

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Poland	2016	Poland / I instance: District Court in Legnica / Ref. no. III K 88/16 and II instance: Appellate Court in Wrocław / Ref. no. II Aka 131/17		Racial or ethnic origin	I instance: District Court in Legnica, II instance: Appellate Court in Wrocław	On August 2 2016, in the premises of an oriental restaurant, two Polish citizens used physical violence and insulted two Pakistani nationals. The attack was motivated by the victims' nationality and race. Perpetrators threw a glass bottle at their victims and hit them in their heads and bodies. They were using insulting words, referring to the colour of their skin and foreign nationality. They were demanding that their victims went back to their country. At the end, they threatened they would burn down the restaurant if the case was reported to the police.	The Court sentenced one of the accused for one year and 6 months of imprisonment and another one for 6 months.	The Regional Court established that the attack was motivated by the race and nationality of victims. Therefore, the Court sentenced one of the accused for one year and 6 months of imprisonment and another one for 6 months. The defender of the accused lodge an appeal. He demanded to reduce the penalty. The Appellate Court upheld the decision of the Regional Court. The Court indicated that the hate crime is extremely threatening phenomena and the number of such offences in Poland is growing therefore the Courts shall severely punish the perpetrators.		"Polska jest także stroną szeregu aktów prawa międzynarodowego, odnoszących się do walki z dyskryminacją (...). Troska społeczności międzynarodowej stanowi jedną z ważnych przesłanek uznania społecznej szkodliwości przestępstw dyskryminacyjnych w warunkach państwa demokratycznego. Po wtóre, zjawiska dyskryminacyjne są niezwykle groźne społecznie, o czym świadczy narastająca liczba przestępstw na tym tle na terenie naszego kraju." "Poland is a party to a number of international instruments combating discrimination (...). The concern of the international community is one of the important reasons for recognizing the social harm of hate crimes. Moreover, discrimination is extremely threatening to the society, as the number of such offences is constantly growing in our country."

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