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REPORT ON XENOPHOBIA, RADICAL NATIONALISM AND EXPRESSIONS OF HATRED IN 2017 – POLAND

1. Changes in legislation (positive and negative) which affected the interests of minorities during the monitored period

It is estimated that national minorities represent around 1% of the society.[1]

National and ethnic minorities in Poland are protected under several legal acts. The most important are as follows:

- Art. 35 of the Constitution of the Republic of Poland of April 2, 1997[2]:

  1. The Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture.

  2. National and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.
- The Act of 6 January 2005 on National and Ethic Minorities and on the Regional Languages (consolidated act of 5 April 2017)
- The Electoral Code of 5 January 2011
- The Act of 7 September 1991 on Educational System

According to art. 31(3) of the Act of 6 January 2005 on National and Ethic Minorities and on the Regional Languages a report on the situation of national and ethnic minorities should be publish

[1] A. Malicka, „Status prawny mniejszości narodowych i etnicznych w Polsce – ustawa o mniejszościach narodowych i etnicznych oraz języku regionalnym" [in:] „Aktualne problemy ochrony wolności i praw mniejszości w Polsce i na świecie", J. Banach-Gutierrez, M. Jabłoński (ed.), Wrocław 2017, p. 55, http://www.bibliotekacyfrowa.pl/Content/79764/Aktualne_problemy_ochrony_wolnosci_i_praw.pdf [accessed: June 2, 2018]

[2] The Constitution of the Republic of Poland of April 2, 1997 (English), http://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm [accessed: June 9, 2018]

not less frequently than every two years by the minister of Internal Affairs. However, the last available report dates back to 2015.[3]

No laws or regulations that would have major impact on minorities were adopted in Poland in 2017.

- **Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.**

In 2017 a new law on employing foreigners was adopted. New regulations entered into force on January 1, 2018. Their aim is to implement the Seasonal Workers Directive (2014/36/EU), as well as fraud prevention and improvement of foreigners' standard of living.[4]

The government announced in March 2018 that new regulations that would facilitate employing Ukrainians and setting up their businesses in Poland are under development.[5]

- **Advancement of anti-discrimination legislation**

No laws or regulations that would have major impact on minorities in the field of discrimination were adopted in Poland in 2017.

It should be noted, however, that – as stated in the report on Islamophobia in Poland – "Ministry of Education has decreed that from September 2017, anti-discrimination programmes in Polish schools will be shut down despite the glaring need for such initiatives as shown by the CHR research. Instead, educational initiatives promoting patriotism and a national and cultural Polish identity have been introduced."[6]

- **Government's compliance with anti-discrimination legislation**

[3] V Raport dotyczący sytuacji mniejszości narodowych i etnicznych oraz języka regionalnego w Rzeczypospolitej Polskiej – 2015, http://mniejszosci.narodowe.mswia.gov.pl/mne/prawo/ustawa-o-mniejszosciac/raporty-ustawowe/9711,V-Raport-dotyczacy-sytuacji-mniejszosci-narodowych-i-etnicznych-oraz-jezyka-regi.html [accessed: June 9, 2018]
[4] „Zatrudnianie cudzoziemców – zmiany od 2018 r.", https://www.mpips.gov.pl/praca/zatrudnienie-cudzoziemcow/zatrudnianie-cudzoziemcow--zmiany-od-2018-r/ [accessed: June 9, 2018]
[5] „Będą ułatwienia dla firm zatrudniających Ukraińców", https://www.bankier.pl/wiadomosc/Beda-ulatwienia-dla-firm-zatrudniajacych-Ukraincow-4087402.html [accessed: June 9, 2018]
[6] A. Piela, A. Łukjanowicz, European Islamophobia Report 2017, E. Bayrakli, F. Hafez (eds.), SETA 2018, p. 471, http://www.islamophobiaeurope.com/wp-content/uploads/2018/04/Poland.pdf [accessed: June 16, 2018]

In general, Polish anti-discrimination legislation is consistent with the EU and international legislation.

- **Legislation aimed at combating hate crime (criminal cases and convictions related to hate crime)**

On October 13, 2017 the National Public Prosecutor's Office report on hate crime was published. The document concerned racist, anti-Semitic, and xenophobic hate crimes committed during the first half of the year 2017[7].

According to aforementioned report in 2017[8]:

- 947 investigations were carried out (863 in the first half of 2016; 848 in the first half of 2015);
- 696 new proceedings begun (566 in the first half of 2016; 497 in the first half of 2015) + 251 proceedings initiated before were continued in 2017 (297 in the first half of 2016; 351 on the first half of 2015).

According to the National Public Prosecutor's Office the vast majority of crimes included in the Report concerned crimes committed on the basis of art. 256 (hate speech and promoting fascism and other totalitarian state systems), 257 (hate crime), and 119 (violence or unlawful threat on the basis of race, nationality, ethnicity, religion, or politics) of the Criminal Code (762 cases, 80.5%).[9]

More information: see question 10.

2. Law enforcement practices affecting minorities during the monitored period.

In general, law enforcement practices, especially concerning combating hate speech and hate crimes, seem to change in the right direction. However, there is still much to be done to increase a detection rate. There is also a growing problem of Islamophobia, partly caused by the authorities attitude toward Muslims.

[7] Prokuratura Krajowa, Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w I półroczu 2017 roku w jednostkach organizacyjnych prokoratury, https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-dot-spraw-o-przestepstwa-popelnione-pobudek-rasistowskich-antysemickich-lub-ksenofobicznych-prowadzonych-polroczu-2017-roku-jednostkach-organizacyjnych-prokuratury/ [accessed: June 15, 2018]
[8] *Ibidem*
[9] *Ibidem*

3. Manifestations of xenophobia and hate speech among the executive and legislative powers

Statements made by government officials are generally moderate. However, there are voices within authorities from outside the ruling party calling for stronger response to racism, xenophobia and radical nationalism.

I.e. in January 2018 the Polish Ombudsman, A. Bodnar, stated that for past two years there has been nearly no political reaction of government officials to an increasing problem of hate crime.[10]

It should be noted that the Ombudsman is regarded "leftist" and is "accused" of serving foreign interest (i.e. by expressing his disappointment at the lack of proper reaction of Polish government to racism) by the authorities, i.e. former Minister of Interior, Mr Mariusz Błaszczak. The minister also stated that, unlike in France and Germany, the question of racism does not exist in Poland. As for the latter two countries, the problem of racism is a consequence of policy of multiculturalism, political correctness and welcoming migrants from North Africa and the Middle East.[11]

Likewise, prof. R. Pankowski (The Never Again Association) points out that the political elite fuels prejudices.[12]

As rightly stated in European Islamophobia Report 2017:

> "In Poland, there is no nominal right-wing political party, but a conservative party in power, which nevertheless allows an unambiguous negative image of Islam to be spread in state institutions. State-funded media outlets seem to carefully select their guests, who spread a stereotypical portrayal of Muslims as 'violent,' 'terrorists,' 'Jihadists,' 'sexists,' 'rapists,' 'uncivilised,' 'double-faced,' and in general 'a threat' to European and Christian values".[13]

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[10] „Adam Bodnar o przestępstwach z nienawiści. RPO w programie 'Fakty po faktach'", 29.01.2018, https://www.rpo.gov.pl/pl/content/adam-bodnar-o-przestepstwach-z-nienawisci-rpo-w-programie-fakty-po-faktach [accessed: June 17, 2018]

[11] H. Orzechowski, „Rasizm w Polsce nie istnieje? Fakty przeczą słowom Błaszczaka", Newsweek, January 2017, http://www.newsweek.pl/polska/spoleczenstwo/rasizm-w-polsce-nie-istnieje-twierdzi-mariusz-blaszczak,artykuly,403042,1.html [accessed: June 17, 2018]

[12] J. Nizinkiewicz, „Dr hab. Rafał Pankowski: Od dwóch lat w Polsce postępuje epidemia nienawiści", rz.pl, June 29, 2017, http://www.rp.pl/Spoleczenstwo/306289884-Dr-hab-Rafal-Pankowski-Od-dwoch-lat-w-Polsce-postepuje-epidemia-nienawisci.html [accessed: June 3, 2018]

[13] European Islamophobia Report 2017, E. Bayrakli, F. Hafez (eds.), SETA 2018, p. 17, pp. 471-473 http://www.islamophobiaeurope.com/wp-content/uploads/2018/04/Poland.pdf [accessed: June 16, 2018]

Many journalists express similar views.

I.e. M. Prończuk (oko.press) said that the ruling party Prawo i Sprawiedliwość (eng. Law and Justice) "has done more than the impossible – it conceived citizens of the country where foreigners form 0.3% of the society, that 'others' are a mortal danger". The author of the article points out that since 2015 the PiS have launched a campaign of fear against refugees. It also allowed nationalist and racist speech.[14] This journalist also stresses that a new vice-minister for humanitarian aid and refugees, Ms B. Kempa, arouses fear of refugees. I.e. in February 2017 she said that the government was not going to place Polish people in danger, like other EU countries did when they opened boarders and therefore have problems with terrorism.[15]

Another journalist M. Mazuś ("Polityka", a leading Polish weekly) points out that Polish government remains indifferent when it comes to assess both violence against "Arabs" and the ideas of helping immigrants that also appear.[16]

A.J. Dudek (oko.press) states that the negative attitude towards Muslims is due to 3 factors: fear caused by terrorist attacks in Europe, equating Muslims with terrorists, and radically anti-immigrant narrative of Polish government which is passed on by the right-wing media.[17]

The Deputy Ombudsman Ms. S. Spurek points out that hate crimes seem to be underestimated by the authorities. Meanwhile, a number of violent hate crimes increased.[18]

As for Polish authorities attitude towards racism and xenophobia, an official statement of vice-minister of justice, Mr Ł. Piebiak, should be mentioned. In December 2016 a group of MP's submitted a written question regarding promoting fascism by disseminating calendars depicting football fans of a local team and a sentence "White Pride" in a primary school. According to his answer, the only aim of the meeting during which calendars were given to pupils was promoting sport. Minister Piebiak stated that a slogan "White Pride":

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[14] M. Prończuk, oko.press, 8.01.2018, „Błaszczak: 'Wskaźniki nie wzrastają'. A właśnie że wzrastają. Liczba przestępstw z nienawiści rośnie", https://oko.press/blaszczak-wskazniki-wzrastaja-a-wlasnie-ze-wzrastaja-liczba-przestepstw-nienawisci-rosnie/ [accessed: June 17, 2018]

[15] M. Prończuk, „Beata Kempa: minister ds. rozbudzania strachu przed uchodźcami", oko.press, December 22, 2017, https://oko.press/beata-kempa-minister-ds-zarzadzania-strachem/ [accessed: June 17, 2018]

[16] M. Mazuś, „Przemoc czy pomoc", polityka.pl, February 28, 2017, https://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1695402,1,czy-da-sie-zmienic-postawy-polakow-wobec-uchodzcow.read [accessed: June 4, 2018]

[17] A.J. Dudek, „Polacy na szczytach islamofobii w UE. Boją się i nienawidzą, choć nie ma kogo", oko.press, April 3, 2017, https://oko.press/polacy-szczytach-islamofobii-ue-boja-sie-nienawidza-choc-kogo/ [accessed: June 14, 2018]

[18] A. Gmiterek-Zabłocka, „'Stworzymy wroga i będziemy was przed nim bronić' – mowa nienawiści to prawdziwa plaga", tokfm, January 10, 2018, http://www.tokfm.pl/Tokfm/7,103454,22873789,stworzymy-wroga-i-bedziemy-was-przed-nim-bronic-mowa-nienawisci.html [accessed: June 2, 2018]

> "On the one hand can be associated with neo-fascists by some circles, but on the other hand it has also different connotations (Celtic cross – a religious symbol, White Pride – a name of a social movement which opposes biological mixing of human races)".[19]

Although legal arguments in Minister's complex answer were in general correct, a quoted statement appears to be unacceptable.

In August 2017 in a national television interview a Polish PM, Ms B. Szydło was asked about terrorist attacks in Spain. She stated:"Europe – now I quote what I have already said in parliament – has to awake from lethargy and start to think about its own safety. (…) There is a need for getting up off our knees and to face the truth. (…) Many politicians say that migration policy should not be associated with terrorism. It is understandable to some extend, when we talk about real refugees. But the result of especially chancellor A. Merkel's policy, who decide to welcome so many refugees, many of those who spread death benefitted".[20]

It should be noted that in November 2017 authorities did not condemn racist slogans during the March of Independence (more information: see question 9).

4. Statements against xenophobia and radical nationalism among government representatives and prominent political activists

In January 2017 president of Poland Mr A. Duda stated in Yad Vashem that politicians and civilians couldn't tolerate hatred and anti-Semitism.[21]

It should be noted that local government authorities, i.e. in Sopot, Kraków, Gdańsk, Gdynia, Wrocław declared to be willing to welcome refugees. A plan of help was also presented by Caritas and supported by Polish bishops.[22]

In April 2017 Polish bishops issued a document "Christian shape of patriotism." Bishops condemned nationalism that is in contrast to patriotism.[23]

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[19] Odpowiedź na interpelację nr 8103 w sprawie umorzenia dochodzenia dotyczącego prawicowej indoktrynacji uczniów, Ł. Piebiak, Warszawa, 2.01.2017, http://www.sejm.gov.pl/Sejm8.nsf/InterpelacjaTresc.xsp?key=76F255C7 [accessed: June 4, 2018]

[20] M. Wilgocki, „Beata Szydło w TVP: Pani kanclerz Merkel zaprosiła do Europy tak wielu uchodźców, że skorzystali na tym ci, którzy sieją śmierć", wyborcza.pl, August 19, 2017, http://wyborcza.pl/7,75398,22252407,beata-szydlo-w-tvp-pani-kanclerz-merkel-zaprosila-do-europy.html [accessed: June 13, 2018]

[21] A. Magdziak-Miszewska, „Antysemicki hejt kwitnie", wiez.com.pl, January 27, 2018, accessed: June 2, 2018

[22] M. Mazuś, „Przemoc czy pomoc", polityka.pl, February 28, 2017, https://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1695402,1,czy-da-sie-zmienic-postawy-polakow-wobec-uchodzcow.read [accessed: June 4, 2018]

In July 2017 a Catholic bishop, R. Markowski, condemned anti-Semitism and apologised for Polish guilt during his visit to Jedwabne on the 76th anniversary of the Jedwabne pogrom in 1941. President's and PM's representatives were also present during this event.[24]

In November 2017, after the March of Independene (see: question 9) the State Museum Auschwitz-Birkenau twitted that "history of Auschwitz reminds and warns us every day what may be the consequences of prejudices, hatred, xenophobia, racism, and anti-Semitism."



Source: gazeta.pl, http://wiadomosci.gazeta.pl/wiadomosci/7,114884,22635129,rasistowskie-hasla-na-marszu-blaszczak-nic-nie-widzial-widzial.html [accessed; June 15, 2018]

Likewise, the president, the PiS chairman, and Polish political leaders condemned racist and xenophobic statements, nevertheless regarding the march itself "patriotic."[25]

Polish Ombudsman, Mr. A. Bodnar, stressed that after the TVN television report from January 2018 concerning Polish neo-Nazis something has changed in politician's attitude towards

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[23] „Chrześcijański kształt patriotyzmu. Dokument Konferencji Episkopatu Polski przygotowany przez Radę ds. Społecznych", April 27, 2017, http://episkopat.pl/chrzescijanski-ksztalt-patriotyzmu-dokument-konferencji-episkopatu-polski-przygotowany-przez-rade-ds-spolecznych/ [accessed: July 10, 2018]

[24] M. Chłodowski, P. Wroński, „Biskup mówi 'przepraszamy' w Jedwabnem", wyborcza.pl, July 10, 2017, http://wyborcza.pl/7,75398,22077595,biskup-mowi-przepraszamy-w-jedwabnem.html [accessed: June 3, 2018]

[25] Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 21 http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]

promoting fascism and racism. As a result, Polish president, PM, and minister of justice protested against such incidents and existence of extremely radical organisations.[26]

Also in January 2018 the Polish Ombudsman intervened in the matter of a content of the ONR Mazovia District website. In a letter to the Mazovia district prosecutor he stated that an article that appeared on August 17 and was removed on November 12, 2017, racism and fascism might have been promoted. Namely, its author presented racist views and called for restoration of white race supremacy.[27]

5. Position of immigrants in the country during the monitored period

- **Advancements in immigration laws and observance of immigration laws by the law enforcement (law enforcement practices)**

There has been no advancement in immigration laws in 2017.

As the Never Again Association (Nigdy Więcej) recalls, a system for providing protection to refugees has been established by the Polish authorities. Foreigners can request for asylum or refugee status.With reference to the governmental statistics, the Never Again points out that Poland "approved 206 asylum claims by Ukrainians in the first 10 months of the year, compared with 32 approvals in the whole 2016. Authorities continued also to use temporary residence and visa mechanisms to authorise Ukrainians' legal residence in Poland. (…) The government also provided temporary protection to 241 individuals who may not qualify as refugees during the first 10 months of the year."[28]

[26] A. Bodnar, „Zatrzymać nienawiść", onet, 25.01.2018, https://wiadomosci.onet.pl/tylko-w-onecie/zatrzymac-nienawisc/yzpml96 [accessed: June 17, 2018]

[27] https://www.rpo.gov.pl/pl/content/rzecznik-prokuratury-w-sprawie-propagowania-segregacjonizmu-rasowego-przez-onr [accessed: June 17, 2018]

[28] Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 14http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]
As stated in the report: „On April 6, border guard officers used force and pepper spray against three Chechen men at a guarded detention centre in Biala Podlaska. They reportedly took this action after the men physically assaulted border guard officers in an effort to stop them from deporting a Chechen woman and two children. In September the Biala Podlaska prosecutor's office discontinued the investigation into abuse of power by the border guard." (*ibdem*, p. 14)

The Never Again notes, however, "Asylum seekers faced language and cultural barriers, and had limited access to higher education. Children in centres for asylum seekers had free access to public education, but those placed with relatives in guarded centres for foreigners did not."[29]

- **Anti-immigration sentiments**

See: question 6.

- **Social support to immigrants**

As for asylum seekers, they are not allowed to work until the asylum procedure is completed. If it exceeds 6 months, such persons gain work permit until granting the final asylum decision.[30]

According to the information provided by the Office for Foreigners[31]:

> "All foreigners applying for the refugee status in Poland have the right to social help, except for situations determined in the Act on granting protection to foreigners.Within two days from submitting the application, foreigner needs to report to one of the two reception facilities of the Department for Social Assistance:
>
> - Reception centre in Biała Podlaska, if the application is submitted for the first time.
> - Reception centre in Podkowa Leśna – Dębak in the case of foreigners who are starting the second procedure or who have returned within the Dublin procedure
>
> **NOTE!**If a foreigner does not report to a reception facility within two days, the refugee status proceedings will be cancelled."

The Foreigners' Office presents a list of types of assistance accessible for foreigners in the centre for foreigners: "Accommodation; Food, Reimbursement of costs of transport in specific cases, i.e. cases connected with refugee status proceedings, medical examination and vaccination or other justified cases; Constant financial aid for the purchase of personal hygiene products in the amount of PLN 20 a month and so-called pocket money in the amount of PLN 50 a month; Provision of non-recurring financial aid for the purchase of clothes and shoes in the amount of

[29]Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 14http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]

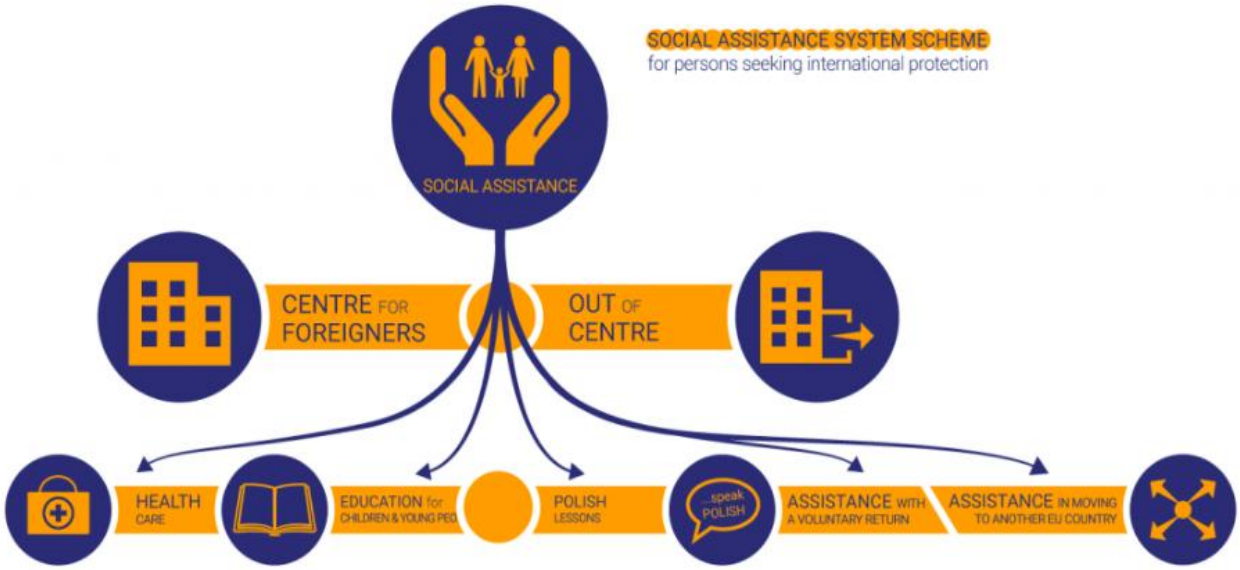
[30]Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 14http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]

[31] The Office for Foreigners, „Who can obtain assistance and when", https://udsc.gov.pl/en/uchodzcy-2/pomoc-socjalna/system-pomocy-socjalnej/kto-i-kiedy-moze-uzyskac-pomoc/ [accessed: June 17, 2018]

PLN 140; Provision of cash equivalent to food for children aged 6 and below and schooled children in the amount of PLN 9 a day".[32]

As for those dwelling outside the centre, they can receive "benefit in cash covering the costs of stay on the territory of Poland". A single person can receive 750 złotys/month (around euro 187.5); 2 persons – 600 złotys / person / month; 3 persons – 450 złotys / person / month; 4 persons – 375 złotys / person / month.[33]

In addidtion, all foreigners have the right to "access to public schools and necessary didactic materials (…); Free Polish lessons, access to classrooms in each facility; Health care coordinated by the Petra Medica Sp. z o.o. in Warsaw (…); Dental care; Assistance with a voluntary return".[34]



Source of the picture: Office for Foreigners, https://udsc.gov.pl/en/uchodzcy-2/pomoc-socjalna/system-pomocy-socjalnej/rodzaje-przyznawanej-pomocy/ [accessed: June 17, 2018]

Moreover, according to i.e. art. 5 and art. 5a of the Law on Social Support of March 12, 2004 foreigners are entitled to social assistance benefits under certain conditions.

[32] The Office for Foreigners, „Types of assistance", https://udsc.gov.pl/en/uchodzcy-2/pomoc-socjalna/system-pomocy-socjalnej/rodzaje-przyznawanej-pomocy/ [accessed: June 17, 2018]
[33] The Office for Foreigners, „Types of assistance", https://udsc.gov.pl/en/uchodzcy-2/pomoc-socjalna/system-pomocy-socjalnej/rodzaje-przyznawanej-pomocy/ [accessed: June 17, 2018]
[34] The Office for Foreigners, „Types of assistance", https://udsc.gov.pl/en/uchodzcy-2/pomoc-socjalna/system-pomocy-socjalnej/rodzaje-przyznawanej-pomocy/ [accessed: June 17, 2018]

6. Society's attitude towards immigrants, foreign nationals and various ethnic minorities

According to the Statistical Offices in July 2017 the population in Poland was 38 426 000.[35]

As for denomination, according to the opinion poll carried out by the CBOS in June 2017, 92% of the respondents call themselves Catholics. This number has remained nearly unchanged for the past 20 years.[36]

In 2017, according to the Office for Foreigners, Polish authorities issued the following documents[37]:

- Temporary residence –162,011;
- Registering the residence of the EU citizen – 71,568;
- Permanent residence – 57,384;
- EU long-term resident stay – 11,237;
- Permanent residence right of the EU citizen – 7,865;
- Subsidiary protection – 2,007;
- Residence due to humanitarian reasons – 1695;
- Refugee status – 1328;
- Residence of a family member of the EU citizen – 765;
- Tolerated stay – 277;
- Permanent residence of family member of the EU citizen – 75.

As for the countries of origin most of the foreigners in 2017 came from[38]:

- Ukraine – 140,491[39];
- Germany – 22,118;

[35] Statistical Offices, Basic data, http://stat.gov.pl/en/basic-data/ [accessed: June 22, 2018]
[36] „Przynależność Polaków do ruchów i wspólnot religijnych". Komunikat z badań nr 84/2017, CBOS Centrum Badania Opinii Społecznej, June 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_084_17.PDF [accessed: June 22, 2018]
[37] https://migracje.gov.pl/en/statistics/scope/poland/type/statuses/view/tables/year/2017/ [accessed: June 22, 2018]
[38] https://migracje.gov.pl/en/statistics/scope/poland/type/statuses/view/tables/year/2017/ [accessed: June 22, 2018]
[39] It should be noted that visa requirement for Ukrainian citzizens was abolished by the European Council on April 26, 2017, that approved the European Parliament resolution. Basically it concernes short-term stays up to 90 days (Centre for Eastern Studies, „The abolition of the visa requirement for Ukrainian citizens: possible migration consequences for the European Union, Ezpert opinion, Summary, https://udsc.gov.pl/en/abolition-of-the-visa-requirement-for-ukrainian-citizens/ [accessed: June 22,2018]).

- Belarus – 14,436;
- Vietnam – 11,018;
- Russian Federation – 10,955[40];
- China – 8,501;
- Italy – 7,922;
- India– 6,746;
- France – 5,855;
- Great Britain – 5,675;
- Spain – 5,407;
- Bulgaria – 5,158.

As for the foreigners i.e. from the Middle East, there were very few in number:[41]

- Turkey – 3,744;
- Egypt – 1,208;
- Iraq – 1,039;
- Syria – 1,025;
- Tunisia – 835;
- Saudi Arabia – 801;
- Iran – 348;
- Lebanon – 281;
- Israel – 278;
- Jordan – 268.

The vast majority of the foreigners who stayed in Poland in 2017 were aged between 20 and 39 (180,565 people) and between 40 and 59 (83,369 people)[42].

As for national and ethnic minorities, the following minorities are recognised as national minorities according to the act of January 6, 2005 on National and Ethnic Minorities and on the Regional Language[43]: Byelorussians, Czechs, Lithuanians, Germans, Armenians, Russians, Slovaks, Ukrainians, Jews. Aforementioned act lists the following groups as ethnic minorities: the Karaim, the Lemko, the Roma, and the Tatar.

[40] It should be noted that since summer 2016 the local boarder traffic regime with Kaliningrad Oblast has been closed. The little boarder traffic was introduced in the summer 2012.
[41] https://migracje.gov.pl/en/statistics/scope/poland/type/statuses/view/tables/year/2017/ [accessed: June 22, 2018]
[42] https://migracje.gov.pl/en/statistics/scope/poland/type/statuses/view/charts/year/2017/ [accessed: June 22, 2018]
[43] http://ksng.gugik.gov.pl/english/files/act_on_national_minorities.pdf [accessed: June 22, 2018]

It should be noted that – as stated in the US Department of State report – the Roma people continue to be discriminated against. Their leaders observe "widespread discrimination in employment, housing, banking, the justice system, media, and education." Undoubtedly, unemployment among the Roma people continues to be a problem: at the national level it concerns around 80% of Roma people. Simultaneously, Polish government allocated around 2.3 million euro (10 million złoty) for programs that aimed to support Roma communities (i.e. in the field of education). Furthermore, the Ministry of Education participated in financing school supplies for children and the Ministry of Interiors and Administration provided grants for Romani students, postgraduate studies on culture and history of the Roma people, and the Roma cultural and religious events.[44]

- **Have there been any sociological surveys or other studies in your country that study the motivation of public sentiments towards these groups? If so, what are the results? What, in your opinion, had a decisive influence on the formation of this motivation (the activities of political parties, NGOs, the media, any events in the socio-political and economic life, propaganda of the government, etc.)**

According to the authors of a survey concerning society's attitude towards other nations, there is a link between a declared attitude and residence, educational, and economical background. Thus, university graduates, urban dwellers, and wealthier people tend to have more positive attitude towards different nations. Left wing and non-religious people are more positive about "others", too.[45]

Simultaneously, village dwellers, the poorer, non-educated, right wing, and religious people are more likely to be negative about different nations.[46]

In February 2017 an interesting report on hate speech has been presented. It concerned 2016. Its authors, including, without limitation, tried to answer the question: what makes people use hate speech? Analysing the survey they carried out they found out that:[47]

[44]Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 23 http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]

[45] „Stosunek do innych narodów". Komunikat z badań nr 21/2017, CBOS Centrum Badania Opinii Społecznej, https://www.cbos.pl/SPISKOM.POL/2017/K_021_17.PDF, February 2017 [accessed: June 22, 2017]

[46] „Stosunek do innych narodów". Komunikat z badań nr 21/2017, CBOS Centrum Badania Opinii Społecznej, https://www.cbos.pl/SPISKOM.POL/2017/K_021_17.PDF, February 2017 [accessed: June 22, 2017]

- Men are more likely to declare that they use hate speech;
- The young are more likely to use hate speech than older people;
- There was not much difference between people from smaller and bigger towns;
- There was not much difference between more and less educated people and more and less religious people;
- Right-wing are more likely to use hate speech than left-wing;
- There was not much difference between those respondents who voted for the PiS (Law and Justice) and the PO (Civic Platform – a party which is considered to be much more moderate);
- The most likely to declare to be using hate speech were those who voted for Kukiz'15, and the less likely – PSL (Polish People's Party, an old party of peasant's origins).

According to aforementioned report, respondents' who declared to be using hate speech self-assessment was lower. Higher level of verbal aggression appeared to be another factor linked with using hate speech. Hate speech was also used by people who prefer hierarchical social order (the concept of world as a jungle where all the groups fight for domination). Interestingly, older people of authoritarian preferences were less likely to use hate speech.[48]

The report also stresses the role of culture and media in shaping attitudes. It seems that contempt for certain groups, rather than hatred, foster using hate speech.[49]

As for immigrants, it must be noted thatuntil terrorist attack in Paris in November 2015 Poles were sympathetic about the idea of helping refugees, especially if it was a temporary aid.[50] It

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[47]M. Winiewski, K. Hansen, M. Bilewicz, W. Sorak, A. Świdreska, D. Bulska, „Mowa nienawiści, mowa pogardy. Raport z badania przemocy werbalnej wobec grup mniejszościowych", Fundacja Batorego we współpracy z Centrum Badań nad Uprzedzeniami, w ramach programu Obywatele dla Demokracji, finansowanego z Funduszy EOG, 2016, http://www.batory.org.pl/upload/files/pdf/MOWA_NIENAWISCI_MOWA_POGARDY_INTERNET.pdf, pp. 138-143 [accessed: June 22, 2018]

[48] M. Winiewski, K. Hansen, M. Bilewicz, W. Sorak, A. Świdreska, D. Bulska, „Mowa nienawiści, mowa pogardy. Raport z badania przemocy werbalnej wobec grup mniejszościowych", Fundacja Batorego we współpracy z Centrum Badań nad Uprzedzeniami, w ramach programu Obywatele dla Demokracji, finansowanego z Funduszy EOG, 2016, http://www.batory.org.pl/upload/files/pdf/MOWA_NIENAWISCI_MOWA_POGARDY_INTERNET.pdf, pp. 144-146 [accessed: June 22, 2018]

[49] M. Winiewski, K. Hansen, M. Bilewicz, W. Sorak, A. Świdreska, D. Bulska, „Mowa nienawiści, mowa pogardy. Raport z badania przemocy werbalnej wobec grup mniejszościowych", Fundacja Batorego we współpracy z Centrum Badań nad Uprzedzeniami, w ramach programu Obywatele dla Demokracji, finansowanego z Funduszy EOG, 2016, http://www.batory.org.pl/upload/files/pdf/MOWA_NIENAWISCI_MOWA_POGARDY_INTERNET.pdf, p. 147-149 [accessed: June 22, 2018]

[50] „Stosunek do przyjmowania uchodźców". Komunikat z badań nr 163/2017, CBOS Centrum Badań Opinii Społecznej, December 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_163_17.PDF [accessed: June 22, 2018]

should also be recalled that the PiS, during election campaign and after, used the issue of refugees. Its rhetoric was based mostly on peoples' fear and prejudices. The European Commission has just launched infringement proceedings against Poland (Czech Republic and Hungary) "for non-compliance with their obligations under the 2015 Council Decisions on relocation." According to the European Commission, "Poland has not relocated anyone and not pledged since December 2015."[51] The attitude of the ruling party, as well as the national media, definitely had impact on society's attitude towards Muslims and Arabs.

The report done by M. Bieńkowski and A. Świderska (Centrum Badań nad Uprzedzeniami) in August 2017, covering the year 2016 shows that the level of acceptance of immigrants' and refugees' presence in Poland dropped. An attitude of Poles towards migrants turned out to be rather negative in 2016 compared to 2015 when it was rather positive. According to the report respondents who presented negative attitude towards immigrants and refugees had some common features, i.e.: being right-wing and conservative, accepting open market, right-wing authoritarianism, believing that their own situation has worsen and that fighting for a right position in hierarchy is an important element of life.[52]

- **How has the attitude towards immigrants, foreign nationals and ethnic minorities change as a whole?**

The societies attitude towards welcoming refugees was studied in December 2017. It should be noted that Poland has not taken part in their relocation. What is more, according to public opinion poll carried out by the CBOS in October 2017, 63% of the respondents would not welcome refuges from countries affected by armed conflict. 29% of the respondents declared the revers and said that Poland should accommodate refugees for a period until they can return to their countries of origin and only 4% would permit them to settle in Poland. Therefore, the results deteriorated significantly compared to December 2016.[53]

As said by public opinion poll carried out by the CBOS in January 2018 – "The event of the year 2017" – there has been no significant event indicated by the respondents. 54% of them had no opinion on the issue and for 10% there was no such event. 7% stated that the major event in

[51]European Commission - Press release. Relocation: Commission launches infringement procedures against the Czech Republic, Hungary and Poland, Brussels, June 14, 2017, http://europa.eu/rapid/press-release_IP-17-1607_en.htm [accessed: June 15, 2017]
[52] B. Bartosik, „Raport Centrum Badań nad Uprzedzeniami nt. stosunku Polaków do uchodźców", wiez.com.pl, August 11, 2017, http://wiez.com.pl/2017/08/11/polacy-pozytywnie-nastawieni-do-przemocy-wobec-imigrantow/ [accessed: June 2, 2018]
[53] „Stosunek do przyjmowania uchodźców". Komunikat z badań nr 163/2017, CBOS Centrum Badań Opinii Społecznej, December 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_163_17.PDF [accessed: June 22, 2018]

2017 in Poland was so called reform of judicatory, 6% financial support to the families and the poorest, 4% entering world cup in Russia. 3% of the respondents pointed out refusal to welcome refugees (4th place, together with visit of president D. Trump, and changes in economy). As for the global developments, 9% pointed out the elections in the USA and 5% (2nd place) – the problem of migration in Europe, refugees, and Islamisation. Terrorist attacks were in the 4th place.[54]

A survey concerning an attitude towards other nations and ethnic groups (24) was conducted in February 2018. According to CBOS public opinion poll:[55]

- **Czechs are the most liked nation (44%), 31% of the respondents are neutral, and only 14% dislike them**
  2017: 59% (like) – 1st place / 10% (dislike)
  2016: 50% (like) / 13% (dislike)
- **Italians:44% of the respondents like them** / 32% are neutral /14% dislike them;
  2017: 57% (like) – 3rd place / 10% (dislike);
  2016: 49% (like) / 13% (dislike)
- **Americans:43% of the respondents like them** / 33% are neutral /14% dislike them;
  2017: 54% (like) / 13% (dislike)
  2016: 46% (like) / 17% (dislike)
- **English:43% of the respondents like them** / 32% are neutral /16% dislike them;
  2017: 51% (like) / 16% (dislike)
  2016: 47% (like) / 16% (dislike)
- **Slovaks: 42% of the respondents like them** / 32% are neutral /14% dislike them;
  2017 – 57% (like) – 2nd place / 10% (dislike)
  2016 – 48% (like) / 13% (dislike)
- **Hungarians: 42% of the respondents like them** / 29% are neutral /16% dislike them;
  2017: 54% (like) / 12% (dislike)
  2016: 45% (like) / 17% (dislike)
- **Spanish:40% of the respondents like them** / 32% are neutral /14% dislike them;
  2017: no data available

[54] „Wydarzenie roku 2017 w Polsce i na świecie". Komunikat z badań nr 2/2018, CBOS Centrum Badań Opinii Społecznej, January 2018, https://www.cbos.pl/SPISKOM.POL/2018/K_002_18.PDF [accessed: June 22, 2018]
[55] „Stosunek do innych narodów". Komunikat z badań nr 37/2018, CBOS Centrum Badania Opinii Społecznej, March 2018, https://www.cbos.pl/SPISKOM.POL/2018/K_037_18.PDF [accessed: June 22, 2018]
„Stosunek do innych narodów". Komunikat z badań nr 21/2017, CBOS Centrum Badania Opinii Społecznej, February 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_021_17.PDF [accessed: June 22, 2018]

2016: 46% (like) / 14% (dislike)

- Norwegians: 38% of the respondents like them / 32% are neutral /14% dislike them;

  2017: no data available

  2016: no data available

- Greeks: 36% of the respondents like them / 31% are neutral /18% dislike them;

  2017: 45% (like) / 17% (dislike)

  2016: 34% (like) / 25% (dislike)

- Swedish: 34% of the respondents like them / 34% are neutral /16% dislike them;

  2017: no data available

  2016: 40% (like) / 16% (dislike)

- Japanese: 33% of the respondents like them / 30% are neutral /19% dislike them;

  2017: 46% (like) / 15% (dislike)

  2016: 38% (like) / 20% (dislike)

- **Germans: 30% of the respondents like them /** 28% are neutral **/ 36% dislike them**;

  2017: 46% (like) / 22% (dislike)

  2016: 37% (like) / 26% (dislike)

  Note: According to the CBOS survey, Polish-German relations are considered the worse since 2007, when the PiS ruled for the first time.[56]

- Lithuanians: 28% of the respondents like them / 32% are neutral / 25% dislike them;

  2017: 42% (like) / 20% (dislike)

  2016: 31% (like) / 27% (dislike)

- Latvians: 24% of the respondents like them / 29% are neutral / 22% dislike them;

  2017: no data available

  2016: no data available

- **Chinese: 24% of the respondents like them /** 29% are neutral **/ 31% dislike them**;

  2017: 37% (like) / 21% (dislike)

  2016: 25% (like) / 28% (dislike)

- **Jews: 24% of the respondents like them /** 31% are neutral **/ 33% dislike them**;

  2017: 37% (like) / 26% (dislike)

  2016: 23% (like) / 37% (dislike)

- **Ukrainians: 24% of the respondents like them /** 28% are neutral **/40% dislike them**;

  2017: 36% (like) / 32% (dislike)

[56] „Postrzeganie relacji polsko-niemieckich". Komunikat z badań nr 156/2017, CBOS Centrum Badania Opinii Społecznej, November 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_156_17.PDF [accessed: June 22, 2018]

2016: 29% (like) / 34% (dislike)

- **Vietnamese: 21% of the respondents like them** / 29% are neutral / **31% dislike them**;
  2017: 34% (like) / 23% (dislike)
  2016: 21% (like) / 32% (dislike)
- **Belarusians: 21% of the respondents like them** / 31% are neutral / **32% dislike them**;
  2017: 37% (like) / 23% (dislike)
  2016: 25% (like) / 32% (dislike)
- **Serbs: 19% of the respondents like them** / 30% are neutral / **30% dislike them**;
  2017: no data available
  2016: 20% (like) / 35% (dislike)
- **Russians: 18% of the respondents like them** / 25% are neutral /**49% dislike them**;
  2017: 31% (like) / 38% (dislike)
  2016: 20% (like) / 50% (dislike)
- **The Roma: 12% of the respondents like them / 20% are neutral / 59% dislike them;**
  2017: 21% (like) – 2nd less liked nation / 50% (dislike)
  2016: 11% (like) / 67% (dislike)
- **Arabs are the less liked nation: 10% of the respondents like them / 15% are neutral / 62% dislike them.**
  2017: 16% (like) – 1st less liked nation / 59% (dislike)
  2016: 8% (like) / 67% (dislike)

Thus, at the beginning of 2017 noticeably more respondents declared to "like" certain nations. The degree of "dislike" has risen, too, without, however, reaching its level of 2016.

- **Describe the negative public manifestations towards immigrants, foreign nationals and various ethnic groups with examples**

See: question 9.

- **Describe the positive manifestations towards immigrants, foreign nationals and various ethnic groups with examples**

Although the latest public opinion polls show that society's attitude towards national and ethnic minorities, as well as immigrants, have changed into worse, a positive activity of numerous institutions and NGO's must be mentioned.

As rightly stated in the report on Islamophobia, civil society in Poland is doing a great deal to fight negative attitude towards immigrants or foreign nationals. There are several NGO's, such as: the Never Again (Nigdy Więcej), Hate Stop (Hejtstop) or the Centre for Monitoring Racist and Xenophobic Behaviours (Ośrodek Monitorowania Zachowań Rasistowskich i Ksenofobicznych), that concentrate on monitoring hate crime in Poland. What is important, civil society responds to Islamophobic events, too.[57]

Some other good examples below:

- Jewish Culture Festival in Kraków

Since 1988, 27 editions of Jewish Culture Festival took place in Kraków. As its organisers rightly point out it has become "one of the most important cultural events in our city and country".[58] Indeed, it is a great, powerful, and a very popular event, which attracts thousands of people every year.

In 2017's edition 212 events and 73 accompanying events took place, the festival audience was 33,000 people. Almost 320,000 people watched the main concert ("Shalom on Szeroka") in Polish Television.[59]

- The Warszawa Singera Festiwal

Festival of Jewish culture in Warsaw, organised since 2004.

- Activity of Polish scientific centres, i.e.:

The Center for Research on Prejudice at the Faculty of Psychology, University of Warsaw;

Polish Center for Holocaust Research, Institute of Philosophy and Sociology at the Polish Academy of Science;

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[57] A. Piela, A. Łukjanowicz, European Islamophobia Report 2017, E. Bayrakli, F. Hafez (eds.), SETA 2018, pp. 478-479 http://www.islamophobiaeurope.com/wp-content/uploads/2018/04/Poland.pdf [accessed: June 16, 2018]
[58] Jewish Culture Festival, http://www.jewishfestival.pl/en/jewish-culture-festival/ [accessed: July 2, 2018]
[59] 27th JCF in numbers, http://www.jewishfestival.pl/en/27-fkz-raport-en/ [accessed: July 2, 2018]

Centre for Holocaust Studies at the Jagellonian University in Kraków;

UNESCO Chair for Holocaust Education at the Jagiellonian University in Kraków.

- Activity of NGO's

There is a number of NGO's in Poland that promote Jewish culture and fight stereotypes. In this context, i.e. the following organisations should be mentioned:

* Judaica Foundation – Centre for Jewish Culture (Kraków). The aim of this well-known and vibrant foundation is to "preserve Jewish heritage in the Kazimierz district of Cracow, (…) to disseminate knowledge of the history and culture of the Polish Jews (…), to create a platform for Polish-Jewish dialogue, to promote the values of an open civil society".[60]

* uchodzcy.info – a website devoted to refugees (http://uchodzcy.info/). Its aim is to raise awareness on refugees issues and combating negative stereotypes.

*Otwarta Rzeczpospolita – Stowarzyszenie przeciw Antysemityzmowi i Ksenofobii (eng. Open Republic – Association against Anti-Semitism and Xenophobia). It was established in 1999 "as an expression of the need to counteract xenophobic and anti-Semitic prejudice reappearing in the Polish public life." It maintains racist and xenophobic incidents' database. It also enables to "submit an incident" by anybody who knows about racist or xenophobic incident.[61]

7. Incitement to ethnic and religious hatred

On October 13, 2017 the National Public Prosecutor's Office report on hate crime was published. The document concerned racist, anti-Semitic, and xenophobic hate crimes committed during the first half of the year 2017[62].

According to the National Public Prosecutor's Office the vast majority of crimes included in the Report concerned crimes committed on the basis of art. 256 (hate speech and promoting fascism

[60] http://www.judaica.pl/index1.php?zmien_jezyk=EN&podstrona=cele_zalozenia [accessed: June 16, 2018]
[61] http://www.otwarta.org/en/index.php/about-association/ [accessed: June 16, 2018]
[62] Prokuratura Krajowa, Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w I półroczu 2017 roku w jednostkach organizacyjnych prokoratury, https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-dot-spraw-o-przestepstwa-popelnione-pobudek-rasistowskich-antysemickich-lub-ksenofobicznych-prowadzonych-polroczu-2017-roku-jednostkach-organizacyjnych-prokuratury/ [accessed: June 15, 2018]

and other totalitarian state systems), 257 (hate crime), and 119 (unlawful threat on the basis of race, nationality, ethnicity, religion, or politics) of the Criminal Code (762 cases, 80.5%)[63]:

- 292 cases (30.8%) concerned hate crime (art. 257 of the Criminal Code);
- 273 cases (28.8%) + 24 cases concerned hate speech and promoting of fascism and other totalitarian state systems (art. 256§1 and 256§2 of the Criminal Code);
- 197 cases concerned violence or unlawful threat on the basis of race, nationality, ethnicity, religion, or politics (art. 119 of the Criminal Code).

See also: question 10.

- **Calls for ethnic and religious hatred in mass media and mass communications, graffiti**

It should be noted that public calling for ethnic and religious hatred is forbidden in the light of Polish law. Such events are of very occasional nature.

However, there is a problem of verbal aggression and negative picture of Muslims in Polish press. This issue was stressed during the meeting at Polish Ombudsman's Office at the beginning of 2017.[64] During the meeting the report made by the Kultura Liberalna's Public Debate Observatory was presented.

The aforementioned report – "The Negative Portrayal of Muslims in the Polish Press. An analysis of Selected Examples Published Between 2015 and 2016"[65] – rightly states that

> "We should call for special caution when writing and speaking about persons who are members of the Muslim community. Opinion polls, including those conducted by the Polish Public Opinion Research Centre CBOS, confirm that in recent years Muslims have been especially vulnerable to stigmatisation, discrimination and exclusion. Media communications all too often blur the meaning of concepts, which leads to the identifying of Muslims, Arabs and refugees as terrorists, Islamist fundamentalists, etc. This leads to the creation of a negative image of aggressive Islamic culture, whose representatives wish to dominate, or even conquer, the European continent by all sorts of means."

[63] *Ibidem*
[64] „Obraz muzułmanów w polskiej prasie. Jak możemy przeciwdziałać mowie nienawiści i wspierać przekaz rzetelnych informacji – spotkanie u Rzecznika", https://www.rpo.gov.pl/pl/content/sniadanie-prasowe-na-temat-jezyka-prasowego-opisujacego-spolecznosc-muzulmanska-w-polsce [accessed: June 10, 2018]
[65] K. Wigura, Ł. Bertram, A. Puchejda, „The Negative Portrayal of Muslims in the Polish Press. An analysis of Selected Examples Published Between 2015 and 2016", A Report by the Kultura Liberalna's Public Debate Observatory, Warsaw, January 2017, English translation: N. Janota, p. 5 https://www.rpo.gov.pl/sites/default/files/The_Negative_Portrayal_of_Muslims_in_the_Polish_Press.pdf [accessed: June 10, 2018]

The report was based on analysis of 11 titles, namely: 3 daily newspapers, 4 opinion weeklies, and four portals. According to the authors, they were selected on the basis of their impact factor, popularity and profile.[66]

The conclusions of the Report are very interesting. Firstly, the cases of stigmatisation of people belonging to Muslim communities in Poland are of occasional nature. Secondly, the terms "Muslims, Arabs, migrants, refugees" tend to be used interchangeably and quite usually "in conjunction with words such as terrorism, terrorist, islamist, fundamentalist, etc.". Thirdly, in analysed publications a phenomenon called by the authors of the report "the negative thinking about Muslims package" appears. Namely, it shows Muslims being refugees who arrive to Europe without any control or Muslims being immigrants who might become terrorists. What is more, their presence is shown as "all-consuming wave or an invasion, Islamisation, a clash of civilisations" and Europe is shown as "blinded by the harmful ideology of multiculturalism, moving towards suicide, etc.". Fourthly, the Muslim motif served as a tool in arguments or other questions.[67]

- **Presence and popularity of radical nationalist literature, films, music, ultranationalist rock bands and their concerts**

Cases of concerts of neo-Nazi rock bands occur rarely and Nazi rock bands are not very popular among Polish society. Such events in general are organised secretly, since promoting fascism and other totalitarian state systems is forbidden under art. 256 of Polish Criminal Code.

However, i.e. in March 2017 around 300 neo-Nazis from Germany and Poland met in a small village in Dolny Śląsk (eng. Lower Silesia District). The meeting was organised by the Blood and Honour members. They attended Oidoxie concert, a German neo-Nazi music band. They could also listen to some other bands from Switzerland, Ukraine, and Polish Obłęd. According to the

[66]K. Wigura, Ł. Bertram, A. Puchejda, „The Negative Portrayal of Muslims in the Polish Press. An analysis of Selected Examples Published Between 2015 and 2016", A Report by the Kultura Liberalna's Public Debate Observatory, Warsaw, January 2017, English translation: N. Janota,p. 12 https://www.rpo.gov.pl/sites/default/files/The_Negative_Portrayal_of_Muslims_in_the_Polish_Press.pdf [accessed: June 10, 2018]

[67]K. Wigura, Ł. Bertram, A. Puchejda, „The Negative Portrayal of Muslims in the Polish Press. An analysis of Selected Examples Published Between 2015 and 2016", A Report by the Kultura Liberalna's Public Debate Observatory, Warsaw, January 2017, English translation: N. Janota,p. 36 https://www.rpo.gov.pl/sites/default/files/The_Negative_Portrayal_of_Muslims_in_the_Polish_Press.pdf [accessed: June 10, 2018]

Police, the event was monitored by Polish services. However, the event was considered private, so they could not intervene.[68]

The situation on ultranationalist rock bands is somewhat different. It cannot be stated that their popularity is significant, though.

The most important nationalist festival is called Orle Gniazdo (eng. Eagle's Earie). Its 5th edition took place in July 2017 in Kępno near Radomsko (central Poland).[69] Festival was organised by the Orle Gniazdo Foundation, whose president is also president of nationalist organisation Młodzież Wszechpolska (eng. All Polish Youth). According to polish private television's TVN report during the Festival fascism was promoted. Indeed, people hailing can be seen. TVN stresses that there is a couple of similar events in Poland every year.[70] As a result of TVN report, in January 2018 prosecutor initiated proceedings concerning promoting fascism during the Orle Gniazdo Festival.[71] Simultaneously, the Festival organisers claim high compensation for alleged infringement of personal rights. They call the report "illegal and false".[72] During a radio interview in TOK FM radio, prof. R. Pankowski who monitors Polish far right said that .[73]

As for radical nationalist literature and films, it can be regarded a margin. It must be noted that radical content might violate i.e. art. 256 of Criminal Code. Simultaneously, nationalist and patriotic content seem to become more and more popular.

8. Radical nationalist groups and parties

[68] J. Harłukowicz, „Zjazd nazistów we wsi koło Świdnicy. Władze gminy wynajęły im świetlicę", http://wroclaw.wyborcza.pl/wroclaw/7,35771,21488371,nazisci-w-gminnej-swietlicy.html [accessed: June 10, 2018]

[69] „Festiwal Orle Gniazdo V edycja – relacja i fotoreportaż", http://autonom.pl/?p=18923 [accessed: June 10, 2018]
Note: Adlehorst (Eagle's Eyrie) was designed to be Hitler's main military command complex during WW2.

[70] „Po reportażu 'Superwizjera' rusza śledztwo w sprawie neonazistowskiego festiwalu", https://www.tvn24.pl/wiadomosci-z-kraju,3/orle-gniazdo-pod-okiem-prokuratury-po-reportazu-superwizjera,808824.html [accessed: June 10, 2018]
A fragment of TVN's report can be seen here; http://superwizjer.tvn.pl/aktualnosci,984,n/co-dzialo-sie-na-festiwalu-orle-gniazdo,252083.html [accessed: June 10, 2018]

[71] „Scena, która nie weszła do reportażu TVN24. Podczas Orlego Gniazda nawoływano do zabicia Donalda Tuska", http://wyborcza.pl/7,75398,22940194,scena-ktora-nie-weszla-do-reportazu-tvn24-podczas-orlego-gniazda.html [accessed: June 10, 2018]

[72] „Organizatorzy festiwalu 'Orle Gniazdo' chcą miliona złotych odszkodowania od TVN", https://www.wprost.pl/kraj/10100109/organizatorzy-festiwalu-orle-gniazdo-chca-miliona-zlotych-odszkodowania-od-tvn.html [accessed: June 10, 2018]
„Oświadczenie organizatorów festiwalu", http://www.festiwalorlegniazdo.pl/ [accessed: June 10, 2018]
„Organizatorzy festiwalu 'Orle Gniazdo' pozywają TVN. Żądają miliona złotych", http://fakty.interia.pl/polska/news-organizatorzy-festiwalu-orle-gniazdo-pozywaja-tvn-zadaja-mil,nId,2513536 [accessed: June 10, 2018]

[73] R. Pankowski z Nigdy Więcej o festiwalu Orle Gniazdo i faszyzmie (rozm. M. Lizut), 22.01.18, https://www.youtube.com/watch?v=z7mz7yOly4E [accessed: June 10, 2018]

It should be noted that radical parties and groups are not particularly influential in Poland. According to the public opinion polls they play a rather marginal role in the elections. Namely, survey carried out by the CBOS in December 2017 shows that only four political parties would appear in the Polish parliament: the ruling party – PiS (Prawo i Sprawiedliwość, eng. Law and Justice – 41%), PO (Platforma Obywatelska, eng. Civic Platform – 18%), N (Nowoczesna, eng. Modern – 11%), and Kukiz'15 (7%).[74] None of those parties can be considered neo-Nazi or ultranationalist. What is more, no such a party has been mentioned in the survey whatsoever.

However, they cannot be underestimated. As stated in the previous reports on Poland, the ruling party seemed to play the game with radical nationalists. What is more, popularity of national ideas can be observed.

Nevertheless, an interesting public opinion poll concerning young Poles and the right-wing has been carried out. Namely, an analysis published in October 2015 showed rapidly growing number of right-wing views among 18-24 year old people (32%). In 2015 young people with left-wing views fell to an all-time low, too. Before they tended to be more neutral than older Poles. However, in 2016 this trend was reversed. In 2017 26% of young people aged between 18 and 24 declared to have right-wing views. Authors of the report conclude that the idea that Polish people in general express right-wing views became obsolete to a large extent. Although most of them are more right-wing than left-wing, they do not stand out from the rest of the society. The young cannot be regarded more radical than others, too. According to the statistics, the most right-wing social group are people aged 65 and more.[75]

When asked about wearing "patriotic outfit" 18% of the respondents declared to be doing it sometimes and 82% declared the reverse; and 33% of the respondents declared to have any items with national symbols and 67% declared the reverse. Eventually 55% of the respondents declared not to display national flag during public holidays. Simultaneously, 32% of the respondents said that national symbols tend to be abused and 15% think that they should be displayed more frequently; 46% of the respondents declared to be satisfied with the current

[74] Komunikat z badań CBOS Centrum Badania Opinii Społecznej nr 164/2017, „Preferencje partyjne w grudniu, przed dymisją premiera", Grudzień 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_164_17.PDF [accessed: June 14, 2018]
[75] Komunikat z badań CBOS Centrum Badan Opinii Społecznej nr 102/2017, „Czy młodzi Polacy są prawicowi", Sierpień 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_102_17.PDF [accessed: June 14, 2018]

situation. Although right-wing views are more popular among young people than left-wing, it has been a constant feature since 2002. [76]

- **Presence of neo-Nazi and ultranationalist groups, movements, political parties (both in the centre and localities), discriminatory demands in their rhetoric and documents**

The presence of neo-Nazi organisations is marginal.

As for the ultranationalist groups, movements and political parties, four main organisations should be mentioned:

- Ruch Narodowy Rzeczypospolitej Polskiej (RN, National Movement of the Republic of Poland)
- Obóz Narodowo-Radykalny (ONR, eng. National Radical Camp)
- Młodzież Wszechpolska (MW, eng. The All-Polish Youth)
- Narodowe Odrodzenie Polski (NOP, eng. National Rebirth of Poland)

All of them act legally in Poland.

The core of activity of aforementioned associations is organising demonstrations and events that attract their followers. It seems that the most important, numerous and apparent is the March of Independence in Warsaw that was organised on November 11 since 2012.

Ultranationalist organisations do not play a significant role on Polish political scene. Demands included in their official documents seem to be less radical than their actual ideas. Nevertheless, I will focus on the documents exclusively. However, that even in aforementioned documents discriminatory content can be found. It is often expressed openly in their public activity.

RUCH NARODOWY

Ruch Narodowy is a political party. According to §2 of its statute the aims of RN are as follows[77]:

- Act in Polish national interest understood according to the tradition of Polish national movement and social teaching of Catholic church;

[76] Komunikat z badań CBOS Centrum Badań Opinii Społecznej nr 133/2017, „Wykorzystywanie symboli narodowych i patriotycznych", Październik 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_133_17.PDF [accessed: June 14, 2018]
[77] Statut Ruchu Narodowego, http://ruchnarodowy.net/wp-content/uploads/Statut-RN-v.-15.06.2018.pdf [accessed: June 14, 2018]

- Implement principles and values expressed in the Ideological Declaration of the National Movement;
- Work on the National Movement Program and implement its aims;
- Continue and develop heritage of past generations of Polish leaders, above all those linked with national movement;
- Organise and form leaders and circles that could play an active role in the discussion on meaning and identity of Polish nation and state;
- Take part in political competition and public debate;
- Represent Polish national circles in its relations with public institutions and circles and institutions from abroad.

According to the Ideological Declaration of the National Movement, the main goal of the RN is to defend and strengthen Polish national identity, based on Christianity. Modernity and cosmopolitism should be fought. The RN also declares to defend family understood as a marriage between woman and man. The RN wants to guarantee patriotic education and cease liberal-leftist propaganda. The state, its culture and economy should be sovereign. As for freedom of speech, the RN seeks to combat political correctness that promotes degeneration.[78]

Program of the RN states i.e. that there is a need to militarise the nation. The EU flags should be removed. The EU itself should be Europe of fatherlands rather than federation and "Euro-kolkhoz". Polish land should belong to Poles exclusively. Great Polish history should be protected. Traditional values must be defended and homosexual propaganda and the ideology of gender should be stopped. Liberal democracy should end. Capital punishment should be restored.[79]

OBÓZ NARODOWO-RADYKALNY

National –Radical Camp is a movement that declares lack of interest in politics. Instead it proposes "national activism". Thus, the ONR co-organises the March of Independence in November. It also opposes "leftist propaganda" and carries out charity activity. They refer to National-Radical Camp founded and outlawed in the interwar period.[80]

[78] „Tożsamość-Suwerenność-Wolność. Deklaracja ideowa Ruchu Narodowego", http://ruchnarodowy.net/program/ [accessed: June 14, 2018]
[79] „Postulaty programowe Ruchu Narodowego z II Kongresu RN 3 maja 2014", http://ruchnarodowy.net/program/ [accessed: June 14, 2018]; http://ruchnarodowy.net/wp-content/uploads/Program-Ruchu-Narodowego.pdf [accessed: June 14, 2018]
[80] „Czym jest ONR?", https://www.onr.com.pl/czym-jest-onr/ [accessed: June 14, 2018]

In the Ideological Declaration the ONR states that[81]:

- Redemption is human's ultimate goal and the Catholic church is the pillar of being Polish;
- Nation is the highest earthly value; biological racism should be condemned, but ethnic homogeneity should be preserved;
- Family is pillar of the nation;
- Polish state is a product of Poles' collective will;
- State system guarantees justice and national solidarity; it should be based on authority, sovereignty, hierarchy, self-government, solidarity; the role of political parties should be limited, since they are harmful; the ONR "rejects every form of totalitarianism, including liberal democracy";
- Education should be influenced by national spirit;
- Armed forces should be influenced by national spirit;
- National-radical economy should consider interests of the whole nation;
- Culture is a pillar of national identity and should be protected;
- Former Kresy Wchodnie (eng. Eastern Borderlands) remain an important centre of Polishness and their annexation by the Soviet Union is a communist crime; we should not abandon these lands;
- Foreign policy should reflect Polish national interest; a block of Central-Eastern countries should be formed; NATO and the EU do not guarantee safety;
- Federation of Central and East European countries is a future of Latin civilisation.

MŁODZIEŻ WSZECHPOLSKA

The All-Polish Youth is an association gathering people "who love their fatherland and who are devoted to Catholic Church." It was reactivated in 1989. The MW aim is to bring up its members inspired by national, patriotic and catholic values. For the MW members being Pole is a pillar of identity.[82]

According to the MW Ideological Declaration the organisation is[83]:

- An ideological inheritor of the best traditions of the National Camp, above all Roman Dmowski[84];

[81] „Nowa Deklaracja Ideowa Obozu Narodowo-Radykalnego. Polska Jutra", https://www.onr.com.pl/deklaracja-ideowa/ [accessed: June 14, 2018]
[82] „Kim jesteśmy", http://mw.org.pl/about/ [accessed: June 14, 2018]
[83] „Deklaracja Ideowa Młodzieży Wszechpolskiej", http://mw.org.pl/about/deklaracja-ideowa/ [accessed: June 14, 2018]
[84] Roman Dmowski – co-founder of national camp, leading Polish nationalist in the interwar period. I.e. he stated: "Catholicism is not an addition to Polishness, coloring it in some way, but is a part of its essence; in large measure it defines its essence. Any attempt to separate Catholicism from Polishness, to separate the

- The MW refers to principals of the only true, sacred faith of Catholic Church;
- The MW seeks for moral and national rebirth of the young generation; it opposes i.e. liberalism, "tolerantionism", and relativism;
- It wants to form citizens in national and catholic spirit; it fights against threats to nation and Catholic Church; the MW declares its active involvement in political and social life;
- The aim of the MW is to build a catholic state of Polish nation that would become a pillar of European Latin civilisation.

The statute of the MW states that the aim of its existence is i.e. promoting patriotism; conservation of national heritage; strengthening national identity, culture and tradition based on Latin civilisation; preservation of Polishness; commemorating historical events; disseminating true information about European integration; charity activity; life protection; development of education; promoting healthy lifestyle.[85]

NADODOWE ODRODZENIE POLSKI

The National Rebirth of Poland declares to be "the oldest Polish nationalist organisation after WW2", founded in 1981. They stress that during general elections in October 2015 "NOP, the only national-revolutionary movement and party in Poland, put up 7 candidates to the Senate (the upper house of the Polish parliament). (…) Our candidates were totally boycotted in the mainstream medias, but got in their electoral districts from 3.44 % to 13.96% of votes. This was very important step in our fight. It showed, that without founds nationalists can break the „democratic" wall around us and win minds of our people".[86]

Their "Third Position – 10 Point Declaration" contains ideas as follows[87]:

- The primacy of spirit – "(…) worldwide National Revolution can only be achieved by the moulding of a New Man, a militant who practises what he preaches. Such a New Man must embody our ideal

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nation from religion and from the Church, threatens to destroy the nation's very essence." (R. Pankowski, M. Kormak: http://www.nigdywiecej.org//docstation/com_docstation/20/right_wing_extremism_in_europe.pdf [accessed: November 18, 2016])
R. Pankowski stresses that Dmowski's National Democrats understood Polishness in "strictly ethnic terms and thus opposed not only to the occupying powers, Germany and Russia, but also to other groups, such as Jews, who had previously been considered part and parcel of the Polish nation (…). Gradually, anti-Semitism became a crucial part of the core message of the movement" (R. Pankowski, "The Populist Radical Right in Poland. The patriots",Routledge 2010, p. 22).

[85] „Statut Stowarzyszenia Młodzież Wszechpolska, uchwalony 2 grudnia 2017 roku na zjeździe zwyczajnym w Poznaniu", http://mw.org.pl/about/statut/ [accessed: June 14, 2018]

[86] „Presentation of our movemnet" (English), http://en.nop.org.pl/presentation-of-our-movement/ [accessed: June 14, 2018]

[87] „Third Position – 10 Point Declaration" (English), http://en.nop.org.pl/third-position-10-point-declaration/ [accessed: June 14, 2018]

in such a way that he acts in himself as the highest form of propaganda for the Third Position in the community in which he lives and works (…)";

- The moral order – "Since the degeneracy of the modern world is founded upon immorality and amorality, it stands to reason that a regenerate world can only be built upon Moral Order and Christian standards of living. (…)";
- Opposition to materialism – "(…) The forms which have done the most damage in our time may be enumerated as: Freemasonry, Liberalism, Nihilism, Capitalism, Socialism, Marxism, Imperialism, Anarchism, Modernism and the New Age. Each of these creeds – materialist at base – is philosophically wrong and discredited in practice. Thus, the Third Position condemns them all unreservedly, and affirms that opposition to all forms of Materialism is central to the ideology of the Third Position."
- Zionism and the Palestinian people – "Zionism as an organized political movement is little more than a century old, and yet in that time it has built a power structure of colossal proportions that straddles the globe. This structure includes not only the illegal Israeli regime, set up on the stolen land of Palestine, but also the power bases that Zionists have constructed in the spheres of Politics, Economics and the Media, especially in the USA and Europe. Needless to say, this power structure exists to serve and extend the interests of International Jewry, and this can only be done at the expense of the indigenous populations who have lost control of their countries to this discriminatory creed. (….)";
- The ideal of popular rule – "It is a core belief of the Third Position that harmony and peace within nations and between nations can only be truly attempted if each nation seeks to create an essential unity that transcends sectional or vested interests. (…) The programme of political decentralization we call Popular Rule. In its essence, it is a system of self-government by the people which starts at the level of the lowest socially viable unit, and extends through a series of organically linked structures to the national level. (…) However, the people themselves must act within the Moral Order if their wishes are to be valid; that is to say, the people do not make the „truth" by voting, rather their political actions must conform to Objective Truth.";
- Racial and cultural diversity – "That the human species is comprised of a patchwork of differing races and cultures is a matter of common sense, and yet there are, incredibly, those who would destroy this richness and diversity in humanity in order to replace it with a rootless mass, lacking identity and history. In such a nightmare world the very words Race, Nation and Culture would cease to have any meaning at all. In other words, this forced multi-racism is seeking to destroy the living soil within which all peoples have their roots, their identity, their being. (…) The Third Position supports the concept of Racial Separatism whereby different peoples and cultures co-operate in an atmosphere of respect and understanding to their mutual benefit, preserving one another from the abyss of multi-racism. (…) In the struggle to preserve human diversity, resettlement of races to their countries of origin will play a major role, and will directly aid the struggle to build a more peaceful world.";
- Preservation of the environment – "(…) balance between Ruralism and Urbanism is held to be central to the worldview of the Third Position (…)";

- The menace of bankerdom – "(…) The Third Position believes that International Finance is one of the greatest evils of the modern world, and thus is intrinsically hostile to the programme of the Third Position. (…)";
- A third position of ownership – "(…) Distributism (….) This form of ownership occurs in an economy which is decentralized to the smallest, viable unit and thus results in a plethora of producer and service co-operatives, small businesses, craft workshops, Guild structures, artisanal associations, small holdings, family firms and family farms. It is a mode of ownership which promotes individual initiative and creativity, and yet does so only within the framework of the Common Good. It is the natural conjunction of Individual Freedom with Social Justice.";
- National revolution worldwide.

- **How has the influence of neo-Nazi and radical nationalist parties on the civil society and government (local and central) change over this period**

The influence of neo-Nazis is marginal, as they are still unpopular among the society.

As for the ultranationalist groups, movements and political parties it seems that current Polish government became more circumspect about supporting radical groups.

It must be noted that in 2017 there were some unsuccessful attempts by the PO MP's (Civic Platform) to outlaw the National-Radical Camp. The first took place in January 2017. Another one was prompted by the ONR demonstration in Warsaw on April 29, 2017.[88] Then there was an attempt to do it in Kraków in September 2017. It is complicated, however, to proof that the association indeed breaks the law. President of Kraków applied to all prosecution offices and police for statistics regarding the ONR members. Eventually, he saw no reason to outlaw the National Radical Camp.[89]

[88] A. Szczęśniak, „ONR-em zajmie się prokuratura i sąd. Prezydent Częstochowy zawiadamia", https://oko.press/onr-em-zajmie-sie-prokuratura-sad-prezydent-czestochowy-zawiadamia/ [accessed: June 14, 2018];
„Śledztwo ws. m.in. propagowania faszyzmu przez ONR w Częstochownie prawomocnie umorzone", http://www.polsatnews.pl/wiadomosc/2018-06-22/sledztwo-ws-m-in-propagowania-faszyzmu-przez-onr-w-czestochowie-prawomocnie-umorzone/ [accessed: June 22, 2018]

[89] „Małopolski KOD prosi prezydenta Krakowa o delegalizację ONR", http://www.gazetakrakowska.pl/wiadomosci/krakow/a/malopolski-kod-prosi-prezydenta-krakowa-o-delegalizacje-onr,12452676/ [accessed; June 15, 2018];
„ONR czeka delegalizacja? Prezydent Krakowa interweniuje", https://wiadomosci.radiozet.pl/Polska/Krakow-Jacek-Majchrowski-sprawdza-czy-mozna-zdelegalizowac-ONR [accessed: June 15, 2018];
P. Figurski, „Prezydent Krakowa zdelegalizuje ONR? Na razie chce dowodów", http://krakow.wyborcza.pl/krakow/7,44425,22365140,prezydent-krakowa-zdelegalizuje-onr-na-razie-chce-dowodow.html [accessed: June 15, 2018]

9. Public actions of extremists and radical nationalists, including among sports fans

As stated in the US Department of State report on Human Rights Practices for 2017, "extremist groups, while small in number, maintained a public presence in high-profile marches and on the internet and disrupted lectures or debates on issues they opposed."[90]

On October 13, 2017 the National Public Prosecutor's Office report on hate crime was published. The document concerned racist, anti-Semitic, and xenophobic hate crimes committed during the first half of the year 2017[91].

According to aforementioned report in the first half of 2017 only 4 cases of broadly defined hate crimes concerned activity of sports fans and sportsmen during games. Simultaneously, in the first half of 2016, 14 out of 863 cases concerned activity of sport fans and sportsmen during games (1.6%); and in the first half of 2015, 13 out of 848 cases concerned activity of sport fans and sportsmen during games[92].

It should be noted, however, that football fans circles seem to play a significant role in recruiting members of radical movements. I.e. A. Tatar (Nigdy Więcej – The Never Again Association) points out that radicals operate on football stadiums. What is more, in such places manifesting hatred is done easily and such behaviour do not receive strong response from the Polish Football Association.[93]

See also: question 3.

As for other actions of radical nationalists, some examples below:

P. Figurski, „Kraków nie zdelegalizuje ONR? Magistrat: 'Nie ma do tego podstaw'". http://krakow.wyborcza.pl/krakow/7,44425,22625083,krakow-nie-zdelegalizuje-onr-magistrat-nie-ma-do-tego-podstaw.html [accessed: June 15, 2018]

[90]Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 24http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]

[91] Prokuratura Krajowa, Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w I półroczu 2017 roku w jednostkach organizacyjnych prokoratury, https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-dot-spraw-o-przestepstwa-popelnione-pobudek-rasistowskich-antysemickich-lub-ksenofobicznych-prowadzonych-polroczu-2017-roku-jednostkach-organizacyjnych-prokuratury/[accessed: June 15, 2018]

[92]*Ibidem*

[93] A. Tatar z Nigdy Więcej o wspieraniu przez Roberta Winnickiego Festiwalu Orle Gniazdo, 25.01.2018, Polsat News, https://www.youtube.com/watch?v=Dj28UeB-4z0 [accessed: June 15, 2018]

- March 2017, the first day of spring in Warsaw

In Poland people celebrate the 1st day of spring by going to the river with a handmade Marzanna, a doll, which is thrown it into the water afterwords. However, On March 21, 2017 a different "artistic event" took place in Warsaw. A group of right-wing people organised an event called "Topienie B'żyduli" ("Drowning of B'żydula"). In Polish a similar word which sounds the same as "b'żydula" – *brzydula* – means an ugly woman. A word *żydula* does not exist. Nevertheless it can be interpreted as an offensive word meaning "a Jewish woman". Thus, "Topienie B'żyduli" sounds like "Drowning the Ugly", but the spelling changes the meaning into "Drowning a Jewish woman".[94]

- April 2017, the ONR march in Warsaw

In April 2017 a few hundred ONR members celebrated 83rd anniversary of establishing National-Radical Camp. Slogans such as: "Death to enemies of fatherland" and "We don't want Islam, terrorists, and Muslims here". The number of marching participants wasn't significant. Even fewer was a group of the ONR's opponents. The president of Warsaw, Ms. H. Gronkiewicz-Waltz, allowed the ONR to organise the march. Nevertheless, she called on the minister of justice to ban the ONR.[95]

The ONR members also chanted "Here come white warriors, nationalists, Catholics", "Germany and France is crying, that's how tolerance ends up", "Young, active, radical", "Labour in Poland for the Poles, "Yesterday Moscow, today Brussels". They also criticise a ruling party. However, voices of criticism concerned the Police's behaviour towards antifascists.[96]

- July 2017, exhibition in Kraków disrupted

On July 1, 2017 an exhibition called "Refugees. Images of the Unseen", was disrupted by the Młodzież Wszechpolska (eng. All-Polish Youth). Its members covered pictures with the images of terrorist attacks. The exhibition created by Omar Marques was organised by the Faculty of

[94] J. Noch, „Po tym 'ivencie' nikt nie powie, że Polska nie ma problemu z antysemityzmem W stolicy zamiast Marzanny spalili 'B'żydulę'", natemat.pl, March 24, 2017, http://natemat.pl/204463,po-tym-ivencie-nikt-nie-powie-ze-polska-nie-ma-problemu-z-antysemityzmem-w-stolicy-zamiast-marzanny-spali-b-zydule [accessed: June 14, 2018]

[95] W. Głowacki, „Marsz ONR w Warszawie. Narodowcy świętowali, Obywatele RP chcieli zablokować pochód", polskatimes.pl, May 10, 2017, http://www.polskatimes.pl/fakty/polityka/a/marsz-onr-w-warszawie-zdjecia-narodowcy-swietowali-obywatele-rp-chcieli-zablokowac-pochod,12035470/ [accessed: June 2, 2018]

[96] A. Ambroziak, „Brunatna siła może czuć się bezpiecznie na ulicach Warszawy. Marsz ONR ochraniany przez policję", oko.press, April 30, 2017, https://oko.press/brunatna-sila-moze-czuc-sie-bezpiecznie-ulicach-warszawy-marsz-onr-ochraniany-policje/ [accessed: June 4, 2018]

International Political Studies, Jagiellonian University in Kraków. It depicted both legal and illegal camps where refugees dwell.[97]

- August 2017, a peaceful manifestation distorted in Oświęcim

Four ONR supporters and a couple of football fans of a local team distorted a peaceful manifestation in Oświęcim. The main slogan chosen by organisers of the demonstration was "Jesus was a refugee, too". They wanted to protest against governments' refugee policy. Eggs and petards were thrown into protestors. The Police detained nobody, however initiated some proceedings afterwards.[98]



Kibole i członkowie ONR-u zakłócili demonstrację w Oświęcimiu (KOD)

Source of the picture: http://krakow.wyborcza.pl/krakow/7,44425,22290116,kibolom-grozi-grzywna-za-zaklocanie-manifestacji-w-oswiecimiu.html [accessed: June 13, 2018]

[97] M. Nowicka, „Młodzież Wszechpolska zakłóciła wernisaż wystawy o uchodźcach", wyborcza.pl, July 1, 2017, http://krakow.wyborcza.pl/krakow/7,44425,22038915,mlodziez-wszechpolska-zaklocila-wernisaz-wystawy-o-uchodzcach.html [accessed: June 3, 2018]

[98] Ł. Grzesiczak, „Członkowie ONR i kible zaatakowali pokojowy protest w Oświęcimiu. Rzucali petardami, świecami dymnymi i jajkami", wyborcza.pl, August 27, 2017, http://krakow.wyborcza.pl/krakow/7,44425,22285486,czlonkowie-onr-i-kibole-zaatakowali-pokojowy-protest-w-oswiecimiu.html [accessed: June 13, 2018]; „Kibolom grozi grzywna za zakłócanie pokojowej manifestacji w Oświęcimiu", wyborcza.pl, August 28, 2017, http://krakow.wyborcza.pl/krakow/7,44425,22290116,kibolom-grozi-grzywna-za-zaklocanie-manifestacji-w-oswiecimiu.html [accessed: June 13, 2018]

- November 2017, The March of Independence in Warsaw

On November 11, 2017 a March of Independence took place. It has been organised by Polish nationalists since 2010.

This time its main slogan was: "We want God" (pol.: "My chcemy Boga").[99]

In accordance with a new Polish law on gatherings, in 2017 the March of Independence was regarded a cyclic gathering.[100] Newly enacted art. 26a states that if a gathering is organised by the same subject in the same place once a year during national holiday, and so far such an event has been organised at least 3 times, and its aim was to celebrate an important Polish historical event, the organiser may apply for a consent for organising such events cyclically. Authority's decision is valid for 3 years (art. 26d).[101]

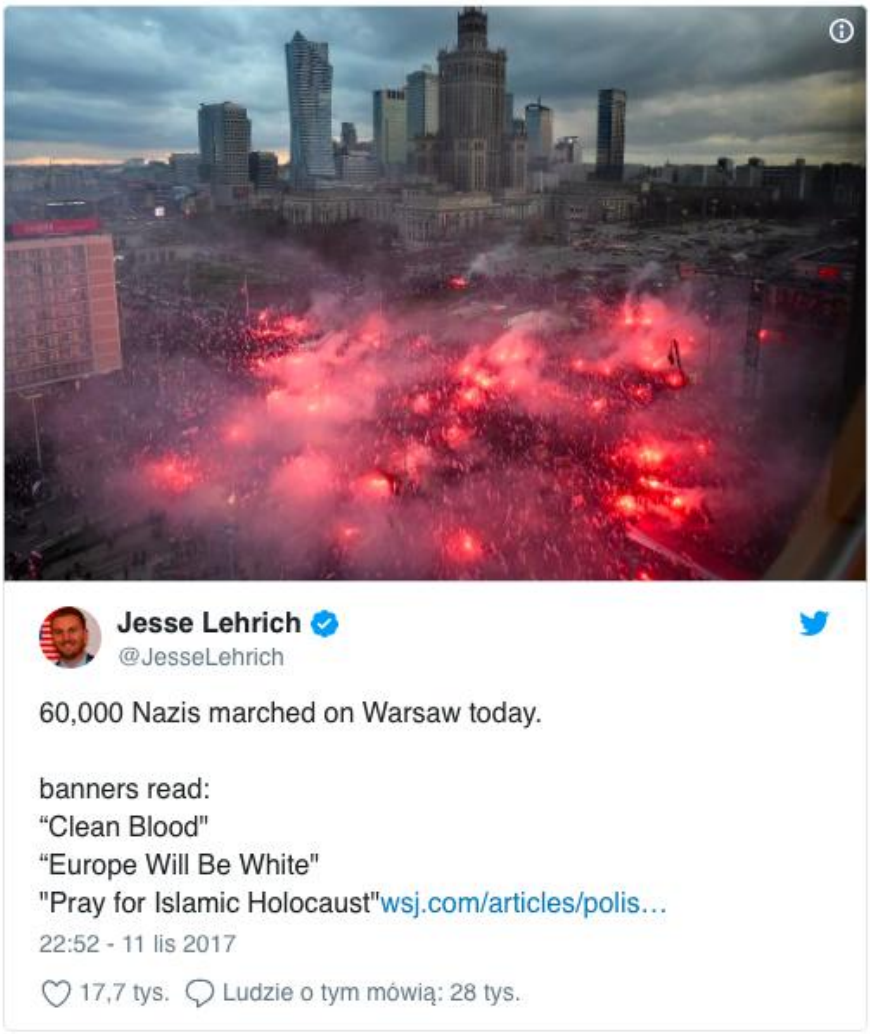
As before, during the last March of Independence some controversial incidents occurred. Namely, there appeared phrases like: "Pure blood, sober mind", "Europe will either be white, or deserted", "White Europe of fraternal nations". Minister of Interior Mr M. Błaszczak declared not to have seen any racist banners. He ensured that the March was safe; the atmosphere during the event was very good. He was also proud to see so many Poles celebrating the Independence Day and he loved to see white and red Warsaw.[102]



[99] „Narodowcy ogłosili hasło Marszu Niepodległości 2017. 'My chcemy Boga'", Wprost, 16 października 2017, https://www.wprost.pl/kraj/10081397/Narodowcy-oglosili-haslo-Marszu-Niepodleglosci-2017-My-chcemy-Boga.html [accessed: June 15, 2018]
[100] „Marsz Niepodległości uzyskał status zgromadzenia cyklicznego", https://marszniepodleglosci.pl/aktualnosci/ [accessed: June 15, 2018]
[101] Prawo o zgromadzeniach z dnia 24 lipca 2015 r. (tj. z dnia 7 lutego 2018 r.)
[102] „Dziennikarz zadaje Błaszczakowi niewygodne pytania, ten zaczyna atak: 'Polityka'? No to wiadomo…", gazeta.pl, Novermer 11, 2017, http://wiadomosci.gazeta.pl/wiadomosci/7,114884,22634437,dziennikarz-zadaje-blaszczakowi-niewygodne-pytania-ten-zaczyna.html#BoxNewsLink&a=66&c=96 [accessed: June 15, 2018]

Source of the picture: J. Nizinkiewicz, twitter.com,
https://twitter.com/JNizinkiewicz/status/929393680917680128/photo/1 [accessed: June 15, 2018]

The March of Independence was criticised by some foreign observers. I.e. H. Clinton's former spokesman, J. Lehrich, twitted that "60,000 Nazis marched on Warsaw today".[103] Although such an assessment should be regarded exaggerated, it shows how external observers viewed the situation in November 2017.



Source: gazeta.pl, http://wiadomosci.gazeta.pl/wiadomosci/7,114884,22635129,rasistowskie-hasla-na-marszu-blaszczak-nic-nie-widzial-widzial.html [accessed: June 15, 2018]

[103] „'60 tys. nazistów w Warszawie'. Błaszczak 'nie widział' rasistowskich haseł, b. Rzecznik Clinton i inni już tak", gazeta.pl, November 12, 2017, http://wiadomosci.gazeta.pl/wiadomosci/7,114884,22635129,rasistowskie-hasla-na-marszu-blaszczak-nic-nie-widzial-widzial.html [accessed: June 15, 2018]

10. Hate crime (statistics and descriptions), law enforcement actions, criminal cases, attacks motivated by racism, violence and terror (data from government and NGOs)

On October 13, 2017 the National Public Prosecutor's Office report on hate crime was published. The document concerned racist, anti-Semitic, and xenophobic hate crimes committed during the first half of the year 2017[104].

According to aforementioned report in 2017[105]:

- 947 investigations were carried out (863 in the first half of 2016; 848 in the first half of 2015);
- 696 new proceedings begun (566 in the first half of 2016; 497 in the first half of 2015) + 251 proceedings initiated before were continued in 2017 (297 in the first half of 2016; 351 on the first half of 2015).

As stated in the National Public Prosecutor's Office Report, the number of "new" cases of hate-related crimes increased by 23% compared to 2016. It also stresses that hate-motivated crimes form only 0.2% of all cases registered by the Prosecution[106].

According to the National Public Prosecutor's Office, 692 proceedings were terminated in the first half of 2017 (632 in the first half of 2016; 651 in the first half of 2015)[107]:

- 108 indictments were sent before a court (71 in the first half of 2016; 102 in the first half of 2015);
- 150 refusals to commence proceedings (96 in the first half of 2016; 117 in the first half of 2015);
- 333 terminations of preparatory inquiries (327 in the first half of 2016; 345 in the first half of 2015);
- 38 proceedings were suspended (44 in the first half of 2016; 39 in the first half of 2015).

[104] Prokuratura Krajowa, Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w I półroczu 2017 roku w jednostkach organizacyjnych prokoratury, https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-dot-spraw-o-przestepstwa-popelnione-pobudek-rasistowskich-antysemickich-lub-ksenofobicznych-prowadzonych-polroczu-2017-roku-jednostkach-organizacyjnych-prokuratury/ [accessed: June 15, 2018]
[105] *Ibidem*
[106] *Ibidem*
[107] *Ibidem*

According to the National Public Prosecutor's Office a number of new cases increased compared to 2016 in all the regions of Poland (except Białystok district where the number of cases dropped significantly from 71 in 2016 to 34 in 2017). The highest increase can be observed in:

- Warszawa district (234 in 2017; 145 in 2016) – 33,6% of all new cases in Poland; in Warszawa district the most proceedings were carried out, too (315, which makes 33,3% of all proceedings carried out in Poland);
- Kraków district (65 in 2017; 43 in 2015)[108].

The detection rate of hate-related crimes, according to the National Public Prosecutor's Office[109]:

- 22% (26% in the first half of 2016);
- The lowest detection rate: Warszawa (8.7%), Rzeszów (17%), Poznań (19.5%), Gdańsk (25,8%);
- The highest detection rate: Szczecin (35%); Białystok (34.8%), Łódź (34%); Katowice (33,33%).

According to the Report, out of 947 proceedings carried out in the first half of 2017[110]:

- 374 (39.5%) crimes were committed via the Internet (22 indictments were sent before a court; 123 proceedings were terminated; 88 refusals to commence proceedings);
  In the first half of 2016, 422 out of 863 crimes were committed via the Internet (49%);
  In the first half of 2015, 429 out of 848 crimes were committed via the Internet (50.5%);
- 130 (13.7%) concerned violent hate crimes;
  In the first half of 2016, 71 out of 863 cases concerned violent hate crimes (8.2%);
  In the first half of 2015, 45 out of 848 cases concerned violent hate crimes;
- 127 (13.4%) concerned unlawful threats;
  In the first half of 2016, 75 out of 863 cases concerned unlawful threats (8.7%);
  In the first half of 2015, 62 out of 848 cases concerned unlawful threats;
- 78 (8.2%) cases concerned racist graffiti;
  In the first half of 2016, 90 out of 863 cases concerned racist graffiti (10.4%);
  In the first half of 2015, 108 out of 848 cases concerned racist graffiti (12.7%);
- 28 (3%) of cases concerned manifestations;
  In the first half of 2016, 58 out of 863 cases concerned manifestations (6.7%);
  In the first half of 2015, 11 out of 848 cases concerned manifestations (1.2%);

[108] *Ibidem*
[109] *Ibidem*
[110] *Ibidem*

- 16 (1.6%) crimes concerned content of books and press;
  In the first half of 2016, 10 out of 863 cases concerned content of books and press (1.1.%);
  In the first half of 2015, 9 out of 848 concerned content of books and press;
- 4 cases concerned activity of sport fans and sportsmen during games;
  In the first half of 2016, 14 out of 863 cases concerned activity of sport fans and sportsmen during games (1.6%);
  In the first half of 2015, 13 out of 848 cases concerned activity of sport fans and sportsmen during games.

Thus, the number of violent hate crimes and cases concerning unlawful threats increased in the first half of 2017 compared to the first half of 2016.

In Warszawa, most of hate-related crimes were committed via the Internet (196 out of 315 cases; 61 out of 191 – termination of proceedings and 61 out of 191 – refusal to initiate proceedings)[111].

According to the National Public Prosecutor's Office the vast majority of crimes included in the Report concerned crimes committed on the basis of art. 256, 257, and 119 of the Criminal Code (762 cases, 80.5%)[112]:

- 292 cases (30.8%) concerned hate crime (art. 257 of the Criminal Code);
- 273 cases (28.8%) + 24 cases concerned hate speech and promoting of fascism and other totalitarian state systems (art. 256§1 and 256§2 of the Criminal Code);
- 197 cases concerned violence or unlawful threat on the basis of race, nationality, ethnicity, religion, or politics (art. 119 of the Criminal Code).

Unfortunately, the Police data for the year 2017 has not been published yet. According to the Police, on the basis of art. 256 of the Criminal Code (hate speech and promoting fascism and other totalitarian state systems) 366 proceedings were initiated in 2016 (521 in 2015; 397 in 2014)[113]. Simultaneously, on the basis of art. 257 of the Criminal Code (hate crime) 242 proceedings were initiated in 2016 (254 in 2015; 262 in 2014).[114]

[111] *Ibidem*
[112] *Ibidem*
[113] Policja – statystyka: art. 256 Kodeksu karnego, http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwko-13/63613,Publiczne-propagowanie-faszyzmu-nawolywanie-do-nienawisci-art-256.html [accesed: June 15, 2018]
[114] Policja – statystka: art. 257 Kodeksu karnego, http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwko-13/63614,Publiczne-zniewazenie-lub-naruszenie-nietykalnosci-z-powodow-narodowosciowych-ar.html [accessed: June 15, 2018]

It should be noted, however, that according to information provided by non-governmental organisations a number of hate-motivated crimes increased significantly. I.e. Ośrodek Minotorowania Zachowań… states that between 30-100 racist or xenophobic incidents are being reported everyday.[115] Likewise, prof. R. Pankowski (the Never Again Association) points out that since 2015 a significant increase in racism, xenophobia and intolerance can be observed. He also reminds that the level of national and ethnic minorities in Poland is the lowest compared to other European countries.[116] The US Department of State report on Poland, 2017, also indicates that "the NGOs Never Again and Open Republic reported a noticeable increase in the total number of hate crimes, pointing out that, although perpetrators mainly used hate speech in the past, violent attacks had also increased. For example, there were isolated incidents of racially motivated violence, including verbal and physical abuse, directed at persons of African, Asian, or Arab descent."[117]

- Vandalism at cemeteries and religious sites

See: question nr 11.

Unfortunately, the Police data for the year 2017 has not been published yet. However, statistics for the year 2016 show that on the basis of art. 262 of the Criminal Code (insulting remains or burial site) 678 proceedings were initiated (796 in 2015; 937 in 2014) and 724 crimes were actually committed (1025 in 2015; 1223 in 2014)[118].

Aforementioned statistics refer to all acts of vandalism. Thus, they do not necessarily reflect the level of hate-motivated crimes.

[115] A. Sojda, „Nawet sto ataków na obcokrajowców dziennie – tak w Polsce kwitnie ksenofobia", polityka.pl, June 29, 2017, https://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1710550,1,nawet-sto-atakow-na-obcokrajowcow-dziennie--tak-w-polsce-kwitnie-ksenofobia.read [accessed: June 2, 2018]
[116] J. Nizinkiewicz, „Dr hab. Rafał Pankowski: Od dwóch lat w Polsce postępuje epidemia nienawiści", rz.pl, June 29, 2017, http://www.rp.pl/Spoleczenstwo/306289884-Dr-hab-Rafal-Pankowski-Od-dwoch-lat-w-Polsce-postepuje-epidemia-nienawisci.html [accessed: June 3, 2018]
[117]Country Reports on Human Rights Practices for 2017, United States Department of State, Bureau of Democracy, Human Rights and Labour, p. 22 http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]
[118] Policja – statystyka: art. 262 Kodeksu karnego, http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwko-13/63618,Zniewazenie-zwlok-ludzkich-ograbienie-grobu-art-262.html [accessed: June 15, 2018]

It should be noted, however, that some anti-Semitic incidents occurred, usually connected with desecration of Jewish property, i.e. synagogues and cemeteries.[119]

- Interethnic clashes

Not applicable.

- Cases of violence motivated by racial, ethnic or religious differences, attacks on human rights activists and antifascists

Note: the statistics below concern all hate-motivated crimes! In 2017 130 (13.7%) of proceedings concerned violent hate crimes. 78 out of 130 cases happened right in the first half of 2017.

As regards victims' nationality, in the first half of 2017[120]:

- Most of the victims were Muslims (192 proceedings, 20%);
- Ukrainians (101 proceedings, 10.6%);
- Jews (74 proceedings, 7.8%);
- Poles (57 proceedings, 6%);
- Black (54 proceedings, 5.7%);
- The Roma (52 proceedings, 5.5%);
- Catholics (40 proceedings, 4.2%);
- Syrians (23 proceedings).

In addition, 115 cases (12.1%) concerned promoting fascist state system (109 cases, 12.6% in the first half of 2016).

Thus, just like in 2016, Muslims were the main victims of hate-motivated crimes in the first half of 2017. However, the number of Ukrainian victims increased significantly (92 proceedings, 5.7%, in 2016). What is more, in 2017 it outnumbered Jewish victims (160 proceedings, 10%, in 2016)[121]. It should also be noted that in 2016 the number of proceedings concerning Ukrainians

[119]Poland 2017 Human Rights Report", Nigdy Więcej, p. 20 http://www.nigdywiecej.org//docstation/com_docstation/64/poland._country_reports_on_human_rights_practice_for_2017._washington_bureau_.pdf [accessed: June 12, 2018]
[120]*Ibidem*
[121]*Ibidem*
Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione z pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w 2016 roku w jednostkach organizacyjnych prokuratury, http://pk.gov.pl/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-04- 2017.html#.WTK0EVPyiu4 [accessed: May 25, 2017]

almost tripled compared to 2015. Simultaneously, a number of proceedings relating to the Roma and Jews decreased significantly in 2016 compared to 2015[122]. This trend also continued in the first half of 2017.

Likewise, according to the Ministry of Interior between January and October 2017 there were 664 hate crime proceedings concerning assaults against Muslims and 193 of them resulted in an indictment.[123]

The recent research shows that the Poles are one of the most Islamophobic nations in Europe. Over 71% of Poles think that Muslim migration to Europe should be ceased. They also think that Muslims represent 7% of the population, whereas the correct number is 0.1%.[124]

According to the National Public Prosecutor's Office report on hate crime (2017) the number of Ukrainian victims is the highest in Rzeszów district (16 out of 41 cases) and in Wrocław region (18 out of 98 cases)[125].

In the first half of 2017, 201 people were sentenced[126].

The Report shows that the number of violent hate crime has increased compared to 2016 (71 cases in the first half of 2016 and 50 of them were actually committed in the first half of 2016) and 2015[127].

- Hate crime murder

Not applicable.

- Terrorist attacks motivated by radical nationalism and religion

[122] Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione z pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w 2016 roku w jednostkach organizacyjnych prokuratury, http://pk.gov.pl/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-04-2017.html#.WTK0EVPyiu4 [accessed: May 25, 2017]
[123] European Islamophobia Report 2017, E. Bayrakli, F. Hafez (eds.), SETA 2018, p. 30 http://www.islamophobiaeurope.com/wp-content/uploads/2018/04/Poland.pdf [accessed: June 16, 2018]
[124] A.J. Dudek, „Polacy na szczytach islamofobii w UE. Boją się i nienawidzą, choć nie ma kogo", oko.press, April 3, 2017, https://oko.press/polacy-szczytach-islamofobii-ue-boja-sie-nienawidza-choc-kogo/ [accessed: June 14, 2018]
[125] Prokuratura Krajowa, Wyciąg ze sprawozdania dot. spraw o przestępstwa popełnione pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w I półroczu 2017 roku w jednostkach organizacyjnych prokoratury, https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-dot-spraw-o-przestepstwa-popelnione-pobudek-rasistowskich-antysemickich-lub-ksenofobicznych-prowadzonych-polroczu-2017-roku-jednostkach-organizacyjnych-prokuratury/[accessed: June 15, 2018]
[126] *Ibidem*
[127] *Ibidem*

Not applicable.

11. Glorification of German National Socialism and collaborators of the Nazi Germany

It must be again pointed out that glorification of German National Socialism and the collaborators of the Nazi Germany within Polish society is a very rare phenomenon, unprecedented at the political level.

- **Glorification of German National Socialism and/or its collaborators in the media**

There remains both social and legal objection against National Socialism in any form. Therefore, glorification of Nazism and its collaborators in the media is in fact a non-existing subject today.

Nevertheless, minor incidents occur. I.e., a publicised journalistic investigation has shown that some neo-Nazi groups exist.[128]

- **Desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition**

According to the Police, on the basis of art. 261 of the Criminal Code (insulting a monument) 62 proceedings were initiated in 2016 (63 in 2015; 77 in 2014) and 53 were actually committed (54 in 2015; 72 in 2014)[129]. Unfortunately, data for the year 2017 are not yet available.

Aforementioned statistics refer to all acts of vandalism of any possible monuments. Thus, they are not necessarily connected with insulting memorials of soldiers of the anti-Hitler coalition.

Some examples of acts of vandalism below:

– Warszawa (March 2017) – devastation of cemetery (Soviet Soldiers' Mausoleum)

[128] „'Za Hitlera i naszą ojczyznę, ukochaną Polskę'. Reporterzy przeniknęlu do środowiska neonazistów", tvn24.pl, https://www.tvn24.pl/superwizjer-w-tvn24,149,m/superwizjer-tvn-z-kamera-w-srodowisku-polskich-neonazistow,807953.html [accessed: June 12, 2018]
[129] „Znieważenie obiektów o znaczeniu symbolicznym (art. 261)", http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwko-13/63617,Zniewazenie-obiektow-o-znaczeniu-symbolicznym-art-261.html [accessed: June 12, 2018]



Author of the picture: Franciszek Mazur (Agencja Gazeta)
Source of the picture: http://warszawa.wyborcza.pl/warszawa/51,54420,21533684.html?i=6
Accessed: June 12, 2018

In March 2017 a number of swastikas, Stars of David, and red footprints appeared on the memorials of Soviet soldiers in Warsaw[130].

– Warszawa (September 2017) – devastation of cemetery (Soviet Soldiers' Mausoleum)

[130] K. Słowik, „Swastyki na pomnikach Mauzoleum Żołnierzy Radzieckich. Kto je usunie?", http://warszawa.wyborcza.pl/warszawa/7,54420,21533684,swastyki-na-pomnikach-mauzoleum-zolnierzy-radzieckich-kto-je.html [accessed, June 12, 2018]



Author of the picture: Dariusz Borowicz
Source of he picture: http://warszawa.wyborcza.pl/warszawa/51,54420,22388559.html
[accessed: June 12, 2018]

In September 2017 memorials of Soviet soldiers in Warsaw were devastated. The event occurred probably in the anniversary of the USSR invasion of Poland in 1939. As a result, inscriptions such as: "Death to traitors of the nation" or "Stalin's servants" appeared[131].

– Szczyrk (October 2017) – devastation of obelisk commemorating 36 Soviet soldiers who died fighting against Germans in 1945[132]

[131] „Zdewastowany cmentarz Mauzoleum Żołnierzy Radzieckich", http://warszawa.wyborcza.pl/warszawa/7,54420,22388559,zdewastowany-cmentarz-mauzoleum-zolnierzy-radzieckich-szukamy.html [accessed: June 12, 2018]
[132] „Rozbita tablica i symbol Polski Walczącej. Policja szuka sprawców dewastacji pomnika żołnierzy sowieckich", http://www.polsatnews.pl/wiadomosc/2017-10-05/rozbita-tablica-i-symbol-polski-walczacej-policja-szuka-sprawcow-dewastacji-pomnika-zolnierzy-sowieckich/ [accessed: June 12, 2018]; „Kto zniszczył pomnik żołnierzy Armii Czerwonej w Szczyrku? Policja szuka sprawców", http://www.dziennikzachodni.pl/wiadomosci/a/kto-zniszczyl-pomnik-zolnierzy-armii-czerwonej-w-szczyrku-policja-szuka-sprawcow,12542296/ [accessed: June 12, 2018]



Author of the picture: reader of the Dziennik Zachodni newspaper
Source of the picture: http://www.dziennikzachodni.pl/wiadomosci/a/kto-zniszczyl-pomnik-zolnierzy-armii-czerwonej-w-szczyrku-policja-szuka-sprawcow,12542296/[accessed: June 12, 2018]

– Kalisz (October 2017) – devastation of obelisk on the Soviet soldiers cemetery. Statements such as: "17 IX 1939" or "We remember 17 IX 1939" appeared[133]



133 H. Marcinkowska, "Znieważono czy zniszczono?", Kaliska Inicjatywa Miejska, http://kaliskainicjatywamiejska.pl/2017/10/16/zniewazono-czy-zniszczono/ [accessed: June 12, 2018]

Source of the picture: H. Marcinkowska, "Znieważono czy zniszczono?", Kaliska Inicjatywa Miejska, http://kaliskainicjatywamiejska.pl/2017/10/16/zniewazono-czy-zniszczono/ [accessed: June 12, 2018]

- Glinno near Nowy Tomyśl, Wielkopolska, Poland (March 2018) – damage of several tombstones in the Soviet soldiers cemetery[134]

It should be noted that the authorities condemned acts of vandalism and damages have been repaired.

It should also be noted that according to the act of 1st April 2016 on the ban of promotion of communism or other totalitarian systems by names of buildings, objects, and public utility facilities commemorating of persons, organisations, events or dates relating to communism or other totalitarian state system is forbidden.

- **Glorification of German National Socialism and/or its collaborators in the decisions\ made by the authorities**

Not applicable.

- **Holocaust denial**

"Holocaust denial" (aka "Katyń denial) is broadly defined in Polish law and severely punished. It is quite understandable, since Poland and its citizens were painfully experienced by crimes committed by the German Third Reich and the Soviet Russia. Therefore, cases of Holocaust denial are of an occasional nature in this country.

However, some changes in legislation occurred and …

According to art. 55a of the Act on the Institute of National Remembrance, adopted by the lower chamber of the Polish Parliament in January 2018:

> "Anyone who publicly and contrary to the facts holds liability or joint liability of Polish Nation or the Polish state for the Nazi crimes committed by the German Third Reich (…) or other crimes against peace, humanity or war crimes or grossly reduces responsibility

[134] „Dewastacja cmentarza żołnierzy radzieckich koło Nowego Tomyśla. Uszkodzono kilka płyt nagrobnych", http://www.polsatnews.pl/wiadomosc/2018-03-31/dewastacja-na-cmentarzu-zolnierzy-radzieckich-kolo-nowego-tomysla-uszkodzono-kilka-plyt-nagrobnych/; R. Pogrzebny, „Wielkopolskie: dewastacja na cmentarzu żołnierzy radzieckich", http://fakty.interia.pl/wielkopolskie/news-wielkopolskie-dewastacja-na-cmentarzu-zolnierzy-radzieckich,nId,2564176[accessed: June 12, 2018]

of real perpetrators of these crimes, shall be subject to fine or the penalty of imprisonment up to 3 years. The sentence shall be made public"[135].

The newly enacted "Holocaust law" prompted both international and internal response. I.e. the United States Holocaust Memorial Museum expressed concerns that;

> "The law would chill a free and open dialogue addressing Poland's history during the Holocaust, including in Polish schools and universities as well as in the media."[136]

And the Polish Centre for Holocaust Researched considered:

> "The adopted law a tool intended to facilitate the ideological manipulation and imposition of the history policy of the Polish state. The new legislation would constitute an unprecedented (and unknown in a democratic system) intrusion into the debate about the Polish history."[137]

Polish authorities argue that article 55a will be an effective tool for fighting against the unjustified phrase: "Polish Death Camps". It is true, indeed, that this expression has been used relatively frequently i.e. in the international press.

12. Persecution of human rights activists

As in the last reporting period, there have been no cases of direct persecution of human rights activists and antifascists in Poland in 2017.

In 2017 there a number of antifascist manifestations were organised, i.e.:

- Warsaw, November 2017 – the event was organised by Kolalicja Antyfaszystowska "Zmowa Powszechna" (eng. Antifascist Coalition "The Common Conspiracy") as a reaction to the Marsz Niepodległości (eng. The March of Independence" organised by Polish nationalists[138];

[135]Act of 18th December 1998 on the Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation, https://ipn.gov.pl/en/about-the-ipn/documents/327,The-Act-on-the-Institute-of-National-Remembrance.html [accessed: January 27, 2018]
[136] USHMM Deeply Concerned over Legislation to Criminalize References to Poles's Complicity in Nazi Crimes https://www.ushmm.org/information/press/press-releases/museum-statement-on-holocaust-legislation-in-poland [accessed: January 29, 2018]
[137] https://www.holocaustresearch.pl/index.php?mod=news&show=349&lang=en
[138] Z. Bukłaha, „Antyfaszystowski marsz przeciwko Marszowi Niepodległości. Przyłączyło się 17 organizacji", http://warszawa.wyborcza.pl/warszawa/7,54420,22597321,antyfasztowski-marsz-przeciwko-marszowi-niepodleglosci-przylaczylo.html [accessed: June 12, 2018]
„Antyfaszyści manifestowali w Warszawie", Polsat News, http://www.polsatnews.pl/wiadomosc/2017-11-11/antyfaszysci-manifestowali-w-warszawie-za-wolnosc-wasza-i-nasza/ [accessed: June 12, 2018]

- Poznań, November 2017 – the event was organised by porozumienie Poznań Przeciwko Nacjonalizmowi (eng. Poznań Against Nationalism alliance); its aim was to protest against Polish MP, Robert Winnicki, a nationalist, who was invited by nationalists for a meeting in Poznań; the Police aimed to prevent disturbances, but at the same time it did not let antifascist protesters demonstrate their views at the agreed place[139];

It should be noted, however, that a number of organisations continue to express concern about the rule of law and human rights in Poland.

I.e. Amnesty International states that:

> "The government continued its efforts to exert political control over the judiciary, NGOs and the media. Hundreds of protesters faced criminal sanctions for participating in peaceful assemblies. Women and girls continued to face systemic barriers in accessing safe and legal abortion. (…)
>
> Public protests continued throughout 2017 in opposition to government policies and legislation on the judiciary, the right to peaceful assembly, the functioning of NGOs, media freedom, sexual and reproductive rights, and the right to housing. The largest demonstrations occurred in July, when thousands of people in over 100 cities took to the streets to protest against the reform of the judiciary. Law enforcement officials responded with heavy-handed security measures in the area around Parliament and at the Presidential Palace, inhibiting the demonstrators' ability to protest. The police contained groups of peaceful protesters; used constant and varied forms of monitoring and surveillance at the protests by surveillance teams that also asked protesters to provide identification; used threats of sanctions; and, for some, the pursuit of criminal charges and prosecutions. Dozens of protesters faced proceedings in court under the Code of Petty Offences and in some cases also under the Criminal Code; proceedings were still pending at the end of the year. Hundreds of others were summoned to police stations in relation to their participation in protests. (…).
>
> On 4 October, one day after a national protest against restrictive policies on abortion, the police simultaneously raided four offices of women's rights NGOs in different cities that had supported the action. The police confiscated hard drives and computer data, including databases with information on individuals and medical reports of victims of domestic violence. The authorities claimed that the action was part of an investigation of former staff members of the Ministry of Justice for alleged maladministration of funds."[140].

[139]P. Żytnicki, „Antyfaszyści nie zdemolowali Poznania. Policja stanęła za to po stronie narodowców", http://poznan.wyborcza.pl/poznan/7,89336,22652043,antyfaszysci-nie-zdemolowali-poznania-policja-stanela-za-to.html [accessed: June 12, 2018]
[140] Amnesty International, „Poland 2017/2018", https://www.amnesty.org/en/countries/europe-and-central-asia/poland/report-poland/ [accessed: June 12, 2018]

The Helsinska Fundacja Praw Człowieka (eng. The Helsinki Foundation for Human Rights) called on the authorities to stop publishing images of citizens who took part in a protest near Polish Parliament in December 2016. According to HFPC:

> "We think there are no explicit legal grounds for the publication of images of these persons on the website of the Warsaw Police Department. (…) It should also be noted that the publication of their images may amount to an infringement of their personal interests and result in compensatory liability"[141].

According to P. Kubaszewski, a lawyer from the HFPC:

> „A publication of images of persons participating in a public assembly in a way that resembles dissemination of wanted notices may produce a "freezing effect" among potential protesters. A citizen will reasonably fear that if they attend a street protest against the government they may be charged with a criminal offence"[142].

- **Public calls for repressions against the veterans and partisans of the anti-Hitler coalition, as well as antifascists**

Not applicable.

- **Restrictions on human rights and antifascist organisations imposed by the authorities**

Not applicable.

- **Criminal prosecution of veterans, partisans of the anti-Hitler coalition and antifascists**

Not applicable.

[141] „HFHR protests against online publication of Sejm protesters' images on Police website", http://www.hfhr.pl/en/hfhr-protests-against-online-publication-of-sejm-protesters-images-on-police-website/ [accessed: June 12, 2018]

[142] „HFHR protests against online publication of Sejm protesters' images on Police website", http://www.hfhr.pl/en/hfhr-protests-against-online-publication-of-sejm-protesters-images-on-police-website/ [accessed: June 12, 2018]

13. Conclusions for the period

There has been no significant changes in legislation regarding minorities or combating racism and xenophobia. In general, Polish anti-discrimination legislation is consistent with the EU and international legislation.

As shown by many institutions, i.e. the Polish Ombudsman, a number of NGO's, and liberal media, the level of nationalism and xenophobia (primarily Islamophobia), is still very high – despite the fact that Poland has not taken part in their relocation. Nevertheless, the societies attitude towards welcoming refugees, that was studied in December 2017,shown that 63% of the respondents would not welcome refuges from countries affected by armed conflict. 29% of the respondents declared the revers and said that Poland should accommodate refugees for a period until they can return to their countries of origin and only 4% would permit them to settle in Poland. Therefore, the results deteriorated significantly compared to December 2016.[143] At the beginning of 2017 noticeably more respondents declared to "like" certain nations. The degree of "dislike" has risen, too, without, however, reaching its level of 2016. The Internet, likewise traditional media, is full of hate-speech of dimensions unknown until now. Radical opinions remain politically correct.

As for hate-motivated crimes, the number of investigations carried out and new proceedings has risen.As stated in the National Public Prosecutor's Office Report, the number of "new" cases of hate-related crimes increased by 23% compared to 2016.

Thus, an effective system of combating hate-speech and hate-crime should be implemented. Moreover, there are voices within authorities from outside the ruling party calling for stronger response to racism, xenophobia and radical nationalism. Politicians and the media elite should do everything to combat fuelling prejudices.

The activity of radical parties and organisations is still visible. However, it seems that their popularity remain not very high and they are not particularly influential.According to the public opinion polls they play a rather marginal role in the elections.

Simultaneously, some positive developments could be observed in 2017. Namely, prominent politicians and bishops condemn radial attitudes within society. What is more, civil society in Poland is doing a great deal to fight negative attitude towards immigrants or foreign nationals.

[143] „Stosunek do przyjmowania uchodźców". Komunikat z badań nr 163/2017, CBOS Centrum Badań Opinii Społecznej, December 2017, https://www.cbos.pl/SPISKOM.POL/2017/K_163_17.PDF [accessed: June 22, 2018]

There are also many NGO's that monitor incidents of hate speech and hate-motivated crimes, as well as work hard to combat negative stereotypes.

14. Recommendations

- **General recommendations for the accession to international agreements and conventions**

Not applicable.

- **General recommendations for adjustments to the legal framework**

Although a positive development has been made recently and law enforcement agencies tend to demonstrate greater sensitivity towards hate speech and hate crimes, there is still much to be done. In particular, hate crime legislation should be reformed. Currently it concerns racism, nationality, and denomination. Likewise, Polish provisions relating to promoting totalitarian state systems are ineffective and inaccurate.

- **General recommendations for the executive bodies in the field of law enforcement and human rights**

Bearing in mind the attitude of the society towards other nations and denominations, especially Muslims, the ruling party and the public service media should refrain from creating a climate of fear and distrust. Since Muslims – an almost non-existing minority in Poland – appeared to be main victims of hate-motivated crimes, a great effort should be done to stop inciting hared against them. First of all, an anti-Islamic propaganda in public service media must end. Secondly, hate speech and hate-motivated crime should not be classified as marginal problem by the authorities. A policy of zero-tolerance should be implemented.