

Database 2012-2020 on anti-Muslim Hatred

Research findings

COUNTRY CODE	YEAR	REFERENCE DETAILS TITLE	REFERENCE DETAILS URL	MAIN THEMATIC FOCUS	INSTITUTION	KEY FINDINGS - SHORT SUMMARY	METHODOLOGY (QUALITATIVE/QUANTITATIVE AND EXACT TYPE USED, QUESTIONNAIRES ETC)	SAMPLE DETAILS AND REPRESENTATIVENESS	AREA/LOCATION OF INTEREST - NUTS3 LEVEL
Poland	2015	ECRI Report, published on 9 June 2015	<a href="https://www.coe.int/web/european-commission-against-racism-and-intolerance/poland">https://www.coe.int/web/european-commission-against-racism-and-intolerance/poland</a>	Racism & xenophobia, Discrimination, Ethnic profiling	ECRI   European Commission against Racism and Intolerance   Council of Europe	Poland has neither signed nor ratified Protocol No. 12 despite the recommendations to this effect contained in the 3rd and 4th ECRI reports. In its fourth report, ECRI recommended once again that the Polish authorities insert into the Criminal Code a provision that would expressly render the motivation of	The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.	ECRI's reports are analyses based on a great deal of information gathered from a wide variety of sources.	Not applicable - national level

any  
ordinary  
offence an  
aggravating  
circumstanc  
e.

The Polish  
authorities  
consider  
that this  
would be  
incompatibl  
e with the  
philosophy  
of the  
Polish  
criminal  
law system,  
which is  
based on  
abstract,  
general  
rules in  
order to  
cover as  
many  
situations  
as possible;  
they say  
that, in any  
event,  
Polish  
judges are  
required to  
treat  
otivation as  
an  
aggravating  
circumstanc  
e under  
Article 53

of the  
Criminal  
Code,  
which  
contains

					contains sentencing guidelines. ECRI has already referred, in other 5th round reports, to studies showing that, in the absence of an express provision, judges are disinclined to take account of motivation. Moreover, such a provision would have a highly symbolic and clearly dissuasive effect.			
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<https://fra.europa.eu/en/databases/anti-muslim-hatred/home>

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