



Questionnaire regarding cooperation in transnational cases of trafficking in human beings

The survey is carried out in the framework of the project “Paving the Way for the Harmonized Operational Framework in the Baltic Sea Region” in order to identify and assess gaps and challenges in transnational cooperation in human trafficking cases.

The findings of the assessment will serve as a necessary starting point and bases for development of the Transnational Referral Mechanism for the Baltic Sea Region.

Country: [Poland](#)

Answers to the questionnaire were formulated through cooperation and engagement of the General Police Headquarters, Border Guard Headquarters, National Public Prosecutor’s Office, Office for Foreigners, La Strada Foundation against Human Trafficking and Slavery, Po MOC Mary Immaculate Association for Women and Children, YouCanFreeUs Foundation in Poland, Light House Foundation, Salvation Army, International Organization for Migration, the Ministry of Family, Labour and Social Policy, and the Ministry of the Interior and Administration.

Coordination: [Ministry of the Interior and Administration](#)

1. Citizens/residents of which countries of the BSR¹ are identified most often in your country in last two years?

The victims of trafficking in human beings identified by law enforcement agencies in Poland in 2017 and 2018 included mainly citizens of Poland and Ukraine, as well as Bulgarians, Romanians and Germans.

2. In which countries of the BSR citizens/residents of your country are most often identified as victims of human trafficking in last two years?

Germany, Sweden, Norway

Detailed information on exploitation of Poles in the region should be provided by the Member States of the Council of the Baltic Sea States.

3. Representatives of which institutions/organisations are likely to be the first ones to come into contact with the presumed victims of trafficking? (You may choose multiple answers).

- NGOs
- Police Units (Polish Police)
- Prosecution authority (Polish Public Prosecutor's Office)
- Social Services (social assistance staff)
- Migration Authority (Office for Foreigners)
- Other (please specify)

Polish Border Guard

National Labour Inspectorate

voivodeship offices

consular service

hospitals

4. Who is the first point of notification of a person assumed to be trafficked?² Please specify.

In Poland, there is no single point receiving notifications on the presumed victims of trafficking. The institutions/organizations which receive such notifications include:

- Police,
- Border Guard,
- Prosecutor's Office,
- National Consulting and Intervention Center for the Victims of Trafficking, run currently by La Strada Foundation against Human Trafficking and Slavery and the "Po MOC" Mary Immaculate Association for Women and Children.

5. Who confirms the status of a "victim of trafficking"? Please elaborate.

Victim of human trafficking

At the pretrial stage, the status of a victim of human trafficking is acquired by virtue of law. This fact is stated by a public prosecutor. In line with Article 49(1) of the Act – *Code of Criminal*

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Procedure, “the injured is a natural or legal person whose property or rights have been directly violated or threatened by an offence”. Therefore, if it is found that a given person was the *actus reus* of an offence of Article 189a of the Penal Code, they become the victim. Having stated this fact, the prosecutor may issue a relevant attestation.

Presumed victim of trafficking in human beings

The status of a presumed victim of trafficking is confirmed by the Police and the Border Guard by filling in the application form for reporting a presumed victim of trafficking.

Moreover, in the case of foreigners whose residence in the territory of Poland is irregular, the status of a presumed victim of trafficking is confirmed by the authority competent to conduct proceedings on trafficking in human beings **through** issuing to the foreigner an attestation confirming such presumption (based on Articles 170 to 172 of the *Act on Foreigners*).

6. Are there individual / assistance plans? Who develops / implements them?

Part of the diagnosis of needs made for each person directed to the National Consulting and Intervention Center for the Victims of Trafficking is individual assistance plan. The assistance plan is modified on an ongoing basis where necessary. The National Center is responsible for the implementation of the assistance plan.

Within the social assistance system the necessary forms of support provided in crisis intervention centers (CIC) are determined by the CIC managers in cooperation with specialists from other social assistance organizational units (social welfare center, poviats family assistance center).

Within the Combating Trafficking in Human Beings and Modern Slavery project run by the Salvation Army in Poland, individual assistance plans are developed for victims of trafficking receiving assistance in finding safe employment in Poland. These plans refer only to this area of assistance.

Individual assistance plan is an element of diagnosis of the needs of each of YouCanFreeUs Poland Foundation beneficiaries. The assistance plan is modified on an ongoing basis where necessary. It is implemented depending on the needs of a given person in cooperation with: the Police, Border Guard, PoMOC Association, La Strada Foundation, as well as with embassy of the victim’s country of origin.

In the Light House Foundation, the assistance plan is developed for each person individually, after their needs assessment and verification. The assistance plan is subject to regular evaluation and potential modification depending on the situation of the person receiving assistance. The assistance plan is developed and implemented by the Light House Foundation employees.

7. Please specify who provides safe accommodation for the presumed trafficked persons of:

- sexual exploitation not applicable
- labour exploitation not applicable

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- other forms of exploitation not applicable

The victims receive safe accommodation regardless of the form of exploitation, depending on the availability of rooms in different facilities and according to the age and gender criteria. Possible accommodation for the victims:

- in the shelter complex of La Strada Foundation or in the shelter of the Po MOC Association, both maintained by the National Consulting and Intervention Center for the Victims of Trafficking and addressed to victims of trafficking;
- as part of social welfare assistance system (addressed not only to victims of trafficking, but the staff is regularly trained in supporting victims of trafficking);
- as part of the foster care system (in the case of unaccompanied minors);
- in specific cases, in a safe shelter managed by the Catholic Church, with the consent of the person concerned (free of charge or financed by State budget grants);
- in justified cases, as part of interventions, in commercial places verified in terms of safety (financed by State budget grants);
- the Light House Foundation ensures accommodation to presumed victims of trafficking in human beings regardless of the forms of exploitation. The Foundation also provides shelter to persons who are suspected, based on reasonable grounds, to have been victims of attempted human trafficking. The Light House Foundation ensures accommodation in a commercial institution which is however created with regard to the needs of victims of offences and where the staff is adequately trained. The cost of accommodation is entirely borne from the funds of the Light House Foundation or with the support of the Social Welfare Assistance Centres. In exceptional cases, the accommodation is ensured in partner facilities in various locations which normally provide assistance to persons in difficult life situations, also to victims of violence, and the staff of which is adequately trained. If necessary, the Foundation ensures accommodation regardless of gender to children together with their legal guardians, to men, couples, and families, depending on the availability of rooms and financial resources.

8. Is save accommodation and assistance provided for male victims of trafficking?

Yes

No

If yes, please elaborate.

Since 2017, La Strada Foundation, as part of the public task carried out on behalf of the Minister of the Interior and Administration named "Operating the National Consulting and Intervention Center for the Victims of Trafficking", has been providing safe accommodation to men in an apartment used on a rotating basis within the limit of available room (3 beds). Apart from that, it is possible to organise accommodation for men:

- as part of the social assistance system;
- in a safe shelter managed by the Catholic Church, with the consent of the person concerned (free of charge or financed by State budget grants);

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- and in justified cases, as part of interventions, in commercial places verified in terms of safety (financed by State budget grants).

The assistance offer is not diversified based on gender. The scope of the assistance provided depends only on the identification of a person as a presumed/potential victim of trafficking and results from the individual diagnosis of needs.

YouCanFreeUS Foundation in Poland offers assistance both to women and men. The scope of the assistance offered depends on individual diagnosis of needs but it does not include accommodation.

Also, the assistance provided to victims of trafficking in finding employment as part of the Combating Trafficking in Human Beings and Modern Slavery project run by Salvation Army in Poland is offered both to men and women, and its scope is not diversified based on gender.

The Light House Foundation provides assistance regardless of gender to women, women with children, children together with their legal guardians, to men, couples, and families, if necessary, depending on the availability of rooms, financial resources and the needs identified.

9. Please describe what kind of assistance is available to victims who have agreed to participate in legal action against the suspected offender and to those victims who have not agreed.

Support available to persons who have decided to testify against the person suspected of having committed an offence

In accordance with Article 176 of the *Act on Foreigners*, an adult foreigner who:

1. resides in Poland,
2. has started to cooperate with the authority competent to conduct proceedings on trafficking in human beings and
3. has broken off the relationship with persons suspected of trafficking in human beings

is granted temporary residence permit for victims of trafficking in human beings. In the case of minors, cooperation with the authority is not required. It is sufficient that such a person is granted the victim status in proceedings for trafficking in human beings.

In line with Article 5a of the *Act on social welfare assistance*, foreigners residing in Poland, e.g. based on the above-mentioned authorisation, have the right to receive benefits in the form of crisis intervention, shelter, meal, necessary clothing and designated benefit. A co-benefit of receiving such a permission is the possibility to work in Poland without the work permit.

According to Article 1(1) of the *Act on Protection and Assistance for Aggrieved Party and Witness*, the legislator defines the rules, conditions and ambit of protection and assistance measures for the aggrieved party, witness and their closest persons, if in relation to an ongoing or concluded criminal prosecution with the participation of the victim and the witness, or a penal fiscal proceeding with the participation of the witness, the life or health of these persons is threatened.

The protection and assistance measures provided by the Voivodeship (Warsaw) Commander of the Police include:

- 1) protection for the period of procedural act,
- 2) personal protection;
- 3) assistance in changing the place of residence.

According to Article 10 of the Act on Protection and Assistance for Aggrieved Party and Witness, the person authorised is instructed on the possibility to receive psychological assistance and provided with a list of entities which receive grants for this purpose from the Fund for the Victim Support and Post-Penitentiary Support referred to in Article 43 of the Act – *Executive Penal Code*, or a list of other entities providing psychological assistance, and the method for contacting them is defined.

According to Article 1(2) of the Act on Protection and Assistance for Aggrieved Party and Witness, protection measures may be implemented before the criminal procedure or penal fiscal proceeding is initiated, if the threat to life or health is revealed in the course of operational and exploratory activities or verification procedure referred to in Article 307 of the Act – *Code of Criminal Procedure*.

Protection and assistance measures are provided by the Voivodeship (Warsaw) Commander of the Police, in whose district the victim, the witness or their closest persons, who are to be covered by the protection or assistance measure, have their place of residence (Article 3(2) of the Act on Protection and Assistance for Aggrieved Party and Witness). Providing assistance, as well as refusal to provide it take a form of an order.

Providing assistance to the victim, witness or to their closest persons is always based on an application. The entities which are entitled to submit an application are:

- 1) the victim or the witness;
- 2) the authority conducting operational and exploratory activities or the verifying or pre-trial proceedings, or the court.

Support available to persons who do not testify against the person suspected of having committed an offence

Pursuant to the Act *on Foreigners*, the authority competent to conduct proceedings on trafficking in human beings may issue to the foreigner a certificate of presumption that they are a victim of human trafficking (Article 170 and 172(1) of the afore mentioned act). Pursuant to the Act, the only condition for obtaining the certificate is for the agencies to presume that a person has been a victim of human trafficking (Article 170). On the basis of the certificate, the residence of such a foreigner in Poland is considered legal throughout the certificate's validity period – 3 months or 4 months in the case of minors (Article 172(2)). The Act also regulates the circumstances of cessation of such legal residence before the certificate's validity period expires – that is: active and voluntary contact on one's own initiative with persons suspected of human trafficking, or crossing/attempting to illegally cross the border (Article 171(2)). The issue of such a certificate does not depend on testifying against the person suspected of having committed an offence.

Pursuant to Article 5a of the Act *on social welfare assistance*, foreigners who reside in Poland, e.g. based on the afore-mentioned certificate, have the right to receive benefits in the form of crisis intervention, shelter, meal, necessary clothing and designated benefit.

Regardless of whether they decide to cooperate with the law enforcement authority in the proceedings conducted, all potential victims have the right to receive assistance from the **National Consulting and Intervention Center for the Victims of Trafficking** which is run by two non-governmental organisations within the public task delegated by the Minister of the Interior and Administration (the task is delegated in the form of an open tender referred to in the Act *on Public Benefit Activity and Volunteerism* and is financed from the State budget targeted subsidies). The National Center is not authorized to formally identify the victims or presumed victims of trafficking, however, the decision of this institution determines what assistance will be provided to particular persons (the decision is made based on the individual diagnosis of needs).

The scope of the **National Center** assistance does not depend on cooperation with law enforcement authorities. Assistance granted by National Center:

assessment of needs of victims of trafficking; provision of clothing, hygiene products, food, basic medical care; assisting the victim during the contact with law enforcement and judicial agencies; individual work with the victim; psychological support; assistance of an interpreter; transportation of a victim in the country; assistance in regulating their stay (however, the possibility to regulate the stay is limited in the case of victims who do not cooperate with law enforcement authorities); legal consultations; ensuring participation of victims of trafficking in vocational and Polish language courses, according to the identified needs; organisation of a safe return to the country of origin; ensuring safe accommodation.

Moreover, assistance to victims of trafficking in Poland is also ensured by other non-governmental organisations:

YouCanFreeUS Foundation in Poland offers assistance to victims of trafficking regardless of whether they cooperate with law enforcement authorities. Assistance granted by the Foundation:

assessment of needs of victims of trafficking; provision of clothing, hygiene products, food, basic medical care; assisting the victim during the contact with law enforcement and judicial agencies; individual work with the victim; psychological support; assistance of an interpreter; transportation of a victim in the country; assistance in regulating the stay; legal consultations; ensuring participation of victims of trafficking in vocational and Polish language courses according to the identified needs.

The assistance offered by the **Salvation Army in Poland** – its scope and whether it depends on the cooperation with law enforcement authorities: In addition to many preventive measures, the Combating Trafficking in Human Beings and Modern Slavery project also provides assistance to victims of trafficking in finding safe employment in Poland. As part of this assistance, the situation of a given person on the labour market is analysed, including his/her professional experience, education, legal and psychological situation, as well as conditions and preferences; the needs of such person are also analysed, and an individual action plan is drafted, which may cover – depending on the particular case – structuring the information about the labour law and the labour market in Poland, training for the skills necessary to effectively search for a job on one's own (preparing CVs and letters of application, drafting recruitment documents, browsing and assessing job offers, practicing for the job interview, etc.). **The** assistance is meant not only to enable the victims of trafficking to find employment on a day-to-day basis, but also to increase

their knowledge and skills and to teach them safe behaviour patterns to make them feel at home on the labour market and to ensure that they will be able to find safe employment also in the future. Assistance is provided in cooperation with other organisations, in particular NCIC. It does not depend in any way on the cooperation with law enforcement authorities.

Light House Foundation provides assistance regardless of the decision on cooperation with law enforcement authorities in the conducted proceedings. The scope of the assistance provided:

Crisis intervention, assistance and support already at the stage of the first contact with law enforcement authorities (provision of food, hygiene products, clothes, psychological support); provision of accommodation, meals, basic medical care, the essential medicines, clothing, hygiene products, assistance of an interpreter, legal consultations, psychological and pastoral support, assistance in regulating the stay and assistance in securing financial support under the social welfare assistance system. Transport within the country and outside of its borders, on the territory of the European Union. The Light House Foundation also offers training and apprenticeships preparing for work in hotels and catering establishments, including basic training in Polish and English and assistance in finding employment. Where needed, assistance is also provided in organising safe return to the country of origin or, acting as an official member of the European Freedom Network, assistance in organising travel to another European Union country, if it is legally possible and justified by a specific need of the person benefiting from the Light House Foundation's assistance. Assistance in organising such departure is provided in cooperation with other partner organisations within the EFN, while analysing the risk associated with the departure.

10. What are the main barriers to efficient cooperation with relevant stakeholders in other countries in transnational cases of trafficking in human beings?

Differences in legislation

Lack of contact

Lack of knowledge about identification and assistance system

Other

Please elaborate

When it comes to international cooperation between law enforcement authorities, the main barrier is the **difference between legal systems**.

Non-governmental organisations indicated **differences in the legislation, lack of contact and lack of knowledge on the identification and assistance system** as the main obstacles in cooperation in transnational cases concerning human trafficking.

As for the foreign victims of trafficking, there often occurs a **linguistic and cultural barrier**, which hinders contact; this obstacle was indicated by law enforcement and public administration authorities, as well as non-governmental organisations.

11. What kind of assistance is available for victims of human trafficking and which institutions/organisations are responsible for provision of assistance?

Type of assistance	Institution/organisation	Contact details
<p>Assessment of needs of victims of trafficking; provision of clothing, hygiene products, food, basic medical care; assisting the victim during the contact with law enforcement and judicial agencies; individual work with the victim; psychological support; assistance of an interpreter; transportation of a victim in the country; assistance in regulating the stay; legal consultations; ensuring participation of victims of trafficking in vocational and Polish language courses according to the identified needs; organisation of a safe return to the country of origin; ensuring safe accommodation.</p>	<p>National Consulting and Intervention Center for the Victims of Trafficking run by:</p> <ul style="list-style-type: none"> • La Strada Foundation against Human Trafficking and Slavery • The "Po MOC" Mary Immaculate Association for Women and Children 	<p>+48 22 628 01 20 +48 605 687 750 kcik@strada.org.pl</p> <p>+48 22 628 99 99 kcik@strada.org.pl</p> <p>+48 32 255 38 69 pomoc@po-moc.pl</p>
<p>According to art. 5a of the Act on Social Assistance (applies to persons who have a certificate referred to in art. 170 of the Act on Foreigners or a permit which is mentioned in art. 176 of the Act on Foreigners):</p> <ul style="list-style-type: none"> - benefits in the form of crisis intervention, shelter, meals, necessary clothing and special purpose allowance. <p>persons entitled to social assistance pursuant to art. 5 of the Act and fulfilling the condition specified in art. 7 point 7a) of the Act (i.e. the need of protection offered to victims of trafficking in human beings)</p> <ul style="list-style-type: none"> - providing cash and non-monetary social assistance on general terms 	<p>Organizational units of social assistance at the municipality and poviats level, including poviats family assistance centers, crisis intervention centers and social welfare centers</p>	<p>In municipalities and poviats</p>

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<p>Victims of trafficking seeking international protection can receive social assistance and medical and psychological care provided by the Head of the Office for Foreigners (unaccompanied minors covered by the foster care system will only be provided with medical and psychological care). Due to the fact that organisation of accommodation was taken over by the National Crisis Intervention Centre, as part of their social benefits foreigners will receive cash benefit from the Office for Foreigners to cover the cost of their stay on the territory of Poland themselves.</p> <p>In the course of the procedure for granting protection on the territory of the Republic of Poland, the Office for Foreigners provides, where necessary, psychological assistance during status interviews and for the purpose of identifying vulnerable foreigners.</p>	<p>Office for Foreigners</p>	<p>Department for Social Assistance at the Office for Foreigners Phone +48 22 60 174 43</p>
<p>Crisis intervention, assistance and support already at the stage of the first contact with law enforcement authorities (provision of food, hygiene products, clothes, psychological support); provision of accommodation, meals, basic medical care, the essential medicines, clothing, hygiene products, assistance of an interpreter, legal consultations, psychological and pastoral support, assistance in regulating the stay and assistance in securing financial support under the social welfare assistance system. Transport within the country and outside of its borders, on the territory of the</p>	<p>The Light House Foundation</p>	<p>+48 604 205 007</p>

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<p>European Union. The Light House Foundation also offers training and apprenticeships preparing for work in hotels and catering establishments, including basic training in Polish and English and assistance in finding employment. Where needed, we also provide assistance in organising safe return to the country of origin or, acting as an official member of the European Freedom Network, assistance in organising travel to another European Union country, if it is legally possible and justified by a specific need of the person benefiting from the Light House Foundation's assistance. Assistance in organising such departure is provided in cooperation with other partner organisations within the EFN, while analysing the risk associated with the departure.</p>		
<p>In addition to many preventive measures, the Combating Trafficking in Human Beings and Modern Slavery project also provides assistance to victims of trafficking in finding safe employment in Poland. As part of this assistance, the situation of a given person on the labour market is analysed, including his/her professional experience, education, legal and psychological situation, as well as conditions and preferences; the needs of such person are also analysed, and an individual action plan is drafted, which may cover – depending on the particular case – structuring the information about the labour law and the labour market in Poland, training for the skills necessary to effectively search for a job on one's own</p>	<p>The Salvation Army in Poland</p>	<p>Phone +48 727 55 44 33 Phone +48 609 84 94 94 E-mail: weryfikacja.pracy@armia-zbawienia.pl</p>

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<p>(preparing CVs and letters of application, drafting recruitment documents, browsing and assessing job offers, practicing for the job interview, etc.). Our assistance is meant not only to enable the victims of trafficking to find employment on a day-to-day basis, but also to increase their knowledge and skills and to teach them safe behaviour patterns to make them feel at home on the labour market and to ensure that they will be able to find safe employment also in the future.</p>		
<p>assessment of needs of victims of trafficking; provision of clothing, hygiene products, food, basic medical care; assisting the victim during the contact with law enforcement and judicial agencies; individual work with the victim; psychological support; assistance of an interpreter; transportation of a victim in the country; assistance in regulating the stay; legal consultations; ensuring participation of victims of trafficking in vocational and Polish language courses according to the identified needs</p>	<p>YouCanFreeUS Foundation in Poland</p>	<p>Phone +48 518 300 011 biuro@youcanfree.us</p>
<p>organisation of safe return to the country of origin; implementation of reintegration assistance in the country of origin</p>	<p>International Organization for Migration</p>	<p>+48 22 623 81 88 +48 22 628 24 13</p>

12. Is there a possibility to provide longer-term assistance and social inclusion to foreign victims of trafficking who decide to remain in the destination country for a longer period of time?

Yes

No

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If yes, please elaborate, what kinds of integration / social inclusion programmes exist and which institutions are responsible for it?

The National Consulting and Intervention Center for the Victims of Trafficking is responsible for integrating victims of trafficking by organising Polish language courses and vocational training. In the case of one organisation responsible for running the National Center – the “Po MOC” Mary Immaculate Association for Women and Children – the victims put under care of the Association and placed in its centre in Katowice may receive long-term assistance and measures to facilitate their social inclusion, provided that they are willing and motivated to learn the language and adapt to Polish cultural specificities. This task requires the Association to seek external financing to support the integration of its charges. The reintegration assistance covers Polish language courses, vocational training, assistance in regulating the stay and maintaining the work permit, recreational and therapeutic activities and education in the field of cultural orientation.

The Light House Foundation offers assistance in integrating foreigners in the country by organising training and apprenticeships to prepare them for work in hotels and catering establishments, including basic training in Polish and English, and assistance in finding employment.

13. Who (which agency) is providing voluntary return assistance to the trafficked person?

In accordance with the Agreement of 12 July 2005 between the Minister of the Interior and Administration of the Republic of Poland and the International Organization for Migration *on the cooperation in the field of voluntary returns of foreigners leaving the territory of the Republic of Poland* (Official Gazette [*Monitor Polski*] of 2006, No. 3, item 46), foreigners who have been recognized as victims of trafficking by the authority competent to conduct proceedings on combating human trafficking can be offered assisted voluntary return to the country of origin.

Assisted voluntary return is organised by IOM, which cooperates in this regard with the Border Guard. Cooperation between the Border Guard and IOM in organising voluntary returns of foreigners from Poland is carried out based on the provisions of the Act of 12 December 2013 *on foreigners* and the Agreement of 12 July 2013 between the Minister of the Interior and Administration of the Republic of Poland and the International Organization for Migration *on the cooperation in the field of voluntary returns of foreigners leaving the territory of the Republic of Poland*, drafted on 12 July 2005 in Warsaw.

In exceptional situations, the National Consulting and Intervention Center for the Victims of Trafficking organises the travel to the country of origin, e.g. if the victim wishes to return to the country of origin in order to take care of personal matters and afterwards return to Poland to continue cooperation under the current procedure.

14. Is there a procedure for conducting risk assessment prior to return in the country of origin?

Yes

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No

If yes, please elaborate.

In line with the document entitled “Risk assessment in organising returns of victims of trafficking”, such analysis consists of three stages. At the 1st stage, the assessment is conducted by a non-governmental organisation responsible for carrying out the public task entitled “Operating the National Consulting and Intervention Center for Polish and foreign victims of trafficking” based on the information obtained directly from the victim or third parties the organisation cooperates with. This stage is mandatory. At the 2nd stage, the assessment is conducted by the authority responsible for carrying out the investigation in the case in question (Police or the Border Guard), based on the evidence and information obtained in the course of the investigation. The Ministry of the Interior and Administration is involved in the 3rd stage of risk analysis and conducts the assessment based on the information provided by other institutions or organisations concerning the situation and conditions in the country to which the victim intends to return. The 2nd and 3rd stages are optional and are carried out only if the result of the 1st stage is ambiguous and the organisation harbours doubts as to the estimated level of risk or if the result of the assessment indicates the existence of medium and high risk.

The International Organization for Migration (IOM) has established relevant procedures and guidelines put together in IOM’s handbook on the provision of direct assistance to victims of trafficking. IOM carries out risk assessment before the victims of trafficking return to their country of origin in accordance with the 2019 Action Plan for assisted voluntary return of foreigners from Poland and their reintegration. In the case of victims of trafficking, an individual assessment of the risk associated with the victim’s return is carried out, where possible. IOM advisers have many years of experience in carrying out assisted voluntary returns and have been trained in the field of communication techniques and dealing with victims of trafficking. This contributes to efficient communication with the beneficiaries, as well as to ensuring that their needs are effectively identified and responded to.

The national Office of the International Organization for Migration (IOM) in Poland receives information about the victims of trafficking who wish to take advantage of assisted voluntary return to their country of origin. Such information is usually provided by the National Consulting and Intervention Center for the Victims of Trafficking. After receipt of such information, IOM contacts the Border Guard Headquarters to confirm whether a given foreigner was classified as a presumed victim of this crime. Following such confirmation, IOM proceeds with analysis of the risk associated with the return and assessment of the reintegration-related needs of a given foreigner, taking into account e.g. his health. IOM also tries to contact the foreigner’s family, as long as he/she so wishes, and provided it does not put him/her at risk. The risk assessment is carried out in cooperation with the IOM’s office located on the territory of the country of origin, which may provide comprehensive information about the possibility of return and the potential threats associated with return, as it is aware of the local specificities and remains in contact with the institutions and organisations operating there. IOM’s office in the country of return is also responsible for the implementation of reintegration assistance.

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IOM also takes care of the logistics of the return (setting the appropriate time of the departure and selecting the means of transport, purchasing tickets, organising the travel to the airport/station and from the airport/station to a particular town, ensuring – where necessary due to the age or health condition of the foreigner or other circumstances – an escort by medical personnel, social worker, legal guardian or IOM's employee). IOM's office in the country of origin provides reception-related assistance by having an IOM's employee and – in specific cases – the police officer present in order to ensure that the foreigner can safely reach his/her destination in the country of origin.

15. Who is responsible for contacting the relevant authorities in the country of origin to facilitate voluntary return?

International Organization for Migration (IOM)

16. How is the voluntary return of the trafficked persons funded? Please elaborate:

Article 335(1) of the Act of 12 December 2013 *on foreigners* constitutes the legal basis for financing assisted voluntary return. Financing of assisted voluntary return covers:

- (1) the foreigner's travel expenses;
- (2) administrative fees related to obtaining the travel document and necessary visas and permits;
- (3) costs of meals during the travel;
- (4) costs of medical care during the travel;
- (5) costs of organising the voluntary return by the entity legally obliged to organise voluntary returns.

Until 30 April 2017, assisted voluntary return had been provided to victims of trafficking by making use of the Norwegian Financial Mechanism funds. Starting from 1 May 2017, assistance for this group of people (including reintegration assistance) has been financed exclusively from the budget of the Border Guard.

Since May 2019, assisted voluntary return provided to victims of trafficking who are non-EU nationals has been supported by funds from the Asylum, Migration and Integration Fund (AMIF), thus generating additional financing for: reintegration assistance and monitoring visits in the country of return.

On the other hand, assistance provided to victims of trafficking who are European Union nationals is financed from the State budget funds at the disposal of the Commander-in-Chief of the Border Guard.

In the case of returns organised by the National Center, the costs of travel are covered fully from the State budget grant.

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17. In what form does cooperation with the country of origin of the presumed victim of human trafficking take place during the identification and referral process? (You may choose multiple answers).

Identification	Referral
<input checked="" type="checkbox"/> Checks on identity of the trafficked persons	<input checked="" type="checkbox"/> Providing support in family tracing
<p>Comment by the Polish law enforcement authorities:</p> <ul style="list-style-type: none"> • in cooperation with Polish liaison officers abroad and foreign officers accredited in Poland; • within joint investigation teams; • or via Europol and Interpol; • confirming the identity of a given person through embassies. 	<p>1. Comment by the IOM's National Office in Poland:</p> <ul style="list-style-type: none"> • in cooperation with IOM's offices in countries of origin. <p>2. Comment by the Office for Foreigners</p> <p>Searching for the relatives of unaccompanied minors (foreigners) who apply for international protection:</p> <p>pursuant to the agreement concluded by the Head of the Office for Foreigners and the President of the Polish Red Cross on 20 January 2015, the Polish Red Cross offers to search for the members of foreigners' families who lost contact with their relatives as a result of wars, armed conflicts and natural disasters; based on this agreement, a <i>Model of practical cooperation between the Office for Foreigners and the Polish Red Cross in searching for relatives of unaccompanied minors applying for protection on the territory of the Republic of Poland</i> was drafted to implement the provision of Article 61(9) of the <i>Act on granting protection to the foreigners within the territory of the Republic of Poland</i>, according to which in the course of an interview conducted under the procedure for granting protection, the interviewer informs the unaccompanied minor about the possibility of searching for his/her relatives via the Red Cross Information and Search Office and requests consent to undertake such search operations.</p>
<input checked="" type="checkbox"/> Exchange of case information	<input checked="" type="checkbox"/> Development of an individual risk assessment plan
<p>Comment by the Polish law enforcement authorities:</p>	<p>Comment by the IOM's National Office in Poland:</p>

<ul style="list-style-type: none"> • in cooperation with Polish liaison officers abroad and foreign officers accredited in Poland; • within joint investigation teams; • or via Europol, Interpol and Eurojust. 	<p>risk assessment is carried out based on the questionnaire used by IOM's offices and includes exploitation history. The interview is conducted in a language understandable for the victim.</p>
<p><input checked="" type="checkbox"/> Providing (issuance) of the personal documents of the trafficked person (passport, birth certificate, copies of medical records, marriage certificates, school certificates)</p> <p>The authority authorised to conduct the proceedings on trafficking in human beings may provide the foreigner with an attestation confirming the presumption that a given person is a victim of trafficking. Details on this document are contained in the reply to question No. 9.</p>	<p><input checked="" type="checkbox"/> Information exchange about the assistance received in Poland and assistance needed in the country of origin</p> <p>Comment by the IOM's National Office in Poland:</p> <ul style="list-style-type: none"> • prior to taking measures aimed at returning the foreigner to his/her country of origin, IOM's office in Poland provides the relevant IOM's office with the information about the assistance which the foreigner will need in the country of origin <p>Comment by the La Strada Foundation: cooperation is based on bilateral relations and exchange of information with non-governmental organisations reporting Polish nationals in Germany (KOK network of non-governmental organisations) and with organisations receiving victims from Poland in Romania, Bulgaria and Ukraine within the <i>EU Civil Society Platform against Trafficking in Human Beings</i> of the European Commission. In addition, cooperation with Bulgaria and Ukraine is possible via the member organisations of <i>La Strada International NGO Platform</i>.</p>
<p><input checked="" type="checkbox"/> Evidence gathering for police purposes (statements etc.)</p>	<p><input checked="" type="checkbox"/> Providing information about available social and protection services in the country of origin</p>
<p>Comment by the Polish law enforcement authorities:</p> <ul style="list-style-type: none"> • in cooperation with Polish liaison officers abroad and foreign officers accredited in Poland; • within joint investigation teams; • or via Europol, Interpol and Eurojust. 	<p>Comment by the La Strada Foundation: cooperation is based on bilateral relations and exchange of information with non-governmental organisations reporting Polish nationals in Germany (KOK network of non-governmental organisations) and with organisations receiving victims from Poland in Romania, Bulgaria and Ukraine within the <i>EU Civil Society Platform against Trafficking in Human Beings</i> of the European Commission. In addition, cooperation with Bulgaria and Ukraine is possible via the</p>

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	member organisations of <i>La Strada International NGO Platform</i> .
	<input checked="" type="checkbox"/> Information exchange on the return of the trafficked person to the country of origin (save transport, arrival assistance, date and time of departure and similar)
	Described in the reply to question No. 14. Comment by the La Strada Foundation: cooperation is based on bilateral relations and exchange of information with non-governmental organisations reporting Polish nationals in Germany (KOK network of non-governmental organisations) and with organisations receiving victims from Poland in Romania, Bulgaria and Ukraine within the <i>EU Civil Society Platform against Trafficking in Human Beings</i> of the European Commission. In addition, cooperation with Bulgaria and Ukraine is possible via the member organisations of <i>La Strada International NGO Platform</i> .
	<input type="checkbox"/> Providing legal and administrative assistance before, during and after the court procedure (court statements from abroad etc.)
	In accordance with Article 177 § 1a of the Act – <i>Code of Criminal Procedure</i> : “A witness may be interviewed with the help of technical devices allowing the interview to be conducted remotely with simultaneous transmission of image and sound”. The method for conducting a remote interview was used during cooperation between Polish and British law enforcement authorities.
Other: Comment by the “Po MOC” Association: cooperation is possible via the international RENATE Network (Religious in Europe Networking Against Trafficking and Exploitation). <i>Comment:</i>	

18. Do you have specific recommendations to address needs and gaps for improving cross-country cooperation in cases of human trafficking? Please elaborate.

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La Strada – Foundation against Human Trafficking and Slavery pointed that the slow pace of conducting cross-border cooperation in human trafficking cases has a negative impact on the victims of trafficking. The victims forget the details of the events and lose motivation to testify, while the perpetrators get additional time to reach them. The victims become convinced that their case is not a priority for the justice system. The situation becomes especially difficult when the perpetrators remain at large for an extended period of time.

The “Po MOC” Mary Immaculate Association for Women and Children emphasised the need to organise meetings and training sessions during which non-governmental organisations from different countries could familiarise themselves with and exchange their experiences related to providing assistance to victims of trafficking.

THANK YOU VERY MUCH FOR YOUR CONTRIBUTION!