

**TRAFFICKING IN HUMAN BEINGS  
LABOR EXPLOITATION**

**In POLAND**

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## **Introduction**

Poland went through extensive social changes during the last 20 years. The democratic transition in early 1990s brought opening of borders, ability to freely travel abroad, transformation of the work environment, business opportunities and overall changes in Polish society. Among many positive aspects of the transformation there are also negative conditions, such as unemployment and poverty. This kind of situation has prompted many individuals to choose to leave Poland, with the intention of working and earning better wages abroad. Oftentimes, people believe that by moving abroad, work will be easier to find and pay will be higher. However, this is not always the case.

Many people, especially from countries of Eastern Europe and Asia, come to Poland to seek work opportunities. Poland's accession to both the European Union (EU) and the Schengen zone has transformed it into both a transit and destination country for human trafficking. The scale of trafficking was already serious in Poland, but has become aggravated in the past five years due to joining the EU and the Schengen zone. There is a big increase in the phenomenon of human trafficking for forced labour, more and more frequent incidents of trafficking in human beings for criminal activity, and an increase in trafficking in children for begging.

## **Legal framework**

Poland has ratified key international and human rights treaties, including the **Protocol on Trafficking in Persons to the 2000 UN Convention against Transnational Organized Crime (Palermo Protocol)**, under which States are required to take action to ensure the protection of trafficking victims, prevent trafficking and bring traffickers to justice.

**Council of Europe Convention on Action against Trafficking in Human Beings**, developed in Warsaw on 16 May 2005, signed and ratified by Poland. This document develops the approach to the issue of human trafficking, focused particularly on the rights of victims, taking account of the necessary developments in relevant national legislation, drawing on experience from the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Human Beings Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

The obligations resulting from Poland's membership of the European Union: From among the EU acts on combating trafficking in human beings, the following should be mentioned:

*Council Framework Decision on combating trafficking in human beings (2002/629/JHA of 19 July 2002)*, *Council Directive on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (2002/81/EC of 29 April 2004)* and *Council Framework Decision on combating the sexual exploitation of children and child pornography (2004/68/JHA of 22 December 2003)*

### **Polish Law / Penal Code**

#### **(a) Penal Code of 1969**

The crime of trafficking in human beings was initially typified in Article IX (1) and (2) of provisions implementing the Penal Code of 1969.

#### **(b) Penal Code of 1997**

Regulators introduced significant changes to the dispositions and sanctions of regulations on trafficking in human beings in the Penal Code of 6 June 1997.

The following regulations refer directly to the crime of trafficking in human beings:

**Article 253**

**§ 1. *Whoever performs trafficking in persons even with their consent, shall be subject to the penalty of the deprivation of liberty for no less than 3 years.***

*§ 2. Whoever, in order to gain material benefits, organizes the adoption of children in violation of the law, shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.*

**Article 253 and organized crime statutes are used to prosecute labor trafficking cases, though there are no provisions that specifically define and address trafficking for labor exploitation.**

Article 203, Article 204, Sections 3 and 4, and Article 253 of the criminal code are used to prosecute sex trafficking cases:

**Article 203**

*Whoever, by means of violence, unlawful threats, deceit or taking advantage of the dependency or critical position, leads another person to prostitution, shall be subject to the penalty of deprivation of liberty for a term between 1 year and 10 years.*

**Article 204**

*§ 1. Whoever, in order to gain material benefits, impels another person to prostitution or facilitates it, shall be subject to the penalty of deprivation of liberty for a term of up to 3 years.*

*§ 2. Whoever gains material benefits from prostitution of another person shall be subject to penalty specified in § 1.*

*§ 3. If a person specified in § 1 or § 2 is a minor, the offender shall be subject to penalty of deprivation of liberty for a term between 1 year and 10 years.*

*§ 4. Whoever entices or abducts another person with the aim of having him/her engage in prostitution abroad shall be subject to penalty specified in § 3 (i.e. deprivation of liberty for a term of between 1 year and 10 years).*

**Article 8 of Provisions implementing the Penal Code**

*Whoever causes another person to become enslaved or conducts trade in slaves shall be subject to the penalty of deprivation of liberty for a term of no less than 3 years.*

**Other criminal offences related to trafficking in human beings:**

- Forcing another person to behave in a certain way by means of violence or threat (Art. 191 (1) of the Penal Code),
- Unlawful deprivation of liberty (Art. 189 of the Penal Code).

Until the 8<sup>th</sup> of September 2010 there was no legal definition of trafficking in human beings in the Polish penal code.

Prosecutors had to rely on trafficking definitions in the **2000 UN TIP Protocol** when pursuing cases against traffickers.

In accordance with article 3 letter (a) of the Protocol, “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

## **Obstacles to the application of legal instruments to prosecute trafficking in human beings in the Poland and protect the victims.**

### **1. Reflection period in Polish legislation not being used.**

Alien Law, article 33 (2003, novelty 2005). This article enable migrants who are identified as trafficked persons to have a reflection period of 60 days and foresees additional provisions (different kinds of assistance, temporarily stay permit) for trafficked persons who decided to testify or cooperate with the law enforcement. So this provision is conditional to trafficked persons.

The article 33 is used as a tool for identification of trafficked persons, but the reflection period is not used almost at all because the police and the law enforcement tend to interview trafficked persons as soon as possible and usually want to start case proceedings immediately.

### **2. Lack of the victim protection system.**

Within the complex overall structure of a comprehensive anti-trafficking strategy the protection of the safety of persons in danger especially the victim of trafficking is the first priority in polish legislation. Only the incognito witness may enjoy of secret the personal data if there is a justified concern for safety of life, health, freedom or loss of property of considerable dimension regarding the witness or his next of kin. The order is issued by the court or the state prosecutor based on objective judgment of the danger to the witness. There is a need to establish similar application in relation to the injured person (the victim of trafficking in human being) in Polish legislation.

### **3. The legal limitation in special investigative techniques.**

By using a combination of intelligence gathering, human and technical surveillance, undercover deployments and standard investigative techniques, the objective is to identify the traffickers and prosecute them for the offences. The main prerequisites for successful investigation are legal limitation in Polish Law. The use of the some the tactics (especially pseudo-purchase, pseudo-sell and pseudo-services by a police officer or civilian) are most effective against trafficking in human beings in other countries. According to Polish Law (Police Act) these tactics can be used only to items directly derived from an offence. And the use above mentioned tactics is no applicable in regards to trafficking in human beings offences.

The following investigative methods may be used by the Police and other institution in trafficking cases: observation, requesting information concerning telecommunications, recording telecommunications, recording confidential communications, systematic information gathering by an investigative officer, infiltration by police officers, civilian infiltration. The recording telecommunication method was used in four human trafficking cases in 2004 year.

Additionally, **judicial proceedings** for trafficking cases are usually **very long**, lasting two years on average. Efforts should be made by the Ministry of Justice and the Judiciary to shorten the period and provide early case closure that will help victims to reduce trauma suffered, and focus to victims' full reintegration and rehabilitation.

## **Cases of forced labour:**

### **(a) Poland as the country of destination**

There are no statistics concerning cases of trafficking of human beings for purpose of labour exploitation in Poland.

A phenomenon of **Ukrainian** migrants exploited in **construction and agriculture** sector (harvesting) has been known for a long time, however just recently there were more and more cases of victims from ex-soviet union countries (**Uzbekistan, Tajikistan, Belarus**) and **Asia (Mongolia, China, Vietnam, Philippines, Bangladesh, Thailand)** and also **Bulgaria, Romania, Moldova**. Nevertheless, they are rarely recognized as trafficking, more often as work exploitation and violation of labour law.

#### **• *Help in illegal border crossing and work “to repay the debt”***

In 2004, the Regional Public Prosecutor’s Office in Kielce filed charges against three Vietnamese citizens who forced another Vietnamese citizen to perform slave labour for no remuneration whatsoever. One of the defendants offered to help the victim in entering the territory of Poland illegally. In line with their arrangements, the help was to cost him USD 3,000, but the victim only managed to collect USD 2,000. The defendant decided to lend the victim the missing amount of money (USD 1,000) and the victim committed himself to work it off in Poland. The work performed by the victim in Poland consisted in selling various kinds of goods at markets. After a few weeks the victim learned that he would not receive any remuneration for his work for five years. Only then did he realize the seriousness of the situation he found himself in and decided to notify law enforcement bodies.

#### **• *Illegal work***

Instances of illegal employment of Ukrainian citizens in the construction sector for no remuneration whatsoever are becoming increasingly frequent. Such persons are aware of the consequences of illegal employment and do not inform law enforcement bodies of being exploited by their employers. Their only recourse is to stop performing their work, on the condition that the employer allows them to leave the job. None of the public prosecutor’s offices has yet pursued criminal proceedings in a case of this kind.

#### **• *Labour exploitation***

A case of trafficking for labour exploitation of Tajik workers in Poland. In 2007 over 30 Tajik men addressed the Bureau for Human Rights in Tajikistan for legal assistance. The workers had been recruited, as part of a group of sixty persons, by a local employment agency to work for a well-known construction company in Poland. Once in Poland the workers were told to perform different work than that which they had been hired for and were not told what their salary would be. When they demanded their salaries after a month of work, the Polish company told them the Tajik employment agency had to pay them, while the Tajik agency said the Polish company would pay. Those workers who were able returned home by their own means, some stayed in Poland, others left for the Russian Federation and were detained there for illegally crossing the border. Back in Tajikistan, the employment agency started a public campaign against the workers who had demanded their wages for being lazy and unskilled. The Bureau of Human Rights filed a claim against the employment agency with the prosecutor’s office, but the authorities did not react to the claim and the workers were sent from one authority to another without any action against the employment agency being taken. The employment agency then filed a case against each of the workers for breach of contract in an attempt to intimidate them. The Bureau for Human Rights filed counterclaims and the court decided to drop the employment agency claims. The workers however were no longer

interested in pursuing criminal or civil claims as they were intimidated and exhausted by the obstacles presented so far and negative consequences of their complaints.

**(b) Poland as the country of origin**

There were cases of Polish citizens exploited for labor in **Italy, Great Britain, Ireland, Germany and Scandinavia.**

In Italy, a phenomenon relying on exploitation of the labour force in agricultural branch existed for a longer period of time. The situation of exploited people is – in fact – a form of modern slavery.

It is confirmed that Polish citizens become the victims of that criminal activity often.

• *Press announcements advertising work abroad and work “to repay the debt”*

In 2006, the Department for Organized Crime of the Regional Prosecutor’s Office in Krakow conducted an investigation into trafficking in Polish citizens with the aim of exploiting forced labour at plantations located in the vicinity of the town of Foggia in **Italy.**

On the basis of gathered evidence it was concluded that the perpetrators placed advertisements in national newspapers offering work at tomato picking in Italy. Persons providing information on working conditions and departure dates over the phone introduced themselves using false personal data. Phone numbers featured in job offers were changed frequently. The charge for the journey to Italy was PLN 400 to PLN 800; workers were additionally charged ca. EUR 150 upon arrival. Transport was provided by private companies, mainly from the Podkarpacie region, as well as by individual carriers.

Recruited workers were transported directly to plantations, where work organization and supervision was in the hands of Poles and Ukrainians. Workers were totally enslaved in the holdings, they were subject to physical and psychological violence. In order to prevent them from contacting anyone from the outside, they were supervised by sentinels during the work and at night they were locked in the premises where they slept; frequently, their mobile phones and documents were taken away.

One of the methods of forcing the recruited workers to perform slave labour was charging them with excessive costs of accommodation, electricity and other costs, e.g. for the possibility to go shopping, during the first few weeks of their stay abroad. The costs were so inordinate and earnings so low that they did not cover the alleged debt, even after a few months. The work was organized in a piecework system and the daily norm was so high that it was impossible to meet. In case the employee failed to meet the norm, the employer charged him/her with a fine and thus the indebtedness of the employee kept increasing.

The victims were accommodated in premises completely unfit for humans, mainly in ruined outbuildings with no water, electricity or furnishings; in many cases workers were forced to live in tents. The ‘sentinels’ carried guns and were extremely brutal.

At present, the victim status is granted to 285 persons. Decisions on filing charges have been issued in respect of 28 persons.

In the case of trafficking in human beings to exploit forced labour, in Italian plantations whole families fell victims. The youngest victim was a boy aged 17. Unaware of the danger, Polish citizens answered to advertisements placed in local and national newspapers as well as on the internet.

The description of this case is rather lengthy; however it shows the organization of the criminal group and the cooperation of investigation and law enforcement:

From the half of 2005, the Polish citizens have started to call for help and support in return way to homeland to the Polish honorary consul in Bari. According to their words, they have come to work in Italy, in the region of Apulia where, instead of promised good labour conditions and salary, they were forced to work beyond their powers for no money or symbolic payment. What is more, they lived in conditions which were below minimal, social

standards. Due to the number of people/Polish citizens applying in Bari, the consul informed Polish and Italian authorities about growing problem and probability of Trafficking in Human Beings for the purpose of labour exploitation.

Meanwhile the Police units across whole Poland have started to receive information from people harmed by abovementioned criminal activity. Based on their testimonies, Police has processed investigations of fraud (art. 286 of Polish penal code) and of Trafficking in Human Beings (art. 253 of Polish penal code and art. 3 of “Palermo protocol”). Later on, all these investigations (over 300) have been cumulated by Central Police Headquarters into one big case held and coordinated by Voivodship Police Headquarters in Cracow.

At the same time, thanks to information obtained from the Polish honorary consul in Bari and notices from Polish victims, the Italian side decided to connect investigations held separately by different Italian Police units into one. The joint investigation has been held and supervised by special unit ROS Carabinieri from Rome and Central Unit to fight against Trafficking in Human Beings from Central Police Headquarters in Warsaw.

As a result of the combined activities the transnational, organized group, which dealt with trafficking of Polish citizens in order to exploit their labours in Apulia region, has been identified. The existence of such organization has been verified by the result of the analysis of victim reports to the Police in Poland as well as to the Polish Consulate in Bari and embassy in Rome, which ROS Carabinieri and Polish Central Unit to fight against THB has established a useful collaboration with. It has been also confirmed that in Poland existed criminal structure responsible for recruiting victims to so-called “labour camps” in Italy and the connections’ net of the group that consisted of individuals from Poland, Ukraine, Algeria and Italy.

The on-going investigation has allowed to establish in which way the offenders/traffickers have carried on their criminal business (*modus operandi* of the case).

The cells of the group involved were as follows:

(1) *the cell responsible for victims’ recruitment* through a deception and an attractive work offer. It was confirmed that there was a close connection between the recruitment cell in Poland and the one that was organizing work in Apulia. The recruiters offered the attractive and well-paid job by newspaper and Internet advertisement (national and local newspapers, e.g. “Gazeta Wyborcza”, “Dziennik Polski”, “Dziennik Kujawski”, “Tygodnik Ostrołęka”, [www.anonse.pl](http://www.anonse.pl), etc.) and by direct links with the future victims.

(2) *the cell that dealt with logistic accommodation and taking workers into slavery and exploitation of their labour*: in Foggia province there has been an international criminal ring which role was to organize and exploit the labour of persons that came from Poland. They also took care of sorting of the victims in labour camps. It is also been confirmed that illicit intermediation with the Italian land owners took place – this thread of the case is still clarified by Italian Police.

(3) *the cell responsible for victims’ transfer and collection of the payment* for the intermediation and journey. The victims have been transferred from Poland to Italy by buses by route via Czech Republic and Austria or route via Slovakia, Hungary and Slovenia.

(4) *the cell responsible for armed guarding of the labour camps in order to avoid escapes of the victims* – the results of investigation have confirmed that camps’ guards (calling themselves “proudly” *capo*) to avoid above mentioned escapes and to break any resistance used threats and physical violence against workers. The victims have been beaten (sometimes until they passed out), hounded with dogs, punished by deprivation of water or food even for few days etc. There are also justified suspicions of committing murders against those of victims that stood against their oppressors and did not allow on total destruction of human dignity.

Trafficked persons suffer serious moral and material injuries and losses through their exploitation, yet few ever receive compensation for this harm.

## **Victim protection and assistance**

The Law on Social Assistance provides that all foreign victims of trafficking are entitled to assistance.

### **Residence visa**

The Polish legislation gives legal opportunity for victim to get a (temporary) residence permit with a view to hear the testimonies of the victim for a successful imposing guilt on the perpetrators.

#### **Residence visa under Article. 33 (1) (5):**

“Residence visa may be issued to an alien, despite of the circumstances that justify the refusal of the visa, if there is a well-founded reason to suspect that an alien is a victim of trafficking in human beings within the meaning of Framework Decision of the Council of 19 July 2002 on combating trafficking in human beings, and this has been confirmed by an authority competent with respect to conduct procedure on combating trafficking in human beings. The visa referred shall be granted for a period of residence necessary to take by an alien the **decision whether to cooperate** with an authority competent with respect to conduct procedure on combating trafficking in human beings, **not exceeding 2 months**”.

**Permission for residence for a specific period, in accordance with Art. 53 (1) (15) of the amended Law on aliens.** A permit may be granted to an alien, who “resides on the territory of the Republic of Poland, has undertaken cooperation with an authority competent with respect to conduct procedure on combating trafficking in human beings, has terminated contacts with persons suspected of committing related to trafficking in human beings or, if circumstance, on which he/she applies for this permit justifies his/her residence within the territory of the Republic of Poland for the period exceeding 3 months”.

Law amending the Law on social assistance entered into force on 1 April 2007.

Moreover, these foreign nationals are **entitled the “right for services** such as crisis intervention, shelter, meal, necessary clothing and designated benefit”. The aid is granted to foreign nationals on a basis of a certificate issued by the Police, Border Guard or Prosecutor’s Office, which pronounces the person a victim of trafficking in human beings.

The Law allows these foreign nationals to stay at a crisis intervention centre (social assistance organizational unit) for a period compliant with a validity period of the residence visa and residence permit for a fixed period, issued to those persons due to prosecution on trafficking in human beings.

Additionally, the need to give aid to victims of trafficking in human beings as a condition to grant social assistance benefits.

### **Victim Support Programme**

Since 1 January 2006, on a basis of agreement commissioning the carrying out a public task, concluded between the Minister of Interior and Administration and the “La Strada” Foundation against Trafficking in Women, the “**Programme for Support and Protection Victims/Witnesses of Trafficking in Human Beings**” for foreign nationals has been implemented.

Detailed material scope of the task:

- Crisis intervention:
  - Diagnosis of the victim’s need by the Foundation worker;
  - Case-management (consultations, advising, support, providing safety, organization of aid while working individually with a person);
  - Providing an interpreter;
  - Transport of a victim on the territory of Poland;
  - Safe shelter (transport, accommodation, satisfying the basic life needs: food, clothes, hygienic measures) and change of appearance;
  - Medical and psychological consultations, medical examinations and purchase of medicines.
- Assisting the victim during the contacts with enforcement agencies and Area of Justice – legal consultation,
- Organization of the residence legalization,
- Organization of a safe return of a victim to the country of origin (providing continuity of support, if possible – allowing the contact with a competent organization in the country of origin, on the basis of a victim’s consent).

The coordinators of the Programme implementation are the representatives of: Unit for Trafficking in Human Beings of the Department of Migration Policy of the Ministry of Interior and Administration, Border Guard, Central Team for Combating Trafficking in Human Beings of the General Headquarters of Police and “La Strada” Foundation.

**Sanctioning policy.**

Behavior of the victims of the trafficking in human beings bear very often attributes of an offence *inter alia* illegal border crossing, forgery of documents. Disclosure of above mentioned offences cause a direct charge against alien who committed offence. The evidence collected during the preparatory proceedings mostly concentrated on offences committed by victims of trafficking. And the issues of trafficking were omitted. At the same time it is important to consequently treat victims with respect and compassion, and not to sentence them for minor breaches of legal regulations. Only then will victims be encouraged to support the prosecution of traffickers. There were situations when the victims of trafficking in human being were accused instead of being the injured person in the court. Following that the victims were not willing to give testimony to the prosecution authorities. Regarding to above and to improve effectiveness of combating trafficking in human being each particular case should be researched and checked if there are fulfilled conditions (article 17 § 1 of the Code of Criminal Procedure) to issue a decision discontinuing criminal proceeding or a decision refusing to start criminal proceeding. The Code of Criminal Proceedings gives following possibilities to desist from criminal prosecuting the offences done by the victims of trafficking:

- Discontinuing (or refusing) criminal proceeding according to article 17 § 1 of the Code of Criminal Procedure. The criminal proceeding shall not be instituted, or, if previously instituted, shall be discontinued, when the circumstances precluding such act occur. One of the circumstances is physical coercion (*vis absoluta*). The victims of trafficking are usually under the constant duress from the perpetrators side.
- Discontinuing criminal proceeding on the ground of article 17 § 1 point 2 of the Code of Criminal Procedure in conjunction with article 26 § 1 and 2 of the Criminal Code. The criminal proceeding shall not be instituted, or, if previously instituted, shall be discontinued, when the act does not possess the qualities of a prohibited act, or when it is acknowledged by law that the perpetrator has not committed an offence in situation

of appearing the state of necessity. It can apply in situation when the victim will be under the compulsive physical coercion or mental coercion.

Under the article 60 § 3 and 4 of the Criminal Code extraordinary mitigation of penalty may be used to the victims of trafficking in situation when they co-operate with investigating authorities.

### **Committee for Combating and Preventing Trafficking in Human Beings**

Trafficking in human beings is a phenomenon that is subjected to dynamic changes. Effective prevention and combating trafficking in human beings requires participation and cooperation of many governmental administration subjects as well as non-governmental organizations.

**On 5 March 2004** the inter-ministerial **Committee for Combating and Preventing Trafficking in Human Beings** was established under Order No 23 of the Prime Minister. The chairman of the committee is the Undersecretary of State of the Ministry of Interior and Administration.

**The Committee comprises of the representatives of the governmental administration units:**

- The competent minister in charge of education,
- The competent minister in charge of social security,
- The Minister of Justice,
- The National Public Prosecutor,
- The competent minister in charge of foreign affairs,
- The competent minister in charge of health,
- The competent minister in charge of internal affairs,
- The Office of the Committee for European Integration,
- Head of the Office for Foreigners,
- Police Commander in Chief,
- The Commander in Chief of Border Guard.

Non-governmental organizations dealing with trafficking in human beings have been invited to participate in the Committee's work, i.e. **“La Strada” Foundation against Trafficking in Women** [Fundacja Przeciwko Handlowi Ludźmi i Niewolnictwu “La Strada”], **Caritas of Warsaw Archdiocese** [Caritas Archidiecezji Warszawskiej], **Nobody's Children Foundation** [Fundacja Dzieci Niczyje] **and ITAKA – Centre for Missing Persons** [Fundacja ITAKA – Centrum Poszukiwań Ludzi Zaginionych].

**The tasks of the Committee comprise the following:**

- Evaluation of implementation of the *“National Programme for Combating and Preventing Trafficking in Human Beings”*,
- Proposing and giving opinions about undertaken actions aiming at efficient combating and preventing trafficking in human beings,
- Cooperation with agencies of government administration and local government, as well as with non-governmental organizations in the scope of combating and preventing trafficking in human beings.

### **National programmes (National Action Plans):**

Since 2003, documents constituting the **schedule for actions undertaken by particular governmental administration units** have been prepared on the initiative of the Ministry of

Interior and Administration (the units are: the Ministry of Interior and Administration, the Ministry of Justice, the Ministry of Labour and Social Policy, National Labour Inspectorate, General Headquarters of Police, Headquarters of the Border Guard) **and non-governmental organizations**. Tasks assigned to particular entities are financed as part of budgets at their disposal.

The first document entitled “*National Programme for Combating and Preventing Trafficking in Human Beings*” was passed by the Council of Ministers on 16 September 2003. Currently, the third programme for 2009-2010, outlined by the Committee for Combating and Preventing Trafficking in Human Beings, is being implemented.

The main parts of the Programme are:

- Preventive actions and phenomenon studies
- Changes in the Legislation
- Activities efficacy improvement
- Victim support and protection.

## NGO's

To the non-governmental organizations actively involved in combating and preventing trafficking in human beings belong:

**LaStrada Foundation** is part of the international network: LaStrada –The Programme for Prevention of Trafficking in Women from Central and Eastern Europe, which is coordinated in nine countries. There are analogical forms of activities in all countries, which function under an on-going tripartite campaign: Press and Lobby, Prevention and Education, and Social Assistance (direct support). All organizations cooperate with each other, sharing experience and best practices, using materials and publications as well as methods of preventive work. They also cooperate on specific issues of coming back and reintegration of trafficked persons. The personnel of the foundation is engaged in training and publishing activities, also a special hotline was created to help trafficked victims. La Strada offers direct help to victims – crisis aid, sheltered housing, and counseling service. The personnel of LaStrada trains police officers, Border Guards, social workers, educators and representatives of other Polish non-governmental organizations.

[www.strada.org.pl](http://www.strada.org.pl)

**Nobody's Children Foundation** was playing a role of the National Consultation Point in cases concerning unaccompanied children of foreign origins - the victims of trafficking, within the frameworks of the project of cooperation of the Baltic Sea States. In 2004 the foundation became a Polish consultation point within the framework of the Programme Unaccompanied Children in Europe- managed by Save the Children and UNHCR. Specialists of the foundation assist in the interviews of the unaccompanied foreigners under 18 who apply for the status of a refugee in Poland. Foundation organizes training programmes on problems related to child abuse for various professional groups and interdisciplinary teams, provides psychological assistance to unaccompanied children of foreign origins and children-victims of trafficking. In addition, in 2006 the publication The problem of trafficking in children in Poland and in the world was edited, aiming at addressing professionals involved in preventing trafficking in children. The campaign Children are not for Sell was also run, sponsored by British Embassy.

[www.fdn.pl](http://www.fdn.pl)

**Caritas of Warsaw Archdiocese** is implementing the Programme for Preventing Forced Prostitution and Trafficking in Human Beings- Hope. The structure of the project comprises Information Point ( functioning as a hotline and point of information, consultations and diagnosis), Places of Staying- Safe Marina ( provision of unpaid accommodation, meals, adaptation, work as a form of therapy, and assistance to enter the labour market ) and Assistance Points ( offer of unpaid medical, psychological and psychiatric assistance, and legal counseling). One of the most important project's activities is systematically conducted information campaign. Recently Caritas of Warsaw Archdiocese is distributing leaflets in order to prevent prostitution and trafficking,. The aforementioned materials will be found in institutions and organizations offering social aid, educational institutions and in places at risk.

**Itaka Foundation for the Assistance to Those Affected by the Problem of Missing Persons** seeks for missing persons, helps families of persons who left abroad searching for work, became the victims of trafficking or lost contact with the closest family. Among the initiatives undertaken by the foundation one can mention: managing the confidential hotline accessible 24h, searching and assistance in organization of searches for missing persons, publishing of photos of missing persons online and in the media, helping those who had left home to establish contact with the family, providing legal counseling and social assistance, psychological assistance, conducting portals and Polish social campaign - Safe job.  
[www.zaginieni.pl](http://www.zaginieni.pl)

#### **Other organizations assisting to victims:**

##### **Helsinki Foundation for Human Rights**

([www.hrhrpol.waw.pl](http://www.hrhrpol.waw.pl))

##### **Halina Nieć Legal Aid Center**

([www.pomocprawna.org](http://www.pomocprawna.org))

**National Consulting and Intervention Center for the Victims of Trafficking.** (Krajowe Centrum Interwencyjno-Konsultacyjne dla Ofiar Handlu Ludźmi; KCIK) - run by **La Strada KCIK** is a response to the needs of individuals who have fallen victim, or are susceptible to becoming victims of human trafficking (both Polish nationals and foreigners). Although the area of operation and national center of the organization is Poland, foreign nationals also seek the services of KCIK, and are assisted by KCIK caseworkers via telephone  
Counseling services can be utilized by victims of human trafficking, their families and close friends, organizations and institutions working on behalf of victims, individual suffering from the threat of being trafficked, as well as law enforcement bodies and the judiciary. Services are also offered to individuals who are considering traveling abroad for non-tourist purposes and wish to minimize the risks related to their decision to go abroad.  
On the web site – information, advice where to seek help.

[www.kcik.pl](http://www.kcik.pl)

##### **Trade Unions**

Trade Unions work on raising awareness of the issue of forced labor and trafficking, conduct seminars focused on forced labor. They also work abroad – for example they organized polish workers in Ireland and had a campaign on forced labor there. Polish trade unions cooperate with international trade union organizations.

## **IOM**

IOM in Poland organizes information campaigns and workshops focused on raising awareness and prevention (e.g. information campaign for young people traveling abroad for work). IOM also assists with voluntary returns to the countries of origin.

### ***List of some Internet websites providing information and advice to public:***

[www.strada.org.pl](http://www.strada.org.pl) - the website of the organization *La Strada Foundation against Trafficking in Persons and Slavery „La Strada”*. This site contains information on the topic of human trafficking, legal issues, and advice for individuals interested in moving abroad for work. In both Polish and English.

[www.praca.gov.pl](http://www.praca.gov.pl) – an informational service on employment opportunities. Maintains information on the employment situation in Poland, such as: work availability, legal regulations, and job listings. Also maintains a listing of employment agencies offering work abroad (KRAZ). In Polish.

[www.hrc.pl](http://www.hrc.pl) – European Employment Portal. Holds information about employment opportunities, advice, and statistics for those seeking employment in Europe. In Polish.

[www.msz.gov.pl](http://www.msz.gov.pl) – website of the *Ministry of Foreign Affairs*. Among others, holds information for those preparing for work abroad, as well as contact information to Polish diplomatic centers. In Polish.

[www.nfz.gov.pl](http://www.nfz.gov.pl) – website of the National Health Fund. Maintains information on the topic of healthcare in Poland and the European Union. In Polish.

**Resources:**

- Awareness-Raising of Judicial Authorities Concerning Trafficking in Human Beings, Country Report Poland, 2005. Mr Michal Gozdzik. IOM, 2005.
- 2007 – 2008 National Programme for Combating and Preventing Trafficking In Human Beings
- National Action Plan Against Trafficking in Human Beings for 2009-2010
- Shadow Report CEDAW, Compiled by: La Strada Foundation against Trafficking in Women, Poland
- Side Event Report “Compensation of trafficked persons: Law and practice in the OSCE region” Human Dimension Implementation Meeting 1 October 2009, Warsaw. ODIHR ANTI-TRAFFICKING PROGRAMME
- US Trafficking in Persons Report 2009
- the Ministry of Interior and Administration website
- La Strada website
- Email communication with Mrs. Stana Buchowska (the direktor of La Strada Poland), Martha Kuljon (IOM Poland) and Astrid Ganterer (Office for Democratic Institutions and Human Rights Human Rights Department)