OSCE ODIHR
HATE CRIME REPORTING

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

1 2021

Summary

Poland regularly reports hate crime data to ODIHR. Several public bodies – including the Police and the Prosecutor's Office – are involved in hate crime monitoring and/or data collection. 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 within 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 hate crime provisions.

In 2023, Polish police participated in a three-day train-the-trainer workshop as part of ODIHR's Training Against Hate Crime for Law Enforcement (TAHCLE). 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. 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. In 2016, Polish prosecutors participated in a three-day train-the-trainer workshop as part of ODIHR's Prosecutors and Hate Crime (PAHCT) programme.

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.



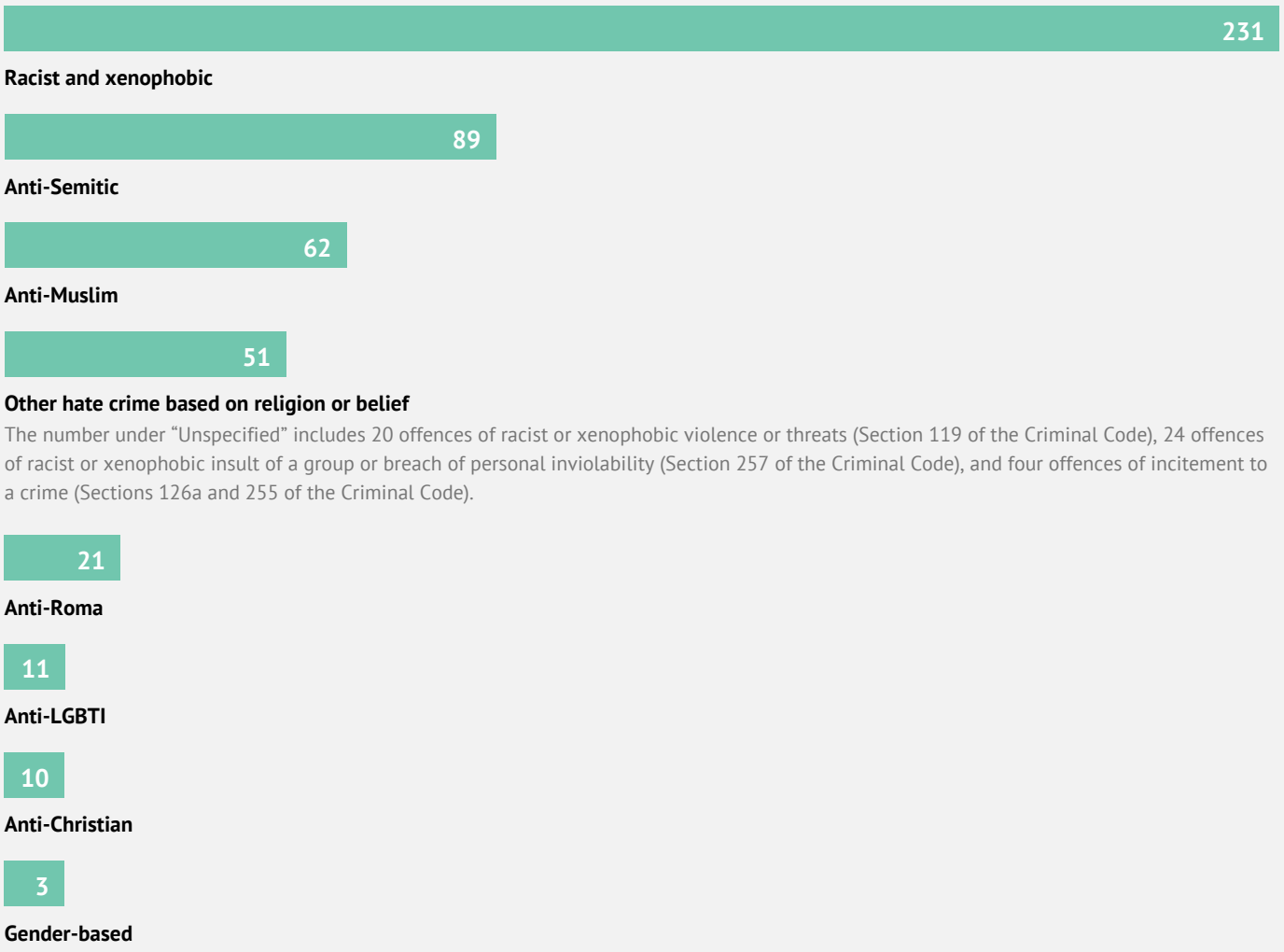
Official Data

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.



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).

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.



Unspecified crime type

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

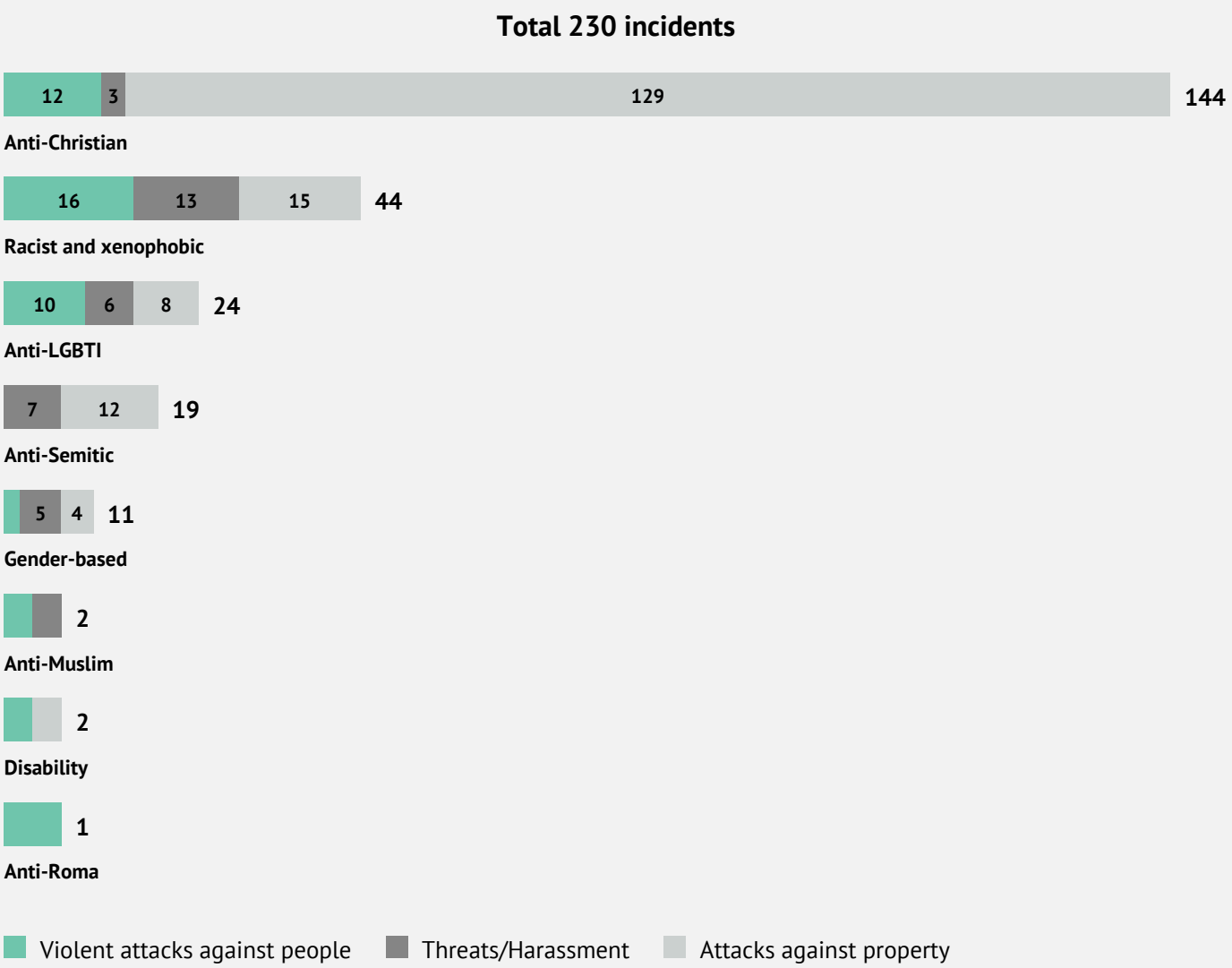
1

Incitement to violence

1

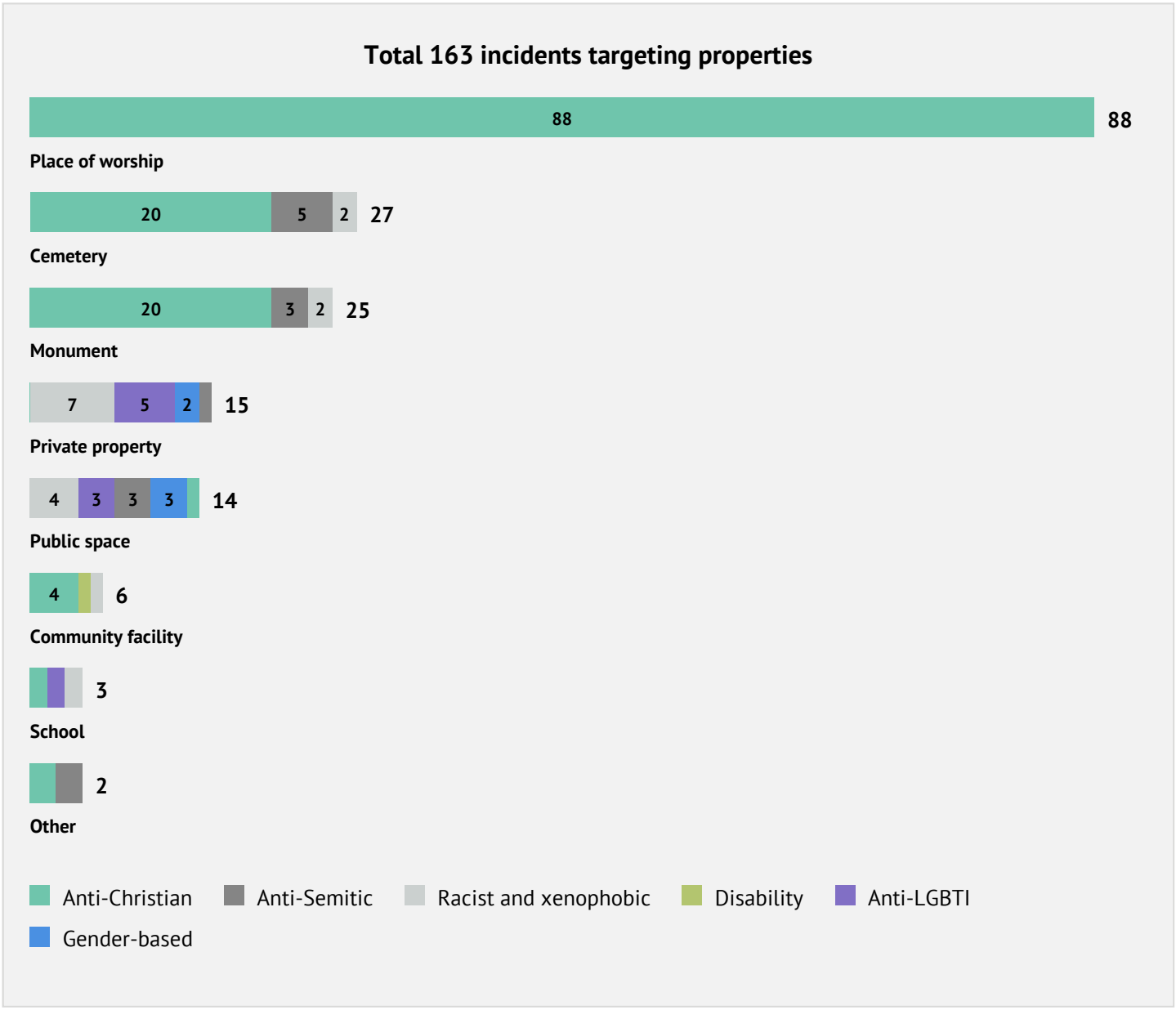
Theft/ robbery

Incidents reported by civil society

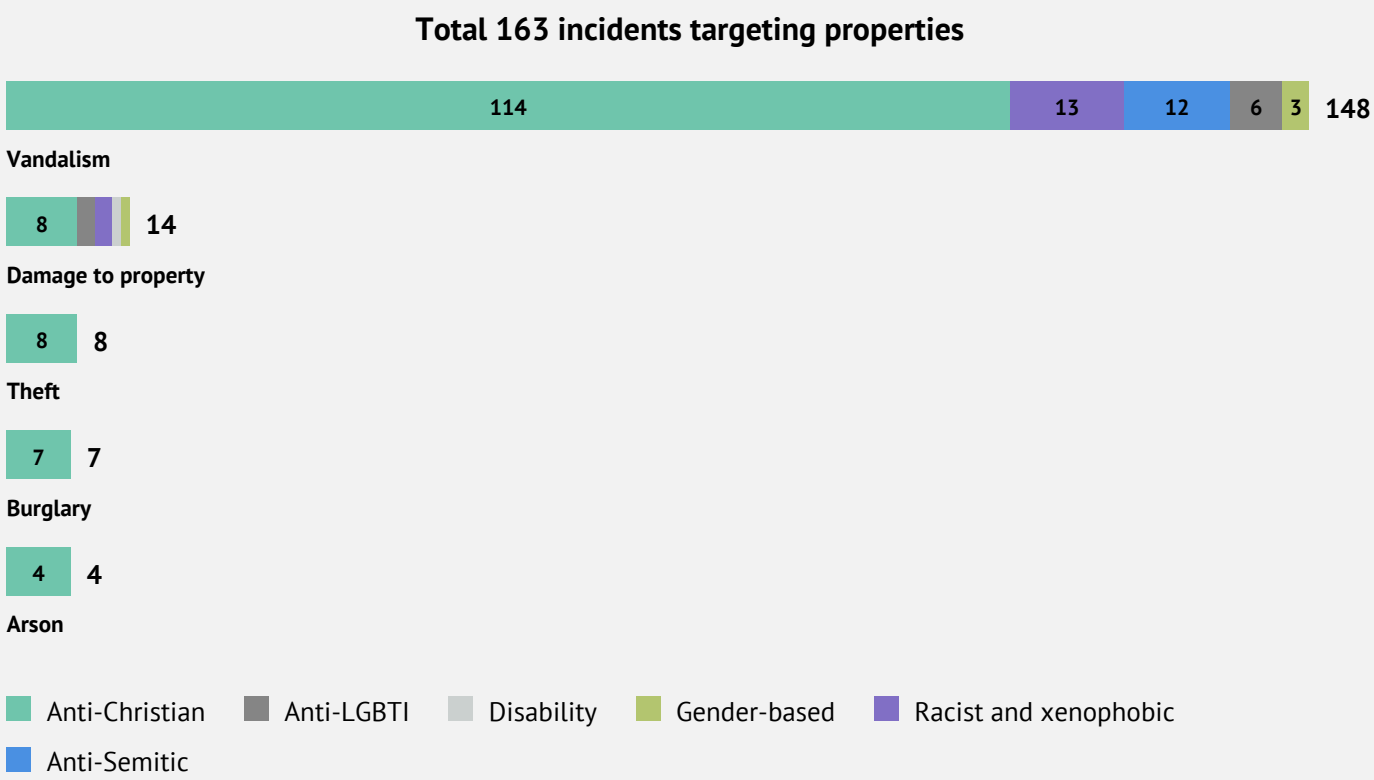


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Poland, 2021