If you testify and the prosecutor grants you the status of a victim of trafficking in human beings, during the investigation:

1. **You have the right to keep your address secret from the perpetrators and their defence attorneys**. Your address will only be revealed to the prosecutor and the judge. If you want your address kept secret, you have to:
– Tell the prosecutor so,
– Submit an application to that effect – an NGO or the prosecutor can help you,
– State another mailing address that will not be kept secret.
2. **You have the right to an attorney** who will represent you and will accompany you in contacts with the prosecutor and judge. An attorney helps you free of charge, but you must first submit an application to that effect that says you are unable to afford an attorney.
3. **You have the right to seek redress for harm made to you by the perpetrators**. If you want to do that, let the prosecutor know. The prosecutor will include your petition in case files and will forward it to the court. The court will decide on your case. Regardless of the decision you expect, you can request so-called claim safeguarding, or securing a part of the perpetrator's property for the purpose of your damages.
4. **You have the right to compensation** (NOTE: you have this right **only if you are a Polish citizen** or a citizen of another **European Union Member State**) – when the perpetrator injured you seriously, caused you to have a serious or chronic illness and if you have not received any compensation earlier on. If you decide to claim compensation, Centre staff will help you contact a lawyer who will assist you.
5. **You have the right to be the auxiliary prosecutor.** As the auxiliary prosecutor, you can be present at every hearing, submit motions as to evidence (for example request that people you designate are interrogated), ask questions to people who are interrogated, and appeal against court decisions (in accordance with advice from the court). If you want to be the auxiliary prosecutor, let the prosecutor know.
6. **You have the right to testify in the absence of the defendant**, if you are afraid of him/her. If you want to do that, let the prosecutor know as soon as possible. It is necessary to submit an application to that effect which says why you are unable to testify in the presence of the defendant.

As a victim, you also have certain duties. Your most important duties are:
1. To appear at every request of the Police, Border Guard, prosecutor or court,
2. To tell the truth and not to hold back any information,
3. To tell the prosecutor and court your current mailing address,
4. To help the prosecutor, e.g. by being fingerprinted or photographed (but only if the prosecutor or court decides it is essential evidence).

Rights of human trafficking victims in Poland

If you feel abused or threatened by people who engage in trafficking in human beings, you **have the right to get help from the National Consultation and Intervention Centre for victims of human trafficking (KCIK)**, which is run by an NGO. At the Centre, you will be advised about your situation and your rights free of charge. You can also talk to Centre staff about your situation by phone at: 22/628 01 20.
The Centre will offer you safe shelter and your basic needs will be fulfilled (clothes, food, personal hygiene). If necessary, they will offer you free specialist consultations (e.g. lawyer, psychologist).
You don't have to go to the Police or Border Guard. You can contact the Centre AT ANY TIME and talk about your situation.

If you decide to contact the Police or Border Guard and you are considered a victim of human trafficking, you also have the **right to welfare**. In the framework of welfare, you can receive accommodation, food, clothes, shoes and personal hygiene products. A social worker can also help you apply for a small amount of financial support for your basic needs (such as medicines).

For juveniles (people under 18):

If you are under 18, you have the right to a safe place and an assistant who will speak to you in a language you understand. The assistant will keep you posted on your situation and your rights. If it turns out necessary, the family court may appoint a guardian who will represent you and accompany you when you contact the prosecutor, the Police or Border Guard.
As you are underage, you may not have to be interrogated at all. Yet, if your testimony turns out very important for the prosecutor, you will be interrogated in friendly conditions (for example in a “friendly room”) in the presence of a judge, a psychologist and your representative. The suspect is not present during such an interrogation. Your testimony is recorded and will be replayed during a court hearing.
In addition, if your stay in Poland is illegal, you have the right to a “reflection period” (as described above). In your case, it is four months.

For people who ARE NOT Polish citizens:

In addition, if you **are a foreigner identified as a victim of trafficking in human beings by the Police or Border Guard and you are in Poland ILLEGALLY**, you have the **right to a "reflection period"**. "Reflection period" lasts three months, during which your stay in Poland is legal and you can decide whether you would like to help the Police or Border Guard to prosecute the people who harmed you. During the "reflection period" you receive a certificate which says it is alleged that you are a victim of trafficking in humans. It is issued by Police or Border Guard officers. When you have this certificate, you can stay in Poland for three months and you do not have to fear expulsion. If you are at a guarded centre or remand for foreigners, you will be released.
NOTE: The certificate does not allow you to cross borders or to take up work.

If you do not need a "reflection period" and you decide to help the Police or Border Guard right away, or if you make this decision during the "reflection period", you have the **right to legal stay**. In this case, you have to apply for a **temporary residence permit for victims of trafficking in human beings** to a voivode. If you need help to do that, Centre staff will help you to fill in and submit an application to a competent authority. With a temporary residence permit, you can:
– Stay in Poland legally for at least six months (and you can extend the period if you like),
– Be released from a guarded centre or remand for foreigners (if you are held there),
– Receive welfare assistance,
– Work in Poland without the need to have a work permit,
– Attend public schools for adults.
You can obtain a temporary residence permit for victims of trafficking in humans **only when you meet all of the following conditions**:
– You are in Poland,
– You help law enforcement bodies (Police, Border Guard or prosecutor's office),
– You contact the perpetrators of trafficking in human beings never again.

If you are identified as a victim of trafficking in human beings by the Police or Border Guard and you need help, you also have the **right to enter the "Programme for support and protection of victims/witnesses of trafficking in human beings"**. The Programme is run by an NGO that will help you. The Programme offers you: safe accommodation, basic clothes, food, personal hygiene products, psychological support, interpreter, transport, legal aid, and medical assistance if necessary.
You can enter the Programme if:
– You contact the Police or Border Guard and you are considered a victim of human trafficking. But you do not have to testify or report a crime;
– You commit not to contact the perpetrators ever again.
If you agree to enter the Programme, a Police or Border Guard officer will submit your application to the Programme and will contact a relevant NGO on your behalf.

If you want to go back home, the International Organization for Migration (IOM) can help you at any time. As a person identified as a victim of trafficking in humans by the Police or Border Guard, **you have the right to assistance in voluntary return**. The IOM provides:
– Reliable information on your return,
– Required travel documents,
– Safe journey home (or another place of your choice where you can legally stay). The IOM can also help you after you return to your country of origin: you can for example receive financial support for treatment or education.

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