

The Impact of Immigration to Poland on Hate Crimes in Recent Years

PAULINA SZELAĞ

The Republic of Poland with more than 37 million inhabitants is considered to be one of the most homogeneous states in the world,¹ inhabited by about 2–3% of representatives of ethnic and national minority groups.²

Although Poland refused to accept immigrants and refugees who arrived to Europe during the European migrant crisis, for the last 3 years the number of immigrants in Poland has been consistently increasing. In 2017, Eurostat pointed out that Poland was the second European Union member state, after the UK, that in 2016 admitted the largest number of immigrants from outside the European Union. As Eurostat indicated, they were mostly the citizens of Ukraine, Belarus, and Moldova, who are considered to be migrant workers.³ In fact, in 2017, the number of migrant workers only from Ukraine in this country was about 2 million.⁴

The main aim of the article is to outline the impact of the increased number of immigrants on their coexistence in a homogenous society, especially in the times in which the number of hate crimes has been increasing.

Introduction

The European Union Agency for Fundamental Rights (FRA) defines hate crimes as “violence and offences motivated by racism, xenophobia, religious intolerance, or by bias against a person’s disability, sexual orientation, or gender identity”.

Since 2015, the number of refugees, asylum seekers and migrants in the European Union has increased. At the same time, the number of race-based crimes has been rising. According to Ericha Penzien (2017), the increase of these kind of crimes took place i.a. in the United Kingdom, Germany and France. These countries are famous for their heterogeneity. However, a rise

1 ALESINA et al. 2003

2 The Central Statistical Office of Poland 2011

3 Eurostat 2017

4 LIS 2017

of race-based crimes was also registered by some organizations in Poland.⁵ It is interesting that this state is not only a homogeneous one, but also a member of the European Union (EU) that did not accept migrants from North Africa and the Middle East during the European migrant crisis. Nevertheless, even more interesting might be the fact that for the last 3 years, the number of immigrants to Poland has been consistently increasing. In 2017, Poland was the second EU member state, after the United Kingdom that in 2016 admitted the largest number of immigrants from outside the EU.

The aim of this paper is to outline the impact of the increased number of immigrants⁶ on their coexistence in a homogeneous society, which the Polish society undoubtedly is, and to establish whether there is any correlation between the increased number of immigrants to Poland and the number of victims of hate crimes. In addition, I try to find out who are the victims of race-based crimes committed in Poland in recent years. The research is based on various research methods such as: analysis of meta data, comparative analysis and text analysis method.

It should be stressed that the research includes only crimes which were committed in Poland in the years 2015–2017 and were officially reported.⁷ As a result, I analyse only official documents adopted by the State Prosecutor's Office of the Republic of Poland. What is more, the research applies only to race-based crimes, which I counted among hate crimes, however, the latter is a broaden term.

Immigration to Poland in the Years 2015–2017

For the last 3 years, the number of immigrants to Poland has been rising. Most of the foreigners arrived to Poland to work or study in this state.

5 The leading anti-racist organization, which, among others, monitors racist, xenophobic and anti-Semitic tendencies in Poland is the 'NEVER AGAIN' Association (*Stowarzyszenie "Nigdy Więcej"*). The Association publishes a so called "Brown Book", which is a register of racist incidents and other xenophobic crimes committed in Poland. 'NEVER AGAIN' Association s. a.

6 This article does not apply to refugees, who live in Poland. Their number is still low. For example, in the first half of 2017, the Polish Office for Foreigners issued around 3,000 decisions on granting various forms of international protection. Only 227 of them were positive. That means that only 8% applicants obtained a positive decision, whereas 40% of them obtained negative ones. In 52% of the cases, proceedings were terminated. The biggest number of applicants who got an international form of protection were Ukrainians, Russians and Syrians. The Polish Office for Foreigners also emphasised that the number of applications for international protection (a refugee status, a subsidiary protection, a consent for tolerated stay) in Poland has been decreasing. Wprost 2017.

7 According to the Polish Commissioner for Human Rights and the OSCE Office for Democratic Institutions and Human Rights, only 5% of hate crimes committed in Poland in the years 2016–2017 were reported by the victims from Ukraine, Muslim countries and states of Sub-Saharan Africa. The Commissioner for Human Rights 2018.

According to the Polish Office for Foreigners (*Urząd do Spraw Cudzoziemców*), in 2017, 202,000 people applied for stay permits in Poland.⁸ 192,000 of them were the citizens of non-EU member states, whereas 10,000 of them were the citizens of EU member states. It means that in 2017, the number of people who applied for stay permits in Poland increased by 33% compared to 2016 and 71% compared to 2015.⁹

Among the citizens from non-EU member states who wanted to obtain stay permits in Poland, the majority were Ukrainians. The rest of them were from Belarus, India, Vietnam and China. (See Figure 1.)

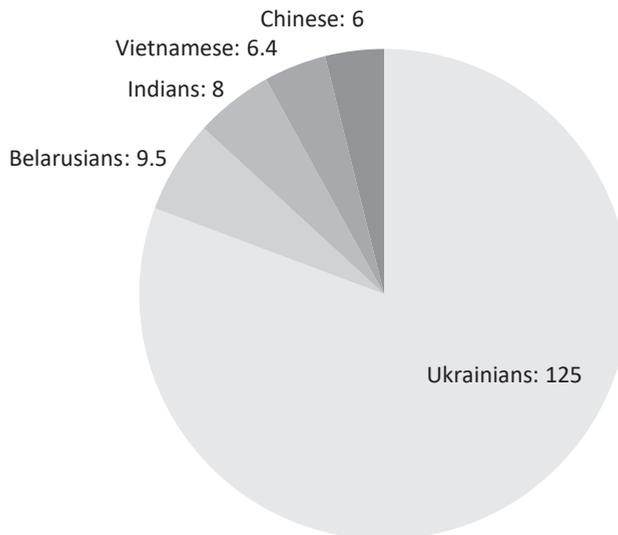


Figure 1: The number (in thousands) of citizens from non-EU member states who applied for stay permits in Poland in 2017 (Source: The Polish Office for Foreigners 2018)

In 2017, the Polish Office for Foreigners saw a 30% increase in the number of applications for stay permits in Poland received from Ukrainian citizens compared to 2016. In the same year, this institution also noted that the number of applications from Belarusians and Indians increased compared to 2016 by 98% and 95% respectively.¹⁰ When it comes to the citizens of the European Union, the biggest number of applications for stay permits in Poland was submitted by Germans. They were followed by Italians, Bulgarians, Romanians and British. (See Figure 2.)

8 The Polish Office for Foreigners confirmed that since 2014, the number of foreigners applying for stay permits has been increasing. In 2017, around 88% of them applied for temporary stay permits (up to 3 years). Around 10% of them applied for permanent stay permits, whereas around 2% of them applied for the status of a long-term resident of the European Union. The Polish Office for Foreigners 2018.

9 The Polish Office for Foreigners 2018

10 Ibid.

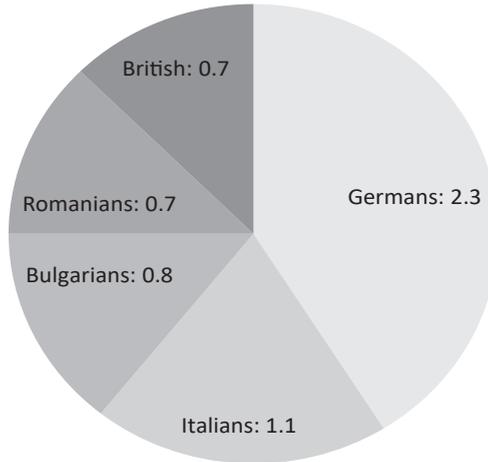


Figure 2: The number (in thousands) of citizens from EU member states who applied for stay permits in Poland in 2017 (Source: The Polish Office for Foreigners 2018)

However, the number of people who applied for stay permits in Poland seems to be scant, this number does not reflect the real scale of immigration to Poland in the years 2015–2017. Most of the immigrants who arrived to Poland in these years did not apply for stay permits. This is strictly related to the fact that stay permits are mostly necessary to obtain work permits in Poland and not to apply for visas. The easier way, especially for citizens of Eastern Europe, to work in Poland is to apply for Polish working visas.

In 2012, Poland adopted a simplified procedure for admitting migrant workers from Ukraine, Russia, Belarus, Georgia, Armenia and Azerbaijan.¹¹ As a result, in the years 2014–2016, the Consulates of the Republic of Poland located only in Ukraine issued 1.3 million working visas.¹² According to the business portal Money.pl, the number of Ukrainian migrant workers in Poland constituted 2 million.¹³

11 The citizens of Ukraine, Russia, Belarus, Georgia, Armenia and Azerbaijan can work in Poland for 6 months during the course of one year without work permits. However, they must have a written statement of any entity registered in a job centre which charge them with work and written agreement. As a result, citizens of the above-mentioned countries apply for work permits or temporary stay permits to work as qualified workers only if they want to work in Poland for a longer time. The Polish Office for Foreigners 2018.

12 According to the Supreme Audit Office (*Najwyższa Izba Kontroli*), simplified procedure for acquiring migrant workers based only on registration of statements on intention of employment without their verification, resulted in the fact that a lot of false statements have been submitted. As a result, a lot of foreign citizens from the East crossed Polish borders, but were not employed in this state. Supreme Audit Office 2018.

13 LIS 2017

Another group of immigrants to Poland, who either apply for temporary stay permits to study in Poland or apply for student visas, are foreign students from non-EU countries.

According to the report “Foreign students in Poland 2017”¹⁴ in the academic year 2016–2017, 65,793 students from abroad studied in Poland. This was a 15.1% increase in the number of foreign students (in total 57,119) who studied in Poland in the academic year 2015–2016 and 42.7% increase in the number of foreign students (in total 46,101) who studied in Poland in the academic year 2014–2015.¹⁵ However, the students who studied in Poland in the years 2016–2017 were from 166 countries, the majority of them were the citizens of Ukraine and Belarus. They were followed by the students from India, Spain, Norway, Turkey, Sweden, Germany, the Czech Republic and Russia. (See Figure 3.)

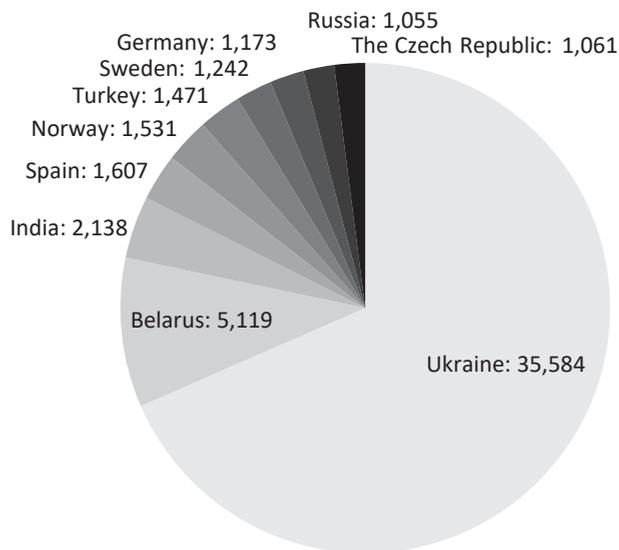


Figure 3: The countries and numbers of foreign students studying in Poland in the academic year 2016–2017
(Source: Study in Poland 2017)

The lack of complete data about the number of foreign citizens who are the citizens of non-EU member states and applied for Polish visas all over the world in the years 2015–2017, as well as the citizens who are citizens of the European Union and the European Economic Area (EOG) and live in Poland, causes the difficulty to establish the exact number of foreigners who currently stay in Poland. However, if we take into account the number of foreign students in Poland, people, who hold stay permits,

14 Study in Poland 2017

15 Ibid.

as well as the estimated number of immigrants who own Polish visas, it can be reckoned that the number of immigrants to Poland in 2017 was more than 2 million.

The Total Number of Hate Crimes Reported in Poland in the Years 2015–2017

In 2015, the number of criminal proceedings related to hate crimes was 1,548. However, 1,169 of them were new ones. In 2016, the number of ongoing cases before the public prosecutors' offices in Poland was 1,631, therein 1,316 new cases. In turn, in 2017, the State Prosecutor's Office of the Republic of Poland announced that the number of proceedings associated with hate crimes in Poland was 1,415, including 1,156 registered in that year.

The above-mentioned data showed that, compared to 2015, the number of criminal proceedings connected with hate crimes in Poland in 2016 increased. Nevertheless, in 2017 alone, this number decreased. (See Figure 4.)

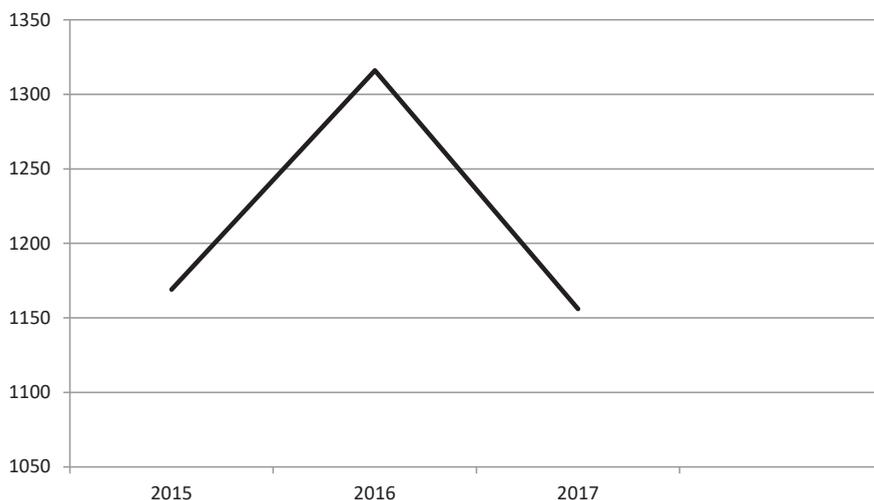


Figure 4: The number of criminal proceedings related to hate crimes before the State Prosecutors' Office of Poland in 2015–2017

(Source: Data published in the reports of the State Prosecutor's Office of the Republic of Poland in the years 2015–2017)

The State Prosecutor's Office of the Republic of Poland also claimed that from 2008 to 2016 in each reporting period, new, reported hate crimes took place. Nonetheless, since 2015, the percentile increase of these kind of crimes has not been as much dynamic as in previous years. For example, in 2016, new, reported race-based crimes

increased by 11.8% compared to those reported in 2015. Interestingly, in 2008, the number of reported hate crimes increased by 140% as compared to 2007.

The Categories and Numbers of Hate Crimes Reported in Poland in the Years 2015–2017

The State Prosecutor’s Office published the list of hate crimes that were the most frequently reported in Poland in the years 2015–2017. These crimes included:

- violence or unlawful threats towards a person or group of persons on grounds of their national, ethnic, political, or religious affiliation, or lack of religious beliefs (Article 119, section 1 of the Polish Penal Code);
- promoting a fascist or other totalitarian system and the incitement to hatred on grounds of national, ethnic, race, or religious affiliation, or lack of religious belief (Article 256, section 1 of the Polish Penal Code);
- the offence of publicly insulting a group of the population or a particular person on the grounds of national, ethnic, race, or religious affiliation, or lack of religious belief or breaching the personal inviolability of a person on these grounds (Article 257 of the Polish Penal Code).

It should be emphasised that although the above-mentioned crimes were the most frequently reported in Poland in the years 2015–2017, their number was different in these years. (See Figure 5.)

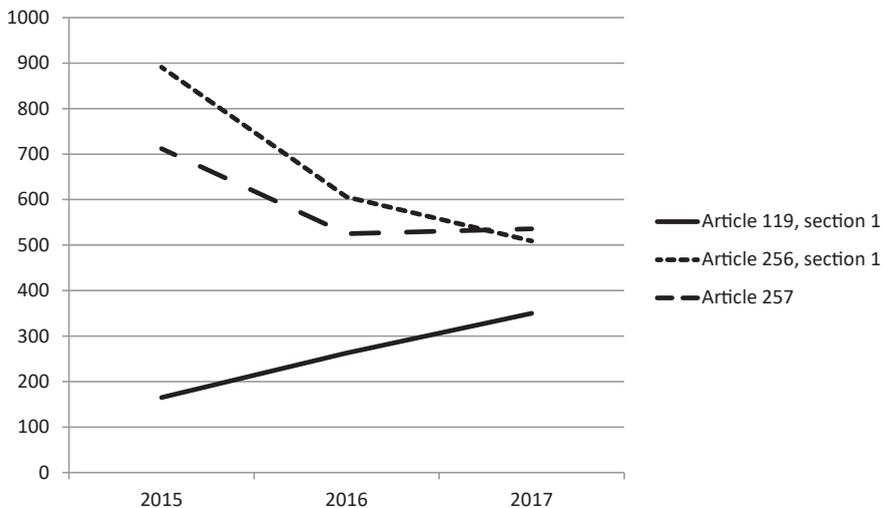


Figure 5: The number of the most frequent hate crimes reported in Poland in the years 2015–2017 (Source: Data published in the reports of the State Prosecutor’s Office of the Republic of Poland in the years 2015–2017)

The number of hate crimes reported under Article 119, section 1 of the Polish Penal Code since 2015, has been constantly increasing, whereas, at the same time, the number of crimes under Article 256, section 1 has been constantly decreasing. The number of race-based crimes reported under Article 257 decreased in 2016, but a year later slightly increased.

The Victims of Hate Crimes Reported in Poland in the Years 2015–2017

The main motive of hate crimes was the affiliation of a person or persons with national, racial, ethnic, political, religious groups, or being irreligious. Since 2015, the victims of these crimes were diversified and had various roots. What is more, in each reported year, the biggest number of victims had different ancestry. As a result, in 2015, the Roma people represented the largest group of people who were victims of hate crimes in Poland. In 2016 and in 2017, they were replaced by Muslims. (See Figure 6.)

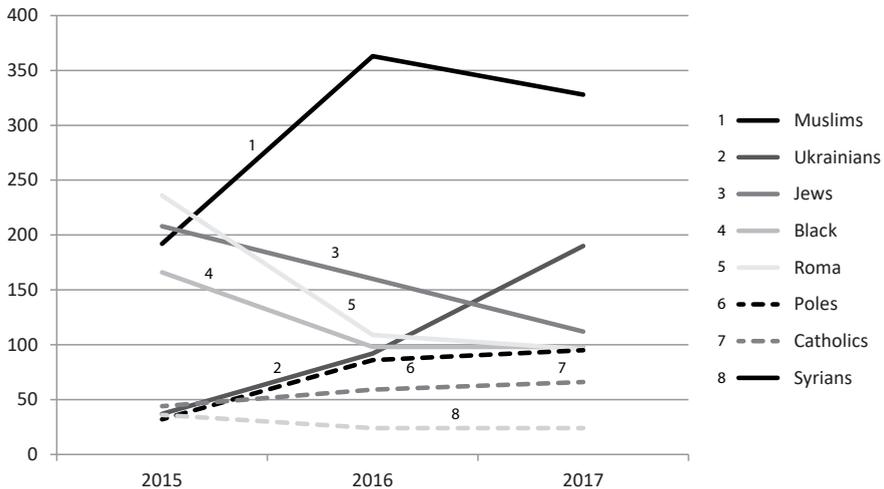


Figure 6: The nationality, ethnicity, race, religion of people who were the victims of hate crimes reported in Poland in the years 2015–2017

(Source: Data published in the reports of the State Prosecutor's Office of the Republic of Poland in the years 2015–2017)

However, the number of Muslims who were the victims of race-based crimes increased only in 2016 and then decreased in 2017. In these years, also the number of victims of hate crimes of Jewish and Roma ethnicity and Black race declined. On the contrary, in 2015–2017 the number of Ukrainians who were the victims of hate crimes in Poland increased accordingly by 148% in 2016 compared to 2015 and by 106% in 2017 compared to 2016. Based on the reports of the State Prosecutor's Office of the

Republic of Poland, it should be also stressed that since 2015, the number of Poles and Catholics who were the victims of race-based crimes has increased. However, this increase was not that explicit. (See Figure 6.)

Conclusions

Taking into account the analysis of data, it should be emphasised that the number of criminal proceedings connected with reported hate crimes in Poland increased in 2016, but decreased in 2017. It might have been the result of the ever-growing detection of hate crimes and certainty of punishment for this kind of crimes. (The reports of the State Prosecutor's Office of the Republic of Poland in the years 2015–2017.)

However, there is no visible correlation between the increased number of immigrants to Poland and the number of victims of hate crimes; since 2015 the groups of people who were the victims of race-based crimes in Poland have changed.

As data showed, in 2016 and in 2017 the Muslims represented the largest group of people who were the victims of hate crimes. This tendency might have been related to the terrorist attacks in Paris, which took place in 2015 and even worsened the perception of Muslim communities in Poland.¹⁶ What is more, the data indicated that since 2015, the number of Ukrainians who were the victims of race-based crimes in Poland has increased more than fivefold. The reasons of this phenomena might be both an opinion of some Poles that migrant workers from Ukraine spoil Polish labour market, as well as historic issues.¹⁷ These causes might have made that Ukrainians became the group of immigrants who faced a higher risk of being the victims of race-based crimes in Poland in recent years.

References

- ALESINA, Alberto – DEVLEESCHAUWER, Arnaud – EASTERLY, William – KURLAT, Sergio – WACZIARG, Romain (2003): Fractionalization. *Journal of Economic Growth*, Vol. 8, No. 2. 155–194. DOI: 10.3386/w9411.
- CBOS – Public Opinion Research Center (2015): Polacy nieprzychylni wyznawcom islamu. *Polskie Radio.pl*, March 19, 2015. Available: www.polskieradio.pl/5/3/Artykul/1402559, CBOS-Polacy-nieprzychylni-wyznawcom-islam (Downloaded: 12.06.2018.)

16 Yet in February 2015, the CBOS (Public Opinion Research Center) conducted research on attitudes of Poles towards the Muslims. The research showed that 44% of Polish respondents had negative attitudes towards the Muslims. CBOS – Public Opinion Research Center 2015.

17 In the years 1943–1945, in Nazi German-occupied Poland, the Volhynia massacres took place. At that time, the Organization of Ukrainian Nationalists – Bandera faction (OUN-B) and its military wing, called the Ukrainian Insurgent Army (the UPA) killed up to 100,000 Poles in Volhyn and Eastern Galicia. This anti-Polish genocidal ethnic cleansing is still a bone of contention between Poland and Ukraine. The Volhynia Massacre s. a.

- Eurostat (2017): Polska przyjęła ponad pół miliona imigrantów. *Onet Wiadomości*, November 20, 2017. Available: <https://wiadomosci.onet.pl/kraj/eurostat-polska-przyjela-ponad-pol-miliona-imigrantow/k7n96t5> (Downloaded: 12.06.2018.)
- FRA (s. a.): *Hate crime*. FRA. European Union Agency for Fundamental Rights. Available: <http://fra.europa.eu/en/theme/hate-crime> (Downloaded: 12.06.2018.)
- GUDASZEWSKI, Grzegorz (2011): *Struktura narodowo-etniczna, językowa i wyznaniowa ludności polski. Narodowy Spis Powszechny Ludności i Mieszkań 2011*. Available: www.stat.gov.pl (Downloaded: 12.06.2018.)
- LIS, Marcin (2017): Za rok w Polsce będzie pracować 3 mln Ukraińców. Ich pensje rosną szybciej niż przeciętne. *Money.pl*, October 25, 2017. Available: www.money.pl/gospodarka/unia-europejska/wiadomosci/arttykul/ukraincy-pracujacy-w-polsce-pensjaliczba,118,0,2381430.html (Downloaded: 12.06.2018.)
- 'NEVER AGAIN' Association (s. a.): Stowarzyszenie 'Nigdy Więcej'. Available: www.nigdywiecej.org/o-nas/stowarzyszenie-nigdy-wiecej (Downloaded: 12.06.2018.)
- Penal Code (1997): Ustawa z dnia 6 czerwca 1997 r. – Kodeks karny. (Dz. U. 1997 nr 88 poz. 553). Available: <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19970880553> (Downloaded: 12.06.2018.)
- Penal Code (2013): Ustawa z dnia 30 grudnia 2013 r. o cudzoziemcach. (Dz. U. 2013 poz. 1650). Available: <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu20130001650> (Downloaded: 12.06.2018.)
- PENZIEN, Ericha (2017): Xenophobic and Racist Hate Crimes Surge in the European Union. *Human Rights Brief*, February 28, 2017. Available: <http://hrbrief.org/2017/02/xenophobic-racist-hate-crimes-surge-european-union/> (Downloaded: 12.06.2018.)
- State Prosecutor's Office (2015): *Sprawozdanie dotyczące spraw o przestępstwa popełnione z pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w 2015 r. w jednostkach organizacyjnych prokuratury*. Prokuratura Krajowa RP, May 12, 2016. Available: <https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/> (Downloaded: 12.06.2018.)
- State Prosecutor's Office (2016): *Sprawozdanie dotyczące spraw o przestępstwa popełnione z pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w 2016 r. w jednostkach organizacyjnych prokuratury*. Prokuratura Krajowa RP, March 23, 2017. Available: <https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/> (Downloaded: 12.06.2018.)
- State Prosecutor's Office (2017): *Sprawozdanie dotyczące spraw o przestępstwa popełnione z pobudek rasistowskich, antysemickich lub ksenofobicznych prowadzonych w 2017 r. w jednostkach organizacyjnych prokuratury*. Prokuratura Krajowa RP, June 25, 2018. Available: <https://pk.gov.pl/dzialalnosc/sprawozdania-i-statystyki/> (Downloaded: 12.06.2018.)
- Study in Poland (2017): Raport „Studenci zagraniczni w Polsce 2017”. [Report “Foreign students in Poland 2017”.] Available: http://studyinpoland.pl/konsorcjum/index.php?option=com_content&view=article&id=14515:raport-studenci-zagraniczi-w-polsce-2017&catid=258:145-newsletter-2017&Itemid=100284 (Downloaded: 12.06.2018.)
- Supreme Audit Office (2018): *NIK o wydawaniu wiz pracowniczych obywatelom Ukrainy*. Najwyższa Izba Kontroli, March 15, 2018. Available: www.nik.gov.pl/aktualnosci/nik-o-wydawaniu-wiz-pracowniczych-obywatelom-ukrainy.html (Downloaded: 12.06.2018.)
- Survey (2018): *Jedynie 5% przestępstw motywowanych nienawiścią jest zgłaszanych na policję – badania RPO i ODIHR/OBWE*. Rzecznik Praw Obywatelskich. Available: www.rpo.gov.pl/pl/content/jedynie-5-przestepstw-motywowanych-nienawiscia-jest-zglaszanych-na-policje-badania-rpo-i-odihrobwe (Downloaded: 12.06.2018.)

The Impact of Immigration to Poland on Hate Crimes in Recent Years

- The Central Statistical Office of Poland (2011). Available: <https://stat.gov.pl/en/> (Downloaded: 12.06.2018.)
- The Commissioner for Human Rights (2018). Available: www.coe.int/en/web/commissioner/the-commissioner (Downloaded: 12.06.2018.)
- The Polish Office for Foreigners (2017): *Zezwolenia na pobyt w 2017 r. – podsumowanie*. Urząd do Spraw Cudzoziemców, February 1, 2018. Available: <https://udsc.gov.pl/zezwolenia-na-pobyt-w-2017-r-podsumowanie/> (Downloaded: 12.06.2018.)
- The Polish Office for Foreigners (2018): Urząd do Spraw Cudzoziemców. Available: <https://udsc.gov.pl/en/> (Downloaded: 12.06.2018.)
- The Polish Office for Foreigners (s. a.): *Chcę pracować w Polsce. Informacje dla cudzoziemców zainteresowanych wykonywaniem w Polsce pracy*. Urząd do Spraw Cudzoziemców. Available: <https://udsc.gov.pl/cudzoziemcy/obywatele-panstw-trzecich/chce-pracowac-w-polsce/> (Downloaded: 12.06.2018.)
- The Volhynia Massacre (s. a.): *1943 Volhynia Massacre. Truth and Remembrance*. Institute of National Remembrance. Available: <http://volhyniamassacre.eu/> (Downloaded: 12.06.2018.)
- WĄSIK, Mateusz – GODZISZ, Piotr (2016): *Hate Crimes in Poland 2012–2016*. Lambda Warsaw, Association for Legal Intervention and The DiversityWorkshop.
- WAWRYNIUK, Andrzej (2017): Migracja Ukraińców do Polski w latach 2007–2016. Podstawy prawne, przejawy i skutki tego zjawiska. *Rocznik Nauk Prawnych*, Vol. 27, No. 3. 109. DOI: <http://dx.doi.org/10.18290/rnp.2017.27.3-6>.
- Wprost (2017): Nowe dane UDSC. Ilu uchodźców przyjęła Polska w 2016 roku? *Wprost*, June 16, 2017. Available: www.wprost.pl/kraj/10060370/Nowe-dane-UDSC-Ilu-uchodzcow-przyjela-Polska-w-2016-roku.html (Downloaded: 12.06.2018.)

