

Poland



Population: 38,463,689 (July 2010 est.)
Population Growth Rate: -0.053% (2010 est.)
Birth Rate: 10.04 births/1,000 population (2010 est.)
Life Expectancy: total population: 75.85 years; male: 71.88 years; female: 80.06 years (2010 est.)
Literacy Rate: total population: 99.8%; male: 99.8%; female: 99.7% (2003 est.)
Net Migration Rate: -0.47 migrant(s)/1,000 population (2010 est.)
Unemployment Rate: 8.9% (January 2010 est.)
Gross Domestic Product per Capita: \$17,900 (2009 est.)
Religions: Roman Catholic 89.8% (about 75% practicing), Eastern Orthodox 1.3%, Protestant 0.3%, other 0.3%, unspecified 8.3% (2002)
Languages: Polish 97.8%, other and unspecified 2.2% (2002 census)
Ethnic Groups: Polish 96.7%, German 0.4%, Belarusian 0.1%, Ukrainian 0.1%, other and unspecified 2.7% (2002 census)
Capital: Warsaw¹

Trafficking Routes

Poland is classified as an origin, transit and destination country for trafficking.² As an origin country, Poland exports individuals to Germany, Italy, the Netherlands, Belgium, Greece, Spain, and Sweden. Poland is a destination country for victims from Nigeria, Senegal, Mali, and Cameroon.³ In addition, individuals are trafficked to Poland from such countries as Belarus, Ukraine, Moldova, Russia, Bulgaria, Romania, Latvia, Vietnam, Lithuania, Sri Lanka, Mongolia, and Costa Rica. Poland is also a transit country for victims from Lithuania, Moldova, and Latvia.⁴

Factors That Contribute to the Trafficking Infrastructure

A lack of education and employment are common among individuals who fall prey to trafficking. The hope of improved living conditions often motivates individuals to migrate to Poland, where they are exploited by traffickers.⁵ The “inferior economic position of women” might also be a significant factor that drives some women to become victims of forced sexual

¹ CIA, THE WORLD FACTBOOK 2009, <https://www.cia.gov/library/publications/the-world-factbook/geos/pl.html>.

² La Strada Foundation, *The Polish Context*, http://www.strada.org.pl/index_en.html (last visited Feb. 26, 2010).

³ Stana Buchowska, *Social aspects of trafficking*, La Strada Foundation against Trafficking in Persons and Slavery, (Dec. 4, 2007), available at: <http://www.peer-review-social-inclusion.eu/peer-reviews/2007/social-aspects-of-human-trafficking/poland-dk07>.

⁴ MINISTRY OF INTERIOR AND ADMINISTRATION, *TRAFFICKING IN HUMAN BEINGS IN POLAND 23* (2008), available at: www.mvcr.cz/soubor/trafficking-in-human-beings-in-poland.aspx.

⁵ Stana Buchowska *supra* note 3.

exploitation.⁶

Poland's membership in the Schengen zone, which has become part of the European Union's agenda,⁷ has made the trafficking of individuals to and through the country much easier.⁸ The zone eliminates border and immigration controls between member countries and allows individuals to travel freely without passports; this partially explains the proliferation of trafficking victims within Poland⁹ and Poland's role as a transit and destination country for human trafficking.¹⁰

Forms of Trafficking

The most prevalent forms of trafficking in Poland are forced labor, prostitution, and sexual exploitation.¹¹ There have been some reports describing the forms of sexual exploitation as forced roadside prostitution and prostitution with escort services.¹² There have been some accounts of persons trafficked to Poland for the purpose of forced begging.¹³ Organ trafficking also occurs in Poland, and children are the primary victims.¹⁴

Government Responses

Certain articles in the Polish Penal Code have directly criminalized and provided penalties for various forms of trafficking since its inception in 1997.¹⁵ Article 253 specifically prohibits trafficking in persons, articles 203 and 204 forbid the enticement of individuals into prostitution domestically or abroad, and article 204 provides protection for minors who are coerced into prostitution. In addition, articles 189 and 191 of the penal code prohibit depriving an individual of liberty and forcing an individual to perform an act through violence or threats, respectively.¹⁶

In 2003, the Council of Ministers passed the National Programme for Combating and Preventing Trafficking in Human Beings. The most recent installment was the 2007-2008 programme, which outlined measures for the prevention and prosecution of trafficking crimes

⁶ MAGDALENA POCHEĆ & WANDA NOWICKA, FEDERATION FOR WOMEN AND FAMILY PLANNING, SHADOW REPORT: ON THE IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN 10 (2006), available at: <http://www.iwraw-ap.org/resources/pdf/Poland%20final%20SR.pdf>.

⁷ Europa, *The Schengen area and cooperation* (April 4, 2008), available at: http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm.

⁸ *Poland becoming transit, destination country for human trafficking*, UN NEWS CENTRE, May 29, 2009, available at: <http://www.un.org/apps/news/story.asp?NewsID=30961&Cr=human+trafficking&Cr1=>.

⁹ *Europe's Border-Free Zone Expands*, BBC NEWS, Dec. 21, 2007, <http://news.bbc.co.uk/2/hi/europe/7153490.stm>.

¹⁰ *Human trafficking in Poland worsens since EU*, EU BUSINESS, May 30, 2009, <http://www.eubusiness.com/news-eu/1243619228.0/>.

¹¹ Poland becoming transit *supra* note 8.

¹² Ministry of Interior *supra* note 4.

¹³ *Human trafficking: The faces and sorrow at the heart of a UN report*, UN NEWS CENTRE, Feb. 13, 2009, available at: <http://www.un.org/apps/news/story.asp?NewsID=29907&Cr=trafficking&Cr1=>.

¹⁴ American Humanist Association, *Organ Trafficking in Eastern Europe*, (Oct. 17, 2007), <http://americanhumanist.org/hnn/archives/index.php?id=319&article=6>.

¹⁵ Legislationline, *Poland*, available at: <http://legislationline.org/topics/country/10/topic/14> (last visited Feb. 26, 2010).

¹⁶ Ministry of Interior *supra* note 12.

under four main categories: preventive actions, phenomenon studies; changes in legislation; activities efficacy improvement; and victim support and protection. Specific endeavors included the publication of a 2003-2006 *Report on Trafficking in Human Beings*, the expansion and inclusion of a standard definition of “human trafficking” in article 115 of the penal code, the strengthening of regulations prohibiting forced labor, the training of prosecutors, police staff, and judges who encounter trafficking cases, and the development of a support and protection model for child trafficking victims.¹⁷

Nongovernmental and International Organizations Responses

A prominent nongovernmental organization (NGO) is the La Strada Foundation Against Trafficking in Women-Poland, which combats trafficking through the use of three campaigns: “Press and Lobby,” “Prevention and Education,” and “Social Assistance.” La Strada hosts conferences and is represented at national conventions, educates would-be victims through lectures and presentations, and offers assistance to current victims through a hot line, counseling, and referral service.¹⁸

The Nobody’s Children NGO in Poland is committed to preventing child abuse and offering psychological, medical, and legal assistance to victims. Its Programme for Unaccompanied Foreign Children and Victims of Child Trafficking has included such initiatives as interviewing alien children; consulting with organizations designed to assist unaccompanied children; training police, border guards, and intervention institutions; publishing *The Problem of Child Trafficking in Poland and in the World*, and researching statistics on trafficking victims and alien children.¹⁹

The Human Trafficking Studies Center at Warsaw University, established in 2006, has greatly contributed to the fight against human trafficking in Poland. Publications concerning human trafficking, the trafficking of organs, and child trafficking are among the center’s accomplishments. The center has organized seminars and debates, contributed to the definition of “human trafficking” included in the Polish Penal Code, and prepared a report for the International Labor Organization concerning legal and law enforcement responses to trafficking in Poland.²⁰

Multilateral Initiatives

The aforementioned NGO, La Strada-Poland, was a founding member of La Strada International. Although La Strada functions to assist victims within Poland, it also participates in

¹⁷ Committee for Combating and Preventing Trafficking in Human Beings, *National Programme for Combating and Preventing Trafficking in Human Beings 2007-2008*, available at: www.mswia.gov.pl/download.php?s=1&id=5120 (last visited Feb. 26, 2010).

¹⁸ La Strada Foundation *supra* note 2.

¹⁹ Nobody’s Children Foundation, *Programme for Unaccompanied Foreign Children and Victims of Trafficking*, <http://www.fdn.pl/strona.php?p=26> (last visited Feb. 26, 2010).

²⁰ Human Trafficking Studies Center, <http://www.phrc.pl/site/> (last visited Mar. 2, 2010).

cooperative projects with organizations in other countries. Some of these include research regarding how the membership of Poland, Belarus, and Ukraine in the European Union has affected trafficking; a campaign coordinated with organizations in Belarus, Ukraine, Moldavia, and Bulgaria to educate at-risk individuals; and internships in Poland for representatives of national and international NGOs.²¹

The Warsaw-based Office for Democratic Institutions and Human Rights (OSCE) is an organization committed to promoting human rights standards, including the elimination of human trafficking. As part of the OSCE, the Office for Democratic Institutions and Human Rights fosters the success of the OSCE's 2004 *Action Plan to Combat Trafficking in Human Beings* by helping states achieve three specific goals: instituting "multi-agency trafficking structures" that implement antitrafficking policies, identifying and assisting victims, and expanding victims' awareness of and access to rights and protections.²²

An initiative between NGOs in Poland, Albania, Kosovo, and Bulgaria was launched in April 2009. The Mario Project was designed to create an advocacy platform for protecting children and influencing the national response to child trafficking. Under Mario, a compilation of data on trafficking trends will be utilized to influence advocacy efforts, and advocacy coalitions will be formed and strengthened in participating countries to enhance the identification and referral of potential or current victims.²³

²¹ La Strada International, *Poland*, <http://www.lastradainternational.com/?main=lastradaoffices§ion=poland> (last visited Feb. 26, 2010).

²² OSCE, Office for Democratic Institutions and Human Rights, *Anti-Trafficking*, <http://www.osce.org/odihr/13475.html> (last visited Feb. 26, 2010).

²³ Child Abuse and Neglect in Eastern Europe, *Mario Project: Joint action to protect children from exploitation in Europe* (May 15, 2009), http://www.canee.net/bulgaria/mario_project_joint_action_to_protect_children_from_exploitation_in_europe.