

May 29th, 2019

STATEMENT ON THE DEFAMATORY ARTICLE IN THE SUNDAY TIMES ABOUT THE OPEN DIALOGUE FOUNDATION

On April 21, 2019, an article, written by Carlos Alba and Jordan Ryan, was published in the Scottish edition of the Sunday Times newspaper under various titles.¹

The article received wide attention in the Polish pro-government media, both private (Do Rzeczy, wPolityce.pl, niezalezna.pl, Sieci etc.) and state owned (Polish Radio and TVP, including coverage in the main edition of the national news programme, *Wiadomości*, several times during the week following the publication). The topic became the week's top news pushed by the regime media, used as a smokescreen to cover topics inconvenient for the governing party, such as the ongoing teachers' protests, as well as a tool to attack the pro-European opposition² and even the European Commission³.

The narratives used to present the topic differed from outlet to outlet, but the dominant approach of the right-wing media was to claim that the Sunday Times has exposed the "*criminal activities of ODF*" and thus proven the PiS government's accusations and campaign against us. Few outlets noted that there was no proof, just accusations, or that they came not from the ST but quoted so-called report of the Moldovan Parliament⁴ (our full analysis of it here⁵). None of them mentioned that the authors of the piece weren't ST journalists at all, but the owner of a PR agency and a former employee of pro-Brexit portals.

Already back in 2018 independent media in Moldova⁶ and then the US State Department's Deputy Assistant Secretary George Kent⁷ classified the investigation around the Open Dialogue Foundation as "*a form of political pressure initiated by moldovan oligarch Vlad Plahotniuc*".⁸

Serious doubts regarding the reliability of the source of the allegations, as well as the authors, were raised immediately after the publication by Tim Judah of the Economist⁹. In Poland they were only pointed out

¹ <https://www.thetimes.co.uk/edition/scotland/an-edinburgh-flat-a-human-rights-activist-and-the-oligarchs-dirty-money-vzs9htpnt>, <https://www.thetimes.co.uk/edition/scotland/scots-firms-in-26m-laundering-link-to-putin-p9zsjghsn>, <https://www.thetimes.co.uk/edition/news/british-firms-linked-to-dirty-money-used-against-putin-opponents-z7sczkxtz>, as well as in print with the title "*British firms 'linked to dirty money used against Putin opponents'*"

² <https://wiadomosci.tvp.pl/42358226/zwiazki-opozycji-z-fundacja-otwarty-dialog>

³ https://twitter.com/r_czarnecki/status/112023355509039104

⁴ <http://www.parlament.md/LinkClick.aspx?fileticket=BL6OU7TezNI%3d&tabid=86&mid=488&language=ro-RO>

⁵ <https://en.odfoundation.eu/a/8985,moldovan-parliamentary-commission-investigating-odf-open-lies-attacks-on-the-opposition-and-smokescreen-for-the-government-s-eu-funds-fiasco>

⁶ <https://en.odfoundation.eu/a/9264,kozlovskia-case-falling-apart-on-bank-statements-parliament-report-turned-out-to-have-traces-of-shor-s-activity-in-it>

⁷ <https://en.odfoundation.eu/a/9266,the-investigation-around-the-open-dialogue-foundation-is-a-form-of-political-pressure-nm-interview-with-deputy-assistant-secretary-of-the-us-state-department-george-kent>

⁸ <https://en.odfoundation.eu/a/9219,parliament-publishes-secret-report-on-kozlovskia-case-what-do-kazakhstani-bloggers-and-mass-information-media-under-the-control-of-the-democrats-have-to-do-with-this>

⁹ <https://twitter.com/timjudah1/status/1120006769470791680>

by independent media, which just noticed the subject following the media frenzy artificially created by pro-government outlets. The most detailed, investigative piece was published by the leading news portal Onet.pl¹⁰, exposing the low credibility of the sources (which - ironically - have already been dismissed by the Polish foreign ministry¹¹ some 2 months earlier, with the Polish ambassador demanding Poland is not used¹² in Moldova's internal affairs) and the doubtful profiles of the authors. The article also noted that the ST piece *“does not contain any new information”* and that, apart from being based on the Moldovan report, *“it reproduces information from the publication “Dirty cash for Polish Maidan” by the weekly “Sieci” from August 2018”*. “Sieci” is a leading pro-government publication in Poland.

The same was later examined by renowned US journalist Michael Weiss in his investigation of populist propaganda¹³, published in the Daily Beast: *“Last Easter, the Scottish edition of the Sunday Times ran an item about a report published by the Moldovan parliament alleging that the Open Dialogue Foundation, a Warsaw-based NGO focused on democracy promotion in Eastern Europe and Central Asia, took “dirty money” and undermined the integrity of the Moldovan state.*

There was a problem, however—or there should have been.

This exact story had already appeared in Sieci, a Polish right-wing weekly heavily supportive of Jarosław Kaczyński's Law and Justice Party. And the Sunday Times article carried the bylines not of journalists but of two British lobbyists.

Then leading pro-government mouthpieces in Poland such as Gazeta Polska and TV Republika used the fact that this story was now big enough to earn column inches in a major British broadsheet to push for shuttering the troublesome NGO.

Law and Justice, in other words, went overseas to take care of business at home.”

Despite these serious and obvious issues with the ST publication, it was used publicly as an argument by top government and party officials.

Beata Mazurek, the Deputy Speaker of the Sejm (lower chamber of parliament) stated, during a dedicated press conference: *“We know what information was reported by the British daily in relation to Lyudmyla Kozlovskaya. Civic Platform politicians should answer questions about their relations with the Open Dialogue Foundation. I count on them having enough courage.”*¹⁴

Former foreign minister Witold Waszczykowski claimed that *“actions against democratic states should be punished and the Open Dialogue Foundation, run by Lyudmyla Kozlovskaya and Bartosz Kramiec, should be closed”*¹⁵. State-owned Polish Radio, which interviewed the minister, described his comment as related to *“the information of the British Sunday Times daily about the anti-state activities of the foundation”*.

¹⁰ <https://en.odfoundation.eu/a/9224,the-authors-of-the-sunday-times-article-attacking-the-polish-foundation-are-the-head-of-a-pr-agency-and-an-employee-of-portals-supporting-brexite>

¹¹ <https://en.odfoundation.eu/a/9126,mfa-did-not-collaborate-with-the-moldovan-structures-on-the-case-of-odf-the-ministry-responds-to-the-foundation-s-inquiry>

¹² http://newsmaker.md/rus/novosti/povorot-v-dele-kozlovskoy-polsha-potrebovala-ne-vtyagivat-ee-v-predvybornuyu-kampa-40509?fbclid=IwAR1atrPBazpwc8b2bLWd1ZNR0Xlmi53TI81N_W7-jV_Em4onQwwaUy8CnLE

¹³ <https://www.thedailybeast.com/heres-how-the-russia-friendly-far-right-demagogues-of-europe-buy-and-bury-the-press>

¹⁴ <https://wiadomosci.wp.pl/pis-pyta-po-o-powiazania-z-kontrowersyjna-fundacja-otwarty-dialog-6373781862774913a>

¹⁵ <https://polskieradio24.pl/5/1222/Artykul/2299159,Witold-Waszczykowski-o-fundacji-Otwarty-Dialog-powinna-zostac-zawieszona>

Interior minister Joachim Brudziński tweeted in a vulgar and rude way: “Hey hey defenders of European-Kazakh smart-asses wanting to shut down the government, do you know now that you’re *полёзный uduom* [useful idiots]? Do you know that [anti-government protests] are paid with laundered, dirty money? Little Lyudmyla and her tolerant husband likely won’t get a Nobel prize”.¹⁶

Law and Justice MEP Jacek Saryusz-Wolski said: “The financing sources are not only Moldovan-Kazakhstani, but already earlier there were talks of the foundation being financed by oligarchs linked to the Kremlin. Now this information is being confirmed by British media.”¹⁷

MP and former deputy justice minister Patryk Jaki used the article to attack his opponent in the European elections, Civic Platform MEP Róża Thun: “It turns out that my main opponent in these elections, Róża Thun, numerous times defended a foundation that – as British media write – is [a cover for] Russian agents.”¹⁸

Law and Justice MEP Ryszard Czarnecki directly attacked European Commission First Vice-President Frans Timmermans, saying “The Times, and all is clear... Have a good read commissioner Timmermans - you look best in photos with Lyudmyla K.”¹⁹

Apart from numerous interviews and press conferences, PiS authorities went as far as to include the issue in the proceedings of two parliamentary committees, the EU Affairs Committee²⁰ and the Special Services Committee²¹, citing “new information from the Sunday Times” and quoting the so-called report of the Moldovan parliament, while at the same time not providing the text of report to any of the committee members. Opposition MPs Marcin Świącicki and Agnieszka Pomaska heavily criticised²² the handling of this matter by the committees, including the last-minute addition to the agenda and not enough time given to the opposition to express their objections.

The Open Dialogue Foundation – being an NGO supporting democracy and the rule of law – currently stands in opposition to the ruling Law & Justice party, which violates those principles. It is therefore shameful that the party was given this tool to further persecute our organisation and justify their past actions against ODF²³ and the rule of law in general (such as the unlawful expulsion²⁴ of ODF President Lyudmyla Kozlovska, criticised by numerous Members of the European Parliament²⁵, in a petition²⁶ initiated by former president Lech Wałęsa and by numerous news outlets²⁷).

¹⁶ <https://twitter.com/jbrudzinski/status/1120385231717064704>

¹⁷ <https://wiadomosci.wp.pl/saryusz-wolski-ostrzegalem-europoslow-przed-fundacja-otwarty-dialog-637377010554561a>

¹⁸ <https://wiadomosci.dziennik.pl/polityka/artykuly/596431,fundacja-otwarty-dialog-ludmyla-kozlovska-roza-thun-patryk-jaki.html>

¹⁹ https://twitter.com/r_czarnecki/status/1120233555509039104

²⁰ <https://wiadomosci.onet.pl/kraj/wiceszef-msz-aktywnosc-fundacji-otwarty-dialog-wpisuje-sie-w-rosyjskie-dzialania/pq9l73q>

²¹ <https://niezalezna.pl/269094-szef-abw-zeznawal-przed-komisja-o-fundacji-otwarty-dialog-bo-pojawily-sie-nowe-informacje>

²² <http://www.sejm.gov.pl/sejm8.nsf/biuletyn.xsp?documentId=F2C0CF3B97DA1D6EC12583F3004A22AA>

²³ <https://en.odfoundation.eu/a/9096,law-and-justice-s-campaign-against-the-open-dialogue-foundation>

²⁴ <https://en.odfoundation.eu/a/8984,the-lyudmyla-kozlovska-case-timeline-updated>

²⁵ <https://www.sophieintveld.eu/letter-to-the-commission-on-the-use-of-the-sis-in-the-case-of-ms-kozlovska/>

²⁶ <https://www.change.org/p/politicians-and-governments-of-eu-member-states-bringerback-to-the-eu>

²⁷ https://www.washingtonpost.com/gdpr-consent/?destination=%2fnews%2fdemocracy-post%2fwp%2f2018%2f08%2f17%2fthe-polish-government-expels-a-critic-and-sets-an-ominous-precedent-for-the-european-union%2f%3ftm_term%3d.6c595a8d3f65&utm_term=.e3f50c481901

We invite everyone to study independent sources reporting on the matter, such as the mentioned Onet.pl article²⁸, a summary of the events²⁹ written by the Chair of ODF's board Bartosz Kramek for leading Polish daily Gazeta Wyborcza, as well as independent reports about the Moldovan parliamentary commission itself (e.g. Open Democracy³⁰ or Moldova.org³¹ in English, or NewsMaker³², JurnalTV³³ & TV8³⁴ in Russian).

In the meantime, the Foundation is considering legal steps against the authors and the Sunday Times, which shamefully let itself be used for the benefit of Moldovan and Polish regimes.

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²⁸ <https://en.odfoundation.eu/a/9224,the-authors-of-the-sunday-times-article-attacking-the-polish-foundation-are-the-head-of-a-pr-agency-and-an-employee-of-portals-supporting-brexit>

²⁹ <https://en.odfoundation.eu/a/9238,bartosz-kramek-for-gazeta-wyborcza-pis-moldova-a-common-issue>

³⁰ <https://www.opendemocracy.net/en/odr/in-pre-election-move-moldova-takes-aim-at-pro-european-ngo/>

³¹ <https://www.moldova.org/en/outline-open-dialog-scandal-pas-dtpp-gunsight-moldovan-parliament/>

³² <http://newsmaker.md/rus/novosti/diversiya-izmena-rodine-shpionazh-v-chem-obvinyaet-moldavskuyu-oppozitsiyu-komissi-40146>

³³ <http://www.jurnal.md/ro/news/09378b14dc01db65/presedinta-open-dialog-apel-catre-societatea-rm-aparati-opozitia-si-valorile-democratice-regimul-plahotniuc-e-in-agonie.html>

³⁴ <http://tv8.md/2018/11/16/video-interviu-cu-lyudmyla-kozlovska-presedinta-fundatiei-open-dialog-comenteaza-acuzatiile-care-i-se-aduc-in-raportul-comisiei-parlamentare/>