

## **POLAND (Tier 1)**

Poland is a source, transit, and destination country for women from Ukraine, Moldova, Romania, Belarus, Lithuania, Russia, Bulgaria, Cameroon, Somalia, Uganda, and Vietnam trafficked to and through Poland to Austria, Belgium, Denmark, Germany, Greece, Italy, the Netherlands, Spain, Sweden, and Japan for the purpose of commercial sexual exploitation. Polish men and women are trafficked to Italy, Austria, Germany, Belgium, France, Spain, the Netherlands, Japan, and Israel for purposes of forced labor and sexual exploitation. Boys from Vietnam were trafficked to Poland for the purpose of sexual exploitation. In May, police dismantled a trafficking ring that trafficked more than 350 Polish women to Austria for the purpose of sexual exploitation. In July 2006, a labor trafficking ring in Italy was found to have trafficked more than 300 Polish men and women for the purpose of forced agricultural labor.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. Poland continued to show progress in some areas, including an increase in international law enforcement cooperation. In March 2006, Poland created a Central Anti-Trafficking Unit in the National Police, which assisted in the breakup of several large-scale trafficking rings. The government also allocated more than \$2 million to implement its national action plan and fund victim assistance and prevention programs. The government should continue training for prosecutors and judges, take steps to increase the number of trafficking convictions and the number of convicted offenders who serve time in prison, and make efforts to increase the number of identified victims.

### **Prosecution**

The Government of Poland demonstrated mixed progress in its overall law enforcement efforts. Poland prohibits all forms of trafficking; Article 204, Section 4 and Article 253 are used to prosecute sex trafficking and forced labor cases. Prosecutors rely on trafficking definitions in the 2000 UN TIP Protocol when pursuing cases against traffickers, although some NGOs and government officials expressed concern that the lack of a trafficking definition in Poland's penal code limits effective prosecutions. Penalties under Article 253 range from 3 to 15 years' imprisonment, and Article 204, Section 4 provides for up to ten years' imprisonment; these sentences are sufficiently stringent and commensurate with those for other grave crimes, such as sexual assault. Police conducted 21 new investigations in 2006, down slightly from 22 in 2005. The government conducted 36 prosecutions, up from 18 in 2005. Sixteen traffickers were convicted in Polish Courts of First Instance in 2006, down from 37 such convictions in 2005. Data on convictions handed down by appellate courts were unavailable for 2006; however, in 2005 only nine of the 37 trafficking convictions were upheld on appeal. Of these, four traffickers served some time in prison; this is a significant decrease from 2004 when 13 of 16 convicted traffickers served time in prison. In 2006, Polish authorities worked closely with foreign counterparts on several high-profile international trafficking cases. In May 2006, Austrian authorities arrested two Polish policemen who were involved in a group suspected of having trafficked 440 Polish and Romanian women to Austria. To date, there have been no cases of law enforcement officials punished for trafficking-related corruption in Poland.

### **Protection**

The Polish government continued to provide quality assistance to trafficking victims. It increased its funding to victim support and sustained implementation of its victim referral mechanism governing cooperation among police, border guards, and victim assistance organizations. Once identified, victims were typically referred to the nearest victim assistance location. Although the government has invested significant resources in victim identification training, the number of identified victims in the country remained low. Concerns exist that a two-month victim reflection period for victims, available starting in 2005, was not properly implemented; at least one foreign victim identified herself to law enforcement but was still deported without being offered the reflection period. The government encouraged victims to assist in trafficking investigations and prosecutions; 11 victims assisted authorities in 2006.

### **Prevention**

The government continued to improve its trafficking prevention efforts. During the reporting period, the government funded several NGOs to conduct workshops at orphanages and childcare centers to raise awareness of the dangers of trafficking. A government-funded NGO also conducted an awareness campaign on the Polish-Ukrainian border. Anti-trafficking awareness guidebooks targeting both Poles traveling abroad for work and foreign women migrating to Poland for work were produced and disseminated among these two groups.