

Poland

1. The Catholic Church – fighting and preventing human trafficking

Between 5 – 7 April 2017 in Gdańsk, within the execution of the tasks defined in the National Action Plan (Polish: *Krajowy Plan Działania*) Against Human Trafficking for 2016-2018, the Unit for Combating Human Trafficking of the *Criminal Bureau* of the National Police Headquarters organized a training dedicated to “Practical aspects of combating the crime of human trafficking and other related criminal offences” which was aimed at Police and Border Guard officers. Apart from a discussion about the practical aspects of conducting investigations in human trafficking cases, the aspects of international cooperation and experience in combating human trafficking and crimes related to the sexual abuse of minors, there was a presentation of the Catholic Church’s achievements in preventing human trafficking as well as offering assistance to the victims of human trafficking. A notable participant of the meeting was His Exc. Rev. Bishop Krzysztof Zadarko, Auxiliary Bishop of the Koszalin-Kołobrzeg Diocese, whose speech discussed the role of the Catholic Church in combating and preventing human trafficking and the assistance that the Church should offer human trafficking victims.

The Catholic Church’s efforts to fight against human trafficking concentrate mainly on religious service. In Katowice, nuns from the Congregation of Mary Immaculate (including Sister Anna Bałchan) combined their efforts to help victimized women and children. In addition, Sister Anna and **La Strada Foundation Against Trafficking in Persons and Slavery have initiated a close cooperation with the victims of human trafficking through a government program of the National Investment Consultation Centre. Sister Anna also dedicates her time to spreading knowledge about human trafficking by participating in conferences and by conducting classes for the youth.**

Joanna Lipowska, a Franciscan sister, prefers another type of activity. She actively participates in meetings of an informal support group of the Bakhita network which was established to prevent violence against victims of modern forms of slavery. The Bakhita network operates in many convents as a cooperation and support network established to prevent and fight against human trafficking and to offer assistance to its victims. The circle of members of the Polish national Bakhita network includes individuals who represent various congregations, foundations, as well as laity dedicated to the cause. The network has been operating since 2011 and it is represented by 19 different religious congregations.

2. Statistical data

The crime of human trafficking and prostitution-related crimes statistics as of 2017								
Legal act	Indictment type	Investigations launched	Investigations closed	Investigations recorded	Investigations detected	Detection rate in %	Charged suspects	Victims
		2017	2017	2017	2017	2017	2017	2017
	Art. 189a § 1	20	28	86	83	97,67	10	84
	Art. 189a § 2	7	6	0	0	0	0	0

	Art. 203	17	15	32	31	96,80	10	28
	Art. 204a § 1	40	42	60	58	96,67	27	0
	Art. 204a § 2	46	59	186	184	98,92	77	0
	Art. 204a § 3	5	4	2	2	100,00	0	0
	Total	135	154	366	358	97,81	124	112

Comment:

* In recent years, Poland has witnessed the emergence of new forms of abuse of victims of trafficking in human beings. In addition to the previously prevailing sexual exploitation, new forms appeared such as, inter alia, use in forced labour, forced commitment of minor crimes or mendacity, as well as forced beguilement of social benefits and loans fraud abroad (UK, Germany). To date, no cases of people being used in THB in order to obtain cells, tissues, or organs against the provisions of the Act have been reported in Poland.

2a. Indictment category explanation

Article 189a. § 1.

Whoever commits the crime of human trafficking, shall be subject to the penalty of the deprivation of liberty for a minimum term of 3 years.

§ 2. Whoever commits an act of preparation for the crime specified in § 1, shall be subject to the penalty of the deprivation of liberty for a term between 3 months and 5 years.

Article 203.

Whoever, by force, illegal threat or deceit, or by abusing a relationship of dependence or by taking advantage of a critical situation, subjects another person to practice prostitution shall be subject to the penalty of the deprivation of liberty for a term of between 1 and 10 years.

Article 204. § 1.

Whoever, in order to derive a material benefit, induces another person to practice prostitution or facilitates it, shall be subject to the penalty of deprivation of liberty for up to 3 years.

§ 2. Whoever derives material benefits from prostitution practiced by another person shall be subject to the penalty specified in § 1. § 3. If the person specified in § 1 or 2 is a minor, the perpetrator shall be subject to the penalty of the deprivation of liberty for a term of between 1 and 10 years.

3. International cooperation

Due to the international character of human trafficking, not only in respect of the victims but also organized groups, measures are being taken which go beyond the Polish border. The Polish Police cooperate on this matter with Polish and foreign liaison officers as well as international institutions with police and prosecution powers such as Interpol, Europol, Eurojust (an EU agency which deals with judicial cooperation in criminal matters), Frontex (an EU agency specializing in the management of operational cooperation at the external borders of EU member states). Moreover, the Polish Police participate in an EU platform called "EMPACT" to fight against criminal threats. The platform includes representatives of 24 EU member states, Switzerland as well as the European Commission. The platform enables main objectives and tasks to be defined in the field of combating and preventing human trafficking across Europe. The platform is also used to exchange information,

present more important trans-border cases which are being investigated by EMPACT member states, it is also used to exchange good practices in order to improve international cooperation. Moreover, as part of the cooperation, the case involving the use of Poles for forced labour in Belgium in the network of Polish supermarkets was carried out last year together with the Belgian police as part of the Joint Investigation Team. Polish couple from the city of Łódź was detained to the case. Also, together with the British West Yorkshire Police and NCA Liaison Officer at the British Embassy in Warsaw, Polish Police carried out a case regarding the activities of an organized criminal group dealing in human trafficking in order to abuse victims in forced labour in the United Kingdom.

4. Future goals

On 17 August 2016 the Council of Ministers accepted “The National Action Plan Against Human Trafficking for 2016-2018.” It was a bill in a series of consequent bills which defined tasks related to human trafficking prevention in Poland implemented since September 2003.

Specific objectives:

- increasing human trafficking awareness;
- improving the standards of assistance and support offered to victims of human trafficking (including juvenile victims);
- improving the effectiveness of institutions responsible for the prosecution of human trafficking offenders by enhancing legal tools, structures and implementing the best practices;
- raising the qualifications of representatives of organizations and institutions committed to preventing human trafficking and providing assistance to the victims of the abovementioned crime;
- broadening the knowledge about human trafficking;
- augmenting international cooperation.

Currently the National Action Plan for 2019-2021 is in development in order to create conditions required to effectively prevent human trafficking in Poland and to assist the victims of that crime. Moreover, the action plan also provides for the cooperation inter alia in the field of broadly understood preventive measures to prevent trafficking in human beings. In 2015-2017, a pilot PL-NL project was implemented titled “Your security - our concern”, focused on raising risk awareness among people planning to seek job in the Netherlands and thus aimed to mitigate the number of crimes related to labour exploitation. Similar programs are considered to be launched with other countries with high rate of labour immigration of Poles. (e.g. UK).

Improving the National Reference Mechanism (KMR) over the next years became a priority, which is to be achieved through systematization and standardization of the principles of operation, reinforcing competences of law enforcement agencies in the field of human trafficking victim identification and further development of available institutional resources which can be utilized to provide professional assistance to the victims (including juvenile victims).

An equally significant issue is to raise the society’s awareness about the current threats resulting from the exploitation of people for human trafficking. Therefore, measures will be taken in order to raise the awareness about the threat of human trafficking among other social and professional groups.

Other activities to be conducted include improving the qualifications and competences of law enforcement officers as well as people responsible for identifying and providing assistance to the victims.