



Ministry
of the Interior
and Administration



Best practices and challenges of the system for identification of child victims of trafficking in human beings in Poland

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1. Notion of trafficking in children

Trafficking in human beings is a serious crime, grossly violating the fundamental human rights. It consists in exploitation of a human being, even with his/her consent, employing specific methods and means. It is a complex procedure, i.e. consisting of a number of criminal activities, and thus it should not be analysed in terms of only the transaction of selling and buying a human being, but also including other activities, consisting in concluding a relevant agreement or leading to the transaction, such as recruitment, transfer, harbouring or transportation.

Trafficking in human beings is defined in at least three international documents, i.e. the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the so-called Palermo Protocol), the Council of Europe Convention on Action against Trafficking in Human Beings of 2005 (so-called Warsaw Convention) and the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.

In all the above documents, the notion of trafficking in human beings was regulated as a multi-element definition comprising three obligatory parts: method of operation of the perpetrators, the employed means and methods and the purpose, i.e. to exploit a human being. It should be stressed that in relation to children there are only two elements: action and exploitation, the means are not „obligatory“. The preamble to the Warsaw Convention refers to actions against trafficking, taking into account child rights.

Each document draws attention to the issue of minors. The Palermo Protocol states that State Parties shall take into account the special needs of children, including appropriate housing, education and care (Article 6(4) of the Protocol) and shall take measures to protect children from revictimization (Article 9(1)(b) of the Protocol). In addition, trainings for national law enforcement authorities should include child-sensitive issues. Pursuant to the Warsaw Convention, State Parties shall take specific measures to reduce children's vulnerability to trafficking, notably by creating a protective environment for them (Article 5(4) of the Convention). However, if a victim is identified and he or she is presumed to be a minor then the victim must be accorded special protection for children, until his or her age is confirmed (Article 10(3) of the Convention). An unaccompanied child should who is identified as a victim of trafficking be provided with representation by a legal guardian and the state should take necessary steps to establish his/her identity and nationality and to locate his/her family.

All the above provisions of the Convention assume that the States should act in the best interests of the child.

The international regulations became a model for the Polish legislation which in Article 115 § 22 of the Penal Code stipulates:

“Trafficking in human beings means recruitment, transportation, transfer, harbouring or receipt of a person with the use of:

- 1. violence or unlawful threat,**
- 2. abduction,**
- 3. deception,**
- 4. misleading or taking advantage of a misconception or inability to properly comprehend the action taken,**
- 5. abusing the position of dependency, using the critical situation or the state of helplessness,**
- 6. granting or accepting material or personal benefit or its promise to a person taking care of or supervising another person,**

– in order to exploit such a person, even with his/her consent, especially for prostitution, pornography or other forms of sexual abuse, for work or services of a forced nature, for begging, for slavery and other forms of abuse humiliating a human being or in order to obtain cells, tissues or organs against the provisions of the Act.

If the behaviour of a perpetrator involves a minor, it constitutes trafficking in human beings, irrespective of whether the methods or means listed in paragraphs 1 to 6 were used or not.”

The last paragraph of the cited legal regulations refers only to the situation where the victim is a child. Providing for the need to ensure special protection to minor victims, the legislator limited the legal classification of the perpetrator’s actions only to the purpose of the action. Thus, the second element of the definition (concerning methods and means) does not have to be identified in the case of minor victims to classify a given action as trafficking in human beings. It may thus be stated that **trafficking in children means recruitment, transportation, transfer, harbouring or receipt of a minor in order to exploit such a person, even with his/her consent, especially for prostitution, pornography or other forms of sexual abuse, for forced labour or services, for begging, for slavery and other forms of abuse humiliating a human being or in order to obtain cells, tissues or organs against the provisions of the Act.**

TRAFFICKING IN HUMAN BEINGS

ACTION

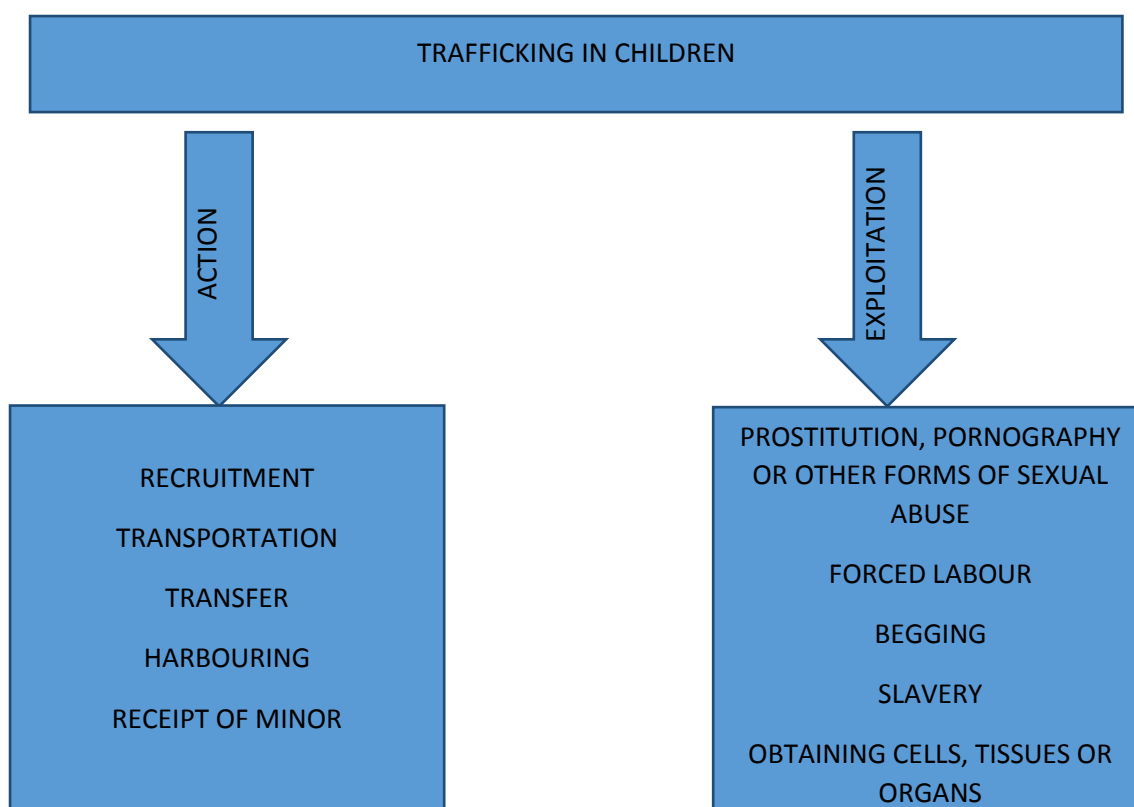
MEANS

EXPLOITATION

RECRUITMENT
TRANSPORTATION
TRANSFER
HARBOURING
RECEIPT OF MINOR

VIOLENCE OR UNLAWFUL
THREAT
ABDUCTION
DECEPTION
MISLEADING OR TAKING
ADVANTAGE OF A
MISCONCEPTION OR INABILITY
TO PROPERLY COMPREHEND THE
ACTION TAKEN
ABUSING THE POSITION OF
DEPENDENCY USING THE
CRITICAL SITUATION OR THE
STATE OF HELPLESSNESS
GRANTING OR ACCEPTING
MATERIAL OR PERSONAL
BENEFIT OR ITS PROMISE TO A
PERSON TAKING CARE OF OR
SUPERVISING ANOTHER PERSON

PROSTITUTION, PORNOGRAPHY
OR OTHER FORMS OF SEXUAL
ABUSE
FORCED LABOUR
BEGGING
SLAVERY
OBTAINING CELLS, TISSUES OR
ORGANS



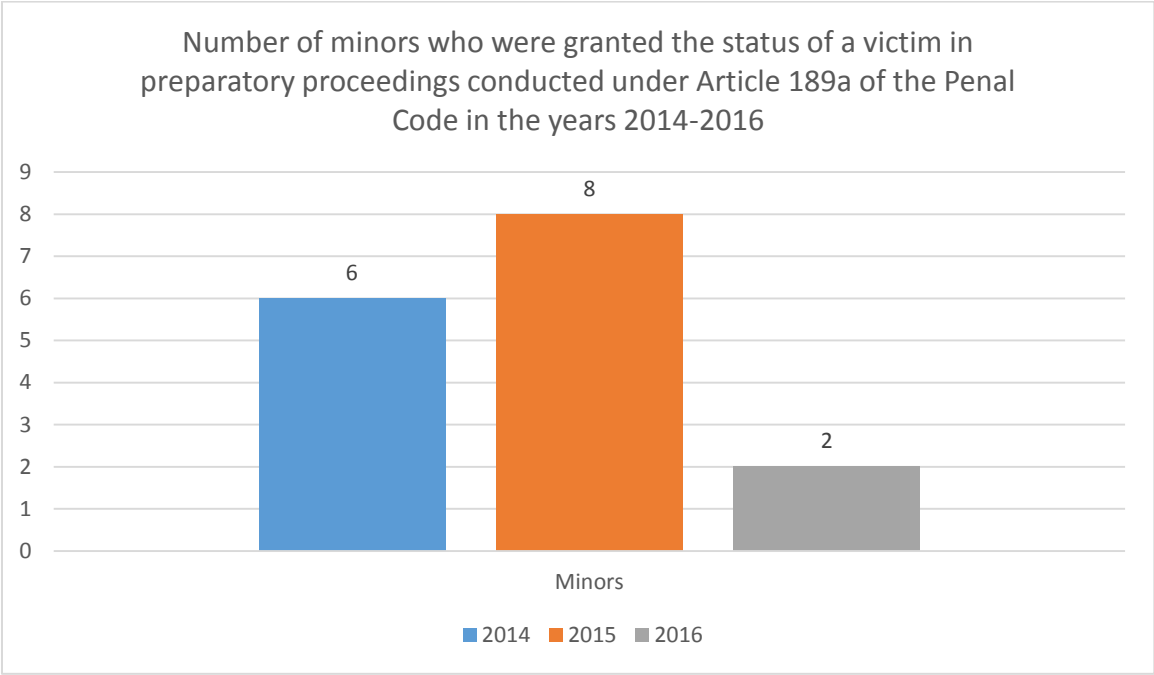
2. Scale of child trafficking

Judging by the identified cases of child trafficking in statistical terms, the scale of this crime in Poland is insignificant. According to the data of the National Public Prosecutor's Office, in the years 2014-2016, a total of 16 minors were granted the status of a victim of trafficking in human beings, which accounts for 6.5% of all persons with this status in that period. The table below presents the number of adults and minors identified by prosecutors as victims of trafficking in human beings in preparatory proceedings in the years 2014-2016.

Table 1. Number of persons whom prosecutors granted the status of a victim in preparatory proceedings conducted under Article 189a of the Penal Code in the years 2014-2016

	Victims		Adults and minors in total
	Adults	Minors	
2014	97	6	103
2015	54	8	62
2016	76	2	78
Total	227	16	243

Own study based on data from the National Public Prosecutor's Office.



3. Analysis of experiences: seeking for good practices

With a view to implementing international obligations on combating trafficking in human beings with regard to children, Poland takes actions to evaluate and improve its current system for identification of minor victims of trafficking in human beings. To this end, a qualitative study was performed to analyse the best practices, solutions and recommendations of experts in effective identification of minors exploited in trafficking in human beings. The analysis of good practices was performed among the experts of the Operation and Investigation Department of the General Headquarters of Border Guard, the Department for Combating Trafficking in Human Beings of the General Police Headquarters, Department for Organised Crime and Corruption of the National Public Prosecutor's Office, the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) and the District Court in Białą Podlaska. In all those entities around 30 national experts are dealing with the issue of child exploitation. The Analyses and Migration Policy Department of the Ministry of the Interior and Administration sent the following questions in writing to the above institutions:

1. In 2015, the *Algorithm for identification of and conduct towards minor victims of trafficking in human beings for Police and Border Guard officers* was adopted for use by law enforcement bodies to facilitate the identification of children as potential victims of trafficking in human beings and specification of further actions to be taken in such cases.

How is the Algorithm assessed by the officers using it? Please, provide a description of the document in terms of its clarity, intelligibility, usefulness and exchange of information between the entities acting according to the Algorithm when performing the activities involving minors and securing the needs of the victims. (Police, Border Guard, KCIK)

2. How does national and international cooperation of law enforcement authorities with other entities look like in terms of identification of minor victims of trafficking in human beings? Please refer to activities taken via Europol, Interpol, Frontex, etc. and evaluate this way of information sharing in the context of identification of minor victims of trafficking in human beings.

(Police, Border Guard, National Public Prosecutor's Office, KCIK)

3. What are other good practices in the Polish system for identification of minor victims of trafficking in human beings, in particular to establish the identity and age of the child, to efficiently communicate with a foreign child who does not speak Polish and to ensure that the basic needs of such persons are satisfied?

(Police, Border Guard, National Public Prosecutor's Office, Court, KCIK)

4. Are there any other national, foreign or international good practices in this regard? If yes, please describe and evaluate them.

(Police, Border Guard, National Public Prosecutor's Office, Court, KCIK)

The Ministry of the Interior and Administration combats the crime mainly by means of coordinating the national policy against trafficking in human beings, under which the Ministry has for years taken measures to combat and prevent this phenomena with respect to children. A number of preventive measures are employed to prevent the exploitation of children and youth, and to ensure their early identification. The analysis of preventive measures shows that they are a strong position on the list of measures counteracting the trafficking in human beings. Good practices in terms of prevention also include:

- Drafting and distributing information materials on trafficking in children;
- Organisation of a competition for youth entitled "Trafficking in human beings in my eyes" by the Ministry of the Interior and Administration;
- Dissemination of knowledge about trafficking in human beings among school children and youth and for students;
- Organization of information meetings for school children and youth;

- Promotion and implementation of the Code of Conduct, the purpose of which is to protect children from commercial sexual abuse in the tourism sector;
- Development of the Programme for support to and protection of minor victims of trafficking in human beings;
- Trainings for prevention officers delivering classes to young people on the methodology of organising classes on trafficking in human beings;
- Trainings devoted to the “Voluntary Returns” programme, including on how to deal with human trafficking victims and unaccompanied children, for the personnel of the Office for Foreigners and for Border Guard officers;
- Trainings on commercial exploitation of children and on trafficking in children intended for teachers and counsellors who work with children aged 13-18;
- In the years 2016-2017, the cooperation with the Ministry of National Education and with the Religious Education Departments from all over Poland was established. Teachers and catechists across Poland received scenarios prepared by the Empowering Children Foundation and CDs with educational materials entitled “Trafficking in human beings”, as well as comic books on the subject for young people.

However, a special action in this regard was the development of the *Algorithm for identification of and conduct towards minor victims of trafficking in human beings for Police and Border Guard officers* by the Expert Group for Support to Victims, operating within the framework of the Interministerial Teat for Combating and Preventing the Trafficking in Human Beings and then the application of the Algorithm by the Police and the Border Guard. From the moment of its development, the document is the subject of regular trainings for officers from across Poland.

The Algorithm is a tool consisting of the following components:

- I. Introductory remarks – this part specifies who is a minor pursuant to the Polish civil law and who then is a minor victim of trafficking in human beings. The Algorithm thus provides important information to law enforcement authorities that a minor victim of trafficking in human beings is a person under 18 years of age who is an alleged victim of trafficking in human beings, within the meaning of Article 115 § 22 of the Penal Code. This part also presents a list of minor groups that are especially vulnerable to exploitation. They include:
 - a. Foreign children migrating without their parents;
 - b. Begging children;

- c. Children causing difficulties in their upbringing e.g. children exploited in prostitution, staying in youth education centres;
 - d. Children in foster care;
 - e. Children who are victims of violence;
 - f. Children who witnessed violence, e.g. domestic violence;
 - g. Children raised in challenging family environment, e.g. due to difficult financial situation or substance abuse by parents or carers.
- II. Preliminary identification – this part provides practical information about specific characteristics of work with abused children and in particular with the following specific characteristics of such victims:
- a. Feeling guilty or at least co-responsible for what happened to them;
 - b. Fear of legal consequences;
 - c. Being ashamed – they do not want their close relatives or friends to know what happened to them;
 - d. Fearing revenge of the perpetrators;
 - e. Not believing in the possibility of punishing the perpetrators;
 - f. Not being aware that they are victims of a crime and that they are at a risk of being exploited;
 - g. Distrust towards state services and institutions (this concerns in particular foreign children).

Part II also includes a description of indicators which may indicate that a child was exploited and that it is controlled by the perpetrators, and presents the conditions in which an interview should be conducted, i.e. in friendly conditions for the minor, in separation from third persons, including his/her carers, after verification of its physical and mental state and, in the case of a foreign child, with an interpreter.

- III. Further intervention procedure – a description of individual steps to be taken by an officer after identifying a person as an alleged victim of trafficking in human beings. They include the following actions:
- a. Contacting the coordinator for trafficking in human beings at the competent Voivodeship Police Headquarters, the Warsaw Police Headquarters or at the Border Guard Regional Unit and informing the coordinator about his/her findings;
 - b. Separating the child from third persons;
 - c. Establishing and confirming the identity of the child and establishing who has his/her documents;

- d. Contacting the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) in order to prepare an individualised offer of assistance;
- e. Informing the minor about his/her rights;
- f. Notifying the child, with his/her consent, for participation in the *Programme for support and protection of a victim/witness of trafficking in human beings*;
- g. Providing the time for reflection, if the minor stays in Poland illegally (the time for reflection for minors in Poland is 4 months);
- h. If a minor is unaccompanied, filing an application to a guardianship court for placing the minor in an interventional institutional care centre or with a professional foster family that serves as a family emergency shelter, and for granting a guardian;
- i. Transport to a safe shelter.

The Algorithm is supplemented with two annexes. The first concerns the establishment of the representation of the minor and the second focuses on procedural activities involving the minor victim of trafficking in human beings.

The Algorithm is known to officers from law enforcement authorities thanks to regular specialist trainings organised mainly by the Police and the Border Guard, with the participation of the representatives of the Ministry of the Interior and Administration, the Prosecutor's Offices, Courts and non-governmental organisations. The study allows to describe the application of the Algorithm in practice and its assessment by law enforcement authorities.

In the study conducted by the Analyses and Migration Policy Department of the Ministry of the Interior and Administration 3 out of 5 interviewed entities (namely the Border Guard, the Court and the National Consulting and Intervention Center for the Victims of Trafficking -KCIK) positively assessed the mechanism described by the Algorithm. Although the positive assessment toward the Algorithm was expressed, there were also some concerns mentioned.

The Operation and Investigation Department of the Border Guard assessed the Algorithm as a good instrument supporting the performance of tasks and covering various areas, including those unrelated to official duties, but often performed by the Border Guard. The strengths of the Algorithm include the emphasis on the need to follow a special procedure in cases involving minors, identification of "risk groups" from which potential victims may come, stressing the need to verify the information provided by the child with respect to the circumstances of the case, the structuring of circumstances to be established during the interview and the rules governing intervention proceedings. It should also be noted that individual Regional Departments of the Border Guard deliver trainings for the Border Guard officers on procedures applicable in the analysed area. By the

end of 2016, 2065 of the Border Guard officers received the training. In the opinion of the Operation and Investigation Department, it would be useful to consider the development of the Algorithm in the form of a flow chart.

The La Strada - Foundation against Trafficking in Persons and Slavery, which runs the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) on commission of the Minister of the Interior and Administration, stressed that the Algorithm should highlight that the time for reflection for minor foreign victims staying in Poland illegally is 4 months. The Foundation also recommends to contact the National Center already at the second stage of the Algorithm, i.e. Preliminary identification, since the contact of an officer with counsellors and psychologists employed at the Center may contribute to ensuring the feeling of safety to the minor concerned. In the opinion of the Foundation, the Algorithm does not specify how a child victim of trafficking in human beings may contact the person conducting the proceedings, e.g. during his/her time for reflection. The preliminary identification procedure (Algorithm) was established by the expert group for victims support of the interministerial Committee for Combating and Preventing Human Trafficking. The document was directed by Ministry of the Interior and Administration to Police and Border Guard as document that has to be followed during their official duties. Thus the Algorithm is the officially binding procedure.

The analysis of the Algorithm by the Analyses and Migration Policy Department of the Ministry of the Interior and Administration also reveals the necessity to verify two annexes to the document. What is more, further work is required with regard to establishing the representation of the minor and determining his/her best interest. The Analyses and Migration Policy Department of the Ministry of the Interior and Administration participates in the relevant discussions at the United Nations, the European Union or in expert-level contacts with the representatives of i.a. non-governmental organisations, the National Public Prosecutor's Office or the IOM. The discussion on the subject commenced already in 2012 and continues until today.

4. Other good practices

Pursuant to the position presented by the Department for Organised Crime and Corruption of the National Public Prosecutor's Office, in the case of proceedings concerning trafficking in human beings where the victims are adults, the family situation of those persons is always checked to find out whether no minors were affected. Similar checks are performed in other cases, e.g. related to

prostitution. The bodies of the Prosecutor's Office apply then the legal provisions giving a special position to minors in penal proceedings, i.e. first of all, a single questioning with the participation of an expert psychologist in a specially adjusted room (Article 185a of the Code of Penal Procedure) and other legal provisions related to psychological assistance or protection to such victims, if necessary.

A representative of the District Court stated that the cooperation between law enforcement authorities, the judicature, foster care institutions and non-governmental organisations was also the key to appropriate identification of victims. Experience of the Analyses and Migration Policy Department of the Ministry of the Interior and Administration shows that such cooperation usually takes the form of working contacts between the representatives of institutions comprising the Interministerial Team for Combating and Preventing Trafficking in Human Beings and the cooperating organisations. The experts from the Department for Combating Trafficking in Human Beings of the General Police Headquarters, the Operation and Investigation Department of the General Headquarters of Border Guard, the Department for Organised Crime and Corruption of the National Public Prosecutor's Office and the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) maintain ongoing contact with each other and with the justice system authorities involved in a given case concerning a minor. The cooperation takes place during the meetings of the Expert Group for support to victims of trafficking in human beings of the Team or in the form of ongoing contacts between the experts, usually by phone. When establishing the identify of a child, judges should contact the Border Guard, and when establishing the age of a child or determining whether a given person is a minor or an adult, at least dental records should be used. However, communication with foreign children is often problematic. A sworn interpreter or a member of the child's family must be present, however, the latter option should be used as a last resort, if a sworn interpreter is unavailable. All possible efforts must be made to protect the child from the influence or manipulations of the interpreting person. In many cases, a cultural mediator and a psychologists are also necessary.

The Border Guard identified such good practices - as medical examinations - to establish the age of the foreigner, if it cannot be explicitly determined. The following examinations are performed to this end:

- General examination to determine the level of physiological development through analysis of anthropometric data of the examined person (height, weight, etc. – comparison with the constitutional type) and to identify possible malformations, as well as potential diseases (including past diseases) that may affect the proper assessment of the age of the examined person;

- Radiological examination of the left wrist bone to determine the level of development of the skeletal system – the degree of boning (ossification);
- Dental examination to determine the dental age through analysis of a panoramic radiograph, to estimate the teeth mineralisation stages.

The medical examinations are carried out only in the case when the determination of actual age of a foreign national is not possible on the basis of the relevant documentation collected in the course of the case. In the case of radiological examination, constraints imposed by the contraindications for the use of this method apply.

However, the Ministry of the Interior and Administration recognises that Council of Europe's (GRETA) approach in that regards differs, indicating to put more emphasis on Polish entities in going further than medical examination while assessing the age of a child, in particular taking into account psychological, cognitive and behavioural factors.

Cooperation of law enforcement authorities at the international level has been assessed by respondents are working well. The identification of minor victims of human trafficking is performed within the framework of the European Interdisciplinary Platform Against Criminal Threats (EMPACT THB). One of its strategic objectives includes identification and protection of minor victims of human trafficking. Spain is the leader and Frontex the co-leader of the strategic objective. Under the objective, the Joint Action Day (JAD) code-named Blue Amber was carried out in 2015. Another JAD is planned for October 2017 and will focus on combating trafficking in children in the context of the current migration crisis. The Border Guard will participated in this JAD as a representative of Poland. In addition, since November 2013 in Poland exists Child Alert system, which has been used twice so far.

Furthermore, international contacts between Polish and foreign law enforcement authorities, such as Europol, Frontex or law enforcement authorities from other countries, are not limited to cooperation on handling specific cases of trafficking in children, but also involve participation in trainings – the representatives of the Police and the Border Guard took part i.a. in a conference in Madrid in 2016 or in a webinar organised by the CEPOL (European Union Agency for Law Enforcement Training).

Another example of international cooperation in identification of minor victims of trafficking in human beings are the joint investigation teams (hereinafter "JIT"). For example, in the years 2013-2014 there was a Joint Investigation Team comprising the units from prosecutor's offices of the Republic of Poland and the Republic of Romania, i.e. the Regional Prosecutor's Office in Nowy Sącz, the Prosecutor's Office at the Supreme Court of Cassation and Justice, the Investigation Directorate

for Organised Crime and Terrorism, the Territorial Service in Braşov, the Border Guard unit in Zakopane, the Operation and Investigation Department of the General Headquarters of the Border Guard and the Romanian Police. The said JIT was established in relation to investigations concerning the exploitation of Romanian citizens of Roma origin (including children) for begging. As a result of the joint investigation team with Romania which was conducted in 2013, 10 children were identified as child victims exploited for forced begging. All of those children have received help covered by *Programme for support and protection of a victim/witness of trafficking in human beings* which was entirely financed from the state budget.

The Border Guard stated that in their activities related to identification of victims of trafficking in human beings (including children) they used a publication of the International Labour Office (ILO) entitled *Operational Indicators of Trafficking in Human Beings* which provides indicators for identification of victims of trafficking. The above publication is the outcome of work of a group of the EU experts, implemented by the ILO and the European Commission and published in March 2009. The indicators concern the exploitation of adults and youth for forced labour and prostitution.

5. Challenges and recommendations for identification of child victims of crimes

Apart from listing the good practices of the Polish system for identification of minor victims of trafficking in human beings, the institutions participating in the study also presented recommendations and listed challenges and tasks to be implemented in future in order to improve the system.

The Department for Organised Crime and Corruption of the National Public Prosecutor's Office pointed to frequent cases of incorrect identification of victims of trafficking in human beings exploited for begging, in particular as regards minors. The definition of trafficking in human beings in the Polish Penal Code states that exploiting a minor for begging involves **recruitment, transportation, transfer, harbouring or receipt of a person in order to exploit such a person, even with his/her consent, for begging**, which means that it is a crime penalised by Article 189a § 1 of the Penal Code. The Polish Code of Petty Offences also covers activities related to begging. Begging (pursuant to Article 58 § 1 of the Code of Petty Offences) or forcing a minor to beg (pursuant to Article 104 of the Code of Petty Offences) are offences. Thus, there may be cases where the deeds of

the perpetrator are wrongly classified as a petty offence, although in fact they constitute a crime of trafficking in human beings.

A representative of the District Court stated that it would be very helpful for judges and courts in Poland to be provided with basic information about institutions and non-governmental organisations providing assistance and care for minor victims of trafficking in human beings so that when examining the cases involving minors the Court could be act with the good of the child in mind and in the best interest of the child.

The La Strada - Foundation against Trafficking in Persons and Slavery pointed to the problem of ensuring adequate first intervention care to children placed in care institutions which sometimes lack specialists in cultural mediation, foreign languages or work with victims of sexual exploitation.

The Foundation also suggested to establish a mechanism consisting in notifying the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) about every identified case of an unaccompanied foreign child and a child being the victim of commercial sexual exploitation, unless the circumstances of the case allow to fully exclude trafficking in human beings.

It should be stressed that in GRETA's opinion the GRETA urges the Polish authorities to improve the identification and assistance of child victims of trafficking, in particular by:

- increasing the capacity to detect child victims of trafficking by training a larger range of professionals who may come into contact with child victims of trafficking in the use of trafficking indicators and involving child specialists in the identification of child victims of trafficking to ensure that the best interests of the child is the primary consideration;
- providing safe accommodation for child victims of trafficking and unaccompanied children and addressing the problem of such children disappearing, including by providing adequately trained supervisors and interpreters;
- making available reintegration programmes for child victims of trafficking.

6. Plans for the future actions

Poland recognizes the GRETA recommendations and all necessary efforts will be continued to support projects which contribute to a reduction in the vulnerability of children to human trafficking. Due recognition will be given to the importance of effective coordination and cooperation between key actors working to prevent child trafficking.

Notably, access to education is crucial to aid a child victim's recovery and reintegration into society. Thus, under this National Action Plan Poland will continue to ensure that children who have been subjected to trafficking are supported in their education and are encouraged in their educational endeavours. With regard to prevention, all good practices will be extended such as distributing comic books for children "You are not for sale" to all institutions involved in preventing and combating children trafficking. That initiative was successful to such extent that the calls from schools, municipalities and institutions has been made to the Polish Ministry of Interior with a request to reprint that preventive materials. At the end of 2017 it is planned to reprint another 5 000 comic books and provide them to all actors involved in the field. Also, Polish Ministry of the Interior with cooperation of Ministry of National Education and the NGO "Empowering Children Foundation" is in a process of preparing a new set of school scenarios dedicated to various age groups of children. Those scenarios will be implemented in the national educational programme and will be run during classes in schools in Poland.

Awareness raising initiatives with educational professionals and liaising with educational institutions will also assist in child trafficking prevention and care by taking into account the special circumstances and needs of child victims of trafficking and by ensuring they receive appropriate educational placements. To ensure that the best interest of the child victim of human trafficking is a primary consideration in the provision of services and that all professionals dealing with children are aware of the indicators of human trafficking and act in the child's best interest, more trainings to diverse groups will be provided. Hence, further work will be carried on identification of relevant actors and on development of trainings in child trafficking in order to put in place a multi-disciplinary and inter-agency form of training on child trafficking. Poland will continue to provide programmes, projects and trainings to encounter child victims of human trafficking and to identify frontline staff who would benefit from training or from refresher courses.

Being aware of the need to provide special care and assistance center for unaccompanied minors including victims of human trafficking, Polish side in cooperation with all the stakeholders, will take all steps to work out a solution addressing that challenge.

What is more, further emphasis will be strengthen to carry out a review of the data collection systems specifically for child victims and to revise the current data collection systems. Polish Ministry will also continue to cooperate and to monitor operations of the policy in order to implement improvements as required with timelines and deliverables. Pursuant to the National Action Plan Against Trafficking in Human Beings for 2016-2018 Poland will describe the National Referral Mechanism for both adult and child victims and will continue to assess already implemented tools,

i.e. Algorithm of identification and conduct in case of child victims of trafficking for the Police and Border Guard.

7. Summary

Trafficking in human beings is a crime that violates fundamental human rights and has a destructive effect on individuals. In the majority of cases it is conducted by organised criminal groups (frequently transnational) that derive considerable proceeds therefrom (according to the UNODC's estimates, trafficking in human beings generates annual turnover of USD 32 billion).

Trafficking in human beings has been observed in Poland since the 1990s, and the methods of operation of the competent services change along with the methods employed by perpetrators. Despite the changes in the methods used by criminals involved in trafficking in human beings, one thing remains the same – everyone may fall victim to their actions, regardless of age, sex or education.

Children are a group especially vulnerable to such crime. The analysis of the data for several recent years shows that trafficking in children is not a crime on a large scale in Poland. According to the data of the National Public Prosecutor's Office, in the years 2014-2016, a total of 16 minors were granted the status of a victim of trafficking in human beings, which accounts for 6.5% of all persons with this status in that period. Although it seems that the number of children identified as victims of trafficking in the last three years is not high, the question is how many cases of trafficking in children remain undetected.

Although the experts have a positive opinion on the system for identification of minor victims of trafficking in human beings in Poland, they agree that it must be further developed. Therefore, the main recommendations worth implementing are as follows:

1. Efforts should be intensified to actively identify victims, in particular among unaccompanied minors, migrants and children exploited for prostitution;
2. Measures for identification of child victims by employees and officers of the competent entities and among the general public should be improved;

3. Annual trainings should be organised for directors of care institutions to increase their awareness of the subject and classes on trafficking in human beings should be introduced at educational establishments;
4. Scenarios of classes for three age groups should be developed to raise awareness of school pupils about the crime of trafficking in human beings, including trafficking in minors;
5. The Algorithm should be prepared in the form of a flow chart;
6. Annexes to the Algorithm should be reviewed and discussion should be initiated with the stakeholders to define the best interest of a minor;
7. The Act on foster care and detailed regulations should be analysed to check, if it is possible to add a provision on immediate notification of the National Consulting and Intervention Center for the Victims of Trafficking (KCIK) about a potential victim of trafficking in human beings so that the minors could receive specialist assistance as quickly as possible;
8. Analyse the possibility to create special integration program for child victims of trafficking in Poland;
9. Assess changes made into the public action regarding the National Consulting and Intervention Center for the Victims of Trafficking – KCIK, especially tackling with the safe and adequate accommodation for a child victim and as early as possible child victim identification.