

Racism in Poland

The interview with **Agnieszka MIKULSKA-JOLLES** from The Helsinki Foundation for Human Rights, the founder of the research among people who have experienced violence because of their ethnicity, race or national origin.

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Could you shed us some light on the term of a racist hate crime?

Polish criminal law does not use this term “racist hate crime” but it distinguishes and penalizes acts that are committed against a person (or group of persons) because of their racial, national, ethnic, religious or non-religious origins. The motivation of the person committing the act is most concerning. The motivation, in this case, is defined as the want to harm or to humiliate somebody because of their racial, religious or national origins. It is worth nothing that the victim does not necessarily have to exhibit the traits which attract the perpetrator to them. The opinion of the perpetrator is sufficient (as far as the) where individual is concerned, for example, a person is taken as one of Arabic origin, and therefore they are insulted, attacked or threatened her/him by the perpetrator.

And which groups does racism touch and how is it motivated?

So you can clearly see that racism affects people of different appearance for the most part. The affected ones come from Africa, Asia, and from the South Asia rather than the Far East. Generally Arabs as a group are not well-liked by the Polish, this is based on opinion polls. As well as the negative stereotype of Islam and Muslims which was incited by the fear of terrorism during the last few years. This applies, for example, to the Chechens, who are Muslims and thus they fall prey to verbal and physical violence motivated by hatred.

What are the reasons? You can start with psychological reasons, such as frustration and aggression. There are people who go out on streets to beat someone, to vent one’s anger on somebody, and they look for a “victim”, i.e. a weaker person that stands out in some way from the crowd. Often these are just immigrants, foreigners, and representatives of minorities. Another reason is the sense of danger, which is raised by “strangeness”, a different culture, a different look. Next reason is the ideological belief that people of different origin have no right to stay in our country, since Poland is not their country because “Poland is for the Poles.”

A few years ago I did a research on racist violence, provided that I spoke only with the victims and not the perpetrators. In their stories often appeared the theme of alcohol and high emotions – the violence occurred when the perpe-

trators were under the influence of alcohol, as well as on the occasion of public events such as football matches. The specificity of the match lies in the fact that some people are against the other. In such circumstances, emotions trigger off and they sharpen the division of their opponents. I know from foreigners, with whom I spoke, that they deliberately do not go to places where the clusters of emotion, aggression and alcohol are present. Therefore they do not take part in sports events; in general they avoid large gatherings. I suspect that they avoid various marches on the occasion of 11 November considering that these moments could lead to confrontation. Some of my interlocutors said they prefer sometimes to choose a circuitous route home than to go through the park, where groups of drunken young men sit. Some people do not go out in the evening, or at least do not go to clubs or pubs. Women also point out that in such places they become objects of harassment or even of violence, which on one hand is sexually suggestive, on the other hand, it has a racist implied meaning. For some men African, Asian and Belarusian women are potential prostitutes, girls who seek “sponsor”. Of course you cannot say en masse that all Asian and Belarusians meet with such a treatment. However, this issue was raised in the research.

Do people who are experiencing domestic violence turn to seek help? Who do they ask for help? And why do they ask or why do they not ask?

Few people report racist hate crimes, often because they do not know where to go. Apparently some foreigners know that they should go to the police or the prosecutor’s office, but they have a bad experience with law enforcement agencies. This applies to both services in Poland and countries of origin. Persons, who are fleeing from non-democratic countries, associate the police sometimes with oppression – that is the case, for example, with the Chechens. Some also have a bad experience with Polish institutions, which involve, for example, the process of legalizing their stay – they are controlled by the police, it is checked whether they actually live in the place, they released they live in their papers, etc. Such procedures exist and they are not always pleasant for foreigners. It also happened that they went to the police in connection with an attack on them, but the police did not react. Police officers

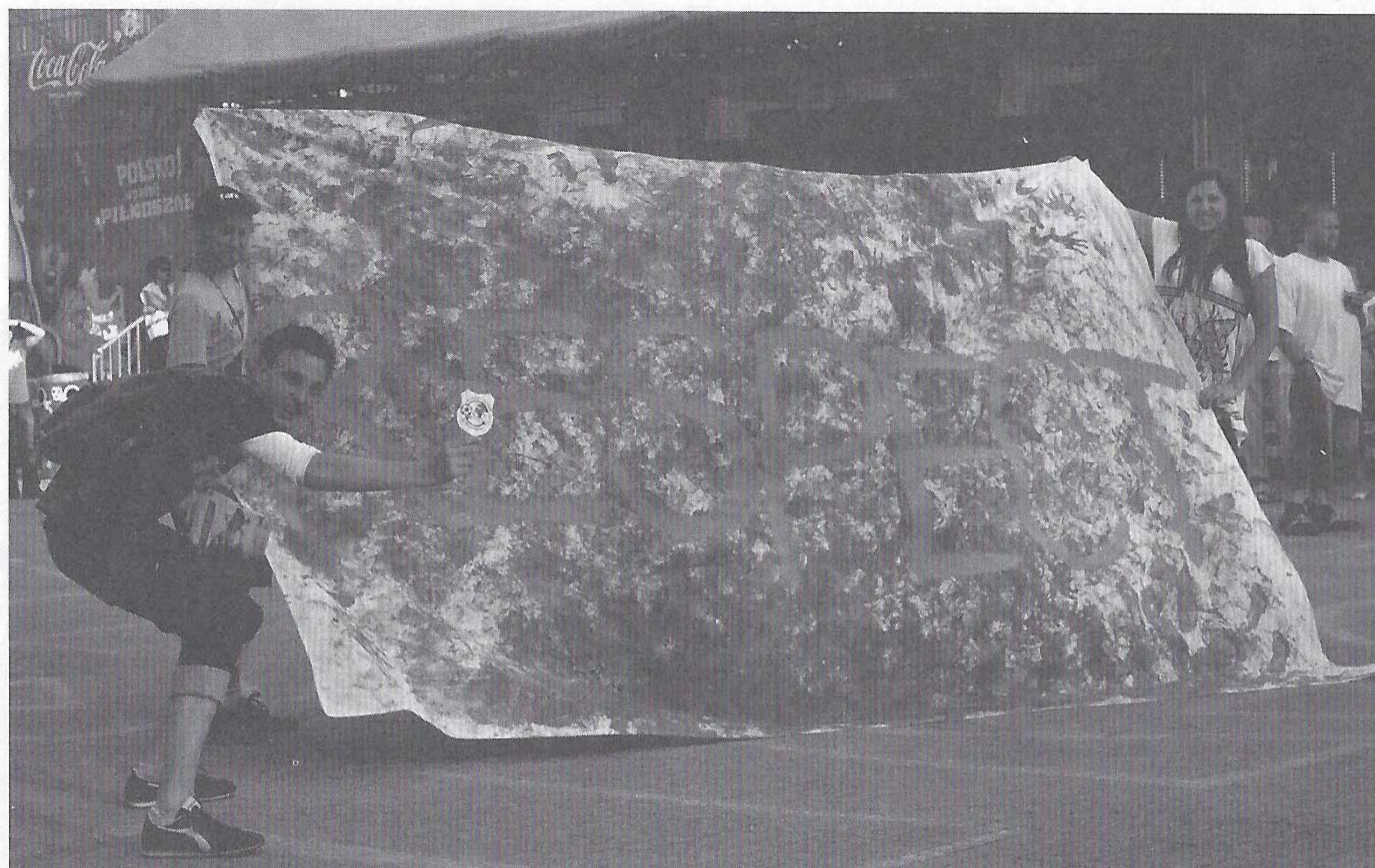


Photo by Stowarzyszenie NIGDY WIĘCEJ

shrugged, explaining that there is nothing they can do because the perpetrator or perpetrators fled.

I remember a case of a boy, of Norwegian Asian origin, who was severely beaten by pseudo-fans in Białystok. After the police and the university refused to take any steps, he informed the Norwegian media of the situation and thus in the end helped to awake in an interest also in Poland. There is also other, prosaic problem which is the language barrier – foreigners often do not speak Polish fluent enough to go to the police.

What kind of help can victims of racial violence receive and generally how to fight against racism in Poland?

The thing that struck us in the research was that the victims were met with indifference from environment. Many times foreigners were reporting that someone was attacked on the bus, on the street, or a football match and the people around were standing and watching. Sometimes, at most, it appeared that girls were screaming that somebody needs to call the police. Interestingly, it is usually women who react; some were even calling the police. Generally, however, there is indifference – so it is essential to not ignore such cases.

If you know the people of whom it is known that such situations had happened, you can say what the procedure is in such cases, that it is needed to go to the police, to describe the event and to indicate that these events are racist hate crime. Sometimes victims report to the police the criminal event and police accepts their testimony; however the racist motive escapes them. And this racist motive is so important because it makes perpetrator guiltier. For common assault perpetrator gets a lesser punishment than for the one which occurred because of racial, national, ethnic or religious origins. Therefore, it is worth to educating people who deal with foreigners vulnerable to this type of situations that – first of all – it is a crime, and secondly – a racist motive is very important and needs to be pointed out in testimony given to the prosecutor or police officer. Thirdly – do not resign from the enforcement of their rights – the perpetrator will behave similarly as long as they remain unpunished.

I think that individuals and institutions around foreigners potentially expose them to racism, in such circumstances tutors in college (especially in the first year), student government, employers, friends and what is more spouses of people who come to Poland, play an important role. Poles of immigrant origin are theoretically aware of such things. The situation of immigrants is worse. They do not have easy access to the knowledge of the applicable law in Poland; usually they have no idea that racist crimes are penalized in a special way.

And to what particular organization you can go to get some help in this regard?

These are organizations that provide free legal aid, such as the Helsinki Foundation for Human Rights, Association of Legal Intervention, or the Citizens Advice Bureau, as well as organizations that deal with issues of racism and xenophobia, especially “Never Again” and “Open Republic”. They offer legal aid, linguistic assistance, and moral support. Sometimes they assist during a visit to the police station. But it is necessary to keep in mind that the role of NGOs is limited – neither can they find the culprit, nor condemn one. For this it is essential to report crime to the police or prosecutors.

Help may also be obtained from the Ombudsman and representatives of the human rights working within the police. At the time, when someone feels that they have not been seriously treated while reporting criminal event, may contact those institutions. ■

The full version of the Report of research among people who have experienced violence because of their ethnicity, race or national origin can be found at:

http://watchdog.org.pl/wwwdane/files/hfpc_rasizm_w_polsce_p1u9.pdf

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