OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2022 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 2022

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 efforts to strengthen the capacity of law enforcement to address hate crimes. 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 further raising awareness among and building the capacity of prosecutors on hate crime.

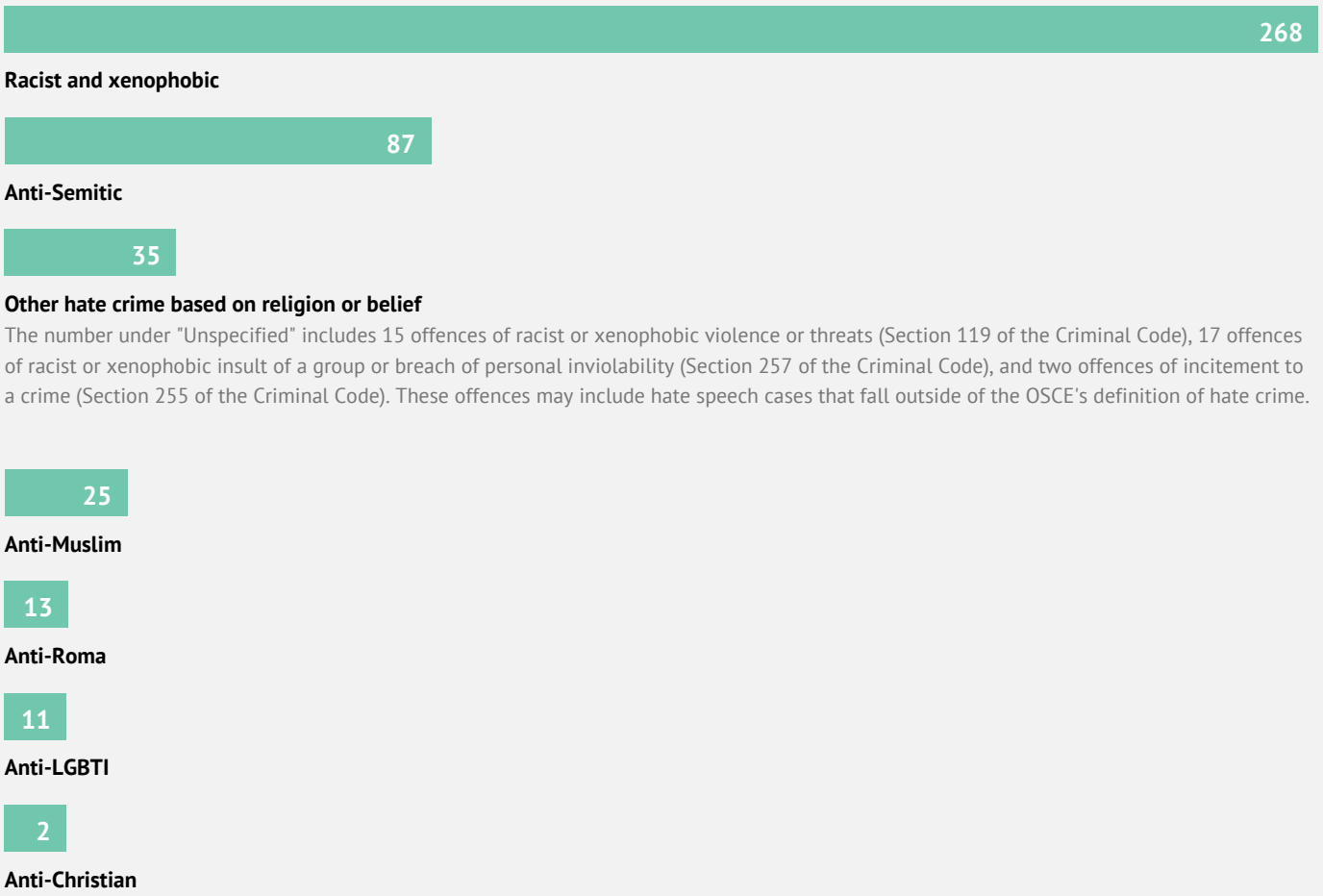
Official Data

The police records represent the number of proceedings initiated by police for hate crimes cases in 2022, including proceedings that were later discontinued owing to a lack of evidence. The records on prosecuted hate crimes includes 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
2022	1,180	440	312

Police data by bias motivation

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



The number under "Unspecified" includes 15 offences of racist or xenophobic violence or threats (Section 119 of the Criminal Code), 17 offences of racist or xenophobic insult of a group or breach of personal inviolability (Section 257 of the Criminal Code), and two offences of incitement to a crime (Section 255 of the Criminal Code). These offences may include hate speech cases that fall outside of the OSCE's definition of hate crime.

Police data by type of crime

The numbers presented here refer to police investigations that were initiated as hate crimes. 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.

4

Physical assault

2

Damage to property

1

Theft/ robbery

1

Threats/ threatening behaviour

National Developments

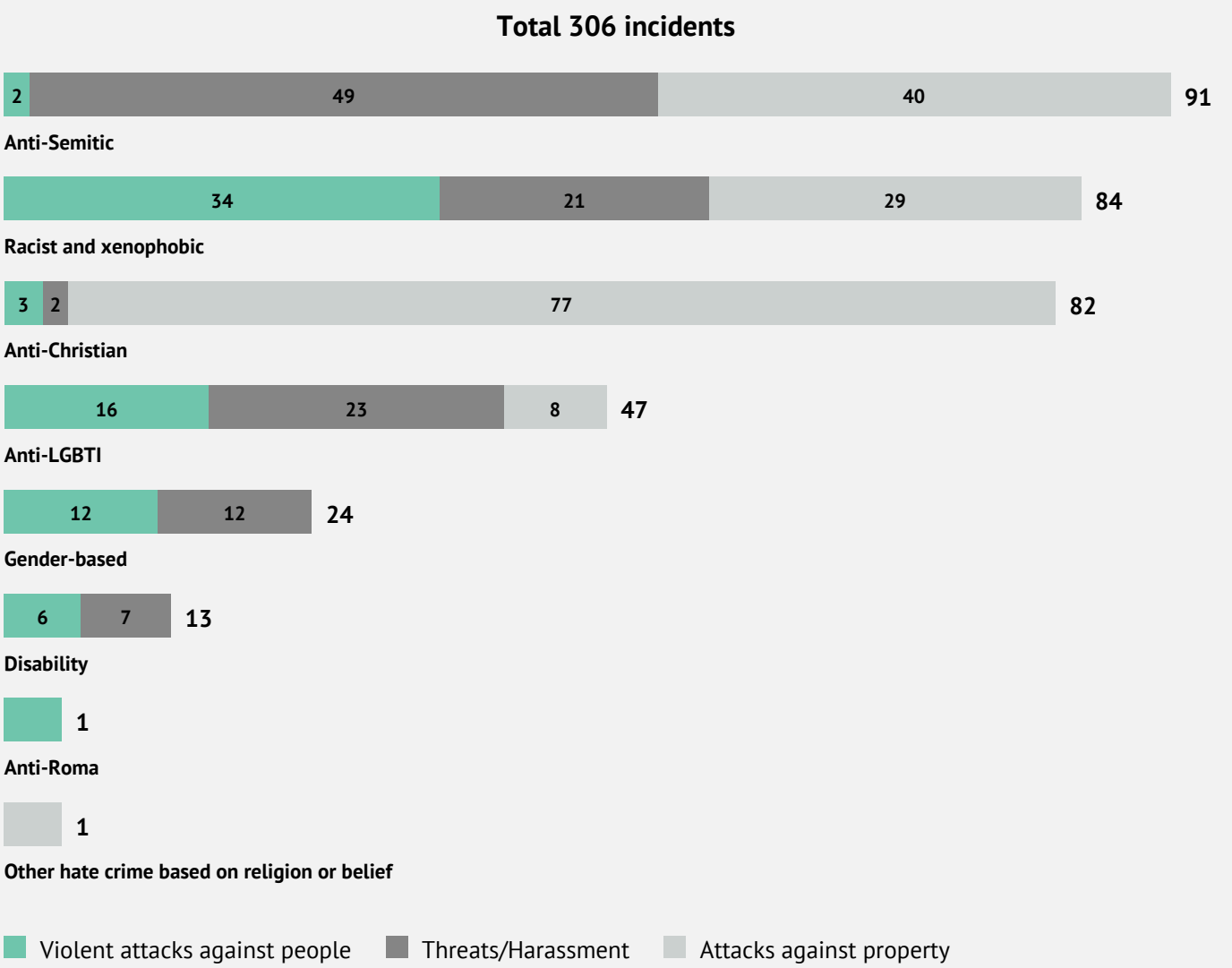
On 7 July 7 2022, the Criminal Code and other laws were amended. The sentencing directives (Article 53 of the Criminal Code) now require the courts to take into account "the commission of the offence as a result of a motivation deserving particular condemnation". Provisions related to incitement to hatred and to violence (Article 256 of the Criminal Code) were also amended.

In line with the Decision of the Commander-in-Chief of the Police, a team tasked with developing a draft curriculum for a specialized course on hate crimes was established in June 2022.

In addition, representatives of the police took part in 2022 in anti-discrimination workshops organized by the "Polin" Museum of the History of Polish Jews.

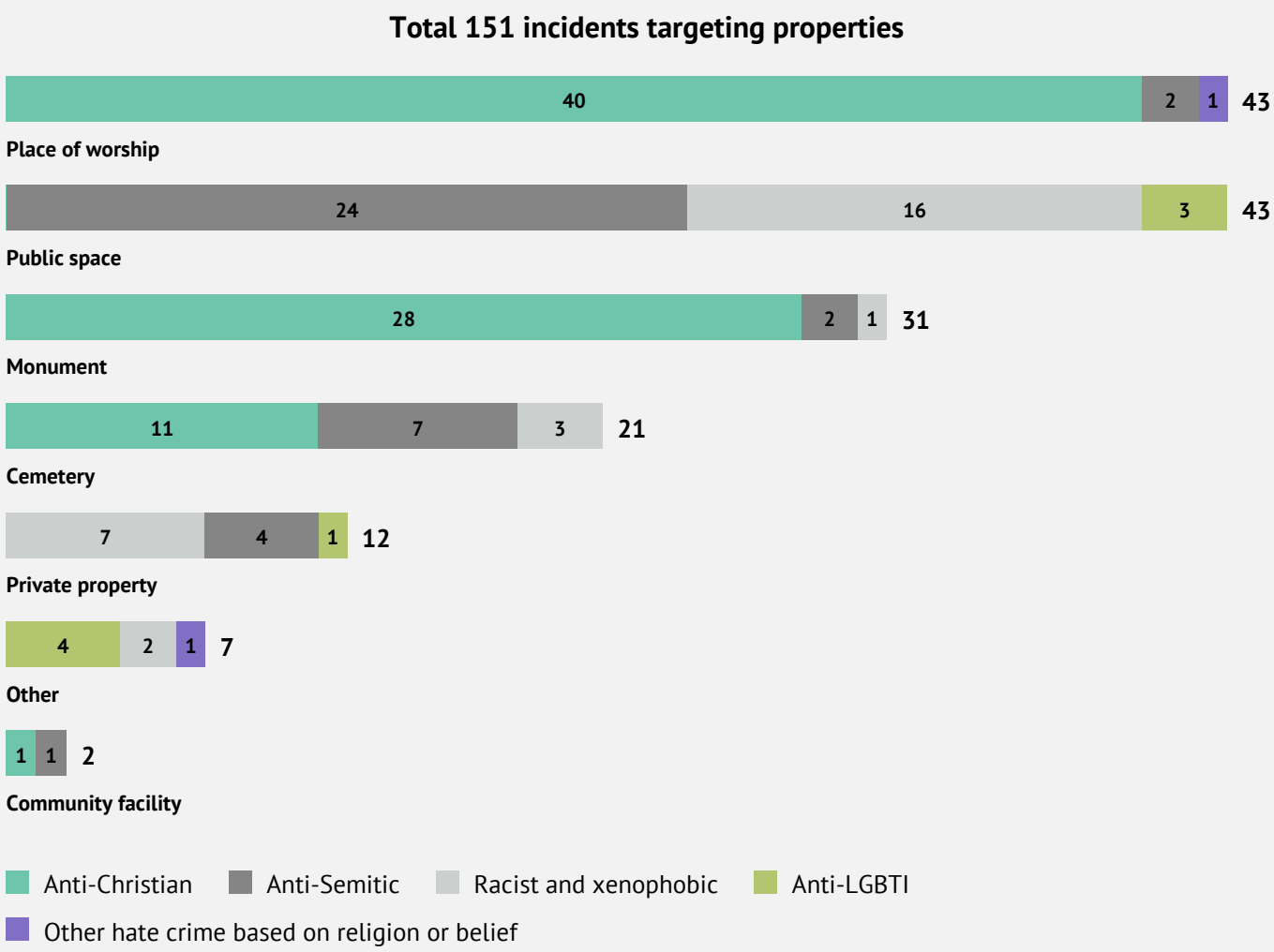
The National School of the Judiciary and Public Prosecution covers material related to hate crimes during its apprenticeship and supplementary apprenticeship courses for judges and prosecutors.

Incidents reported by civil society

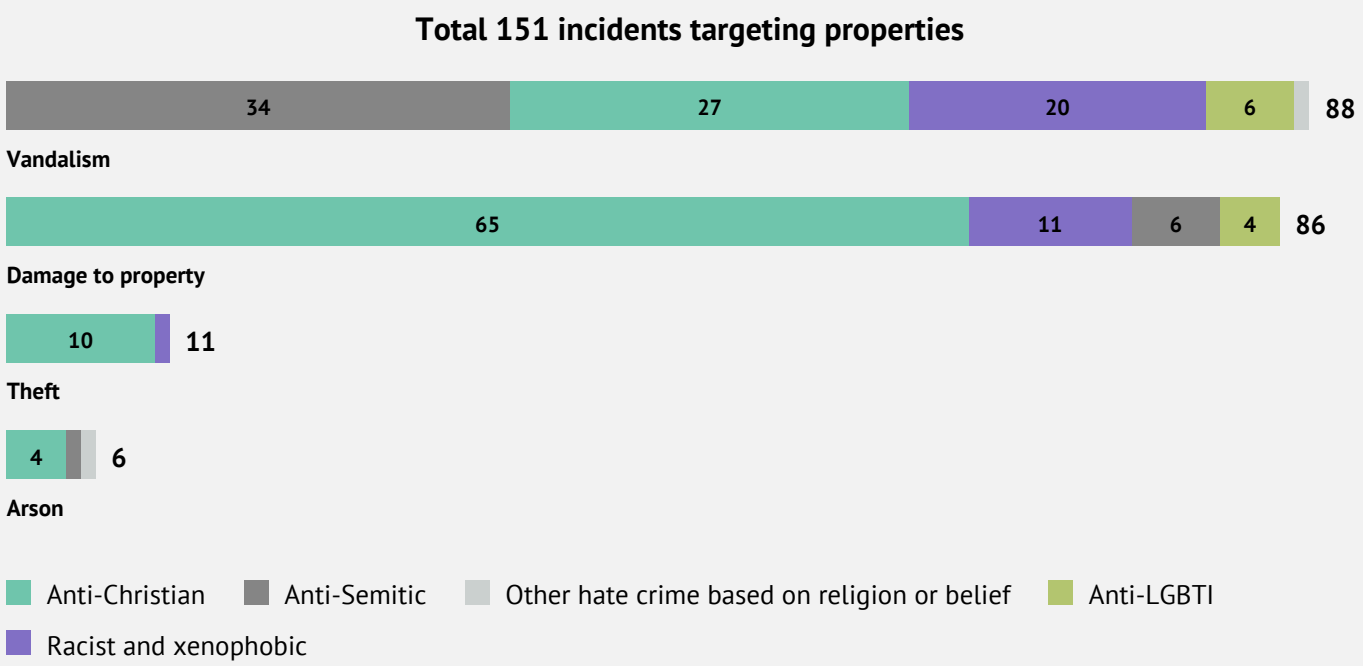


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Poland, 2022