



HATE CRIME

It is an act motivated by hostility or prejudice towards an aspect of the victim's identity. In the handbook prepared by the Ministry of Interior for foreigners you can find the following examples of crimes motivated by hate: *“physical violence, verbal abuse, threats, damage to property, and arsons – provided that they are committed because of hatred for a person, provoked by this person's race, religion, ethnicity, or nationality. In public places, you may also encounter other manifestations of hostility towards foreigners such as hateful graffiti placed on building walls or public transport stops. This kind of content may also appear on websites”* (www.reportracism.pl/en).

Polish Penal Code on hate crime:**Article 256.**

Whoever publicly promotes a fascist or other totalitarian system of state or incites hatred based on national, ethnic, race or religious differences or for reason of lack of any religious denomination shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

Article 257.

Whoever publicly insults a group within the population or a particular person because of his national, ethnic, race or religious affiliation or because of his lack of any religious denomination or for these reasons breaches the personal inviolability of another individual shall be subject to the penalty of deprivation of liberty for up to 3 years.

The above mentioned crimes are prosecuted in Poland ex officio which means that the police or prosecutor's office are obliged to initiate legal action. Although it is vital you report any of such incidents!

If you have become a victim of a hate crime

1) As soon as possible report such a crime to the police. Go to the nearest police station:

Komisariat Policji I
ul. Szeroka 35
31-053 Kraków
On duty officer: +48 12 61-52-914
<http://komisariat1.krakow.malopolska.policja.gov.pl/>

Komisariat Policji V
ul. Zamoyskiego 22
30-523 Kraków
On duty officer: +48 12 61-52-916
<http://komisariat5.krakow.malopolska.policja.gov.pl/>

Komisariat Policji II
ul. Lubicz 21
31-503 Kraków
On duty officer: +48 12 61-52-915
<http://komisariat2.krakow.malopolska.policja.gov.pl/>

Komisariat Policji VI
ul. Ćwiklińskiej 4
30-863 Kraków
On duty officer: +48 12 61-52-917
<http://komisariat6.krakow.malopolska.policja.gov.pl/>

Komisariat Policji III
ul. Strzelców 16
31-422 Kraków
On duty officer: +48 12 61-52-912
<http://komisariat3.krakow.malopolska.policja.gov.pl/>

Komisariat Policji VII
os. Złotej Jesieni 11 c
31-827 Kraków
On duty officer: +48 12 61-52-911
<http://komisariat7.krakow.malopolska.policja.gov.pl/>

Komisariat Policji IV
ul. Królewska 4
30-045 Kraków
On duty officer: +48 12 61-52-913
<http://komisariat4.krakow.malopolska.policja.gov.pl/>

Komisariat Policji VIII
os. Zgody 10
31-950 Kraków
On duty officer: +48 12 61-52-910
<http://komisariat8.krakow.malopolska.policja.gov.pl/>

2) Take your identity document with you (you will be asked to give the police your personal data). The officer is obliged to inform you about your rights as a victim of crime (you may find a description of victim's rights and duties translated into several languages on the website: <http://www.policja.pl/portal/pol/346/>, in English: <http://www.policja.pl/download/1/7018/pouczeniepokrzywdzonegoangielski.pdf>).

3) Ask for an interpreter if you do not understand the Polish language. The presence of an interpreter is mandatory while conducting activities concerning a person having no command of Polish. It is free of charge service.

4) Having received the report, the Police will take your testimony in order to determine the circumstances of the incident. It is very important that you give as detailed information concerning the course of events and the act's perpetrator/perpetrators as possible. The more precise the details are, the bigger the chance the Police will identify and detain the perpetrator and bring this person to justice. Pay particular attention to the perpetrator's look, distinguishing marks, tattoos, as well as to the words said by this person. If you do not go to the Police station immediately after the incident, we recommend that you write down or record your account of the incident that has occurred. Your memory may fail you, and the more you remember, the easier it will be to pursue your rights.

5) If you believe that the incident you have experienced was motivated by your race, religion, ethnicity, nationality or culture affiliation, tell the Police about it while reporting the crime. You should also explain on what basis you have come to your conclusion (e.g. quote racist words accompanying the incident).

6) The Police officers have been trained intensively for several years in respect of issues concerning identifying and detecting hate crimes. Thus, they are prepared to handle your case properly. Do not hesitate to meet them and to tell them about what has happened to you.

7) Remember, your participation in the proceedings does not end with reporting the crime. The Police or prosecutor's office conducting the case will need your co-operation. You may be asked to visit the Police again and to complete your testimony. The lack of co-operation on the part of the victim or witness may hinder pressing the charges against perpetrators, and it may thwart the effort you made while reporting the crime.

8) The Police is obliged to inform you about the activities concerning your case at every stage of the procedure. Your report will be investigated, and you will be notified within 6 weeks.

9) There are human rights advisors in every voivodship police headquarters, as well as in the General Police Headquarters and the Warsaw Metropolitan Police Headquarters. These representatives neither conduct criminal proceedings nor supervise such proceedings, but they are experts in the field of issues concerning racism, xenophobia, and hate crimes; thus, they can serve you with information and assistance if need be.

In Kraków you may contact:

podinsp. Paweł Karnas, phone: +48 12 61-54-025, e-mail: p.karnas@malopolska.policja.gov.pl

Sources: <http://www.policja.pl/portal/pol/346/>, www.reportracism.pl/en

IMPORTANT!

If you need any advice or assistance from the University, you may contact:

- **Safe Student Service**
- **International Students Mobility Office and/ or ESN UJ Cracow**
- **your programme coordinators**

Helplines in Poland:

116 111 – nationwide helpline for children and adults [www: http://www.116111.pl/](http://www.116111.pl/)

(+48) 22 668 70 00 – helpline for victims of violence „Blue line”

0 801 12 00 02 – helpline for victims of violence

Free of charge legal counselling in Kraków

Cognosco Foundation

e-mail: sekretariatcognosco@gmail.com

website: <http://www.poradnieprawne.org/> (available in Polish)

KraFOS – Ośrodek Pomocy dla Osób Pokrzywdzonych Przestępstwem (Help Centre for Crime Victims)

e-mail: pokrzywdzeni.krakow@op.pl

website: [www: http://www.pomocpokrzywdzonym.pl/](http://www.pomocpokrzywdzonym.pl/)

Students Legal Clinic (Jagiellonin University)

rules and regulation regarding counselling is available here:

<http://www.law.uj.edu.pl/poradnia/site/main.php?p=zasady> (unfortunately in Polish)

phone: +48 12 430-19-97

e-mail: poradnia.prawna@uj.edu.pl

website: <http://www.law.uj.edu.pl/poradnia/site/main.php>

NGOs dealing with human rights:

Interkulturalni.pl: <http://interkulturalni.pl/-34.html>

Autonomia Foundation: <http://www.autonomia.org.pl/index.php?id=angielski>

PTPA (Polish Society of Anti-Discrimination Law): <http://ptpa.org.pl/english/>

The Halina Nieć Legal Aid Center, (HNLAC): <http://www.pomocprawna.org/wersja-angielska>

Association for Legal Intervention: <http://interwencjaprawna.pl/en/>

Helsinki Foundation for Human Rights: www.hfhr.pl/en/

A leaflet ‘Racism is against the law. Report a hate crime’ you may download here:

<http://poradnik.interwencjaprawna.pl/pliki/dl-angielska.pdf>.