HUMAN TRAFFICKING AS ECONOMIC CRIME AND ITS LEGAL CHARACTERISATION IN POLISH CRIMINAL LAW

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DOI: http://dx.doi.org/10.7220/2029-4239.16.7

SUMMARY

This paper presents some specific features of modern slavery. Very important changes occurred during last years. Trafficking in women and children in aim of sexual exploitation is not so dominant aspect of human trafficking. The number of committed offences of human trafficking in aim of forced labour is increased very fast. This is obviously economic crime now. In some areas of the world the most important sectors of economy depend on forced labour. Examples could be cotton production in Uzbekistan and cocoa in Ivory Coast. Some new tools as Internet create new dangers but also new possibilities to protect citizens. Some states, as the UK, adopts completely new types of regulations to prevent this criminal activity. Poland is the country of origin and destination of victims and also transit country. Comparison to other European countries gives surprising results. Per cent of slaves in Poland is third highest in our continent. One of the reasons of such situation is high number of Ukrainians looking for a job here. This nationality is the most frequently victims of forced labour in Poland. Authorities of many countries have the same problem to solve. How to find a good compromise between need for international, as strong as possible, harmonisation of standards of criminal responsibility and creation of efficient rules of law in internal aspect. At present international obligations are probably stronger and countries adopt new provision, very often just directly translating parts of international agreement as part of internal statute. The latest history of Polish regulations regarding human trafficking is good example of such practice.

KEYWORDS

Human trafficking, organized crime, criminal law, criminology, judiciary, law enforcement, economic crime

INTRODUCTION

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One of the very important issues in policy, economics or demography is replacement of human employees by robots\(^2\). In this paper attention is paid to just opposite phenomenon – replacement of machines by work of slaves, victims of human trafficking. Including human trading in area of economic crime could be surprising. However, when we think about it for a moment this connection became obvious. A labour force is element of every process of production and every entrepreneur try to make costs of his economic activity as low as possible. So, employment of cheap workers could be very profitable. And the cheapest possible worker in the beginning of XXI century is a slave.

At the beginning, it should be to stress, that this paper focused on economic crime, understood as illegal activity which uses business for obtaining income. There is a large area of human trafficking not connected to economic crime, for example trafficking in people taken to slavery in aim of extortion of ransom or some kind of trafficking in women and children. Trafficking in woman in aim of sexual exploitation can be also economic crime in states where so called sex – industry, prostitution and pornography, is legal. Also trafficking in children, in my opinion is an economic crime, when children are exploit in forced labour. So, we can say, that human trafficking is economic crime if final end is forced labour.

We can see the new face of organised crime in contemporary, globalising world. Up till now, criminals were focused on the most profitable illegal activity. Providing of illegal goods as drugs, services as prostitution or gambling (where prostitution or gambling were prohibited). The difference between crime and shadow economy was clear. Area of shadow economy were legally made or provided goods and services, however they were hidden to state agencies in aim to avoid taxation or red tape. At present organised crime groups are involved in economic activity which, as a rule is legal, however is led in illegal manner. The best example could be illegal dispose of industrial wastes or production and trafficking in clothes. It is generally legal, however breaking rules of law regarding environment protection or industrial property is source of extraordinary profit. This involvement in officially legal business is important feature contemporary organised crime. Of course, economic crime is very old phenomenon. What has been changed, is adaptation of these illegal manners as an area of systematic criminal activity. It can be done fully by organised crime group or this group can be producer or supplier services or products to officially established and recognised enterprise. One of goods used by organised crime group in economic activity or provided to legal economic unit could be also workers, working for free. This is why human trafficking can be recognised as economic crime.

**HUMAN TRAFFICKING IN AIM OF FORCED LABOUR IN CONTEMPORARY WORLD**

Generally, research regarding human trafficking in aim to forced labour is victim oriented or perpetrator oriented. The subject of the analysis is situation of a victim, how he/she became a victim, why couldn’t change his/her situation and what is his/her legal position after liberation. Especially that in area of the human trafficking exists an enormous diversity of organised criminal groups involved in this phenomenon and an enormous

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diversity as to the different types of actors’ active in these markets. Even friends and family could be actors involved in this trafficking. So, we can obtain only indirectly knowledge about impact of forced labour on economy of some state or some sector of economy. However sometimes, in especially drastic cases, research is made to know all aspects of the problem. Such issue is depending of cocoa production in Western Africa on children labour.

Young workers very often are between 12 and 16 years old. They origin are very poor families in Mali or Burkina Faso and children feel obliged to earn some money to help parent. Many of them heard about possibility of work in Ivory Coast, but they don’t know details and don’t know how to look for a job and travel to another country. They become victims of recruiters promising good wages and farmers exploiting their work. Conditions of work and accommodation are very poor. They are isolated from social contact and unable to leave. They get no food and are expected to find their own one in the farm. Working day is extended from dawn to dusk. They are told they had not yet worked enough to pay for their transport. The last one is well known in the sphere of trafficking of women in aim of sexual exploitation and very common in human trafficking as a rule.

In 2001, cocoa industry signed so called the Harkin – Engel Protocol, which goal was to eliminate the worst form of children work exploitation. During next few years there was almost no objective progress towards the stated goal. The problem is how the multiple issues of identifying, withdrawing, remediating and preventing future abuses of child labour will take place.

Western Africa seems to be completely different reality than Europe. However, in the European Union involvement of organised crime groups in increasing. There is strong demand for cheap workers in many member states. Perpetrators uses the grey zone between legal employment and labour exploitation. People are forced to labour in such sectors as agriculture, catering, cleaning, construction, entertainment, fishing, hospitality, retail and transportation. The US Department of State in its Trafficking in Persons Report 2016 presents a case very similar to case of children from Mali and Burkina Faso. But this time the victim was Hungarian man who was of offered to earn a lot of money working as a male escort in the United States. He and several other men accepted the offer, left Hungary, and travelled to Florida, where they were forced into prostitution for 18-20 hours each day without pay. Eight men to stayed in a one-bedroom apartment and perpetrator confiscated their identity documents, threatened to kill them if they asked to leave. Possible is the conclusion, that the same scheme is used all over the world: people are offered a good

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6 European Union, Serious and Organised Crime Threat Assessment. Crime in the age of technology, Europol 2017, s. 52

7 US Department of State in its Trafficking in Persons Report 2016, p. 10
job and later they are forced to work all day around, without any pay and live in premises completely unfit for humans.

Commonly recognised Definition of forced labour is very old. It is included into Forced Labour Convention, 1930 (No. 29) of International Labour Organisation. According to its Article 2 forced or compulsory labour mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily and is not excluded by this convention. These excluded situations are: any work or service exacted in virtue of compulsory military service laws for work of a purely military character; any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country; any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, inversion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population and minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

Estimated number of people in all categories of modern slavery is almost 50 million. Of course, they are not distributed evenly. Almost 60% of them are in only 6 countries: India, China, Pakistan, Bangladesh and Uzbekistan. The country with the highest proportion of its population in modern slavery is North Korea.

In Western Africa victims didn’t know how to find a job in Ivory Coast. In developed, modern world, the problems are sometimes just opposite. Easy contact to high number of people makes also easy recruitment of human trafficking victims. Social networks as Facebook or Twitter and online classified sites are being used for criminal purposes. On the other hand, knowledge of this manner of acting criminals allows to create tools to protect potential victims and arrest perpetrators. For example, it is known that big events as Olympic Games or Super Bowl in the USA increase sex trafficking in host cities. Police has opportunity to analysing Internet activity connected to such places.

The United Kingdom is the state which takes problem of modern slavery. In 2015, the Parliament passed the Modern Slavery Act imposing on companies with a turnover of £36 million or more an obligation to publish a statement detailing what steps are taken to eradicate slavery within their business and supply chains. Especially the last one is important when we think about big companies, possessing overseas branches and involved

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8 Forced Labour Convention, 1930 (No. 29) http://www.ilo.org/dyn/normlex/en/i/2100/0::NO::P12100_ILO_CODE:C029
9 Global Slavery Index. Report 2016, p. 6
11 Global Slavery Index. Report 2016, p. 65
in international cooperation. Cases of cocoa (above) and cotton (below) are good example of situations, where such obligations could limit size of forced labour.

British research shows the problem of recognition what is still abuse of workers right and what is already a forced labour. A study prepared in 2009 for Oxfam was focused on the construction, hospitality and care sectors. Researchers discovered breaches of health and safety standards and that piece rates set for hotel cleaners for cleaning rooms were so low that achieving National Minimum Wage was impossible. Left with little money or spare time, workers were effectively trapped and unable to think of alternative employment. Situation of these workers was very difficult; however, no force or threats were used. This case also shows two roles played by rich countries regarding human trafficking. On the one hand, they are beneficent of forced labour in poor countries because they buy cheap products. On the other hand, there is strong demand for cheap workforce in domestic work market.

HUMAN TRAFFICKING IN AIM OF FORCED LABOUR – A CASE OF POLAND

As a rule, when we think about human trafficking, a state belongs to one of these categories: a state of destination, a source state and transit state. Poland plays specific role because belongs to all these categories. The victims originate from Europe, Asia, and Africa. Polish citizens are subjected to forced labour in Europe, primarily Western and Northern Europe. According to Global Slavery Index, Poland is the country which has third highest percent of population in modern slavery – 0.476, and estimated number of 181.100 people in slavery (to compare, these numbers for Lithuania are 0.404 and 11.800).

Regarding the problem this paper is focused, very interesting data are presented on the background of activity of National Consultation and Intervention Centre for victims of human trafficking. The clear tendency is increasing tendency of forced labour comparing to sexual exploitation. In 2013, 24% of victims of human trafficking supported by National Centre, were victims of forced labour and 47% victims of sexual exploitation (and 29% other forms of human trafficking). The next year these numbers were: 34%, 34% and 32%. In 2015, already the biggest part of victims were victims of forced labour – 50%, comparing to 26% sexual exploitation and 24% other forms of victimisation.

Report prepared in Ministry of the Interior and Administration shows international aspect of human trafficking in Poland and cases abroad, where Polish citizens are victims. Forced labour affects Polish citizens abroad, particularly in the United Kingdom, the Netherlands and Germany. The main origin countries of foreign victims in Poland are Ukraine, Vietnam and Romania. However, the citizenship of foreign victims registered by the Prosecutor’s General Office in 2015 was as follows: Ukrainians – 44%, (18 people), Vietnamese – 34% (14 people), Sri Lanka citizens – 10% (4 people), Bulgarians – 7% (3 people) and Moroccans – 5% (2 people). Reason of the highest number of Ukrainians is obvious. Poland is a destination country for many citizens of its Eastern neighbour, looking

12 Alistair Geddes, Gary Craig, Sam Scott, Louise Ackers, Olivia Robinson, Dianne Scullion Forced Labour in the UK, June 2013, p. 9
13 US Department of State in its Trafficking in Persons Report 2016, p. 308 – 309
14 Trafficking in Human beings in Poland. Report 2015, Warsaw 2016, p. 19
for a work, which is as a rule much higher than in their own country. Since 2014 number of Ukrainian workers in Poland is increasing abruptly. It is possible that the number of workers of this nationality gained to one million\textsuperscript{15}.

A structure of forced labour in Poland is estimated as follows: construction (45 percent), domestic labour (31 percent), other manual labour (8 percent), and manufacturing (6 percent). Also in Poland occurs something what could be called government human trafficking – government agencies sending workers abroad and taking away their salaries. Probably more or less than 800 citizens of North Korea work in Poland\textsuperscript{16}.

In cases of forced labour methods of perpetrators were: help in illegal border crossing and work “to repay the debt”, press announcements advertising work abroad and work “to repay the debt” and employment for illegal work. These manners of committing the crime are presented in following cases: The first case is an example of help in illegal border crossing and work “to repay the debt”. In 2004 a Vietnamese citizen was forced by other three Vietnamese citizens to work without any wages. One of the defendants offered to help the victim in entering the territory of Poland illegally for cost of USD 3,000. The victim was able to collect only 2/3 of this amount of money. So, the defendant lent the victim the missing USD 1,000. The victim agreed to work it off in Poland. The work in Poland consisted in selling various kinds of goods at markets. After a few weeks, the victim learned that he would not receive any compensation for his work for five years. Another example presents case of illegal work of Ukrainian citizens in the construction sector for no payment. This type of human trafficking is becoming increasingly frequent. Such victims are in very difficult situation, because they are aware of the consequences of illegal employment and do not inform law enforcement bodies of being exploited by their employers. The last example, presenting press announcements advertising work abroad and work “to repay the debt” has international dimension. The perpetrators placed advertisements in national newspapers offering work at tomato picking in Italy. Persons providing information on working conditions and departure dates over the phone introduced themselves using false personal data. Victims were obliged to pay the charge for the journey to Italy. The workers were additionally charged upon arrival. Recruited people were transported directly to plantations where they were totally enslaved in the holdings, they were subject to physical and psychological violence. They were supervised by sentinels during the work and at night they were locked in the premises where they slept. As a rule, their mobile phones and documents were taken away. They were told they were charged with excessive costs of accommodation. Workers were accommodated mainly in ruined outbuildings with no water, electricity or furnishings\textsuperscript{17}.

Poles in the UK, who are victims of forced labour are most likely to work in agriculture, construction, factories and car washes. However, another type of exploitation is very interesting – banking fraud. People (also Polish citizens) are forced to obtain a loan or social benefit. The money is income of the perpetrator\textsuperscript{18}. Also organised crime groups in

\textsuperscript{15} Iza Chmielewska, Grzegorz Dobroczek, Jan Puzynkiewicz Obywatele Ukrainy pracujący w Polsce – raport z badania. Badanie zrealizowane w 2015r., Warszawa 2016, p. 4
\textsuperscript{16} Global Slavery Index. Report 2016, p. 130
\textsuperscript{17} Krzysztof Karsznicki Trafficking in human beings in the light of the research into the criminal proceedings instituted in the 1995 – 2006 period (in:) Ministry of Interior and Administration "Trafficking in human beings in Poland", Warsaw 2008, p. 19 – 20
\textsuperscript{18} Global Slavery Index. Report 2016, p. 131
Poland uses such scheme, but without human trafficking. They use homeless people or alcoholics, who send applications for bank credits and are paid very small amounts of money by criminals.19

FORCED LABOUR AS CHALLENGE FOR THE VALUES OF THE WEST

Very interesting issue is situation when employment is formally result of free will agreement, however in reality, because of conditions of life in a state, worker has no choice and must work. Employer abuses his advantage to reduce costs of work by creation of unacceptable conditions of work: wages, workplace health and safety etc. There are many cases of companies based in Eastern Asia states supplying services or goods for American or European companies. Good example could be cooperation between Foxconn and companies from the United States. So, called “the Foxconn suicides case” were a spate of suicides linked to low pay at the so-called “Foxconn City” industrial park in Shenzhen in China, that occurred alongside several additional suicides at various other Foxconn-owned locations and facilities in Mainland China. Between January and May 2010, there were the 12 attempted suicides by employees resulted in 10 deaths (another, the first suicide was committed in July 2009). The suicides drew media attention, and employment practices at Foxconn – one of the world’s largest contract electronics manufacturers – were investigated by several of its customers, including Apple and Hewlett-Packard. American newspapers presented the problem as human rights issue, both American and Chinese ones saw this case as specific, regional one, avoiding recognising it as global problem.21

Another very new problem, from criminal law point of view, is perpetrator of human trafficking. Traditionally, only natural person is responsible for an offence. In some states, also legal person is responsible. However, the new issue is problem human trafficking, for example, forced labour, organised by a state.

The Cotton Campaign, a global coalition of organizations dedicated to eradicating child and forced labor in cotton production, presents data regarding conditions of cotton production in Uzbekistan. There is a state-controlled system of forced labour (including children) under the direction of a president. In years 2015 and 2016, the government forced more than a million people, including students, teachers, doctors, nurses, and employees of government agencies and private businesses to the cotton fields. It was work and under threat of penalty, especially losing their jobs. Up till 2011 the government mobilized schoolchildren age 11-15 on a mass scale to pick cotton. Since 2012 the government adopted a policy not to mobilize children younger than 16, however to compensate fewer number of working children, increased is the use of forced adult labor.

21 Lei Guo, Shih – Hsien Hsu, Avery Holton, Sun Ho Jeong A case study of the Foxconn suicides. An international perspective to framing the sweatshop issue, The International Communication Gazette 74 (5) 2012, pp. 484 – 503
Profits of the cotton production support only the inner circle of Uzbek government\(^\text{22}\). According to International Labour Organisation report published in 2017, Uzbekistan continues to make policy of reduction of child and forced labour. But ILO experts had impression that many interviewees with Uzbek citizens have been briefed in advance\(^\text{23}\).

Of course, when victims of forced labour are employees of public sector and school pupils, government has many possibilities to stop such practices immediately. So “continuing policy of reduction of child and forced labour” must be understood as euphemism, suggesting that there is still labour forced by government, but this government is under international pressure and limits scale of this phenomenon. Could we recognise members of Uzbek government as perpetrators of human trafficking? This in not only theoretical problem. In majority of criminal legal systems, also aid and abetting is a form of commission of a crime. Profits of Uzbek production of cotton depends on international cooperation. Is management of foreign company trading in Uzbek cotton committing aid to human trafficking? No doubt that such company obtains a profit of forced labour.

**HUMAN TRAFFICKING IN POLISH CRIMINAL LAW**


The list presented above is very important, because according to article 113 of Polish Criminal Code, notwithstanding regulations in force in the place of commission of the offence, the Polish criminal law shall be applied to a Polish citizen or an alien, with respect to whom no decision on extradition has been taken, in the case of the commission abroad of an offence which the Republic of Poland is obligated to prosecute under international agreements. This provision gives a wide space for Polish state agencies to fight human trafficking also on international level.


The present Polish Criminal Code was adopted by the Polish Sejm on 6th June 1997 and came into force on 1st September 1998. There were some provisions, which could be used in human trafficking cases. First of all, Article 253§1, anticipating the penalty of deprivation of liberty for a minimum term of 3 years for perpetrator conducing trade in humans even with their consent. Other offences which should be mentioned here are: rape (Article 197 – subjecting another person to sexual intercourse by force, illegal threat or deceit), subjecting to prostitution (Article 203 – subjecting to prostitution by force, illegal threat or deceit, or by abusing a relationship of dependence or by taking advantage of a critical situation, subjects another person to practice prostitution), deprivation of liberty (Article 189), threat (Article 190 – threatening to another person to commit an offence detrimental to that person or detrimental to his next of kin, and if the threat causes in the threatened person a justified fear that it will be carried out) and compelling (Article 191 – using force or an illegal threat with the purpose of compelling another person to conduct himself in a specified manner, or to resist from or to submit to a certain conduct). There is also an offence outside of the Criminal Code, placed in Article 8 of Introductory provisions to the Criminal Code (giving another person to slavery or trade in slaves).

When we think about a human trafficking as an economic crime, we should also remember about offences against the rights of the persons pursuing paid work: Articles from 218 till 221 of the Criminal Code (infringement the rights of the employee resulting from a work-contract relationship or social insurance, violation provisions on social insurance by not reporting, even with the consent of the person concerned, the required data or provides false data affecting the right to benefits or the amount thereof, not fulfilment the duties involved and by this, exposes an employee to an immediate danger of loss of life or a serious detriment to health and lack of promptly reporting to the appropriate authority an accident at work or a case of occupational disease or fails to prepare or present the required documentation).

The problem regarding Article 253 was lack of definition of human trading Lech Gardocki, at that moment professor of Warsaw University and 1st Chairman of the Polish Supreme Court, even presented an opinion that this provision was so unclear that didn’t fulfil demands rule nullum crimen sine lege, so shouldn’t be in force24. The situation was changed in 2010. However, this added definition also makes a lot of problems for criminal law writers. This is just almost a direct translation of Article 3, paragraph (a) of the Protocol (to the United Nations Convention against Transnational Organized Crime) to Prevent, Suppress and Punish Trafficking in Persons, which defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

This is a very common problem of legislation in contemporary world. Because very often serious crimes are committed in more than one state, international cooperation in area of this crime control is needed. Such cooperation is difficult when legal standards are different states. So, international standards are needed. But such standards are introduced in

different states, where reality of law, tradition and law culture could be completely different. Just opposite to the tradition of Polish legislation, provisions implemented in aim to fulfil international standards, are very casuistic. For example, mentioned definition of human trafficking includes some manners of activity, which must be used by a perpetrator to commit this crime. It can’t be descope, that somebody can trade in humans using other manners of activity. Because of this reason, the definition of human trafficking is criticised and wider attitude to prohibited activity is posited25.

Penalty for human trafficking is deprivation of liberty between 3 and 15 years. The upper limit is generally upper limit of penalty of deprivation of liberty in Polish criminal law, because deprivation of liberty for 25 years and deprivation of liberty for life extraordinary penalties, in reality imposed only in cases of murder.

As a rule, preparation to commit an offence is not subject to a penalty. Article 189a § 2 is one of exceptions and penalty in such case is deprivation of the penalty between 3 months and 5 years. Preparation occurs when the perpetrator, to commit a prohibited act, undertakes activities aimed at creating the conditions for effecting an act leading directly to commission of the prohibited act, particularly when, for this purpose, he enters into an arrangement with another person, acquires or makes ready the means, gathers information or concludes a plan of action.

A perpetrator of a human trafficking must have the will to commit it. It is not enough to foresee the possibility of perpetrating and accepting it.

The number of offences of human trafficking is not very big comparing to number of more than 180 thousand victims of these crime. During last five years police discovered 61 offences in 2012, 99 ones in 2013, 64 in 2014, 105 in 2015 and only 9 in 201626.

Because human trafficking is, as a rule, committed by members of organised crime groups, also offence of Article of 258 of Criminal code, participation in an organised group or association having for its purpose the commission of an offence, should be mentioned. Member of such a group or association doesn’t need to commit any other offence to be criminally responsible under Article 258. Even more, perpetrator of an offence committed in such group or association is in worse position than other perpetrators, because the court shall impose the penalty of deprivation of liberty, prescribed for the offence committed, exceeding the lower statutory limit, or may impose a penalty up to the highest statutory penalty further increased by a half. This increasing of highest statutory penalty is not applicable to Article 189a § 1, because 15 years of deprivation of liberty is limit for this type of penalty, but it is possible to use it to some other mentioned above offences, very often connected to human trafficking.

CLOSING REMARKS


25 Małgorzata Pomaranska–Bielecka, Marcin Wisniewski Analiza przepisów prawa definiujących i penalizujących handel dziećmi, Dziecko krzywdzone, No. 4, 2010, p. 10
and to obligations of business enterprises, which should respect human rights\textsuperscript{27}. The Principles are not focused on human trafficking however, of course, it is impossible to respect human rights and use forced labour at the same time. They are an evidence that new attitude to problems connected to employment. A few years ago, slavery seemed to be forgotten phenomenon. At present the number of slaves is the highest in history (of course also because generally the number of people living in the world is the highest one in history).

Attention is paid to some issues in this paper. The first one is globalisation of the slavery. It exists all over the world, also in well-developed and rich European Union. The second one is connection modern slavery to legal economy, on national and international level. It makes new problem, because many ordinary people living in rich countries by cheaper products, because price is reduced by forced work of slaves and governments and distinguish companies are involved in these dealings. Another issue is conflict between demands of international cooperation in the sphere of human trafficking control and fitting of criminal law provision to local circumstances.

It is always difficult to foreseen the future, but in the area of this paper topic, some aspects are obvious. We can expect new regulations imposing new types of supervision of economic activity in developed countries. Europe and North America are two regions where live majority of final consumers of goods produced in poor countries, were forced labour is used. Demand always creates supply. So, restrictions imposed on demand of forced labour could reduce supply and human trafficking itself.

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Janusz Bojarski
„Human trafficking as economic crime and its legal characterisation in polish criminal law”

ISSN 2029-4239 (online)
Teisės apžvalga
Law review
No. 2 (16), 2017, p. 113-125

SANTRAUKA

Šiame straipsnyje pateikiamos tam tikros prekybos žmonėmis (šiuolaikinės vergovės) charakteristikos. Labai svarbūs pokyčiai įvyko per pastaruosius metus ir galima teigti, kad prekyba moterimis ir vaikais siekiant seksualinio išnaudojimo, nėra dominuojanti prekybos žmonėmis forma. Vertinant tai, kad prekybos žmonėmis nusikaltimų, susijusių su priverstinu darbu, skaičius padidėjo pastaruosiu metu - tai yra akivaizdus ekonominis nusikaltimas.

Kai kuriose pasaulio vietose svarbiausi ekonomikos sektoriai priklauso nuo priverstinio darbo ir tai yra daugelio valstybių problema. Labai svarbu rasti kompromisų siekiant derinti baudžiamosios atsakomybės standartus bei veiksmingų įstatymų nustatymą valstybės viduje. Šiuo metu tarptautiniai teisės aktai yra griežtesni, todėl šalys, priimdamos naujas nuostatas savo nacionalinėje teisėje, labai dažnai tiesiogiai perkelia tam tikras tarptautinių susitarimų dalis. Tinkamas to pavyzdys - naujausia Lenkijos teisės aktų dėl prekybos žmonėmis istorija.

REIKŠMINIAI ŽODŽIAI

Prekyba žmonėmis, organizuotas nusikalstamumas, baudžiamoji teisė, kriminologija, teismai, teisėsauga, ekonominiai nusikalstimai