



KOMITET HELSIŃSKI W POLSCE
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POSITION OF THE POLISH HELSINKI COMMITTEE

In light of reports of unwarranted and illegal use between 2000 and 2007 of operating methods violating individual privacy, the Helsinki Committee reiterates that personal freedom from encroachment by the state is the superseding principle and limitations on freedom may occur solely in thoroughly-warranted cases. Operational activities which actual goal is political gain are unacceptable in a democratic state ruled by law.

In particular wiretapping may constitute an unwarranted violation of personal freedom. Control over special services should assured by the requirement of judicial consent for each use of a wiretap. Use of wiretapping in excess of the period for which such consent was granted is impermissible. As such, amendments in the laws regulating police and special service activities are needed to limit their capacity to use wiretapping without judicial consent in urgent cases and in order to reinforce democratic control over activities of the special services.

Similarly, blocking communication between participants of peaceful assemblies through interference is a violation of individual rights and freedoms. Interfering with telecommunication between protesting nurses is tantamount to preventing them from speaking.

We appeal for the public release of information regarding the scale of wiretapping used in Poland in recent years. The public opinion is entitled to an explanation of any uncertainties regarding the legality of wiretapping and interference with telecommunication between protesting nurses.

Warsaw, 20 February 2008

Signed by members of the Polish Helsinki Committee in Poland:

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