

Organisations most likely to be the first ones to identify a presumed victim

- NGOs
- Police
- Prosecution Authority
- Border Guard
- Social services
- Office for Foreigners
- National Labour Inspectorate
- Hospitals
- Voivodeship Offices

**There is no National Point of Contact responsible for coordinating the referral of victims of THB. This responsibility is shared between the following state agencies and organisations:**

- Police
- Border Guard
- Prosecutor’s Office
- National Consulting and Intervention Centre for the Victims of Trafficking currently are run by the NGOs La Strada Foundation against Human Trafficking and Slavery and Mary Immaculate Association for Women and Children (Po MOC), phone: (+48) 22 628 01 20; (+48) 605 687 750, e-mail: kcik@strada.org.pl; pomoc@po-moc.pl

**Presumed victim of trafficking in human beings**

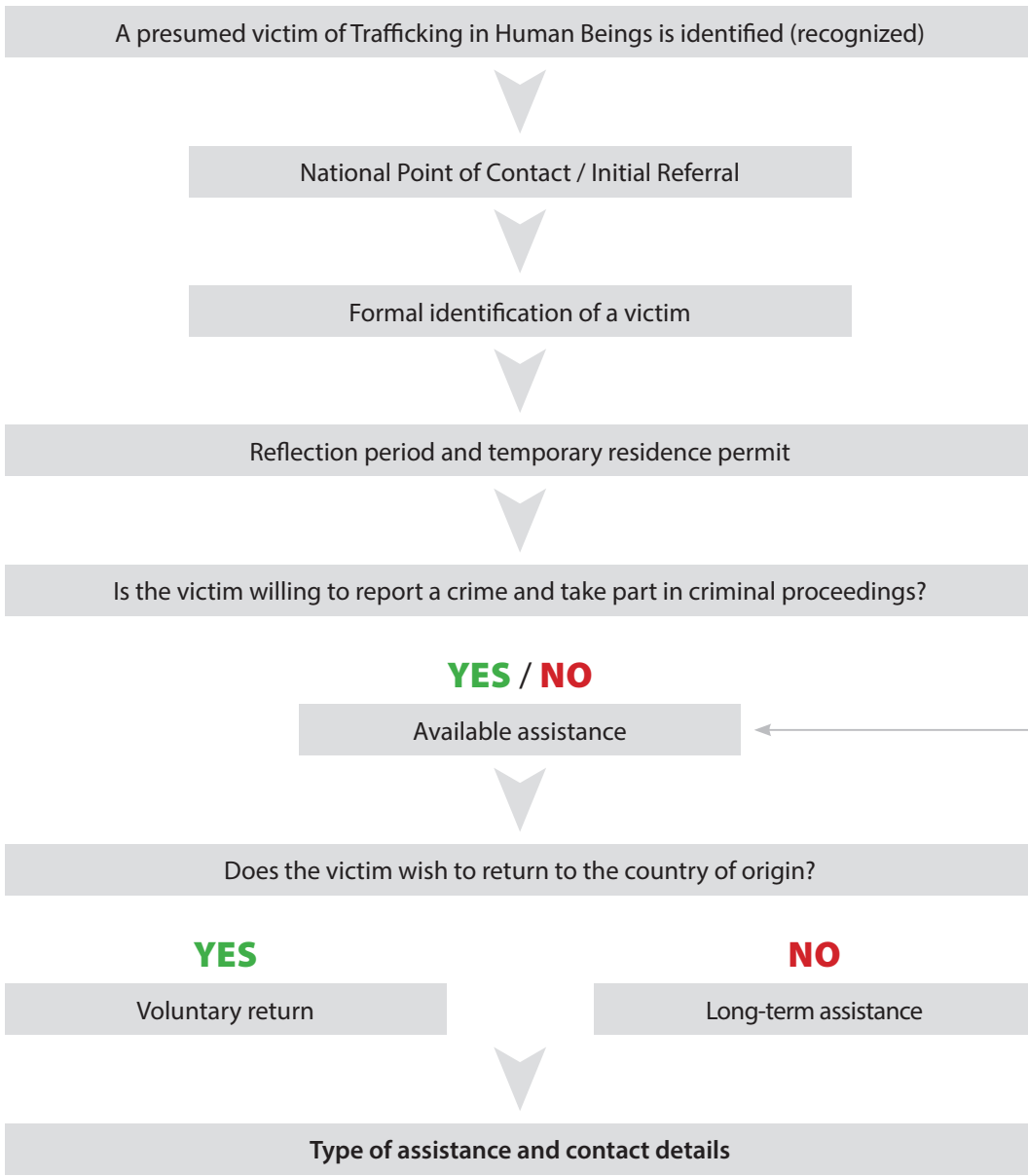
The status of a presumed victim of trafficking is confirmed by the Police and the Border Guard by filling in an application form for reporting a presumed victim of trafficking.

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).

**Victim of trafficking in human beings**

At the pretrial stage, the status of a party aggrieved by 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 Procedure, “the aggrieved party 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 (trafficking in human beings), they become the aggrieved party. Having stated this fact, the prosecutor may issue a relevant attestation.

National Consulting and Intervention Centre for the Victims of Trafficking, phone: (+48) 22 628 01 20; (+48) 605 687 750, e-mail: kcik@strada.org.pl; pomoc@po-moc.pl



**Reflection period**

According to the Act on Foreigners, the authority competent to conduct proceedings on THB may issue a certificate to a foreign victim if there is presumption that s/he is a victim of THB (Article 170 and 172(1) of the Act on Foreigners). Based on the certificate, the residence of the person is considered legal throughout the certificate's validity period – 3 months or 4 months in the case of minors (Articles 171 and 172(2)).

**Temporary residence permit**

Third country nationals who cooperate with authorities can be provided with a temporary residence permit. An adult presumed victim of THB is granted a temporary residence permit if s/he:

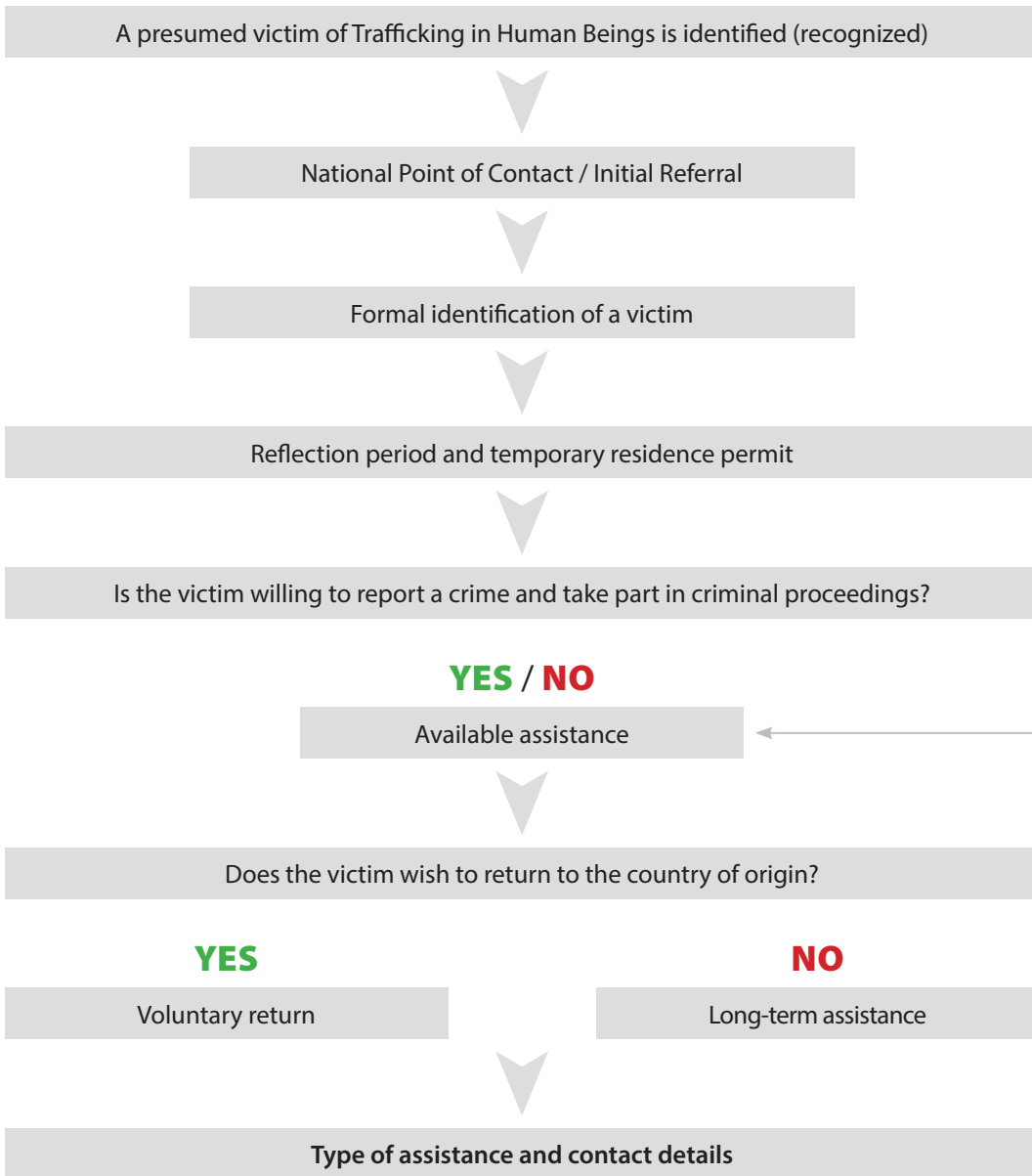
- resides in Poland,
- has started to cooperate with the authority competent to conduct proceedings on trafficking in human beings and
- has broken off the relationship with people suspected of trafficking in human beings.

In the case of children, cooperation with the authority is not required. It is enough that such a person is granted the status of an aggrieved party in proceedings on trafficking in human beings.

All victims in Poland are entitled to assistance of various forms, regardless of their willingness to cooperate with law enforcement or not. Additionally, foreigners residing in Poland during the reflection period and based on temporary residence permit for THB victims have the right to receive benefits in the form of crisis intervention, shelter, meals, necessary clothing and special purpose allowance (in line with Article 5a of the Act on social welfare assistance).

Moreover, the victim' assistance is available regardless of the form of exploitation they have been subjected to or their gender.

The services provided for victims of THB in Poland consist mainly of assistance granted in the framework of the social assistance system and by the National Intervention and Consulting Centre for victims of human trafficking, which is run by two NGOs formally tasked by the Polish Minister of Interior and Administration. These two NGOs are La Strada Foundation against Human Trafficking and Slavery and Mary Immaculate Association for Women and Children (Po MOC).



**1. Assistance provided by NGOs**

The **National Consulting and Intervention Centre for the Victims of Trafficking** offers support to any presumed victim. Although the National Centre is not authorized to formally identify victims, they conduct individual assistance plans for victims according to their needs.

Some of the services offered by the National Centre are:

- Needs assessment
- Accommodation
- Provision of clothing
- Hygiene products
- Meals
- Basic medical care
- Assisting the victim during the contact with law enforcement and judicial agencies
- Psychological support
- Interpretation
- Language courses

The task is fully funded from the State's budget.

Moreover, NGOs such as **YouCanFreeUS Foundation**, **the Salvation Army** and **Light House Foundation** also provide victims with wide range of assistance.

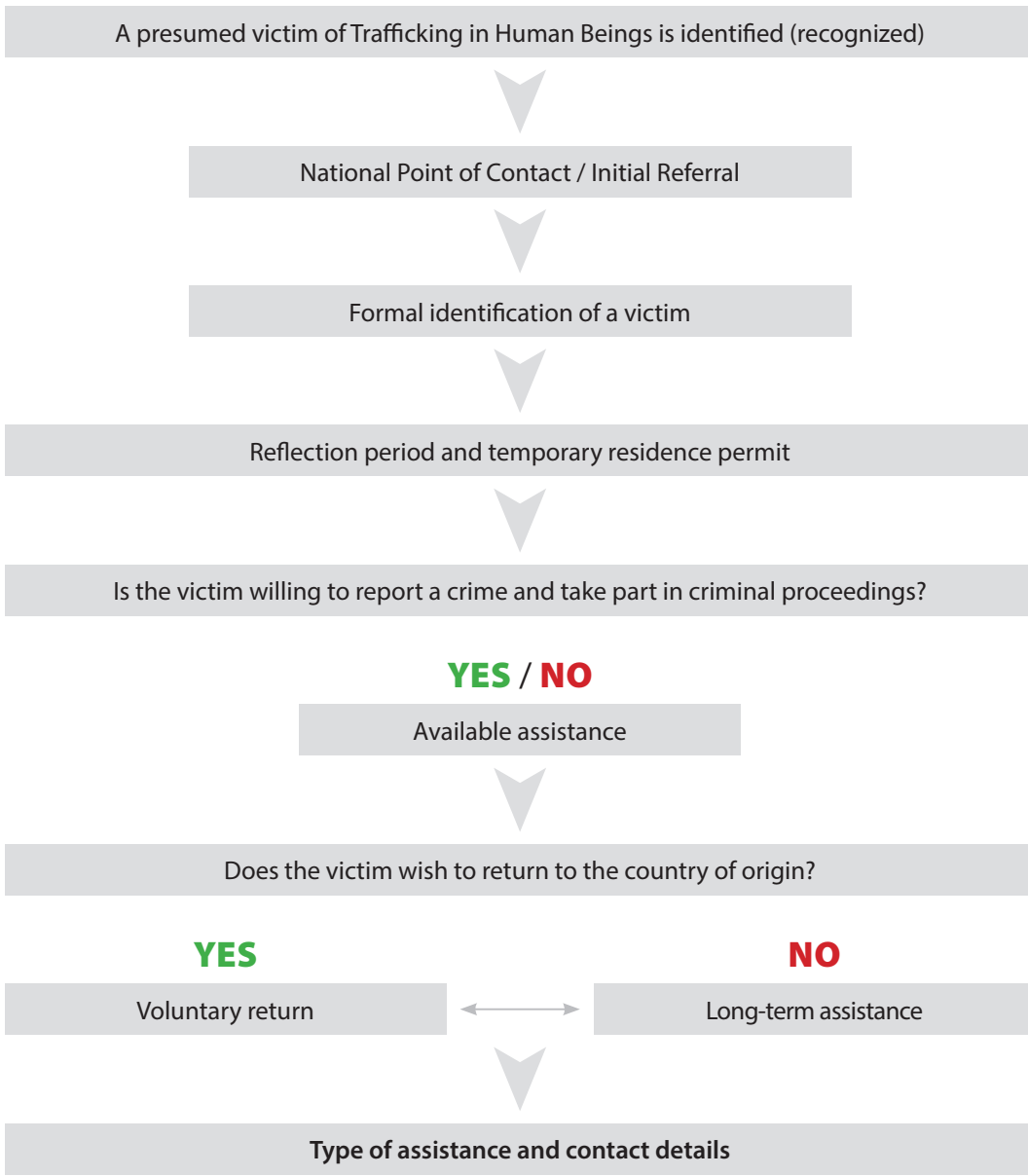
All abovementioned NGOs assist male victims of THB as well.

**2. Assistance provided by authorities**

While many victims are referred to NGO assistance structures, victims in Poland may also receive assistance carried out as a part of the national social assistance system (in line with Articles 5 and 7(7a) of the Act on social welfare assistance). The social services may provide persons in need with cash and non-monetary assistance. Additionally, foreigners residing in Poland during the reflection period and based on temporary residence permit for THB victims have the right to receive benefits in the form of crisis intervention, shelter, meals, necessary clothing and special purpose allowance (in line with Article 5a of the Act on social welfare assistance).

Voivodship Commanders of the Police and Warsaw Commander of the Police may assist victims with protection and assistance measures including:

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



Since 2005 the Polish Government run the Assisted Voluntary Return program in cooperation with the Organization for Migration (IOM), which cooperates in this regard with the Border Guard and the Office for Foreigners.

The IOM office 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 Centre 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 risks 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, if s/he wishes so, and provided it does not put her/him at risk. The risk assessment is carried out in cooperation with the IOM's office located on the territory of the country of origin. The local IOM office 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 origin is also responsible for the implementation of reintegration assistance.

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 her/his destination in the country of origin.

In exceptional situations, the National Consulting and Intervention Center for the Victims of Trafficking organises 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.

The National Consulting and Intervention Centre for the Victims of Trafficking is responsible for integrating victims of trafficking by offering services that would help re-integrating victims, such as Polish language courses and vocational training. In the case of one organisation responsible for running the National Centre – the Mary Immaculate Association for Women and Children (Po MOC) – 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. This task requires the Association to seek external financing to support integration measures.

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. Moreover, 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.

## Type of assistance and contact details

Type of assistance	Institution / organisation	Contact details
Wide ranging victim assistance including accommodation	National Consulting and Intervention Centre for the Victims of Human Trafficking currently run by: <ul style="list-style-type: none"> <li>• La Strada Foundation against Human Trafficking and Slavery</li> <li>• Mary Immaculate Association for Women and Children (Po MOC)</li> </ul>	(+48) 22 628 01 20 (+48) 605 687 750  (+48) 22 628 99 99 E-mail: kcik@strada.org.pl  (+48) 32 255 38 69 E-mail: pomoc@po-moc.pl
Assistance for persons in need:  - providing cash and non-monetary social assistance on general terms  - benefits in the form of crisis intervention, shelter, meals, necessary clothing and special purpose allowance (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).	Organizational units of social assistance at the municipality and powiat level, including powiat family assistance centers, crisis intervention centers and social welfare centers	Contacts in specific municipalities and powiats
Social assistance, medical and psychological help for foreign victims of trafficking seeking international protection	Department for Social Assistance, Office for Foreigners	(+48) 22 60 174 43
Crisis intervention, assistance and support already at the stage of the first contact with law enforcement authorities (provision of food, housing, hygiene products, clothes, psychological support)	The Light House Foundation	(+48) 604 205 007
Assistance to victims of THB as well as support in finding safe employment in Poland	The Salvation Army in Poland	(+48) 727 55 44 33 (+48) 609 84 94 94 E-mail: weryfikacja.pracy@armia-zbawienia.pl  ul. Żąbkowska 13/13 03-736 Warsaw Website: www.armia-zbawienia.pl
Safe return to the country of origin; reintegration in the country of origin	International Organization for Migration (IOM Warsaw)	(+48) 22 623 81 88 (+48) 22 628 24 13 ul. Wiejska 12, 00-490 Warsaw E-mail: iomwarsaw@iom.int