

Poland Hate Crime Report 2021

Information contained in this report was compiled as part of ODIHR's 2021 Hate Crime Report.

For more information, including on previous years' reporting, please visit: hatecrime.osce.org/poland

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

Summary

Poland regularly reports hate crime data to ODIHR. Several public bodies are involved in monitoring and/or collecting data on hate crimes, primarily the police and the Prosecutor's Office. Hate crime data are regularly published.

There is a high degree of hate crime specialization in both police and prosecutor structures. More than 100 specialist hate crime prosecutors have been appointed, and a network of hate crime co-ordinators was established in the police in 2014. In 2015, following a request by the lower house of parliament, ODIHR provided a [legislative review](#) of proposed changes to the Criminal Code of Poland, including on hate crime provisions.

Poland has implemented ODIHR's Training Against Hate Crime for Law Enforcement ([TAHCLE](#)) programme since 2012. In 2018, the Ministry of the Interior, ODIHR and the EU Fundamental Rights Agency co-organized a workshop on understanding and improving hate crime recording and data collection based on ODIHR's Information Against Hate Crimes Toolkit ([INFAHCT](#)) programme. Poland also developed and piloted a methodology for conducting victimization surveys as part of ODIHR's project on "[Building a Comprehensive Criminal Justice Response to Hate Crime](#)". In 2019, ODIHR co-operated with the Commissioner for Human Rights in Poland to issue a [report](#) on the nature and scale of unreported hate crimes against members of selected communities in Poland.

[Hate crime data collection in Poland](#)

[Support for hate crime victims in Poland](#)

[Hate crime capacity building in Poland](#)

[Poland's hate crime legislation](#)

ODIHR's Key Observation

ODIHR recognizes Poland's past efforts to train police on hate crimes through ODIHR's TAHCLE programme and to report hate crime data to ODIHR each year. However, based on the available information, it observes that Poland's hate crime recording and statistics do not sufficiently distinguish hate crimes from other crimes. In addition, ODIHR observes that

Poland would benefit from reviewing its existing legal framework to ensure that bias motivations can be effectively acknowledged and appropriate penalties can be imposed on the perpetrators.

Official Data

The police records represent the number of proceedings initiated by police for hate crimes cases in 2021, including proceedings that were later discontinued owing to a lack of evidence. The records on prosecuted hate crimes include cases that culminated in a bill of indictment, submissions to courts based on a guilty plea, submissions to courts for the conditional discharge of a penalty, and submissions to courts to discontinue proceedings owing to the perpetrator's reduced culpability on mental health grounds. The records on sentenced hate crimes represent the number of persons convicted in the first instance before district and regional courts. All records may include cases of discrimination or hate speech, which fall outside of the OSCE's definition of hate crime.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2021	997	466	339

Police data by bias motivation

The numbers presented here refer to police investigations that were initiated as hate crimes. Most incidents of hate speech, which fall outside of the OSCE's definition of hate crime, were not included.

231

Racist and xenophobic hate crime

The number under "Unspecified" includes 39 offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code), 159 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), 11 offences of public incitement to a crime (Sections 125 and 126a of the Criminal Code), one offence of coercion (Section 191 of the Criminal Code), and one offence of influencing a witness (Section 245 of the Criminal Code).

89

Anti-Semitic hate crime

The number under "Unspecified" includes five offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code), 67 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), and 12 offences of incitement to a crime (Sections 126a and 255 of the Criminal Code).

62

Anti-Muslim hate crime

The number under "Unspecified" includes six offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code), 44 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), and 11 offences of incitement to a crime (Sections 126a and 255 of the Criminal Code).

51

Other hate crime based on religion or belief

The number under "Unspecified" includes 20 offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code), 24 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), and four offences of incitement to a crime (Sections 126a and 255 of the Criminal Code).

21

Anti-Roma hate crime

The number under "Unspecified" includes two offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code) and 18 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code).

11

Anti-LGBTI hate crime

All hate crimes in this category were motivated by bias against sexual orientation. The number under "Unspecified" includes four offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), and six offences of incitement to a crime (Section 255 of the Criminal Code).

10

Anti-Christian hate crime

The number under "Unspecified" includes one offence of racist or xenophobic violence or threats (Section 119 of the Criminal Code), and eight offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code).

3

Gender-based hate crime

The three “Unspecified” cases were classified as offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code).

Police data by type of crime

The numbers presented here refer to police investigations that were initiated as hate crimes. Most incidents of hate speech, which fall outside of the OSCE's definition of hate crime, were not included.

446

Unspecified

The "Unspecified" category consists of offences not included under other categories and may include hate speech offences, which fall outside of the OSCE's definition of hate crime.

22

Threats/ threatening behaviour

8

Physical assault

1

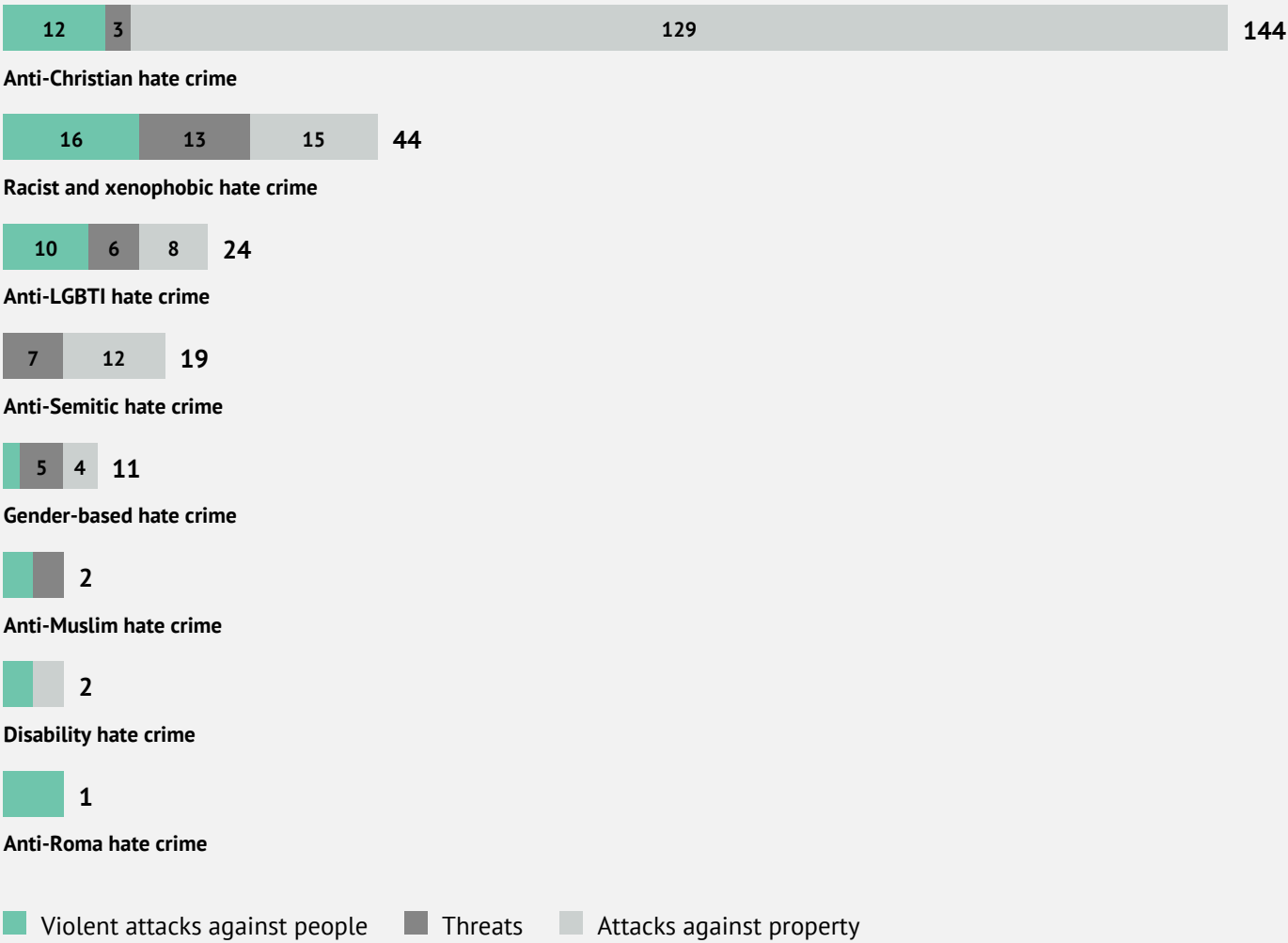
Incitement to violence

1

Theft/ robbery

Incidents reported by civil society

Total 230 incidents



Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.