



**RADA FUNDACJI**

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**Mr Christian AHLUND**  
**Chair of the Bureau of the European Commission against Racism and Intolerance**  
**Secretariat of ECRI / Council of Europe**  
**F-67075 Strasbourg Cedex**  
**FRANCE**

Dear Sir,

In the wake of the repeated acts of physical and symbolic violence directed against foreigners living in Poland, persons with immigrant origins and members of national and ethnic minorities, and in the face of the Polish authorities' failure to respond to these events, the Helsinki Foundation for Human Rights hereby calls the European Commission against Racism and Intolerance to intervene.

According to our observations, an increase in xenophobic sentiments occurred in mid-2015, with the commencement of the public debate on the acceptance and relocation of refugees arriving at the European Union and the parliamentary election campaign in Poland. At the time, some politicians, including current parliamentarians, started using anti-refugee rhetoric's. In some Polish cities, (e.g. Warsaw, Kraków, Lublin, Legnica, Wrocław) protests were held against the acceptance of refugees. Slogans used during these events were very frequently anti-Muslim, and sometimes also anti-Semitic (for example, during a protest in Wrocław on 18 November 2015 a Jewish effigy was burned). Not infrequently, protesters incited hatred based on the grounds of religion and nationality. Anti-refugee and anti-Muslim statements also flooded the Internet: a study of online content revealed that 81% of refugees-related posts had negative overtones.<sup>1</sup>

Public opinion polls indicate a rapidly deteriorating attitude of Poles to refugees and foreign nationals. As recently as in May 2015, 72% of respondents expressed a positive view of accepting persons escaping from areas affected by hostilities. The opposite view was presented by 21% of respondents. In the following months, these proportions started to change. Since December 2015, the percentage of opponents of sheltering refugees has stayed at the level of 50-60%.<sup>2</sup> Poles' declared attitude to other nations also changed negatively, which is a departure from the constant trend observed over the last two decades. A 2016 survey showed an increase

<sup>1</sup> CBOS, Newpoint, *Polacy o uchodźcach w Internecie i w realu [Poles about Refugees Online and Offline]*, a Communique on Study 149/2015, Warszawa 2015

<sup>2</sup> CBOS, *Stosunek do przyjmowania uchodźców [Attitude to Accepting Refugees]*, a Communique on Study, Warszawa 2016, [http://www.cbos.pl/SPISKOM.POL/2016/K\\_169\\_16.PDF](http://www.cbos.pl/SPISKOM.POL/2016/K_169_16.PDF)

in negative sentiments to many nationalities, in particular Arabs, Roma, Turks, Greeks, Ukrainians and Germans.<sup>3</sup>

The negative approach to aliens is reflected in the general number of racially-motivated crimes – physical assaults, cases of hate speech, acts of symbolic vandalism. According to statistics from the national prosecutor's office, in 2014 1062 new cases of racially-motivated crimes were opened; in 2015 and in the first half of 2016 the figure was 1169 and 566, respectively. In the early days of January 2017, five kebab restaurants and their personnel were attacked (in Legnica, Wrocław, Lubin, Ozorków. Elk), which probably was connected to the tragic brawl between immigrants and Poles at Elk that left one person dead. Another important change shown by the prosecutorial statistics is an increase in the number of offences committed directly against persons – acts of violence and unlawful threats.

According to the statistics, 29% of the racist crimes in 2016 were anti-Muslim, which is a change as opposed to previous years, when such crimes were usually anti-Semitic in nature with anti-Muslim offences rarely appearing. Without a doubt, this change is a consequence of the aforementioned anti-refugee and anti-Muslim discourse.

However, anti-Muslim violence affects not only Muslims (only 30,000 Muslims live in Poland) and Arabs but also other persons with a darker skin colour, perceived by perpetrators as the followers of Islam. Indians, Turks, migrants from South America and even students from Portugal, Italy or Spain were targeted.

Increasing violence against Ukrainians may be observed, too. Attacks are perpetrated against immigrants from Ukraine but also Polish nationals who are members of the Ukrainian minority. The latter are subject principally to symbolic violence, such as desecration of Ukrainian cemeteries and memorial sites, interference with religious celebrations or a public burning of the Ukrainian flag.

Despite calls from non-governmental organisations and the academia, Polish Government takes no action to put a stop to this surge of violence and xenophobia. On the contrary, while publicly addressing subsequent cases of racism, the Minister of the Interior and Administration describes them as incidental occurrences and treats the reports signalling the problem as elements of political struggle.<sup>4</sup> Moreover, in 2016 two bodies that worked in the area of discrimination, racism and xenophobia – the Human Rights Team at the Ministry of the Interior and Administration and the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, which comprised representatives of ministers, public institutions and experts. The Helsinki Foundation for Human Rights also started receiving complaints citing the deteriorating working relationship between public authorities and national and ethnic minorities as part of the Joint Committee of the Government and Minorities.

Another cause for concern is the issue of distribution of financial measures allocated for the purposes of national and ethnic minorities and for migrants and refugees. In December 2016, the Minister of the Interior and Administration committed only 10 out of 15 million PLN from

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<sup>3</sup> CBOS, Stosunek do innych narodów [*Attitude to other Nations*], a Communique on Study 53/2016, Warszawa 2016, [http://www.cbos.pl/SPISKOM.POL/2016/K\\_053\\_16.PDF](http://www.cbos.pl/SPISKOM.POL/2016/K_053_16.PDF)

<sup>4</sup> Krzysztof Burnetko, "Bzdury i obsesje, czyli minister Błaszczak w działaniu" [*Nonsense and Obsessions or Minister Błaszczak in Action*], *Polityka*, 03.01.2017, <http://www.polityka.pl/tygodnikpolityka/kraj/1689220,1,bzdury-i-obsesje-czyli-minister-blaszczak-w-dzialaniu.read>

the budget special reserve for the financing of minorities culture in 2017. The remaining funds are to be distributed among minorities organisations at a later, unspecified date. Since 2015, the Government has resolved none of the four competitions launched as part of the Asylum, Migration and Integration Fund (one competition was cancelled). Such an obstruction causes a slow decay of the entire aid structure that has been long built to support the integration of foreigners coming to Poland.

Polish state also started limiting the possibility of submission of asylum applications. The monitoring of the border crossing at Terespol conducted by the Commissioner for Human Rights and non-governmental organisations revealed that the Border Guard did not accept applications for the refugee status and refuse entry to Poland to persons arriving at the eastern border of Poland.<sup>5</sup> Moreover, Poland did not fulfil promises concerning the acceptance of refugees from Syria and Eritrea and relocation of refugees from the other EU Member States. At the session of 25 October 2016, the Council of Ministers declared no longer applicable two documents that had previously provided a framework for Poland's migration policy: "Poland's Policy on Migration – Current State and Proposed Actions" (adopted at the session of the Council of Ministers on 31 July 2012) and the Implementation Plan for the above policy document (adopted at the session of the Council of Ministers on 2 December 2014).

The above facts lead to the conclusion that the current authorities' failure to address racism is not merely an oversight but an attempt at implementing the vision of an ethnically and religiously uniform state, a state that violates their obligations under international treaties by failing to respect the rights of minorities and protect persons staying within its territory against racism and discrimination. Considering the above, we respectfully submit this request for intervention.

Sincerely Yours,

On behalf of the Board  
of the Helsinki Foundation for Human Rights



Danuta Przywara  
President of the Board



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<sup>5</sup> Rzecznik Praw Obywatelskich, *Inspection of the railway border crossing in Terespol*, available at: <https://www.rpo.gov.pl/en/content/inspection-railway-border-crossing-terespol>