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# Racist violence in Poland

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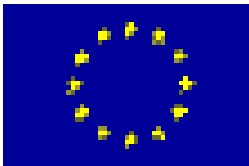


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## An assessment of overall trends and patterns

The Polish government collects extremely limited information about hate crimes and generally does not make this information public, although it does provide some information to international bodies such as The European Commission against Racism and Intolerance (ECRI) or The Committee on the Elimination of Racial Discrimination (CERD). There are no up-to-date official statistics on hate crimes available for Poland aside from some incomplete data published by institutions such as the Police Headquarters Office, which do not allow for an accurate assessment of the problem. The most important source that fills the information gap to some extent remains publications and surveys of non-governmental organizations, which highlight regular patterns of discrimination and violent manifestations of homophobia, anti-Semitism and racism throughout the country. In 2007, for example, the 'NEVER AGAIN' Association registered approximately 130 serious cases of hate crime and hate speech in its 'Brown Book' ('Brunatna Księga'),<sup>1</sup> including incidents of bodily injuries, desecrations of sites connected to religious minority groups like cemeteries and synagogues and a long list of cases ranging from verbal incitement to ethnic, national or religious hatred, mainly made in public gatherings, in chauvinist propaganda materials or in the press.

Ethnic minorities constitute only about two% of the Polish population, and visible minorities of migrant background are a very small group<sup>2</sup>. Nevertheless, they often experience violent hate crime as well as verbal abuse and hate speech. Other victimized groups include religious minorities or dissident youth subcultures. According to the NGO reports, the groups mostly affected by hate crimes in Poland are ethnic minorities, such as members of the Roma community, but also gay people, alternative youth, and activists of anti-racist/progressive social movements.

Demonstrations of anti-Semitism and incidents of anti-Semitic hate speech are also reported to be quite common. Due to the fact that the Jewish community are very small numerically (the 2002 official census figure is just 1,100 individuals), anti-Semitic hate crime tends to take the form of attacks against property (cemeteries, synagogues, monuments).

Some officially released statistics would suggest a dramatic rise in hate crime in the recent years. This evidence could be misleading, however - it testifies to an improving (if still far from perfect) system of registering hate crime cases by the state rather than a real-life rise in hate violence. According to NGO estimates (such as the NEVER AGAIN Association or Campaign Against Homophobia), hate crime has remained on a stable (quite high) level for the last few years. The years 2006-2007 seem to have been the most critical period, when the government included representatives of far-right political groups, which themselves committed or encouraged violence against minorities<sup>3</sup>.

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<sup>1</sup> Kornak, Marcin, *Brunatna księga 1987-2009* (Warsaw: Collegium Civitas, Stowarzyszenie Nigdy Więcej, 2009).

<sup>2</sup> 1.23% of respondents declared themselves as belonging to a national or ethnic minority in the 2002 census (Główny Urząd Statystyczny, Wyniki Narodowego Spisu Powszechnego Ludności i Mieszkań 2002 w zakresie deklarowanej narodowości oraz języka używanego w domu, [http://www.stat.gov.pl/gus/8185\\_PLK\\_HTML.htm](http://www.stat.gov.pl/gus/8185_PLK_HTML.htm), accessed 28 July 2010). This number may have increased in the recent years, but no official statistics exist.

<sup>3</sup> For a detailed account see Pankowski, Rafal *The Populist Radical Right in Poland: The Patriots* (London, Routledge, 2010).

Homophobic discourse, promoted by the far right, in particular became widespread by the mid-2000s and it resulted in numerous violent attacks on gay and lesbian gatherings on a scale which had not been seen before. The wave of homophobic hate crime has persisted into 2010.

Poland's current system of publishing official statistics on hate crime has serious weaknesses. The information provided by the Police Headquarters Press Office, the Ministry of Justice, and the Ministry of the Interior only offer a fragmentary view of the situation in Poland. They do not precisely indicate what types of crimes the authorities have registered, against whom the registered crimes were committed, or what legal steps were taken. Moreover, there is no government institution in Poland that systematically collects data on anti-Semitic incidents. There is also no official data available on Islamophobic incidents. With respect to attacks on the Roma community, the Ministry of the Interior and Administration on some occasions refused to make this information public.

Major barriers identified by Polish NGOs to providing systematic and long-term hate crime monitoring and victim assistance are: the socio-cultural and political climate of prevailing intolerance in some sectors of Polish society and in some media, general unwillingness to discuss these issues openly, public institutions' lack of recognition of hate crimes, limited resources and local contacts or specialized profiles of the organizations themselves, as well as the victims' reluctance to address these issues (e.g. avoidance of discussing hate crimes and mistrust of Polish public institutions and the police). The fact that victims and their communities are reluctant to complain to the law enforcement about incidents - or avoid reporting incidents altogether - seems to be one of the most serious issues. One of the reasons for this avoidance might be distrust in law enforcement attitudes and effectiveness, as well as a general fear of being doubly stigmatized.

The perpetrators of violent attacks frequently belong to far-right organizations and skinhead groups. In 2009 one local ONR (Oboz Narodowo-Radykalny, National-Radical Camp) group was banned, but other extremist organizations have operated unhindered. The NOP (National Rebirth of Poland, Narodowe Odrodzenie Polski) has been particularly outspoken in its promotion of violent means to achieve ideological goals.

In this sense, the subject of hate crime remains strongly politicized and cannot be completely disassociated from the political influence of extreme nationalistic, anti-Semitic and anti-democratic movements in Poland at large. Football stadiums are a particularly fertile ground for the promotion of hate propaganda as well as sites of violence that spills over to other settings.

Some public leaders, including high-ranking politicians and clergy (such the notorious Radio Maryja outlet), also add to the problem by openly inciting intolerance and hatred against minority groups. Particularly troubling incidents of this kind caught broader international attention when, for example, the Mayor of Warsaw, President Kaczynski

and authorities in Poznan banned gay pride parades planned in both cities in 2005<sup>4</sup>. Other far-right politicians have also openly opposed the right to basic freedoms and equal respect for lesbian and gay people. As a result of the escalation of anti-gay rhetoric, the number of attacks on members of the LGBT communities and their clubs increased enormously.

Right-wing politicians and media consistently and forcefully deny the existence of problems such as hate crime and xenophobia in Polish society. This approach is frequently reflected in the activities (or lack thereof) of the judiciary and other state institutions, including local authorities.

Human rights groups have repeatedly stressed the need for better implementation of existing legal provisions on hate crimes and hate speech. Only a few hate crime incidents in the past few years aroused interest and action at the highest political level. These were primarily offences that risked having a negative impact on Poland's international reputation through their coverage in national and international media. According to numerous NGO reports, most reported incidents of hate crimes and speech are not taken seriously by Polish law enforcement agencies. This concern has been raised by the ECRI. They state, 'crimes that fall within the ambit of Articles 256 and 257 are rarely investigated and its perpetrators are rarely prosecuted. The reason most often provided by the prosecuting authorities for this failure is that such crimes [i.e. hate speech] cause little social harm and that punishing them would be an infringement of the right to freedom of speech and expression'<sup>5</sup>.

There is widespread concern in Polish society about the level of crime and violence in general, especially among the youth. For example, the phenomenon of football hooliganism has been frequently debated and specific legal measures have been introduced to tackle it. However, the debate on violent crime rarely touches upon the issue of hate crime, which remains a seriously under-debated and under-researched phenomenon. NGOs such as the 'NEVER AGAIN' Association - rather than state agencies - are the main source of information and awareness raising about hate crime in Poland. Since 1989 'NEVER AGAIN' has registered approximately 50 deaths resulting from xenophobic attacks, usually by neo-Nazi skinheads who are members or sympathizers of extreme nationalist organizations<sup>6</sup>.

## Typical case study

Example: The murder of Piotr Wozniak, 2 August 1998.

Piotr Wozniak, a 25-year-old student, was brutally killed in Wladyslawowo in northern Poland. The three culprits tried to drown their victim and when that was unsuccessful

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<sup>4</sup> Gazeta Wyborcza, *Awantura o Marsz Równości*, <http://miasta.gazeta.pl/poznan/8,36022,3019256.html> , accessed 28 January 2009.

<sup>5</sup> European Commission against Racism and Intolerance (ECRI) 2005. Third Report on Poland, pp. 10-11.

<sup>6</sup> They were described in the 'Brown Book' published by Marcin Kornak, the 'NEVER AGAIN' Association chairman, in 2009.

they took turns stomping on his head with their heavy boots. One of the perpetrators was Damian Mikulski, a 21-year-old activist in the National Rebirth of Poland (NOP), the main neo-fascist organization in the country. Mikulski was also the leader of the White Legion, a NOP-infiltrated neo-Nazi skinhead gang active in the stadium of Legia Warszawa, a popular soccer club. He was sentenced to nine years in prison for his role in the murder.

The murder was not simply random, but was a result of the culture of violence promoted by racist extreme-right organizations who target anybody who is deemed to be an 'alien' because of their race, religion or lifestyle. Piotr Wozniak was murdered because he had been classified as an 'anti-national element' by the extreme-right perpetrators: they did not like his 'alternative' clothes.

The murder was briefly reported in a local paper as a case of hooliganism and the possible political or ideological background of the attack was not mentioned. Because the murder and the trial took place in the north of the country, the Warsaw-based national media kept silent, too. However, due to the existence of its national network of voluntary correspondents, 'NEVER AGAIN' was able to put together different pieces of the puzzle, uncover the ideological motivations behind the killing and publicize it through its magazine and in a documentary aired on national TV. Thus the ideological nature of the crime was brought to public attention.

## Recommendations

- Legislation should be enacted that would expressly render the racial or xenophobic motivation of an offence an aggravating circumstance.
- Existing legislation on hate crime and hate speech must be implemented vigorously at all levels of state machinery.
- Racist organizations promoting or condoning violent hate crime such as the NOP must be held responsible for their actions in accordance with Polish and international law. They must not continue to operate unhindered.
- Public spaces such as football stadiums must be safe for everybody irrespective of their race or other background. Vigorous action is needed to remove racism and violence from the Polish football stadiums.
- Law enforcement officials should undergo specialist trainings on combating hate crime, with cooperation of NGO experts, based on existing pilot trainings.
- Reliable records on hate crime should be kept and made public by relevant institutions. They should include different categories of ideologically motivated

hate crime, e.g. committed by extreme-right activists against human rights advocates.

- Non-governmental monitoring activities need to be intensified. The existing monitoring structures and networks should be strengthened.
- Specialist support for hate crime victims should be provided, including through minority groups and NGOs. The authorities and NGOs should prepare and provide relevant information and training activities/programs on hate crimes, victim support, minority rights, etc. for minority organizations and youth groups; work out training material on victim assistance (also in minority languages); provide legal trainings or assistance to relevant organizations.

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