



OPEN DIALOGUE

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HATE CRIMES IN POLAND

IN 2018
SELECTED CASES



The Open Dialogue Foundation (ODF) was established in Poland in 2009 on the initiative of Ukrainian student and civic activist Lyudmyla Kozlovska (who currently serves as President of the Foundation). Since its founding, [statutory objectives](#) of the Foundation include the protection of human rights, democracy and the rule of law in the post-Soviet area. The Foundation originally focused its attention primarily on Kazakhstan, Russia, Ukraine and – since 2016 – Moldova, but this area of interest was expanded in July 2017 due to the rapidly deteriorating situation in Poland and other EU member states affected by illiberal policies implemented by their populist governments.

ODF pursues its goals through the organisation of observation missions, monitoring especially individual human rights' violation cases. It also advocates for international legislation better serving human rights, such as the Magnitsky Act or the adding of conditionality clauses to EU & international financial assistance programmes directed at non-democratic states and hybrid regimes. The Foundation also has extensive experience in the field of protection of the rights of political prisoners and refugees.

Based on its work, ODF publishes [analytical reports](#) and distributes them among EU institutions, OSCE, Council of Europe, the UN, other human rights organisations, foreign ministries and parliaments, as well as the media. It is actively engaged in cooperation with members of parliaments involved in foreign affairs, human rights and relations with monitored third countries.

ODF advocates for the [reform of Interpol](#) and - more recently - the Schengen Information System (SIS), preventing their mechanisms from being used by authoritarian and hybrid regimes to persecute their opponents.

In 2013/14 the Foundation organised a mission to support Ukrainian civil society in their struggle for European integration during [the Revolution of Dignity](#) in Kyiv's Maidan square. Following the Russian aggression in 2014, ODF's [humanitarian aid programme](#) started on Maidan, was expanded to help those affected by the occupation of Crimea and the war in the East of Ukraine. From 2014 to 2016, ODF run a large support centre in Warsaw under the name "[Ukrainian World](#)", offering everyday life assistance for migrants and fostering Polish-Ukrainian integration.

The Foundation has its permanent representative offices in Warsaw and Brussels.

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Table of contents:

1. INTRODUCTION 4

2. CRIMES BASED ON RACISM AND NATIONALISM..... 4

3. CRIMES BASED ON ANTISEMITISM..... 8

4. CRIMES BASED ON HOMOPHOBIA 9

5. CRIMES BASED ON NATIONALISM..... 10

6. RECOMMENDATIONS..... 11

1. INTRODUCTION

According to the analysis of the Ministry of Justice, in the first half of 2018, 890 cases of hate crimes were reported to Polish law enforcement agencies.

"Over 31% concern an insult to a group or a person. 30% of cases concern the public propagation of fascism and totalitarianism, over 20% – violence and 3% – offense of religious feelings. The least percent concerns fights and battery. Most crimes were committed using the Internet. There were a lot of cases concerning verbal threats against a person and racist graffiti on walls, buildings or fences. The least number of cases was related to demonstrations, assemblies, rallies, book and press publications and the behaviour of fans and sportsmen."¹

Unfortunately, not all criminal acts motivated by racial, xenophobic, homophobic hatred, etc., are reported to law enforcement authorities. Below we present some cases of hate crimes, the details of which can also be found in media reports in 2018. For simplicity, cases have been divided into appropriate categories.

2. CRIMES BASED ON RACISM AND NATIONALISM

3 January 2018, Warsaw: attack on a dark-skinned girl²

The attack took place in the afternoon. The girl was attacked by an unidentified man who beat her shouting "Poland for Poles!" As a result of her injuries, the girl was taken to hospital.

The child's father filed a notification of this event to the police.

Current status of the case: UNKNOWN

6 January 2018, Wrocław: attack on an Indian³

Three drunken men accosted a man with a dark skin. They wanted to throw him into the canal under Dominikański Square. **Despite the presence of many other witnesses to the incident, only one Pole reacted** and got into a fight with the attackers. As a result the fight, the Pole complained of a hurt hand. The Indian was not hurt.

The police detained the perpetrators of the incident and undertook investigative actions.

Current status of the case: UNKNOWN

16 February 2018, Warsaw: battery of citizens of Ukraine

The incident occurred in a city bus boarded by two Ukrainian citizens. Soon afterwards, "one of them was punched by some man. When the bus started, the same man came up to the Ukrainians and attacked them, striking one of them in the head with his fist and publicly insulting the men for their nationality. When the bus stopped, the perpetrator fled. An ambulance was brought to the place and transported the injured Ukrainians to hospital."⁴

¹ <https://www.rp.pl/Prawo-karne/304169927-Co-Ministerstwo-Sprawiedliwosci-robi-z-mowa-nienawisci.html>

² <http://www.otwarta.org/rasistowski-atak-na-14-latke/>

³ <http://wiadomosci.gazeta.pl/wiadomosci/7,114883,22866352,atak-we-wroclawiu-za-kolor-skory-chcieli-wrzucic-czlowieka.html>

⁴ https://fakty.interia.pl/polska/news-warszawa-dwaj-ukraincy-zaatakowani-w-autobusie,nId,2547891#utm_source=paste&utm_medium=paste&utm_campaign=firefox

In the course of the police investigation, after securing the video surveillance recordings and the testimonies of witnesses, the attacker's personal details were determined. The evidence was forwarded to the prosecutor's office. **Charges of hooliganism with nationalist motivation were brought against the attacker.**

Current status of the case: UNKNOWN

23 January 2018, Gdańsk: attack on a citizen of Mongolia

A citizen of Mongolia was attacked on a tram in Gdansk. The attacker first looked at the foreigner and then shouted: "Get the f..k out of our country."⁵ A fight started. Both men left the tram at the next stop. The attacked foreigner defended himself so effectively that the perpetrator ran away.

The assault was reported to the police, who published an image of the attacker in order to determine the man's personal details.

Current status of the case: UNKNOWN

6 March 2018, Wrocław: battery of Serhiy from Ukraine⁶

A young Ukrainian noticed two vandals destroying the door of a stairwell. He tried to stop them. In response, he was beaten and verbally assaulted. The attackers insulted him in relation to his nationality.

Serhiy reported the battery to the police.

Current status of the case: UNKNOWN

19 March 2018, Warsaw: the insulting of a Moroccan⁷

In a store in Warsaw, a Moroccan – the store security agent – was insulted by a young man who shouted hateful slogans insulting the Moroccan because of his racial affiliation. The man also threatened him.

In the course of the prosecutor's investigation, it was established that the young man had committed two crimes: publicly insulting the Moroccan and directing criminal threats against him due to his racial affiliation.

Current status of the case: **The district prosecutor imposed police surveillance on the assailant and ordered him not to contact the aggrieved party.**

16 April 2018, Czechowice-Dziedzice: battery of a citizen of Algeria⁸

The man was attacked by two men who beat and kicked him and shouted offensive slogans in connection with his nationality. The attackers were frightened by a passing woman who, seeing the incident, started using her car horn.

The woman took the Algerian to a nearby police station, where the crime was reported and the description of both perpetrators was given. The police appealed to the residents of Czechowice-Dziedzice for help in establishing the personal details of both perpetrators.

Current status of the case: UNKNOWN

⁵ <http://trojmiasto.wyborcza.pl/trojmiasto/7,35612,23063031,rasistowski-atak-w-gdanskim-tramwaju-policja-publikuje-zdjecie.html>

⁶ <http://wroclaw.wyborcza.pl/wroclaw/7,35771,23105428,ukraincu-je-ny-wyp-aj-z-polski-wandale-pobili-ukrainca.html>

⁷ <http://warszawa.eska.pl/newsy/praga-polnoc-rasistowski-atak-w-sklepie/702057>

⁸ <https://dziennikzachodni.pl/pobicie-algierczyka-w-czechowicachdziedzicach-napastnicy-krzyczeli-rasistowskie-hasla-policja-szuka-sprawcow/ar/13098302>

13 May 2018, Warsaw: battery of a citizen of Egypt⁹

An Egyptian citizen, the owner of a restaurant, was attacked by two men – clients of his restaurant – when he asked them not to drink alcohol. One of the men began to hit him with a metal stick. A moment later, the second man also started beating the Egyptian. The foreigner was beaten and kicked all over his body. The men also broke the glass window in the restaurant. They were accompanied by a woman who shouted comments of a nationalistic nature.

The police managed to identify the attackers. They were detained and the Warsaw Prosecutor's Office took over the case. Investigators presented the woman with **a charge of public insults due to national or ethnic affiliation**. The prosecutor applied police supervision to her. The men were charged with battery of the Egyptian. One of the men will possibly answer criminally for battery with the use of a dangerous implement, threatening with death and property damage. Both men were detained under arrest.

Current status of the case: UNKNOWN

25/26 May 2018: attack on Austrians and Germans¹⁰

A 19-year-old man from Austria and his colleagues were attacked and beaten because they spoke German. Four assailants, one of whom shouted that when in Poland one must speak Polish, beat the foreigners' faces and kicked them as they lay on the ground. The attacked young men managed to escape to a nearby store.

The Metropolitan Police has made investigations into this matter.

Current status of the case: UNKNOWN

15 July 2018, Wrocław: battery of a Korean woman¹¹

A South Korean citizen was hit in the face and offended with the words "You f****ng Chinese." The city guard patrol chased the attacker, detained him and handed him over to the police.

The man was charged with assault motivated by racial prejudice.

Current status of the case: UNKNOWN

20 August 2018, Poznań: attack on a citizen of Bangladesh¹²

The owner of a kebab booth was insulted verbally by a 26-year-old inhabitant of Poznań. He was called "a black pig" and "a black monkey".

Thanks to recordings from city video surveillance, the police established the personal details of the man, who pleaded guilty and expressed the will to accept punishment without trial.

Current status of the case: UNKNOWN

⁹ <http://warszawa.wyborcza.pl/warszawa/7,54420,23433879,pobili-egipcjanina-bo-zwrocil-im-uwage-siedza-w-areszcie.html>

¹⁰ <http://www.otwarta.org/napadli-na-niemcow-i-austriaka-krzydzeli-w-polsce-mowi-sie-po-polsku/>

¹¹ <http://www.otwarta.org/wiezienie-za-pobicie-koreanki/>

¹² <http://poznan.wyborcza.pl/poznan/7,36001,23830583,rasista-w-barze-z-kebabem-nazwal-wlasciciela-czarna-malpa.html>

9 September 2018, Rawicz: attack on a citizen of Belarus¹³

A 23-year-old citizen of Belarus was attacked by three people. Two boys aged 16 and 17 and a 46-year-old woman verbally assaulted him, told him to return to his country, and shouted "Poland for Poles." The Belarusian was beaten and kicked.

In the course of activities carried out by the police, it was established that at the time of the incident, all participants in the incident, including the Belarusian, were under the influence of alcohol. The 16-year-old **was to be sued for battery in a family court** and the 17-years-old **was put under police supervision**. In the case of the woman, the court was to examine the request of the prosecutor's office for her detention on remand in connection with the fact that she had committed the offense as a recidivist.

Current status of the case: UNKNOWN

18 October 2018, Lublin: attack on Hodo H., a citizen of Albania

A resident of Lublin, Zbigniew Ł., approached an Albanian talking on the phone. "The stranger spat on him, insulted him, threatened him with death and ordered him to leave Poland. Everything took place at the Lublin bus station. **People watched, recorded the event on their mobile phones, and even encouraged him**. Zbigniew Ł. punched the Albanian in the head, the chest and knee several times. Then he ran away."¹⁴

Hodo H. reported the incident to the police and the embassy of Albania.

In January 2019, the case went to the District Court in Lublin. The perpetrator is accused of **attacking a foreigner in connection with his national and racial affiliation**.

Current status of the case: UNKNOWN

18 November 2018, Zabrze: attack on Oleg from Ukraine¹⁵

A 28-year-old Ukrainian citizen was attacked in a shopping mall by three men. They all were athletic, had very short hair and were of so-called "football fan" type. The event was registered by video surveillance.

As a result of the battery, Oleg required medical assistance and was hospitalised. The police published photos from the video surveillance and appealed to the inhabitants of Zabrze for help in identifying the attackers in order to establish their personal details and the motive of the assault.

Current status of the case: UNKNOWN

16 December 2018, Warsaw: battery of Efe Türkel, a citizen of Turkey¹⁶

Efe was attacked on a city bus by five fans of a local football club. The men did not like the fact that Efe was talking with his colleague in Turkish. At first, they used the insult "Ragheads, get the f**k out of here," and sang racist chants. Then, one of the attackers struck Efe in the face. **None of the passengers reacted to this act of violence**. The Turk reported the incident to the bus driver, who pressed a special red alarm button, which is supposed to result in the appearance of a police patrol. Unfortunately, **police officers did not show up at the scene**. The attackers escaped at the next stop.

¹³ https://poznan.onet.pl/rawicz-rasistowski-napad-na-bialorusina/99lmsy2?utm_source=poznan_viasg&utm_medium=nitro&utm_campaign=allonet_nitro_new&srcc=ucs&utm_v=2

¹⁴ <https://kurierlubelski.pl/atak-na-cudzoziemca-na-dworcu-pks-ofiary-nienawisci-czesto-milcza-bo-boja-sie-odwetu-w-sadzie-jest-akt-oskarzenia/ar/13877889>

¹⁵ <http://zabrze.naszemiasto.pl/artukul/pobicie-28-letniego-obywatela-ukrainy-w-galerii,5096651,artgal,t,id,tm.html>

¹⁶ <http://warszawa.wyborcza.pl/warszawa/7,54420,24283418,rasistowski-atak-w-autobusie-turek-z-warszawy-pobity-przez.html>

Efe Türkel tried to report an attack to the police four times. He was sent from one police station to another. The officers said they did not have time to deal with his case. During the last attempt to report the crime, Efe asked the officer to test him with the breathalyser and make a note that neither he nor his colleague were under the influence of alcohol. He wanted to protect himself in this way in case the perpetrators claimed in the future that the Turks had been drunk and had started a fight in the bus. **Reluctantly, the officer tested the men with a breathalyser and made a note stating they were sober.**

Unable to elicit action from the police, Efe Türkel described the matter on social media, asking potential witnesses to help target the attackers. It was only then that the police got interested in the case and called him to give notice and testimony.

Current status of the case: UNKNOWN

3. CRIMES BASED ON ANTISEMITISM

13 September 2018, Warszawa: attack on rabbi Boaz Pash i Abp. Grzegorz Ryś

The *Gazeta Warszawska* portal published an antisemitic article¹⁷ in connection with information posted a day earlier on *GOŚĆ.PL Lubelski's* website regarding the participation of Abp. Grzegorz Ryś and rabbi Boaz Pash from Jerusalem in the debate on "Breakthrough in Judaism and Christianity". The article in *Gazeta Warszawska's* reads: "This bastard must not be tolerated, unless the fate of Poland is indifferent to us (...) Club those two toughs."

This **manifestation of incitement to hatred** was reported to the Lublin-Południe District Prosecutor's Office, which deals with hate crimes.

This was not the first attack by *Gazeta Warszawska*, which is known for antisemitic reports on Abp. Ryś. On 28 August 2018, after his speech during the celebration of the 74th anniversary of the liquidation of the Łódź ghetto, the portal published a note in which it declared the excommunication of Abp. Ryś and warned the readers and intimidated them: "Any form of pastoral contact between the faithful and the ex-communicated – with a former priest – is punishable by exclusion," reads the note.¹⁸

"The day after the debate, more controversial content was published on the *Gazeta Warszawska* portal. The author of the article entitled 'Rabbi Boaz Pash must die' stated that the rabbi, through his presence in the basilica, wanted to 'hit Jesus Christ the Lord in the face. If rabbi Boaz Pash crosses the threshold of the Basilica as a sacred Jew, he must be executed at the will of God, the Highest Father in the Holy Trinity,' reads the text, which is signed with no name. As in the case of every article on the *Gazeta Warszawska* website, it is signed by the 'editorial office' instead of names."¹⁹

It is not known who is behind *Gazeta Warszawska*. The site is registered abroad. The prosecutor's office announced actions to determine the identities of the authors of explicitly antisemitic content that incites hatred and crime.

Current status of the case: the prosecutor's investigation started on 5 October 2018, in connection with **public provocation to commit the crime of depriving rabbi Pash of his life and publicly insulting the rabbi and Abp. Ryś in connection with their national and religious affiliation. It is not known whether the prosecutor's investigation led to the identification of persons related to the newspaper.**

¹⁷ <https://gazetawarszawska.com/index.php/pugnae/1931-benito-mussolini-doktryna-polityczna-faszyzmu>

¹⁸ <https://gazetawarszawska.com/index.php/video/1879-hanba-polskich-podcieraczy-74-rocznica-likwidacji-litzmannstadt-ghetto-cmentarz-zydowski-lodz-2018>

¹⁹ <http://lublin.wyborcza.pl/lublin/7,48724,24288290,wypalowac-tych-bandziorow-antysemicki-atak-na-arcybiskupa.html>

19 September 2018, Gdańsk Wrzeszcz: attack on a synagogue²⁰

During the feast of Yom Kippur, an unknown perpetrator cast a large stone through a window into a synagogue in Gdańsk Wrzeszcz. The stone fell into the vestibule, in which women and children were praying. Nobody was hurt.

The police, the prosecutor and an investigative group appeared at the scene of the attack, secured the place of the incident and carried out investigative measures. Two days later the perpetrator was arrested.²¹

In the course of the investigation it was determined that the perpetrator had committed an act against freedom of conscience and religion to the detriment of the Roman Catholic parish several months earlier. It was determined that the man suffers from mental disorders. Due to the presumption of the possibility of committing another crime of a similar nature, in September 2019 he was detained for a period of three months.

Current status of the case: UNKNOWN

4. CRIMES BASED ON HOMOPHOBIA

1 January 2018, Bydgoszcz: attack on Kosma Kołodziej

Kosma Kołodziej is a Polish activist involved in LGBT movements and pro-democratic activities. The man was attacked at the Railway Station. "Three men surrounded me. Two of them had faces covered with balaclavas. 'You have to stop with these gay demonstrations in Bydgoszcz, because gays are not welcome here. Do you think that if you cover your face, we will not get you? We know which paths you use,'"²² the young man reported. **In the end, they warned Kosma to watch his back, because their next meeting would end much worse for him.**

No passersby stood up for Kosma. He called the police himself. Initially, he was put transferred from one police station to another. Then he heard that the police did not have time to deal with his case and asked him to come report the next day. The next day, **the policeman interrogating him treated him in a gruff way, was unkind, did not want to identify himself and refused to accept the report of the assault citing a lack of grounds. After intervening with the superiors of the officer, his case was dealt with due seriousness and respect.**

The police undertook actions explaining the circumstances of the incident in order to apply to the prosecutor's office for commencement of proceedings towards the use of punishable threats.

Current status of the case: UNKNOWN

1 September 2018, Szczecin: disruption of the "rainbow picnic"²³

Participants in an assembly connected with the LGBT community were attacked by several young men who insulted them verbally and destroyed colourful picnic decorations. Members of the *Equality on Wave Association* and *Lambda Szczecin* described the attackers as representatives of radical right-wing movements hostile to sexual minorities. The entire event was captured on a video later submitted to the police.

²⁰ <http://trojmiasto.wyborcza.pl/trojmiasto/7,35612,23943193,atak-na-synagoge-w-gdansk-w-trakcie-swietajom-kipur.html>

²¹ <https://dziennikbaltycki.pl/atak-na-synagoge-w-gdansk-zatrzymane-uslyszal-zarzuty-okazalo-sie-ze-jest-chory-psychicznie/ar/13514619>

²² <http://bydgoszcz.wyborcza.pl/bydgoszcz/7,48722,22859046,spier-ze-swoimi-pedalskimi-demonstracjami-w-kominiarkach.html>

²³ <https://www.tvn24.pl/szczecin-pierwszy-zatrzymany-w-sprawie-zaklozenia-teczowego-pikniku,866218,s.html>

Based on the good quality recordings from the incident, the police managed to determine the identity of **just one attacker**, who was charged with disrupting a legal assembly and property damage. An application was filed with the prosecutor for suspected hate crimes.

Current status of the case: UNKNOWN

5. CRIMES BASED ON NATIONALISM

15 January 2018, Częstochowa: attack on members of Democrats of the Republic of Poland Association (Democrats of the RP) and the Citizens of the Republic of Poland (Citizens of the RP)

"On January 15, during a pilgrimage of football fans to Jasna Góra, just before the flares were fired by them, a dozen or so people from the Citizens of the RP and the Democrats of the RP stood against a banner exposed by football fans on the monastery wall depicting the Celtic cross and the slogan 'White United'. In silence, the activists took out their own banners with the inscriptions 'Christianity is not hatred', 'My homeland is humanity' and 'Here are the limits of decency'. A group of football fans started shouting: 'Say something!', 'You do not have the courage!'. After a while they threw smoke candles in the direction of the silent activists and fired flares. At one point, there raised a chorus of voices shouting 'Provocation!' and one of the attackers holding a burning flare set fire to the banner of the activists. The second banner was taken from one of the women by force."²⁴

17 January 2018, preparatory proceedings were initiated under Art. 190 of the Criminal Code, referring to the use of criminal threats. Evidence was collected, witnesses were questioned to determine the details of the incident. Also "on January 17, the Municipal Police Headquarters in Częstochowa presented a version of the events in a special statement, indicating that **the attacked persons provoked the attack by moving their protest from the urban area to the monastery grounds. That is – they were guilty of being attacked.** And contrary to the claims of the activists regarding the lack of police officers on the spot, the command claimed that it was officers who had helped the attacked activists safely leave the monastery grounds."²⁵

The police also claimed that the evidence provided by the attacked persons was not sufficient, vague and that it was difficult to determine anything from it. "**I provided CDs with photos and recordings of assault on our group in person. At least two photos identify the perpetrators. What's more, we've established the name of one of them ourselves. He is a man who in Katowice participated in hanging portraits of MEPs from the Civic Platform on gallows,**" said one of the attacked activists.²⁶

Current status of the case: UNKNOWN

2 March 2018, Kraków: attack on Diego Andero Bottero, a guide at Auschwitz

"The victim of the assault is an Italian citizen who has been living in Kraków for many years, a researcher of the history of the Holocaust and a guide, including to the extermination camp at Auschwitz."²⁷ When he returned home from work, he saw the Star of David and the inscriptions 'Poland for Poles' and 'Auschwitz for Polish guides!' painted on the wall next to the entrance door to his apartment.

Diego Andero Bottero filed a police notice. The police initiated proceedings in his case, which was classified as **damage to property and incitement to hatred based on nationality.**

Current status of the case: UNKNOWN

²⁴ <http://www.otwarta.org/przedluzone-sledztwo-w-sprawie-ataku-kiboli-na-demokratyczna-rp-i-obywateli-rp/>

²⁵ <http://czestochowa.wyborcza.pl/czestochowa/7,89625,23197575,po-ataku-kiboli-na-jasnej-gorze-policja-nie-dostrzegla-mowy.html>

²⁶ <http://czestochowa.wyborcza.pl/czestochowa/7,89625,23197575,po-ataku-kiboli-na-jasnej-gorze-policja-nie-dostrzegla-mowy.html>

²⁷ <http://krakow.wyborcza.pl/krakow/7,44425,23094164,napisy-polska-dla-polakow-i-auswitz-for-poland-guide-na.html>

6. RECOMMENDATIONS

- *Ex officio* pursuit of the crimes and behaviours which bear the hallmarks of hatred based on race, nationality, homophobia, xenophobia, religion, etc.
- Introducing changes to the law that would more specifically define behaviours that could be subject to criminal proceedings in cases of violations of the rights of members of various minorities.
- Strengthening the law for hate crimes committed on the Internet and increasing funds for teams monitoring and detecting cyberviolence motivated by racial, homophobic, xenophobic and other prejudice.
- Influencing web administrators to more closely monitor the content of their websites and requiring them to counteract hateful content that may later result in a hate crime and to unwaveringly inform law enforcement agencies of incitement to hate crimes on their websites.
- Initiating intensified social campaigns that increase sensitivity to minority problems and raise the awareness of the need to react in situations of contact with acts of attacks on members of minorities or victims of hate crimes.
- Improving the activities of local police units and prosecutors, which would lead to eliminating the slowness of proceedings and ensuring the availability of interpreters in such institutions due to the increasingly cosmopolitan nature of Polish society and its national and linguistic diversity to simplify the contact with victims of hate speech who do not speak Polish.