an unlawful threat, affects the official acts of a government authority, other public authority or territorial self-government shall be subject to the penalty of deprivation of liberty for a term of up to 3 years.

§ 2. The same penalty shall be imposed on whoever by using violence or an unlawful threat to forces a public office or person assigned to assist them in undertaking or halting a legal official function.

§ 3. If as the result of the deed referred to in § 2, the consequences are as described in art.156 § 1or in art. 157 § 1, the perpetrator is subject to the penalty of deprivation of liberty for a term between 3 months to 5 years.

Insulting a public official:

Art. 226

§ 1. Whoever insults a public official or a person assigned to assist them, during and in connection with the out official duties, is subject to the penalty of restriction of freedom or deprivation of liberty of up to one year.

§ 2. The regulations of art. 222 § 2 apply mutatis mutandis.

§ 3. Who publicly insults or offends a constitutional body of the Republic of Poland is subject to a fine, a penalty of restriction of freedom or deprivation of liberty for up to 2 years.

Crimes against public order:

Art. 255.

§ 1. Whoever publicly incites to the commission of a misdemeanour or a fiscal misdemeanour shall be subject to a fine, a penalty of restriction of freedom or deprivation of liberty for up to 2 years.

§ 2. Whoever publicly incites to the commission of a crime shall be subject to a deprivation of liberty for up to 3 years.

§ 3. Whoever publicly praises the commission of an offence shall be subject to a maximum of 180 times the daily fine, a penalty of restriction of freedom or deprivation of liberty for up to 1 year.

Art. 256

§ 1. Whoever propagates in public a fascist or another totalitarian state system or incites hatred based on national, ethnic, racial, religious differences or on areligious grounds is subject to a fine, a penalty of restriction of freedom or deprivation of liberty for up to 2 years.

§ 2. The same penalty shall be imposed on whoever produces, records or imports, purchases, stores, possesses, presents or sends prints, recordings or any other object which contains such contents as described in § 1 or which are carriers of fascist, communist or other totalitarian symbols.

§ 3. The crime is not committed by the perpetrator if the prohibited act defined in § 2 is committed as part of an artistic, educational, collector's or scientific activity.

§ 4. In case of being convicted for a crime defined in § 2, the court shall rule forfeiture of objects mentioned in § 2, even in such case when they are not the property of the perpetrator.

Press Law

Art. 43

Whoever, by using violence or an unlawful threat with the aim of forcing a journalist to publish or refrain from publishing a press material or undertaking or refraining from a press intervention is subject to the penalty of deprivation of liberty for up to 3 years.

Hunting Law

Art. 51

Shooting animals in public places, destroying nests, burrows and hunter's devices

1. Whoever:

- 1) shoots animals at a distance of less than 500 m from a public meeting place while such meeting is taking place or at a distance of less than 100 m from residential buildings,
- 2) removes eggs, chicks, destroys nests of game birds or destroys their breeding grounds,
- 3) detains animals without appropriate permission,
- 4) destroys burrows and dens of game animals,
- 5) destroys hunting devices, removes feed or salt from deer-licks,
- 6) hunts without carrying required documents,
- 7) contrary to the regulations of **art. 42b** *individual hunting* part 2 does not record the required entries in the authorisation for conducting individual hunting,
- 8) wilfully impedes or makes impossible conducting a hunt is subject to a fine.

2. In cases described in part 1, the ruling is passed following offence-related procedures.