

RELIGIOUS FREEDOM

## Persecuted Polish Priest fight to defend himself

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08\_11\_2024

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Since Father Michał Olszewski was arrested and held in prison without trial for seven months, *Nuova Bussola Quotidiana* has been raising public awareness about the shameful case of political persecution taking place in Tusk's Poland. Finally, on 25 October, Father Michał was released after paying a substantial bail request ordered by the judge. As soon as he was released, the priest thanked all the people in Poland, but

also in Italy and abroad, who followed his harrowing case, fought for his release and prayed for him. A moving text appeared on the page of the Prophet Foundation he directs: 'Thank you for every prayer, for every Our Father and Hail Mary! For every message or letter sent to the detention centre. Thank you from the bottom of my heart. Every day I felt the strength of your spiritual presence. Thank you, even if this message cannot express the gratitude I have in my heart', he wrote.

Father Olszewski thanked his family, his Dehonian brethren and the collaborators of the Prophet Foundation. But he especially wanted to thank the media. Clearly he had in mind the media who covered his case honestly unlike the *mainstream* media who unleashed a witch hunt against him.

**It is worth mentioning that Father Olszewski's case** concerns the construction of the centre 'Archipelago - Violence-Free Islands' intended to help people in difficult economic situations, socially excluded and victims of violence and crime; a centre that is mainly financed by the Justice Fund managed by the Ministry of Justice. The main accusation levelled by the Public Prosecutor's Office against Father Olszewski is that the Profeto Foundation participated in a competition for a financial contribution from the Ministry of Justice for which it didn't qualify because it had 'too little experience' in running this type of centre; it should be added that no organisation in Poland has such experience, as this is the first project of its kind in the country. The accusation seems all the more absurd considering that the construction of the Archipelago centre is almost complete. The Prosecutors also claim that the foundation run by the priest should never have won the competition for this grant: evidently, in Tusk's Poland, a priest, an ecclesiastical body has no right to obtain state funds.

**During the last four years,** since the launch of the Archipelago project, Father Olszewski has been attacked by the media; in the six months before his arrest, there was already a political campaign against him and the entire Justice Fund project. A lynch mob through the media had issued their condemnation without trial, even before his arrest. The situation was repeated after the priest's release: *Gazeta Wyborcza* ('The Electoral Gazette'), the main anti-clerical and unpatriotic newspaper in Poland, published a false article with false accusations. It was alleged that Father Michał used part of the money received from the Justice Fund for the Prophet Foundation for private expenses: 'Millions were spent on TV production equipment and socks (sic!)', the newspaper claimed. In connection with the article, lawyer Krzysztof Wąsowski, the priest's defender, issued a statement out of respect, as he put it, for *Gazeta Wyborcza* readers who do not deserve to be misinformed, and also because he was concerned about the credibility of

the media quoting the newspaper's false 'revelations'. 'No money from the account of the Prophet Foundation went to the private expenses of Father Michał Olszewski. Credit card payments 'in shops, restaurants, hotels and for tickets (train, plane)' were not connected to the Foundation's bank account,' the lawyer wrote. He also explained the insubstantiality of the accusations related to the 'sock business', which concerns a normal collaboration within the business activities of the Profeto Foundation with the Many Mornings company and has nothing to do with the project implemented by the Profeto Foundation (the Archipelago project).

**On top of all this, something else very serious has happened in the last few days:** the Public Prosecutor's Office would like to deprive Father Olszewski of his defence by putting pressure on lawyer Wąsowski. What is this about? Piotr Woźniak, one of the prosecutors, sent lawyer Wąsowski a letter in which he recalled the decision of the Warsaw Court, by which the judge forbade Father Olszewski, after his release, contact with other 'witnesses' in the case. And Prosecutor Woźniak arbitrarily ruled that lawyer Wąsowski is a witness in these proceedings. In response, the defence lawyer reminded the prosecutor what the law says: 'Defence lawyers (...) cannot be questioned as witnesses. Therefore, no defence lawyer in a given case can be a witness'. Wąsowski also raises another important argument, namely the fact that the National Prosecutor's Office did not question him as a witness before arresting Father Olszewski. 'This action by the Prosecutor's Office reinforces my impression that in this case it was not a matter of obtaining particularly important statements from me as a witness in this investigation, but of excluding me as a defence lawyer in this case,' Wąsowski argues.

**The lawyer considers the prosecutor's letter 'an unprecedented, unauthorised and unjustified interference** in the implementation of the constitutional right to defence. (...) For this reason, I am obliged to notify the contents of our correspondence to the judging panel of the Warsaw Court of Appeal (...), the defence counsel, the Dean of the District Bar Council, the President of the Bar Council, the Ombudsman and relevant national and international institutions'.

**In today's Poland** of Prime Minister Donald Tusk and Minister of Justice, Adam Bodnar, the actions of the Prosecutor's Office attacking the suspect's defence constitute a clear violation of his constitutionally guaranteed human rights because it is an obvious attempt to deprive him of the right to defend himself. Therefore the case of Father Michał Olszewski is a litmus test that will help us understand whether Poland is still a democracy or whether it is veering towards dangerous forms of authoritarianism.