CASE STUDY 5

Filipino man recognised as a victim of forced labour in Poland

A man from the Philippines came to Poland for work through an employment agency. In the Philippines, the man signed a contract and paid the agency for its services, which would include the flight, medical care, accommodation, and food. Upon arrival, he had to sign another contract prepared in Polish. In Poland, he had to work in construction, where he experienced dangerous situations. His salary was not paid in full, and his employer withheld his passport for 3 months. When the man asked the Filipino embassy for help, they contacted a representative of the employment agency, which led to the man being threatened with deportation because he was “spoiling the agency’s image”. Where many similar cases are disregarded by the authority as a mere ‘labour law’ matter, with legal support from La Strada Poland, this exploitative employer is prosecuted for the crime of human trafficking through forced labour.

GOOD PRACTICE

Thanks to the persistence and commitment of the legal support provided through La Strada Poland, the case was taken seriously by the criminal investigation authorities, and the employer is prosecuted for the crime of human trafficking through forced labor. The man was found to be a victim of human trafficking.

BOTTLENECK

A survivor of forced labour is often treated by the authorities as a person with an irregular residency status who is in violation of legal employment regulations, ignoring his or her victim status. This is most often the result of inexperience, and the lack of specialization of front-line police officers.