

## Implementation report on the “National Action Plan against Trafficking in Human Beings for 2013–2015” for 2013

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On 20 May 2013, the Council of Ministers adopted the “National Action Plan against Trafficking in Human Beings for 2013–2015.” It is yet another subsequent document that sets out the tasks in the area of preventing trafficking in human beings in Poland implemented since September 2003. Considering the experience from the implementation of previous Action Plans, which shows that in many cases the tasks required more time than initially planned, the current Action Plan has been re-scheduled from two to three years.

The Plan defines the most important national actions that should be taken by individual entities and the institutions involved in the work of the inter-ministerial Team for Combating and Preventing Trafficking in Human Beings. The implementation of the majority of the tasks covered by the Action Plan will contribute to shaping local security systems. The document consists of six parts:

- **PART I: Preventive actions**
- **PART II: Support for and protection of victims**
- **PART III: Improving the effectiveness of prosecution**
- **PART IV: Upgrading qualifications**
- **PART V: Studies on trafficking in human beings/Evaluation of actions**
- **PART VI: International cooperation**

This report, which concerns actions planned for 2013 and partly the tasks for 2014, was drafted by the said inter-ministerial Team and its Working Group. For the convenience of the readers, the information presented herein has been arranged as in the “National Action Plan against Trafficking in Human Beings for 2013–2015” (for example, Part I. Preventive actions. Task 1.1. Organisation of a festival of films devoted to trafficking in human beings).

In addition, the report presents a list of projects concerning trafficking in human beings that were implemented in 2013 and summarises major actions that, albeit not covered by the Action Plan, are related to the tasks mentioned herein.

## PART I: Preventive actions

### 1. Organisation of the celebrations of the European Anti-Trafficking Day:

#### **1.1. Organisation of a festival of films devoted to trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental organisations and local authorities

Implementation date: October 2013

The festival took place in September and October 2013 in Małopolskie, Opolskie and Śląskie Voivodeships. Cinemas in Nowy Sącz, Krakow, Częstochowa, Kędzierzyn-Koźle and Dąbrowa Górnicza screened films entitled “Blood in Your Mobile Phone,” “Pole Urgently Needed” and “The Case of Forest Workers.” The leitmotif of the festival was forced labour. The screenings were accompanied by classes for young people; there was also an information booth. In addition, in the framework of the 9th Meetings with Mountain Films, the Nobody’s Children Foundation organised a screening of the film “The Case of Forest Workers” together with a lecture for young people, with the participation of the prevention department of the Powiat Police Headquarters, in Sokół Cinema in Zakopane. The cost of the screening was covered by the Ministry of the Interior. The film festival was organised in cooperation with the National Film Archive and the Network of Art Houses and Local Cinemas (SKSiL). In the framework of the film festival organised on 20–21 September 2013 in Agrafka Cinema in Krakow, the Halina Nieć Legal Aid Centre promoted materials on trafficking in humans, such as the report *Trafficking in Human Beings with Regard to Foreigners in Poland*. The festival was attended by over 1,300 people, particularly pupils of lower secondary and post-lower secondary schools.

#### **1.2. Organisation of the celebrations of the European Anti-Trafficking Day in police academies and Border Guard training centres.**

The task will be implemented by: Police and Border Guard academies, the General Headquarters of the Police, the National Boarder Guard Headquarters

Implementation date: October 2013

In relation to the celebrations of the 7th European Anti-Trafficking Day, on 18 October 2013 police academies and Border Guard training centres organised a number of training and information activities aimed at rising students’ awareness of trafficking in human beings. The actions included, *inter alia*, the following:

##### **1. In the Police Academy in Szczytno:**

- Special classes for students were organised, delivered by lecturers who have been dealing with the problem of trafficking in humans for many years. The classes were devoted to preventing and combating the crime, particularly international aspects of prosecution, as well as providing help and support to victims of such crimes;
- Information materials (leaflets) provided by the Central Team for Combating Trafficking in Human Beings of the Central Bureau of Investigation of the General Headquarters of the Police;
- A special poster was prepared that was hanged in the Academy and published at: [www.wspol.edu.pl](http://www.wspol.edu.pl);
- A screening of films on trafficking in human beings was held, after which Academy lecturers elaborated on some issues.

##### **2. At the Police Training Centre:**

- Feature films on trafficking in human beings were screened;
- A consultation booth to provide information on combating and preventing trafficking

in humans was set up in front of the main hall of the Police Training Centre;

- Information concerning the celebrations was provided on posters hanged in all Centre facilities, at the Centre's website and in the "Daily bulletin of the PTC Commander."

### **3. At the Police Academy in Katowice:**

- A special assembly of all Academy students was called, devoted to trafficking in human beings and the idea behind the celebrations;
- A campaign was held that consisted in placing information materials on trafficking in human beings on notice boards of all Academy departments and in bulletins of all teaching units;
- Information leaflets on preventing trafficking in humans and support to its victims, provided by NGOs ("ITAKA" and "La Strada" Foundations) were distributed.

### **4. At the Police Academy in Słupsk:**

- A ceremonial morning assembly was organised for all Academy students, devoted to trafficking in humans in the context of the actions taken by the Police; the lecture during the assembly was delivered by the Plenipotentiary of the Commander of the Police Academy in Słupsk for Human Rights Protection;
- Information on the celebrations and cooperation of the Police with other services in the context of combating trafficking in human beings, along with statements of experts from the Central Border Guard Training Centre in Koszalin and the Criminal Division of the Voivodeship Police Headquarters in Gdańsk was published at the Academy's website;
- A film by the Nobody's Children Foundation on the need to prevent commercial exploitation of children was screened;
- During the training for Police officers who are to go to a mission to Kosovo and soldiers deployed to Bosnia and Herzegovina a special lecture was held on human rights in the context of trafficking in humans in the Balkans.

### **5. At the Police Academy in Pila:**

- Lecturers who deliver basic and specialised courses on operational and investigation activities to criminal service officers discussed combating and preventing trafficking in human beings.

In addition, on 4–5 October 2013 special classes for the students of the training for non-commissioned officers were held at the Border Guard Training Centre in Kętrzyn. On 7 October 2013 at the Central Border Guard Training Centre in Koszalin a lecture for the students of all course levels was held, particularly for the students of basic courses and courses for non-commissioned officers. 225 officers of the Border Guard were covered by the project.

## **2. Information campaign on trafficking in human beings for forced labour, directed at people migrating to the EU Member States to find employment:**

### **2.1. Production of an instruction film to be used by Labour Offices and other institutions and organisations.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Ministry of Labour and Social Policy

Implementation date: 2013

In 2013, a film presenting the threats of economic migration was produced. There are two versions of the film. One presents the major safety principles in the form of animated charts. The other version, accompanied by boards with safety principles, depicts a victim of trafficking in human beings who performed forced labour and was made to commit crimes. The film was distributed to poviats labour offices throughout Poland and published at the information website of the Ministry of the Interior at:

[www.handelludzmi.eu](http://www.handelludzmi.eu).

## **2.2. Updating the *Travelling Compass – Handbook for People Going Abroad to Work* – an electronic publication to be used by interested institutions.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Ministry of Labour and Social Policy and non-governmental organisations

Implementation date: 2013

In 2013, the assumptions for the e-learning training were prepared – a guidebook for people leaving to work in another country. Launching the training module at the [www.handelludzmi.eu](http://www.handelludzmi.eu) website is scheduled for 2014.

## **3. Information actions intended for the general public:**

### **3.1. Setting up and running a website for professionals and people interested in the problem of trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior

Implementation date: 2013

The website [www.handelludzmi.eu](http://www.handelludzmi.eu) was launched in August 2013. The website has two language versions – Polish and English. It provides a lot of information on preventing trafficking in human beings, protection of and support to victims and the institutional structure (description of the entities involved in the work of the inter-ministerial Team and its Working Group). In addition, the website offers a comprehensive database with legal acts regulating trafficking in human beings, statistics, publications, trivia and descriptions of projects. The website is updated on an ongoing basis with information on upcoming and past events, new reports, court rulings in cases related to trafficking in humans, etc. The website also has its counterpart in social media on [www.facebook.com/handelludzmi](http://www.facebook.com/handelludzmi), where it offers *inter alia* the most recent media reports from Poland and abroad.

**Statistical data:** Between 1 August and 31 December 2013 the website had 86,676 visits and 29,234 viewers. It should be noted that its popularity has been increasing on a regular basis. While in August the website had 4,797 visits, in December it was viewed by 33,579 users (seven times more compared to the website's first month).

In 2013, the website was presented *inter alia* in the framework of participation in the work of the Expert Group for Cooperation on Children at Risk (EGCC) to the Council of the Baltic Sea States and on the intranet of the Ministry of Foreign Affairs used by representatives of Polish diplomatic posts abroad.

### **3.4. Drafting and distributing information materials on trafficking in children.**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental organisations (Nobody's Children Foundation)

Implementation date: 2013

In 2013, the Ministry of the Interior provided funds for printing of additional 10,000 copies of the script of *Trafficking in Children* intended for teachers working with children and young people aged 13–18. The script was provided *inter alia* to Police and Border Guard officers to use. In addition, it is available for download at the website of the Nobody's Children Foundation (NCF) along with a

poster and film “You Have No Price” that have been prepared for the needs of the 2012 “Don’t lose!” campaign by the NCF, with support from the Ministry of the Interior, the OAK Foundation and the Ministry of National Education. The materials prepared for the campaign are used to work with young people during the school year.

### **3.5. Dissemination of information on threats related to trafficking in human beings by leaflets and brochures prepared in the framework of tasks for the labour market.**

The task will be implemented by: the Ministry of Labour and Social Policy

Implementation date: 2013–2015

The task has been shifted to 2014.

## **4. Information campaign on trafficking in human beings for forced labour addressed to people coming to Poland to work:**

### **4.1. Preparing and distributing leaflets for potential foreign victims of trafficking in human beings at border crossings and Polish consular offices.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Border Guard Headquarters and the Ministry of Foreign Affairs

Implementation date: 2014

In December 2013, the contents of the leaflet for victims and potential victims of trafficking in human beings were prepared. They concerned help available under the Polish system of support for and protection of human trafficking victims. Next, the text was translated into several foreign languages (English, French, Russian, Ukrainian, Bulgarian, Romanian, Roma, Chinese, Vietnamese, Farsi and Bengali). It is planned that in 2014 the leaflet would be published at [www.handelludzmi.eu](http://www.handelludzmi.eu) in all the available languages and in Polish. The leaflet will be available for download to a.o. representatives of the institutions that may come in direct contact with foreigners who are potential victims of trafficking in human beings, such as Border Guard officers, employees of the Office for Foreigners, international organisations and NGOs.

In the second half of 2013 the Consular Section of the Embassy of the Republic of Poland in London distributed a pilot set of leaflets for people who decide to work abroad. In addition, the intranet dossier of the Ministry of Foreign Affairs that concerns combating trafficking in human beings was expanded with leaflets prepared by the Ministry for foreigners coming to Poland. They are recommended to be displayed in the information space of consular offices (February 2014). Thus, also Polish consuls had the opportunity to see the leaflets.

Aside from the above, it should be noted that in November 2011 the Country Office of the International Organization for Migration in Warsaw started the implementation of a three-year project entitled *Rights of migrants in practice* in cooperation with the Ministry of the Interior and Administration and the Chief Labour Inspectorate. The purpose of the project was to enhance the integration of third country nationals by expanding their awareness of the rights and obligations in Poland as well as preventing migrant discrimination and abuse on the labour market. The project is funded by the European Fund for the Integration of Third-Country Nationals and co-funded from budget funds (of the Ministry of Interior and the target reserve of the state budget).

Under the project, in 2013 the information campaign continued that consisted in running a helpline for migrants in Poland (22/490-20-44) and for foreigners in Armenia, Belarus and in Ukraine who plan to come to Poland to work.

Under the project, website [www.migrant.info.pl](http://www.migrant.info.pl) was extended with information on a variety of topics

relating to foreigners' stay in Poland. At present, the website is available in eight languages: Polish, English, Chinese, French, Armenian, Russian, Ukrainian and Vietnamese. Migrants can use the contact form on the website for individual consultations. Also, a number of actions were taken with a view to promoting the helpline and the website (*inter alia* by advertisements/commercials in migrant media; an outdoor campaign in Warsaw, Krakow, Poznań, Tri-City, Wrocław, Lublin, Rzeszów, Chełm and Zamość; provision of information materials to the Border Guard and universities that recruit third country nationals). Several dozen thousand leaflets and several thousand posters were distributed and passed on for further distribution.

In 2013, 24 meetings for migrants were organised, which were attended by 1,060 people, and two screenings of a film on the rights and obligations of migrants in Poland were held in Warsaw (the film was produced at the second stage of project implementation). Also under the project, migrants had the opportunity to consult a lawyer.

In 2013, 11 trainings devoted to discrimination prevention were organised (of which: 14 January, 22 February and 23 March – for the Border Guard, 24 January – for non-governmental organisations, 27 February – for labour law judges, 15 March – for trade unions, 27 March – for offices of the marshal, 12 June – for divisions for foreigners of Offices of the Voivode, 17 June – for trade unions; 18 June 2013 – for the Office of the Mazowiecki Voivode; 10 September – for social policy divisions of Offices of the Voivode), attended in total by 182 people.

Due to considerable interest in these actions from project beneficiaries, project partners (IOM, Ministry of the Interior and the Chief Labour Inspectorate) applied for funds to continue the project until June 2015. The shape of the project will not change, the only exception being that the helpline in Armenia will be closed down as the number of consultations for migrants was low. Also, it was decided it was necessary to set up a helpline in Vietnam.

Project assumptions are coherent with a number of recommendations presented in *Poland's Migration Policy – Current State of Affairs and Postulated Actions* adopted by the Council of Ministers on 31 July 2012.

## **5. Actions raising awareness of young people on trafficking in human beings:**

### **5.1. Organisation of competitions for young people by the Ministry of the Interior:**

#### **5.1.2. Competition for a cartoon on trafficking in human beings for forced labour.**

The task will be implemented by: the Ministry of the Interior  
Implementation date: competition announcement – October 2013

A competition for a cartoon on trafficking in human beings for forced labour entitled “Trafficking in human beings through my eyes” for students of lower secondary and post-lower secondary schools was announced on 18 October 2013. It was covered by honorary patronage of the Minister of the Interior. Winners will be announced in mid-June 2014. The deadline for submitting works is 30 March 2014. Thanks to cooperation between the Ministry of the Interior and the Ministry of National Education and the General Headquarters of Police, it was possible to disseminate information on the competition via education boards and voivodship Police headquarters throughout Poland.

Detailed information on the competition, the rules and application form have been published at: <http://www.handelludzmi.eu/hl/aktualnosci/6323.Konkurs-na-komiks-dla-mlodziezy-pn-quotHandel-ludzmi-moimi-oczamiquot.html>.

#### **5.4. Trainings on trafficking in children and commercial use of children intended for teachers and counsellors who work with children aged 13–18.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Nobody's Children Foundation

Implementation date: 2013

In 2013, the Nobody's Children Foundation organised trainings for 298 teachers from Warsaw, Leszno and Ilawa using class scripts and the game "Don't lose!", more information can be found at: [www.fdn.pl/dla-nauczycieli-i-pedagogow](http://www.fdn.pl/dla-nauczycieli-i-pedagogow).

It should be noted that the Foundation also started the implementation of a three-year project "Don't avert your eyes, be aware of and react to instances of sexual abuse of children in tourism!". Under the project, the Foundation organised an international expert seminar "Protection of children and young people during large sporting events" on 13–14 June in Warsaw. The purpose of the seminar was to share Poland's and Ukraine's experience gathered during the 2012 European Football Championship, and the experience of other countries, such as Germany, United Kingdom, Austria and South Africa that had organised large sporting events, with Brazil that will organise the World Cup in 2014. The meeting was attended by 76 representatives of ministries, the UN, the Police, the Border Guard, NGOs and businesses from 17 countries. More information on the meeting: [www.stopwykorzystywaniu.fdn.pl](http://www.stopwykorzystywaniu.fdn.pl).

Also in 2013, the Ministry of the Interior prepared 15,000 DVDs with educational materials for teachers, such as class scripts and multimedia materials.

#### **6. Promoting and implementing the Code of Conduct, the purpose of which is to protect children from commercial sexual abuse in the tourism sector.**

The task will be implemented by: the Nobody's Children Foundation acting as the Local representative for the Code of Conduct, in cooperation with the Ministry of the Interior and the General Headquarters of Police.

Implementation date: 2013

Since 2012, the Nobody's Children Foundation has been acting as the Local representative for the Code of Conduct, the purpose of which is to raise awareness of the problem of commercial sexual abuse of children in the tourism sector, including trafficking in children, as well as initiating and implementing actions to counteract this form of child abuse. The Code of Conduct was drafted in 1998 on the initiative of ECPAT Sweden, with support from UNICEF and the World Tourism Organization (UNWTO). The actions are implemented mainly in cooperation with companies and institutions from the tourism sector (travel agencies, hotels, carriers, tourism divisions, etc.).

In 2013, trainings covered 237 employees of hotels and tourism school students who are about to start work in the tourism sector, as well as NGO staff who work to prevent this problem. The trainings took place in Warsaw and Szczecin. In addition, on 23 November 2013 the Nobody's Children Foundation was involved in training workshops on taking up and coordinating preventive actions for Police officers from prevention divisions of Voivodeship Police Headquarters and the Warsaw Police Headquarters. The Foundation held a workshop meeting for 20 participants devoted to preventing sex tourism in Poland and abroad. In cooperation with the General Headquarters of Police, the Foundation is preparing a website to facilitate reporting instances of commercial sexual abuse of children in the tourism sector. The website is created in the framework of an international Internet platform based on the cooperation of NGOs with the Police and government authorities in about a dozen states.

The Foundation also issued 500 copies of a brochure entitled *Preventing sexual abuse of children in the tourism sector* in cooperation with ECPAT International. The brochure is distributed during trainings on the Code of Conduct and available online at: [www.kodeks.fdn.pl/materialy-0](http://www.kodeks.fdn.pl/materialy-0).

On 21–22 October 2013 the Foundation organised the 10th conference “Help for children who are crime victims” in Warsaw. It was attended by 588 people. One of the seminars was devoted to prevention of sexual abuse of children in the tourism sector. More information on the conference is available at: [www.konferencje.fdn.pl/ogolnopolska-konferencja-po\\_moc-dzieciom-ofiarom-przestepstw-0](http://www.konferencje.fdn.pl/ogolnopolska-konferencja-po_moc-dzieciom-ofiarom-przestepstw-0).

## **PART II: Support for and protection of victims**

### **– Implementation of new solutions concerning legalisation and conditions of stay of human trafficking victims who are third country nationals, introduced by the new Act on foreigners.**

The task will be implemented by: the Office for Foreigners, the Border Guard Headquarters, the Ministry of the Interior

Implementation date: 1 May 2014 – from the entry into force of the new Act on foreigners.

On 30 December 2013 the Journal of Laws of the Republic of Poland published the Act of 12 December 2013 on foreigners (Dz. U. of 2013, item 1650) that was drafted by the Ministry of the Interior. The Act provides for a number of solutions aimed at simplifying the procedure of legalisation of stay of a potential victim of trafficking in humans in Poland and at more effective implementation of EU directives regulating the subject. The Act will enter into force on 1 May 2014.

The new Act provides for a number of new solutions that are more favourable for human trafficking victims. The section concerning temporary residence permits introduces a separate chapter that regulates the stay of foreigners who are victims of trafficking in human beings in the Republic of Poland. In the first place, the procedures regulating the legalisation of stay of this group of foreigners were simplified by declaring that foreigners’ stay in the Republic of Poland during so-called “reflection period,” or a time when they regain strength and make decisions as to their future, is considered legal throughout the validity period of a certificate confirming the existence of a presumption that a foreigner is a victim of human trafficking. Such certificates are valid for three months and in the case of minor foreigners they are valid for four months. They are issued directly by the body competent for proceedings related to trafficking in human beings. In addition, the maximum period for which a temporary residence permit for victims of trafficking in humans can be issued was extended. Previously, such permits were issued for six months only, while the new Act on foreigners stipulates that such permits can be issued for a period between six months and three years.

A special presumption for issuing permanent residence permits for victims of trafficking in humans was introduced. Permanent residence permits will be granted to foreigners for an unspecified period of time if they are victims of trafficking in human beings within the meaning of Article 115(22) of the Penal Code and meet all of the following conditions:

- a) They have stayed in the Republic of Poland before filing the application for a permanent residence permit for at least a year on the basis of a temporary residence permit for victims of trafficking in human beings;
- b) They cooperated with law enforcement bodies in proceedings related to the criminal offence referred to in Article 189a(1) of the Penal Code;
- c) They have justified concerns about returning to their country of origin, confirmed by the prosecutor who carries out the proceedings related to the criminal offence referred to in Article 189a(1) of the Penal Code.



The Act on foreigners also stipulates that proceedings aimed at obliging a foreigner to return will be suspended if proceedings are initiated to grant the foreigner a temporary residence permit for a victim of trafficking in human beings. In addition, the decision obliging a foreigner to return will not be issued and a decision already issued will not be enforced if the foreigner stays in Poland on the basis of a certificate confirming the existence of a presumption that the foreigner is a victim of trafficking in humans. The said decision will not be issued if the foreigner stays in Poland on the basis of a temporary residence permit for a victim of trafficking in human beings. The decision will also not be enforced when proceedings on issuing the above permit will be pending for the foreigner and after it is issued, the decision on the obligation to return expires by virtue of the law, if the foreigner stays in Poland on the basis of the above permit. The Act also stipulates that a foreigner who stays in the Republic of Poland on the basis of a certificate confirming the existence of a presumption that he/she is a victim of trafficking in humans or on the basis of a temporary residence permit may receive assistance in voluntary return.

The Act on foreigners also provides for a solution that allows immediate release of a foreigner who holds the above certificate or if proceedings are pending on issuing him/her a temporary residence permit for the above reason from a guarded centre or remand for foreigners. Personal details of a foreigner who holds a temporary residence permit for a victim of trafficking in humans will not be entered in a list of foreigners whose stay in Poland is undesirable.

Pursuant to the new Act on foreigners, victims of trafficking in humans can be issued a Polish ID. The Polish ID will be valid for one year from its issue date. During the period of its validity, it will confirm the identity of the holder during his/her stay in the Republic of Poland, yet it will not confirm his/her nationality. It will not allow the holder to cross borders. In order to obtain the ID, a foreigner must meet the following conditions:

- Stays in the Republic of Poland on the basis of a certificate confirming the existence of a presumption that he/she is a victim of trafficking in humans,
- Declare he/she has no travel document and prove it is impossible for him/her to obtain any other ID.

### **3. Developing and implementing a new “Algorithm of conduct of law enforcement officers when trafficking in human beings is detected”**

The task will be implemented by: the Ministry of the Interior, the General Headquarters of Police, the Border Guard Headquarters, in cooperation with the Office for Foreigners, the General Prosecutor’s Office, the Ministry of Justice and non-governmental organisations

Implementation date: developing the concept and design of the Algorithm – 2013

The entry into force of the algorithm will be linked with the entry into force of the new Act on foreigners and of the Ordinance of the Minister of the Interior on the template certificate confirming the existence of a presumption that a foreigner is a victim of trafficking in human beings. In 2013, the Ministry of the Interior developed the scope and structure of the new Algorithm. It is planned that work on the project would be completed in Q1 of 2014.

Also in 2013, the General Headquarters of Police started work on the draft *Order of the Police Commander in Chief on the methods and forms of performing tasks by Police officers in the area of preventing and combating trafficking in human beings and related crimes*. The draft was prepared on the basis of the current Algorithm and taking into account the concept of the new Algorithm. Yet due to organisational changes scheduled for the beginning of 2014 that consist in establishing a separate division for combating trafficking in humans in the Criminal Service Bureau of the General Headquarters of Police, the said Order has not entered into force. It is nonetheless planned that the Order would enter into force in 2014.

#### **3.1. Drafting and disseminating information for identified victims of trafficking in human**

### **beings on their rights (in a language a victim would be able to understand).**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental organisations

Implementation date: 2014

In 2013, the expert group for support to and protection of victims of trafficking in human beings started work on the document entitled *Rights of victims of trafficking in humans and the rights and obligations of persons wronged by trafficking in humans*. It is planned that in 2014 the document would be consulted with the General Headquarters of Police, the Border Guard Headquarters and the General Prosecutor's Office.

### **3.2. Implementation of a tool (in the form of a questionnaire) to facilitate identification of human trafficking victims, taking into account different forms of abuse.**

The task will be implemented by: the Ministry of the Interior, the General Headquarters of Police, the Border Guard Headquarters, in cooperation with non-governmental organisations.

Implementation date: pilot use of the tool in Border Guard units – 2013

Representatives of the Central Team for Combating Trafficking in Human Beings of the Central Bureau of Investigation of the General Headquarters of the Police took part in preparing the concept of the Algorithm. As a part of the work, the Ministry of the Interior created a general tool that facilitates identification of victims of trafficking in humans ("Indicators to identify possible victims of trafficking in humans – Level 1") and a tool covering individual forms of abuse to evaluate usefulness of indicators that identify victims of trafficking in humans ("Indicators to identify victims of trafficking in humans for sexual exploitation, labour and begging – Level 2").

In October 2013, the Ministry of the Interior provided the Border Guard Headquarters with general indicators to be used by Border Guard officers from the border and foreigner divisions who may come into direct contact with potential victims of trafficking in humans in their work. Also, the Border Guard Headquarters received Level 2 indicators to be used by Border Guard officers from the operations division responsible for proceedings in cases concerning trafficking in human beings. Border Guard Units started using the indicators on 9 October 2013.

Both tools had been previously agreed within the expert group for support to and protection of victims of human trafficking and consulted during meetings with Police and Border Guard officers. For that purpose, on 3 and 6 June 2013 meetings were organised within focus groups with the participation of officers from the Nadwiślański Border Guard Unit. The target group of the first meeting consisted of officers from the border division working at the Border Guard Station Warszawa-Okęcie. The second meeting was for officers from the foreigners and operations division of the Nadwiślański Border Guard Unit, including Border Guard Station Warszawa-Okęcie.

As was the case with the Border Guard, also Police officers participated in two focus groups during two meetings. They were intended for the coordinators for combating trafficking in human beings and related crime within the jurisdiction of the capital city garrison (officers from district and powiat headquarters subordinate to the Warsaw Police Headquarters). The focus groups were organised by the Ministry of the Interior in cooperation with the "La Strada" Foundation. The target group of the first meeting, that took place on 28 June 2013, were patrol service and duty officers. The second meeting, held on 4 July 2013, was intended for officers from the criminal divisions of district and powiat headquarters who have practical experience in combating trafficking in humans.

Summing up, it should be noted that all four meetings served studies and training, which means that apart from presentation of the indicators and obtaining officers' opinions on the tool, all participants

underwent a short training on identification of and support to victims of trafficking in humans. The meeting was conducted by representatives of the Minister of the Interior in cooperation with coordinators for combating trafficking in humans from the Border Guard Headquarters and the Warsaw Police Headquarters, and with the coordinator for Polish and foreign victims of trafficking in human beings from the National Consultation and Intervention Centre.

#### **4. Implementing standards to be met by the institutions that are fit and authorised to help victims/witnesses of trafficking in human beings, and centres where victims can stay.**

The task will be implemented by: the Ministry of Labour and Social Policy, in cooperation with the Ministry of the Interior and non-governmental organisations

Implementation date: finalisation of consultations – 2013

In September 2013, drafting of the “Standards for a safe shelter for victims of trafficking in humans” was finalised. The document was prepared by the Ministry of the Interior in cooperation with NGOs and selected welfare centres, and on the basis of analyses commissioned by the Ministry of the Interior in 2011. The tips provided therein are intended for institutions that run shelters or plan to set up shelters to professionally support victims of human trafficking. Therefore, in October 2013 the document was passed on, according to competence, to the Ministry of Labour and Social Policy for dissemination among welfare system structural units.

#### **5. Continuation and development of the concept of comprehensive fulfilment of the needs of victims and victims/witnesses of trafficking in human beings – National Consultation and Intervention Centre for Polish and foreign victims of human trafficking.**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental organisations

Implementation date: 2013

In 2013, the implementation of public task “Running the National Consultation and Intervention Centre for Polish and foreign victims of human trafficking” continued. The task is commissioned to NGOs by the Minister of the Interior and financed entirely from the state budget. From 2013, the Centre has been run by two NGOs acting jointly pursuant to an agreement: La Strada Foundation and Po MOC Association.

The main tasks of the Centre are: to identify victims of human trafficking, to make interventions, to run two shelters for victims, to provide care to the foreigners covered by the “Programme for support to and protection of victims/witnesses of human trafficking,” to provide preventive advice and consultations for institutions and organisations. The Centre operates a 24/7 hotline for victims and witnesses of trafficking in human beings.

Shelters run by NGOs provide safe accommodation and an opportunity to isolate the victim (e.g. for health reasons), ensure board, care and presence of professional personnel 24/7.

**Total number of people:** Between 1 January and 31 December 2013 a total of 222 people received direct support in the Centre.

**Citizenship:** Out of the 222 people who received help, 103 were Polish citizens and 119 were foreigners. Most of the foreigners covered by the *Support programme* offered by the Centre were from Romania (39), Bulgaria (24), Ukraine (20), Vietnam (14), and the Philippines (5). Support was also provided to three people from Russia, two people from Cameroon, Kenya, Morocco, Moldavia and Uganda, and one person from Belarus, Czech Republic, Slovakia and Sri Lanka.

**Sex:** Support was provided to 161 women and 61 men.

**Age:** The Centre provided support to 191 adults and 31 minors.

**Form of abuse:** Sexual abuse – 105 people, forced labour – 53, forcing to beg – 19. Out of 276 people, six were considered missing, 14 were clients' children that were not abused, three people who were cheated, and 22 people were victims of other forms of abuse.

As the number of identified Polish and foreign victims of trafficking in human beings increases on an annual basis, which results in increasing costs of this task, the pool of funds earmarked for the task is increased. While in 2012 PLN 778,000 were assigned for this purpose, in 2013 it was PLN 1 million.

## **6. Promotion of the model of reintegration of victims of trafficking in human beings, monitored and supported by professional social services and non-governmental organisations.**

The task will be implemented by: the Ministry of Labour and Social Policy

Implementation date: 2013

One of the elements of trainings provided by the Ministry of Labour and Social Policy is the popularisation of models of reintegration for victims of human trafficking – the IRIS programme. It should be noted that training materials comprise a handbook drafted under the programme, which is distributed.

## **7. Implementation of the model of support/protection of a child who has fallen victim to trafficking in human beings:**

On the initiative of the Ministry of the Interior, a pilot project aimed at establishing a system for support and protection of juveniles who are victims of trafficking in human beings, which covers *inter alia* setting up a network of safe centres and drafting information materials on how to identify juvenile victims, has been implemented in selected voivodeships since 2009. Another step towards building a comprehensive system for support and protection of juvenile victims is to define standards to be met by safe centres, which would serve as a point of reference for other centres where juvenile victims stay, and an algorithm of conduct for individual institutions if it is suspected that a child is a victim of trafficking in human beings.

### **7.1. Devising standards to be met by centres that provide shelter and care to juvenile victims of trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Ministry of Labour and Social Policy and non-governmental organisations

Implementation date: 2013

Due to significant changes on establishing the foster care system, there was a need to introduce changes also in respect to providing a safe shelter under the pilot project that envisages providing support and protection to juvenile victims of trafficking in humans. Juvenile victims of human trafficking are a special risk group vulnerable to secondary victimisation. Therefore, it is necessary to perform an in-depth analysis of the standards to be met by centres so that juveniles feel safe on the one hand, and on the other hand not to infringe their rights, especially the right to privacy.

In 2013, work started with a view to analyse good practices applied in other countries in this area as well as actual possibilities of introducing them into the Polish system of foster care. These actions will continue in 2014.

## **7.2. Developing an algorithm of conduct when it is suspected that a juvenile person is a victim trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the General Headquarters of Police, the Border Guard Headquarters, the Office for Foreigners, the General Prosecutor's Office, the Ministry of Justice and non-governmental organisations

Implementation date: 2013

In 2013, the working group started preliminary work on this task. It was aided by representatives of the Ministry of the Interior, the General Headquarters of Police, the Border Guard Headquarters, the Office for Foreigners, the General Prosecutor's Office, the Ministry of Justice and non-governmental organisations (particularly La Strada Foundation). Yet bearing in mind the legislative work on the new Act on foreigners and amendment to the *Penal Procedure Code* in 2013, and due to the fact that the performance of the task depends on the final wording of the Act on foreigners that will enter into force on 1 May 2014, the task implementation date was postponed to 2014.

## **PART III: Improving the effectiveness of prosecution**

### **2. Organisation of annual meetings of Border Guard and National Labour Inspectorate representatives who control the legality of employment in the territory of the Republic of Poland.**

The task will be implemented by: the Chief Labour Inspectorate, Border Guard Headquarters

Implementation date: 2013

On 23 and 24 April 2013 in Karpacz, the 4th annual training conference of the National Labour Inspectorate and the Border Guard was organised. It was aimed at summing up the cooperation between these institutions in 2012. During the conference, organised by the Specialist Training Centre of the Border Guard in Lubań, the National Labour Inspectorate was represented by a delegation headed by Deputy Chief Labour Inspector. The training was attended by senior labour inspectors and labour inspectors from the employment legality section of all district inspectorates and representatives of the Board for Foreigners of the Border Guard Headquarters as well as Border Guard officers who perform controls of foreigners' employment legality.

The conference was devoted to discussing the results of controls of foreigners' employment legality in the Republic of Poland carried out by the NLI and the BG in 2012. It was emphasised that both these services acted in a model way. Discussions also concerned the planned amendments to regulations on the issue and the lines of planned changes to labour law, with particular emphasis on regulations that concern establishing an employment relationship and correctness of concluding civil law agreements.

### **3. Organisation of a seminar on allowing to make controlled purchases in cases relating to trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior

Implementation date: 2013

In 2013, the Ministry of the Interior did not organise the above seminar as on 18 November 2013 the Human Trafficking Studies Centre of the University of Warsaw organised an expert debate on "The use of controlled purchase in cases related to trafficking in human beings." The debate was attended by representatives of the Migration Policy Department in the Ministry of the Interior, the General Prosecutor's Office, the Appellate Prosecutor's Office in Rzeszów, Board of the Central Bureau of Investigation in Rzeszów and the Operations and Investigations Board of the Border Guard Headquarters. The General Prosecutor's Office upheld its previous opinion that, pursuant to current

regulations, making controlled purchases is not possible in the case of trafficking in human beings.

Yet, it should be stressed that in order to ensure correct operation of law enforcement bodies in this area, it is necessary to provide them with powers to carry out special operations aimed at verifying reliable information previously obtained, to detect perpetrators and obtain evidence of crimes. Therefore, it was decided it is necessary to start work on drafting a definition of a special form of operation and reconnaissance activities with the participation of a human as the subject abused by perpetrators of trafficking in humans against his/her will. During the meeting it was also decided that the problems will continue to be addressed in 2014.

#### **4. Initiating the activity of voivodeship units against trafficking in human beings, with the participation of representatives of social policy departments of Offices of the Voivode, the Police, the Border Guard, the Labour Inspectorate, local authorities and non-governmental organizations.**

The task will be implemented by: the Ministry of the Interior, in cooperation with competent Offices of the Voivode and institutions whose representatives make up the units

Implementation date: 2014, 2015

A meeting of representatives of Offices of the Voivode appointed to perform actions aimed at establishing a network of voivodeship teams for preventing trafficking in humans in Poland was held on 9 September 2013 in Warsaw. During the meeting, the concepts of the Teams were presented as well as the outline of activity of the team operating in Mazowieckie Voivodeship.

Also, the Ministry of the Interior defined the concept of financing the project of setting up voivodeship teams for 2014–2016 from the Norwegian Financial Mechanism.

## **PART IV: Upgrading qualifications**

### **1. Trainings for law enforcement bodies and representatives of the judiciary:**

#### **1.1. Organising training workshops for coordinators and members of units from Police voivodeship headquarters and for coordinators from Border Guard branches in order to exchange experience and information.**

The task will be implemented by: the Border Guard Headquarters, the General Headquarters of Police

Implementation date: 2013

Continuing cooperation with specialised structures set up to combat trafficking in humans within the Border Guard, in the framework of exchanging experience and information on the subject, the General Headquarters of the Police in cooperation with the Border Guard Headquarters and the Ministry of the Interior organised on 8–12 April 2013 at the Police Training Centre in Legionowo joint training workshops for coordinators for trafficking in humans from operations and investigation divisions of individual Border Guard units, officers from voivodeship teams for combating trafficking in humans and external coordinators for combating trafficking in human beings from field boards of the Central Bureau of Investigation of the General Headquarters of the Police.

The training was organised in the form of an operational panel during which cases involving trafficking in human beings were presented and a seminar devoted to amendments to regulations that concern the subject. In addition, representatives of “La Strada” Foundation carried out workshops on

the identification of and offering support to people wronged by trafficking in human beings. During the workshops, they used many examples of exploitation for forced labour (including the citizens of Vietnam and Ukraine), sexual exploitation (citizens of Poland and Bulgaria) and forcing to beg for money (Romanian citizen).

The training started with a one-day seminar during which the following were presented: the concept of the National Action Plan against Trafficking in Human Beings for 2013–2015, draft new Act on foreigners, proposal for the new Algorithm, cooperation between the Police, the Border Guard and the Labour Inspectorate, practical aspects of cooperation of law enforcement bodies with local NGOs, and European international cooperation of law enforcement bodies using Europol.

During the operational panel, discussions concerned operation, reconnaissance and process activities in cases involving trafficking in human beings:

- For forced labour – conducted by officers from the Nadwiślański and Śląski Border Guard Units;
- For sexual exploitation – conducted by officers from Criminal Divisions of Voivodeship Police Headquarters in Łódź and Szczecin and from the Board of the Central Bureau of Investigation of the General Headquarters of the Police in Gorzów Wielkopolski;
- For obtaining welfare benefits under false pretences – conducted by officers from Boards of the Central Bureau of Investigation of the General Headquarters of the Police in Poznań and Łódź;
- For forcing to beg for money – conducted by the Border Guard Post in Zakopane and the Criminal Division of the Voivodeship Police Headquarters in Krakow.

## **1.2. Trainings for Border Guard officers in the framework of a comprehensive system of trainings devoted to trafficking in human beings.**

The task will be implemented by: the Border Guard Headquarters  
Implementation date: 2013

In 2013, the Border Guard provided trainings from the basic to expert level on an ongoing basis, in line with the four-level *System of training Border Guard officers in trafficking in human beings* approved on 29 December 2010 by the Border Guard Commander-in-Chief.

It should be noted, among others, that a training organised by the International Organization for Migration (IOM) and the Ministry of the Interior was held on 14 January 2013 at the Warsaw Youth Sports Centre “Agrykola.” The training, which concerned *inter alia* combating and preventing trafficking in humans, was attended by 19 officers from the Nadwiślański Border Guard Unit.

In 2013, a total of 761 officers were trained at level I and 35 officers from the foreigners and operations and investigation division were trained at levels II and III. In addition, in 2013 during four editions of the training in identification of potential victims of trafficking in humans, especially people travelling by plane, covered 121 officers of the border and foreigners divisions from the Border Guard Station Warszawa-Okęcie.

## **1.3. Implementation of a comprehensive system of trainings devoted to trafficking in human beings in the Police:**

### **1.3.1. Analysis of training needs.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the General Headquarters of Police  
Implementation date: 2013

The need to perform a comprehensive analysis of training needs of law enforcement bodies results from the fact that one of the most important tasks, imperative to effective actions connected with

combating this crime in Poland, is to improve the qualifications of the system participants who may encounter instances of trafficking in humans, and primarily victims of this crime. In 2013, the Ministry of the Interior asked the General Headquarters of Police for data on the existing training system. The data are necessary for correct planning and implementation of trainings devoted to trafficking in humans within Police structures. The analysis will allow evaluating the existing training system (in 2014) and then proposals for changes in this respect will be prepared (2015).

#### **1.4. Trainings on identification of and approaching victims of trafficking in human beings for personnel of guarded centres and detention facilities.**

The task will be implemented by: the Ministry of the Interior, in cooperation with Border Guard Headquarters and non-governmental organisations

Implementation date: 2013

On 28–29 October 2013 a training for a group of officers from guarded centres of the Border Guard from the educational and formative and from the registry sections was held at the Conference and Training Centre of the Border Guard in Świder. A one-day training meeting for Border Guard officers responsible for accepting applications for the refugee status was held on 2 December 2013 in Warsaw. Both trainings were intended to prepare officers for detecting potential victims of trafficking in humans among foreigners staying in guarded centres or when foreigners apply for international protection in Poland.

#### **1.5. Training for spokespersons of law enforcement bodies on the scope of information to be provided and methods of preparing effective media communications on instances of trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the General Headquarters of Police and the Border Guard Headquarters

Implementation date: 2013

In 2013, no trainings for spokespersons of law enforcement bodies on effective media communications on instances of trafficking in human beings were held. Such trainings are scheduled for 2014.

#### **1.6. Training devoted to the methodology of organising classes devoted to trafficking in human beings for Police and Border Guard officers who conduct meetings with young people.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the General Headquarters of Police, the Border Guard Headquarters and non-governmental organisations

Implementation date: 2013

In the framework of a film festival on trafficking in human beings for forced labour, a meeting of Police and Border Guard officers who deal with trafficking in human beings was organised during meetings with young people in Częstochowa and Dąbrowa Górnicza. During the meeting, officers used class scripts “Trafficking in children” that serve to ensure adequate provision of information on trafficking in humans during meetings with young people.

In addition, on 14 June 2014 Nadwiślański Border Guard Unit organised a meeting for educational establishments that offer classes preparing for uniformed services. It was attended by people responsible for organisation of meetings with young people from the Border Guard. During the meeting, representative of the Ministry of Interior presented problems related to and methods of informing young people on trafficking in human beings.



### **1.7. Training devoted to forensic, criminological and legal aspects of trafficking in human beings for judges and prosecutors.**

The task will be implemented by: the Polish National School of Judiciary and Public Prosecution, depending on the available budget and its organisational capacity

Implementation date: 2014, 2015

On 15–16 March 2013 a seminar for judges and prosecutors was organised in Krakow. Its topics were, *inter alia*, 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, abstaining from punishing and prosecution and secondary victimisation. The seminar was attended by 64 people from 21 EU Member States and Turkey, of which 8 people from Poland.

The training was organised by the Polish National School of Judiciary and Public Prosecution under the project “Towards a European approach to judicial training on trafficking in human beings.” The project is implemented in cooperation with the Dutch (SSR) and Italian schools for judges (CSM) and financed by the European Commission under the programme “Prevention of and Fight against Crime.” It implements the Stockholm Programme in 2012–2013.

Also, on 28 November 2013 the General Prosecutor’s Office organised a training on trafficking in human beings, under which 50 prosecutors were trained. The topics included:

- Presentation of international case law in cases dealing with trafficking in human beings and resulting commitments of Poland;
- Illegal adoption and trafficking in humans using the examples of preliminary proceedings and court rulings;
- Trafficking in human beings for forced labour;
- Legal classification of crimes related to trafficking in human beings (Article 253(1) and Article 189a(1) of the Penal Code) using examples from the case law;
- Presentation of a case that involved trafficking in human beings for obtaining welfare benefits and bank loans on false pretences;
- Presentations by representatives of appellate prosecutor’s offices on the problems they encounter, the level of investigations, good and bad practices they have come across and recent trends.

## **2. Trainings for people/professionals who help victims of trafficking in human beings:**

### **2.1. Specialised trainings devoted to identification of victims of trafficking in human beings, crisis intervention and rules of cooperating with other institutions for social assistance personnel, primarily staff of crisis intervention centres.**

The task will be implemented by: the Ministry of Labour and Social Policy, in cooperation with the Ministry of the Interior, the Border Guard Central Training Centre and non-governmental organisations

Implementation date: 2013

In 2013, four trainings on “Support for victims of trafficking in human beings” were organised. They were intended for the personnel of organisational units of welfare institutions and attended by 86 people. The trainings were organised at the Andrzej Bączkowski "Dialog" Centre for Social Partnership. The costs of the trainings were covered from the budget of the Ministry of Labour and Social Policy.

### **2.2. 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.**

The task will be implemented by: the International Organization for Migration (IOM), in cooperation with the Border Guard Headquarters and the Office for Foreigners – in terms of delivery of the

trainings Implementation date: 2013

In 2013, under the “Voluntary Returns” programme, seven trainings were held, including on how to deal with human trafficking victims and unaccompanied children, of which one was intended for the personnel of the Office for Foreigners in Warsaw and six for Border Guard representatives.

| <b>Venue of the training</b> | <b>Training date</b> | <b>Number of participants</b> |
|------------------------------|----------------------|-------------------------------|
| Warsaw                       | 20 April 2010        | 31                            |
| Szklarska Poręba             | 16–20 September 2013 | 40                            |
| Mielno                       | 21–25 October 2013   | 35                            |
| Świder                       | 21–25 October 2013   | 37                            |
| Katowice                     | 22–24 October 2013   | 31                            |
| Kętrzyn                      | 25–29 November 2013  | 42                            |
| Zakopane                     | 26–28 November 2013  | 20                            |

Also in 2013, there were three expert meetings devoted to foreign unaccompanied children:

The first meeting took place on 4 June 2013 in Warsaw. The meeting was attended by representatives of the Ministry of Interior, Ministry of Justice, Ministry of Labour and Social Policy, Ombudsman for Children’s Rights, Border Guard Commander-in-Chief, Office for Foreigners, Regional Court in Warsaw, Office of the Mazowiecki Voivode and non-governmental organisations acting for migrant children. Discussions concerned the regulations on accepting and handling foreign unaccompanied children, the need to ensure adequate protection and care to such children, and particularly issues relating to foster care and legal guardians/custodians.

The topic of the second meeting, held on 24 June 2013, was determining the best interest of a child – who, how and on what basis may and/or should determine it and what guidelines should be taken into account. In order to facilitate experts’ work two documents were drafted on the factors essential to determine “the best interest of a child,” Polish regulations and gaps in terms of appointing legal guardians for foreign unaccompanied children.

The third expert meeting, held on 13 September 2013 in Warsaw, was attended by 25 people – representatives of the Ministry of the Interior, Ministry of Justice, Office for Foreigners, Border Guard Headquarters, Office of the Human Rights Defender, Office of the Ombudsman for Children, Office of the Mazowiecki Voivode, UNCHR, Helsinki Foundation for Human Rights, Nobody’s Children Foundation, Association for Legal Intervention and the Polish Migration Forum. The purpose of the meeting was to analyse the current regulations and practices in the area of the rights of foreign unaccompanied children in Poland. Particular emphasis was placed on recommendations and resulting actions that serve to improve the Polish system on the basis of examples of current practices in Europe that were presented by foreign experts (from Belgium and the Netherlands).

### **2.3. Training devoted to supporting victims of trafficking in human beings for personnel of non-governmental organisations.**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental

organisations

Implementation date: 2013

In 2013, there were no specialised trainings for the personnel of non-governmental organisations. They nonetheless underwent training under the project that envisaged establishing voivodeship teams for trafficking in humans in 2014–2016, financed by the Norwegian Financial Mechanism.

#### **2.4. Trainings for health care personnel who may come into contact with victims of trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the Ministry of Health and non-governmental organisations

Implementation date: analysis of needs – 2013

On 26 September 2013 in Warsaw, a pilot training was held for the personnel of the Central Teaching Hospital of the Ministry of Interior in Warsaw. It was organised by the Ministry of the Interior in cooperation with La Strada – Foundation against Trafficking and Slavery. The purpose of the training was to teach health care workers the rules of conduct in case they encounter a victim of trafficking in humans, present the indicators that support victim identification and the most common conditions that may result from abuse during human trafficking.

#### **2.6. Organisation of trainings on trafficking in human beings for Polish consular staff who work in destination countries for Polish victims of trafficking in human beings identified abroad.**

The task will be implemented by: the Ministry of Foreign Affairs, in cooperation with the Ministry of the Interior

Implementation date: 2014

The participation of experts in trafficking in humans from the Ministry of the Interior and “La Strada” Foundation in trainings for candidates for consular posts abroad organised by the Ministry of Foreign Affairs started again in 2013. The purpose of the training model is to provide information on trafficking in humans, the extent of support available to victims and the rules of conduct in case of encountering a potential victim of human trafficking. In 2013, three such trainings were organised – in July, September and October. Subsequent trainings will take place in 2014.

In addition, the Ministry of Foreign Affairs prepared an intranet dossier of the Consular Department that presents the most important legal acts that regulate trafficking in human beings. The contents of the dossier have been consulted with the Ministry of the Interior. It is available to all consuls, updated and expanded with new important information on an ongoing basis.

### **3. Trainings to support identification of victims:**

#### **3.1. Trainings devoted to identification of victims of trafficking in human beings for personnel of the Office for Foreigners who interview those applying for the refugee status and of Centres for Refugees.**

The task will be implemented by: the Office for Foreigners

Implementation date: 2013

On 5 November 2013, a training devoted to trafficking in human beings was organised for 12 employees of the Department for Refugee Procedures of the Office for Foreigners. During the training, the current scale of trafficking in humans in Poland was presented, as well as the system of combating and preventing this crime. Identification and providing support to victims and potential victims of trafficking in human beings was discussed. In addition, training participants had the

opportunity to read the draft “Procedure of conduct for employees of the Office for Foreigners who process applications for the refugee status in case a foreigner is preliminarily identified as a victim of trafficking in human beings.”

Work on the document started in April 2013 on the initiative of the Ministry of Interior. It is conducted in cooperation with the Office for Foreigners, the Border Guard, the La Strada Foundation and the UNCHR. The attachments to the said document will be practical tools (such as *Indicators to identify potential victims of trafficking in human beings*). Also, the Department for Refugee Procedures of the Office for Foreigners plans to appoint an external coordinator for trafficking in humans whose task will be, *inter alia*, to monitor the flow of information and the actions taken in respect of foreigners who are (potential) victims of trafficking in human beings covered by the refugee procedure. It is planned that work will be finalised and the document will be implemented in Q1 of 2014.

The purpose of the procedure is to streamline the flow of information between the Office for Foreigners, the Border Guard and the National Consulting and Intervention Centre for Victims of Trafficking in case a victim of trafficking in humans is detected. In addition, the procedure will be included in the agenda of trainings for the Office employees, particularly from the Department of Refugee Procedures, and the indicators attached to the Procedure will serve as a practical tool for identifying potential victims of trafficking in humans during status interviews with foreigners.

### **3.2. Trainings for labour inspectors devoted to trafficking in human beings for forced labour.**

The task will be implemented by: the Chief Labour Inspectorate, in cooperation with the Ministry of the Interior, Border Guard Headquarters and non-governmental organisations responsible for running the National Consultation and Intervention Centre for victims of human trafficking

Implementation date: 2013

The training for National Labour Inspectorate employees on trafficking in human beings, also for forced labour, took place on 5 and 6 March 2013 at the Training Centre of the National Labour Inspectorate in Wrocław. It was attended by 32 people. The attendees were labour inspectors (also from the employment legality section) and professional staff of the Chief Labour Inspectorate. Lectures were delivered by representatives of the Ministry of the Interior, Prosecutor’s Office, Police, Border Guard, “La Strada” Foundation and the National Labour Inspectorate.

The training agenda covered the following issues:

- Trafficking in human beings for forced labour – definition, situation in Poland and the system to combat and prevent the crime;
- Support to victims of trafficking in humans for forced labour in the experience of the National Consultation and Intervention Centre;
- Control of the legality of employment of foreigners as one of the forms of identifying victims of human trafficking for forced labour;
- Discussion of instances of human trafficking for forced labour concerning citizens of Bangladesh and Ukraine;
- Methodology of NLI labour inspectors if they suspect forced labour.

The training also included practical exercise in identification of instances of trafficking in humans or forced labour by labour inspectors on the basis of a case depicted in a documentary entitled “The Case of Forest Workers.”

## **PART V: Studies on trafficking in human beings/Evaluation of actions**

### **1. Developing and publishing annual reports on trafficking in human beings in Poland.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the institutions and organisations involved in preventing trafficking in human beings

Implementation date: 2013

In 2013, the report on trafficking in human beings in Poland was not drafted. Nonetheless, the Ministry of the Interior plans to draft and publish a document with a comprehensive analysis of the phenomenon over 2012–2013 in 2014.

### **2. Improving the system for collecting data on trafficking in human beings at the disposal of law enforcement bodies, the judiciary and organisations and institutions that provide support to victims of human trafficking, taking into account EU *acquis* and recommendations in this respect.**

The task will be implemented by: the Ministry of the Interior, in cooperation with the institutions and organisations involved in preventing trafficking in human beings

Implementation date: 2013

The session of the expert group for collecting statistical data of the Committee for Combating and Preventing Trafficking in Human Beings on 27 September 2013 re-opened the group's work. The above was the result of the European Commission's guidelines on collecting data on trafficking in human beings by EU Member States. The meeting was attended by representatives of the Ministry of Interior, the Department of Statistics and Judicial Analyses of the Ministry of Justice and the Department for IT Systems of the General Prosecutor's Office. Actions aimed at improving the system for collecting data on trafficking in human beings will continue in 2014–2015.

## **4. Studies on awareness of the threat of trafficking in human beings:**

### **4.2. Surveys on awareness of the threat of trafficking in human beings carried out in selected schools.**

The task will be implemented by: the Ministry of the Interior, in cooperation with non-governmental organisations

Implementation date: 2013

In 2013 in the framework of the film festival devoted to trafficking in humans for forced labour, surveys were carried out to check students' awareness of trafficking in humans. Young people filled in the questionnaires before films/classes. The questionnaire was also available on the DVD with educational materials for teachers and at [www.handelludzmi.eu](http://www.handelludzmi.eu).

## **PART VI: International cooperation**

### **1. Strengthening cooperation with institutions competent for combating and preventing trafficking in human beings from countries of origin, transit and destination countries – from the Polish perspective – in order to exchange experience, best practices and information on developments in the area of trafficking in human beings:**

#### **1.1. Organisation of expert meetings devoted to consolidating cooperation in preventing trafficking in human beings with representatives of Eastern Partnership countries.**

The task will be implemented by: the Ministry of the Interior  
Implementation date: 2013

The Expert Workshop on Victims of THB in the framework of the Eastern Partnership Panel on Migration and Asylum was held on 21–22 May 2013 in Warsaw. The meeting was organised by the European Commission in cooperation with Poland and Armenia. From among Partnership Countries (PC), the workshop was attended by representatives of Armenia, Azerbaijan, Georgia, Moldova and Ukraine. From among EU Member States (MS), there were representatives of Austria, Belgium, France, Germany, Hungary, Ireland, Poland, Romania, Sweden, Netherlands and United Kingdom.

Also, the meeting was attended by experts on trafficking in human beings from international institutions (IOM, UNHCR, CBS, ICMPD, ECPAT) and non-governmental organisations (from Poland: La Strada – Foundation against Trafficking and Slavery, Po MOC – Mary Immaculate Association for Women and Children, Nobody’s Children Foundation; from Germany: KOK; from Belgium: Pag-asa). The workshop was devoted to protection of and support to victims of trafficking in human beings, including juvenile victims. The meeting’s agenda consisted of three thematic panels. During the first panel that concerned the rights of victims of human trafficking, representatives of selected states (Moldavia, Germany and Armenia) presented good practices in new models of support and protection of human trafficking victims. The second panel was devoted to standards of cooperation between law enforcement bodies and non-governmental organisations. The third panel concerned juvenile victims – their identification, support and protection. Thanks to active involvement of a number of entities, the workshop turned out an interesting event as it allowed performing a review of good practices applied within the systems operating in many countries. The workshop also showed that protecting human trafficking victims is a challenge and a priority both in the countries of origin, i.e. particularly in Partnership Countries, and in transit or abuse countries, i.e. mainly in Member States.

## **1.2. Organisation of international projects with the participation of the countries of origin, transit and destination countries of victims of trafficking in human beings.**

The task will be implemented by: the Ministry of the Interior

Implementation date: 2013

- On 16–18 April 2013 in Amsterdam, under the project “Putting Rantsev into Practice – Strengthening multidisciplinary operational cooperation to fight trafficking in human beings” implemented by the Dutch Ministry of Security and Justice in cooperation with the Polish Ministry of the Interior and the Cypriot Ministry of Interior, an international conference was organised for over 200 experts (officers of the Police, Border Guard, immigration institutions, prosecutors, labour inspectors and representatives of the administration responsible for combating and preventing trafficking in human beings) from European Union Member States.

The purpose of the conference was to allow a meeting of representatives of six group of experts who attended the workshop and to share experience from the multidisciplinary approach to combating and preventing trafficking in human beings. The project result will consist in a conference publication, to be drafted in 2014.

Actions performed as the project partner involved representatives of the General Headquarters of Police, the Border Guard Headquarters, the Chief Labour Inspectorate, Voivodeship Police Headquarters in Gdańsk and the Border Guard Post in Zakopane. A representative of the Ministry of Interior was the national coordinator.

- A meeting of the Council Working Group on Consular Affairs (COCON) was held on 28 October 2013 in Vilnius, during Lithuania’s EU Council Presidency. During the seminar, a delegate from the Consular Department of the Ministry of Foreign Affairs delivered a presentation on the “Best practices of the Polish consular services with respect to the fight with

THB.”

- A two-day conference on the protection and promoting of the rights of victims of trafficking in humans “Victims come first,” organised by the Ministry of the Interior with support from the Warsaw-based office of the International Organization for Migration, was held on 26–27 November 2013 in Warsaw. The event was attended by over 200 experts (representatives of the administration, non-governmental organisations and international organisations) from over 30 countries – from countries of origin, transit states and destination countries of human trafficking victims. The conference was organised thanks to support from the Bilateral Cooperation Fund of the Norwegian Financial Mechanism in partnership with the governments of Iceland, Liechtenstein and Norway, the Council of Europe and the International Organization for Migration. The purpose of the event was to exchange experience, views and ideas on ensuring the rights of human trafficking victims. Discussions of experts focused on four areas:
  - a) Identification of victims of human trafficking, with particular emphasis on exploitation for forced labour;
  - b) Remedy and compensation;
  - c) Standards of providing victims of trafficking in human beings with secure accommodation;
  - d) Ensuring rehabilitation of victims and a safe return.

The reason that triggered organising the conference was drafting the report of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) on the implementation of the Convention on Action against Trafficking in Human Beings by Poland. The Convention highlights the significance of respect for the rights of victims by emphasising the importance of direct help, safe accommodation, compensation, remedy and integration. In general, the report provides a positive opinion on Poland's efforts for the protection of victims and their rights taken since 2003.

- The sixth conference of the National Migration Network “Identification of vulnerable groups and organisation of the reception system for people applying for the refugee status in Poland” was held on 28 November 2013 at the Ministry of the Interior in Warsaw. The conference was entirely devoted to reception of foreigners applying for the refugee status in Poland and to identification of vulnerable groups, particularly potential victims of trafficking in human beings. The meeting resulted in an evaluation of the current procedures and planned actions that may significantly improve the current programmes and trainings. The meeting also served the purpose of finding an answer to the question whether the Polish solutions in the area of reception and further placement of people covered by the refugee procedure according to their needs are sufficient, and whether some elements of the foreigner reception systems introduced in other European Union Member States could be applied in Poland.

## FUNDS GRANTED FOR THE IMPLEMENTATION OF THE NATIONAL ACTION PLAN AGAINST TRAFFICKING IN HUMAN BEINGS IN 2013

For the implementation of the tasks stipulated in the “National Action Plan against Trafficking in Human Beings for 2013–2015,” the Ministry of the Interior earmarked in the 2013 state budget funds of PLN 135,000 for current activities as well as funds of PLN 1,000,000 for the public task “Running the National Consultation and Intervention Centre for victims of human trafficking” (Part II, Item 7 of the Action Plan). In total, funds of PLN 1,135,000 were earmarked in the Ministry in the Interior’s budget for 2013 (according to the 2013 Budget Act).

In addition, the Ministry of Labour and Social Policy earmarked funds of PLN 140,000 in the 2013 budget for trainings of welfare assistance personnel that teach them how to approach a victim/witness of trafficking in human beings. In addition, the Ministry of Labour and Social Policy intends to allocate funds for the support of crisis intervention centres, depending on the capacity of the state budget at the disposal of the Minister. In the years 2014–2015, the Ministry of Labour and Social Policy plans to earmark similar amounts for this purpose. In total, funds of PLN 1,275,000 were earmarked for that purpose in the two Ministries’ budgets for 2013.

## ACTIONS NOT COVERED BY THE NATIONAL ACTION PLAN AGAINST TRAFFICKING IN HUMAN BEINGS

### Ministry of Justice:

Regardless of the tasks provided for in the National Action Plan, it should be noted that as a result of the amendment of the *Code of Penal Procedure* (CPP) of 13 June 2013, juveniles aged up to 18 wronged by trafficking in human beings will be covered by protection in the form of a single interview in friendly conditions according to the procedure laid down by Article 185a of the CPP since 27 January 2014.

### Ministry of Health:

In 2012, the Ordinance of the Minister of Science and Higher Education of 9 May 2012 *on the standards of education for the following study programmes: medical, medical and dentistry, pharmacy, nursery and obstetrics* (Dz. U. of 2012, item 631) was issued in cooperation with the Minister of Health. The Ordinance defines the extent of knowledge and skills required of graduates of these programmes, such as certain issues relating to the social dimension of health and diseases, influence of the social environment (family, networks of social relationships) and social inequalities on the health condition, socio-cultural differences and the role of social distress in health-related and auto-destructive behaviour. Graduates are supposed to know, *inter alia*, the forms of violence, their social determinants and the role of a physician in detecting and preventing violence. The Ordinance stipulates that graduates of the medical, medical and dentistry, pharmacy, nursery and obstetrics study programmes should be able to identify disturbances and pathologies, such as sexual abuse, distinguish between types of sexual abuse, recognise its symptoms and consequences, know the methods of preventing it and forms of support available to victims of sexual abuse.

In 2013, in order to raise the awareness of health care personnel of the forms of preventing violence, the State Agency for the Prevention of Alcohol-Related Problems (PARPA) started educational and information actions whose motto was “Doctors, respond to violence.” The purpose of these actions is, *inter alia*, to improve the competence of health care personnel to recognise violence (with particular emphasis on violence in the family). Under the project, the website [www.lekarzsureagujnaprzemoc.pl](http://www.lekarzsureagujnaprzemoc.pl) was created, a publication entitled *Handbook for Health Care Personnel* was prepared that presents the legal and psychological aspects of preventing violence in



the family and a brochure promoting the website was designed. The publications were provided to all Basic Health Care establishments (over 10,000 establishments).

The above actions undertaken within the health care system may contribute to more effective identification of victims of human trafficking, also juveniles, which ensures providing them with adequate help.

### **Halina Nieć Legal Aid Centre:**

In 2013, the Halina Nieć Legal Aid Centre drafted a report entitled *Trafficking in Human Beings with Regard to Foreigners in Poland. Year 2012*, which was published at [www.pomocprawna.org](http://www.pomocprawna.org) and printed in 200 copies. It was translated into English. The report, which presents trafficking in human beings in a comprehensive way, was sent to many non-governmental organisations, the Ministry of the Interior, the Ministry of Labour and Social Policy, the General Headquarters of Police and to the Border Guard. In addition, the Ministry of Labour and Social Policy published it at its website and declared it would be used as the basis for training its employees.

Statistical data were collected from major Polish institutions, i.e. the General Headquarters of Police, the Ministry of the Interior and the Prosecutor's Office. The report places particular emphasis on the problem of trafficking in humans among foreigners by presenting the profile of foreign victims (taking sex, age and nationality into account). The Centre started working on the report for 2013 in December 2013.

### **Po MOC – Mary Immaculate Association for Women and Children:**

In 2013, the Association offered specialised counselling for women and children who were subject to contemporary forms of slavery or other forms of violence. Under the project “My new colourful world,” the centre for victims of trafficking in humans and a playground were renovated and new equipment was provided, particularly for the children.

It should be noted that last year the employees and volunteers from Po MOC Association conducted a number of meetings, delivered lectures and trainings devoted to trafficking in human beings. Trainings were organised for officers from public order services, labour inspectors, temporary employment agency and labour agency staff. In 2013, also many meetings and information and education classes for school pupils and lectures for university students were organised. They were devoted to, *inter alia*, safe trips abroad in the context of threats related to trafficking in humans and contemporary forms of prostitution.