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The scope of protection under national and international regulations with regard to the crime of human trafficking, taking into account the preventive actions of state bodies affecting public safety and order

Abstract

The crime of human trafficking, presented in this article, poses a huge threat to public safety and order. Although it has been present in social relations for hundreds of thousands of years, due to the growing and widespread globalization, the development of new technologies and the cooperation of people living in the farthest corners of the world, the crime not only continues to function, but also takes on new forms. Therefore, it is important to have an ongoing response from the legislature and preventive actions by state bodies. In addition, the crime of human trafficking takes its toll on society as a whole, so it is important to collect and secure evidence and identify the perpetrators. In connection with the above, an analysis was made of the use of one of the ways of implementing the executive function of forensic science, namely the rule of seven golden questions.

Keywords: human trafficking; organized crime; cross-border; transit countries; police provocation

Introduction

The crime of human trafficking carries tragic consequences for victims and those closest to them and poses a huge threat to public safety as a whole. For this reason, measures to prevent and counteract its commission are of great importance. In view of the above, the purpose of this article is to analyze the adequacy and scope of legal protection, taking into account national and international regulations, which will make it possible to confirm or refute the hypothesis adopted, according to which the current legal regulations provide protection for the object of the attack from Article 115 of the CC¹. In addition, the analysis of

¹ Ustawa z dnia 6 czerwca 1997 r., Kodeks Karny (t.j. Dz. U z 2022 r., poz. 1138 ze zm.).

the preventive actions of state bodies, affecting security and public order, made it possible to verify the validity of the assumption that the methods taken by state bodies have a positive impact on increasing the level of security of society in the field of the threat of human trafficking. Aiming to implement the assumptions adopted above and verify the validity of the theses adopted, the most popular, and therefore the most effective research method, which is the analysis and criticism of the literature, was used. In turn, the research area chosen in this article is the Law of June 6, 1997, the Criminal Code, as well as literature and case law related to the topic.

1. Definition of the crime of Article 115 of the CC

With the aim of thoroughly discussing the topic of this paper, the first necessary element will be to present and develop the definition of the crime of human trafficking, taking into account the changing understanding of it over the years, which will not only provide a closer understanding of the described issue, but also facilitate the understanding of the reasons for the development of this problem in modern times. It seems that both slavery, which is known from distant historical times, and practices that are similar to it, are a thing of the past². However, the phenomenon of human trafficking not only still exists in social life, but also takes a variety of forms. These include prostitution, child pornography, human organ trafficking, forced labor and even forced marriage. Each form leads to human enslavement. Human trafficking is therefore a form of slavery and a violation of human rights. The understanding of the concept of human trafficking has changed over the years. In the interwar period, it meant taking children or adults out of the country in order to force them into prostitution³. Currently in Poland there is a legal definition of this crime⁴. Human trafficking includes only those causal acts indicated in Article 115 § 22 of the CC. According to the above-mentioned regulation, „Human trafficking is the recruitment, transportation, delivery, transfer, storage or reception of a person with the use of:

² Z. Lasocik, *Handel ludźmi – aspekty społeczne i prawne*, „Studia Socjologiczne” 2007, 4, p. 31, <https://repozytorium.uni.wroc.pl/dlibra> [accessed: 21.03.2022].

³ A. Sakowicz, *Przestępstwo handlu ludźmi z perspektywy regulacji międzynarodowych*, „Prokuratura i Prawo” 2006, 3, p. 54, <https://policja.pl/> [accessed: 21.03.2022].

⁴ Information posted on the website: <https://www.gov.pl/> [accessed: 21.03.2022].

- a) violence or unlawful threat,
- b) abduction,
- c) deception,
- d) misrepresentation or exploitation of a mistake or incapacity to grasp an action,
- e) abuse of a relationship of dependence, exploitation of a critical position or a state of helplessness,
- f) giving or accepting a pecuniary or personal benefit or the promise thereof to a person having custody or supervision of another person
 - for the purpose of exploiting her, even with her consent, in particular in prostitution, pornography or other forms of sexual exploitation, forced labor or services, begging, slavery or other forms of exploitation degrading human dignity, or for the purpose of obtaining cells, tissues or organs in violation of the law. If the perpetrator’s behavior involves a minor, it constitutes human trafficking, even if the methods or means listed in items 1-6 were not used.”

2. Genesis of the development of the crime of Article 115 of the CC in Central and Eastern Europe

It is also important to point out two main reasons for the intense development of the crime of human trafficking in Central and Eastern Europe in the early 1990s⁵. The first is the collapse of the Soviet Union and the consequent opening of borders. The second factor that contributed to the development of this problem was the economic and political transformation. It was this process that contributed to social stratification and increased unemployment in Poland, which was initially the main place where victims of human trafficking were recruited. The victims were usually women who were to provide sexual services in Germany and the Netherlands. Then, after the economic situation improved, Poland also became a destination country to which women were brought from the East and a transit country. It is important to note that victims of human trafficking are used not only for sexual services but also, among other things, for forced labor, criminal

⁵ F. Radoniewicz, *Przestępstwo handlu ludźmi*, „Prokuratura i Prawo” 2011 10, p. 134-135, <https://pk.gov.pl> [accessed: 21.03.2022].

activities, begging. Recently, victims of this crime are also treated as a source of organs for transplantation. Nowadays, human trafficking is a very precisely organized procedure, which has an international scope.

3. Criminological and forensic approaches to the crime of human trafficking

From a criminological point of view, the phenomenon of human trafficking has a cross-border and international dimension⁶. From the criminological point of view, the most important thing is that human trafficking constitutes a crime and violates human rights⁷. The picture of this crime is not only extensive but also very complicated. In this case, not only do we have to deal with behaviors meet the criteria of numerous crimes, but also those that involve taking advantage of someone's dependence and weakness to achieve one's own goals. From the point of view of criminological research, the cross-border aspect of this phenomenon is very important. The essence of human trafficking is to transport the „supply” of victims to places where there is a „demand” for them. On the other hand, the crime of human trafficking, which is viewed from the point of view of the law, does not require the existence of an international dimension⁸. Taking into account the regulations found in acts of international law, the perpetrator of the crime of human trafficking should be subject to punishment, even when his act takes place on the territory of a single state, without crossing national borders. In addition, it is significant that there is a vast area of perpetrator's behavior and events that do not fulfill the premises of the crime, but from the point of view of the very definition of this crime, constitute its form.

When describing the crime of human trafficking from the point of view of law and criminology, forensic science cannot also be overlooked, which aims to determine how the crime was committed and whether the entities that occur in the process of combating this crime are operating efficiently⁹. It is forensic science that deals with the scientific identification of the mechanisms of criminal activity,

⁶ Z. Lasocik, *Handel ludźmi – aspekty społeczne i prawne...*, op. cit., p. 37-38.

⁷ Z. Lasocik, *Handel ludźmi jako przestępstwo i naruszenie praw człowieka – wyzwania dla kryminologii*, „Archiwum Kryminologii” 2006, XXVIII, p. 235-237, <https://www.ceeol.com/> [accessed: 21.03.2022].

⁸ Z. Lasocik, *Handel ludźmi – aspekty społeczne i prawne...*, op. cit., p. 37 – 38.

⁹ S. Pikulski, *Podstawowe zagadnienia taktyki kryminalistycznej*, Temida 2, Białystok 1997, p. 10-17, <https://repozytorium.uwb.edu.pl/jspui/> [accessed: 21.03.2022].

and then deals with the development of means to detect, prove and combat it. The branches of forensic science include forensic methodology, forensic theory, forensic strategy, forensic tactics and forensic technology. In the case of the crime of human trafficking, special attention should be paid to forensic strategy, since the crime of human trafficking is included in it. The rise of crime not only on a national scale but also worldwide contributed to the creation of this department and the inclusion of the crime of human trafficking, which no doubt contributed to the inclusion of human trafficking in this field of forensic science. The task of forensic strategy is to determine the prediction of the course of the crime taking into account various periods, including the distant future, and to develop methods that will prevent the development of this crime. In addition, this field deals with the organization of the use of appropriate measures that will combat this crime.

1. National and international regulations related to the crime of human trafficking

1. National regulations related to the crime of human trafficking

With a view to presenting this topic accurately, it will be obligatory to point out the related legal provisions. In the Criminal Code in force in the Republic of Poland, in addition to the above-mentioned legal definition of the crime of human trafficking, found in Article 115 § 22 of the CC, it is also necessary to point to Article 189a, which is found in Chapter XXIII “Crimes against freedom.” According to the Penal Code regulation found in Article 189a § 1. “Whoever commits trafficking in persons shall be subject to imprisonment for a term of not less than 3 years. § 2. Whoever makes preparations for the commission of the crime specified in § 1 shall be subject to imprisonment from 3 months to 5 years.” In addition, other related regulations found in the Criminal Code should also be pointed out. These include Article 115 § 23, which defines a state of slavery as a state of dependency in which one person is treated by another person as his or her object of ownership. Crimes that are related to the crime of human trafficking also include Article 189 of the CC, which regulates the scope of responsibility for depriving someone of his or her liberty; Article 191 of the CC, which regulates the scope of responsibility for using violence or threats against someone in an

effort to force him or her to do a certain act, omit or endure something; Article 203 of the CC, which regulates the scope of responsibility for taking advantage of the relationship of dependence or critical position in which another person is placed; and Article 204 of the CC, which regulates the scope of responsibility for soliciting or facilitating prostitution for financial gain¹⁰. In addition, when describing national regulations on human trafficking outside the Criminal Code, one should also point to Article 5a, Article 7 para. 7a and Art. 22 pt. 15 of the Act of March 12, 2004 on Social Assistance, Art. 10 para. 1, Art. 10 para. 2, Art. 10 para. 3 of the Act of June 15, 2012 on the effects of entrusting work to foreigners residing illegally on the territory of the Republic of Poland, and Art. 16 para. 1 pt. 9 of the Act of October 28, 2002 on the responsibility of collective entities for acts prohibited under penalty.

2. International regulations related to the crime of human trafficking

While pointing to national regulations that are related to the topic of human trafficking, it is necessary to point to international regulations as well. The first act to be indicated is the Council of Europe Convention on Action against Trafficking in Human Beings, drawn up in Warsaw on May 16, 2005¹¹. In addition, it is necessary to point out, among others, such international acts as Directive 2012/29/EU of the European Parliament and of the Council of October 25, 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA, Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011 on Preventing and Combating Trafficking in Human Beings and Protecting Victims, replacing Council Framework Decision 2002/629/JHA, Convention on Combating Trafficking in Persons and the Exploitation of Prostitution, Convention No. 105 on the Abolition of Forced Labor, adopted in Geneva on June 25, 1957 by the General Conference of the International Labor Organization, and Convention No. 182 adopted in Geneva on June 17, 1999 of the International Labor Organization concerning the Prohibition and Immediate Action for the Worst Forms of Child Labor.

¹⁰ Information posted at: <https://www.gov.pl/> [accessed: 21.03.2022].

¹¹ Information posted at: <https://handelludzmi.eu/> [accessed: 21.03.2022].

2. Methods and techniques used by criminals to commit the crime of human trafficking

1. Methods and techniques of the perpetrators of the crime of Article 115 CC

Despite the existence of both national and international regulations on the very serious crime of human trafficking, unfortunately, perpetrators continue to commit this crime. With the aim of better understanding how human trafficking works and the whole issue, it will be necessary to indicate how this crime is committed and what methods are used by the perpetrators. A feature of human trafficking is the international movement of victims, understood as transporting most often women and children from places where there is “supply” to places where there is “demand”¹². The countries from which victims most often come are: Ukraine, Bulgaria, Romania, Albania, Moldova and the Russian Federation. Transit countries are countries through which victims are transported to their point of destination. Transportation is carried out through such routes as the „Baltic Route,” „Balkan Route,” „Eastern European Route,” „Central European Route,” and „African Route.” The number of routes continues to increase, and transportation is carried out both through a network of highways, coach connections, ferries, commercial ships and aircraft. The victims are both those who are aware of their fate, having chosen this form of earning money, and those who are unaware of what awaits them. Unaware people are those who have been abducted by perpetrators or those who have been misled about where they are going. They may think they are going to work abroad, which has nothing to do with human exploitation. Such people may be recruited in a seemingly legal way, such as through a newspaper ad for a job abroad with a fictitious company. An illegal means of recruiting victims is kidnapping, which occurs most often in conflict areas. Victims are most often people who are economically disadvantaged, unemployed, in debt or single. Mothers who are single and have low incomes are also targets that perpetrators seek. Desperate women who want to provide for their children accept job offers indiscriminately, without asking questions. Three main methods

¹² R. Antonów, *The White Slave Trade. Trends, Methods and Kinds of Enslavement of the Victims*, Universitas Mariae Curie-Skłodowska Lublin – Polonia, XI, 1, 2014, p. 8-16, <https://www.ceeol.com/> [accessed: 21.03.2022].

can be distinguished that human traffickers use: “abduction method,” „work method” and „love method.” The most common method in Europe is the „lover-boy” method, in which a handsome man falls in love with a young woman and takes her abroad to sell her. Victims are sold into prostitution or forced labor, whether it is illegal controlled by traffickers or domestic forced labor. In addition, the victim may be forced into marriage. Such marriage most often involves inhumane treatment and enslavement of the victim. Forced marriage can occur as a result of an agreement between parents or families, or to settle scores between families. Human trafficking also includes trafficking in children who are used for begging, committing crimes, prostitution, pornography, slave labor or illegal adoption. It is also worth noting that there is a second type of human trafficking – human organ trafficking. The victims of organ trafficking are living or dead women, men and children. The main reason for this crime is the shortage of transplant organs in relation to the needs that exist.

2. The rule of seven golden forensic questions

The crime of human trafficking is a huge problem that affects women, men and children alike, and exists in many countries, which can be countries of origin of victims, countries of transit and countries of destination of victims. With the goal of identifying the perpetrators of the crime of human trafficking and collecting and securing evidence, one of the ways to carry out the executive function of forensic science should be used, which is to apply the rule of seven golden forensic questions¹³.

Seven golden questions of forensic science:

1. What?
2. Where?
3. When?
4. How?
5. With what?
6. Why?
7. Who?

¹³ M. Wasiak *Criminal profiling and criminal linguistics as multidisciplinary methods of typing the culprits*, Security, Economy & Law, 2, Akademia Humanistyczna w Pułtusku, 2016, p. 90, <https://www.ceeol.com/> [accessed: 21.03.2022].

The questions outlined above will make it possible to identify the perpetrators and collect evidence of the crime of human trafficking¹⁴. They will make it possible to establish that human trafficking is a crime and not a misdemeanor, and that it involves intentional human action. The questions make it possible to determine where the incident took place and its outcome. At what time the crime was committed and how long it lasted. The exact course of the entire event with the establishment of chronology. In addition, it is necessary to determine what means and tools were used by the perpetrator in committing the crime. In the case of the crime of human trafficking, perpetrators recruiting their victims place ads on the Internet or meet victims on the street and befriend them or offer assistance. They use land, water and air routes when transiting victims. It is also necessary to determine what the perpetrator's motive was. The most common motive of the perpetrator of a human trafficking crime is profit, enrichment. In addition, it is necessary to initially determine whether there was only one perpetrator or several, how many people took part in the incident, what they did for a living and who and how many victims there are.

3. Techniques used by law enforcement agencies

The crime of human trafficking is most often committed by organized groups of perpetrators. The ability to share responsibilities among the perpetrators of the crime not only streamlines their work but also increases their effectiveness. This crime is most often committed by organized groups stationed in several countries or by international criminal groups¹⁵. International criminal groups can operate in up to a dozen very distant countries. They recruit victims in different countries and transport them even across several national borders, sometimes even to another continent. In addition, they organize ventures that facilitate human trafficking such as „women's fairs,” brothel exchange systems and labor exchanges. Human trafficking is an attractive type of activity for organized crime groups because transporting people is subject to less risk than transporting drugs or weapons, its own costs are relatively low and profits do not have to be one-time, they can

¹⁴ Ibidem, p. 90.

¹⁵ Z. Lasocik, *Handel ludźmi jako przestępstwo i naruszenie praw człowieka...*, op. cit., p. 238-239.

be reaped over a relatively long period of time. However, this crime requires very good organization of many actors and elements. The numerous participants located in different countries must be well coordinated. Success depends on the organization and efficiency of those who recruit victims, traffickers and couriers who operate under the auspices of criminal groups. International investigations conducted by Europol or national criminal prosecutions supported by Eurojust confirm that smuggling and trafficking groups are highly organized and extensive.

Good organization of criminal groups has a negative impact on detecting the crime of human trafficking and unmasking the perpetrators. The most important means of evidence are the explanations given by those accused of the crime of human trafficking and by witnesses¹⁶. This is due to the specific nature of the crime of human trafficking. The activities that make up human trafficking in most cases involve a narrow circle of people who behave in a way that makes it impossible or difficult to detect the crime committed and obtain evidence. For this reason, it is the testimony given by witnesses that is a very important piece of evidence for detecting the crime of trafficking in persons. The experience of other countries shows that the use of operational measures bordering on provocation could prove to be the most effective way of breaking up organized criminal groups involved in human trafficking. Provocation would consist of controlled buying and controlled selling. It should be noted that police provocation may be ordered by the Chief of Police, the Chief of the Central Bureau of Investigation of the Police, or a provincial chief of the Police, for a specified period of time, after obtaining the written consent of the district prosecutor with jurisdiction over the seat of the requesting police body. Police provocation is used to verify the reliability of information previously obtained about a crime and to identify the perpetrators of this crime and obtain evidence of its commission. However, in the case of human trafficking, despite the police's ability to use a variety of operational and investigative activities, the use of controlled purchase and controlled sale is not permitted. Controlled purchase and controlled sale may

¹⁶ K. Burdziak, P. Banaszak, *Przestępstwo handlu ludźmi – wykładnia terminu „handel ludźmi”, sposób przeprowadzania przesłuchań i innych dowodów w celu uzyskania materiału potwierdzającego popełnienie tego przestępstwa, charakterystyka jego ofiar i sprawców*, Warszawa 2016, p. 11-25, <https://www.gov.pl> [accessed: 21.03.2022].

involve, among other things, items that are derived from a crime. A person cannot be the subject of controlled sale and controlled purchase. However, the institution of covert surveillance can be used to combat the crime of human trafficking. The institution of covert surveillance makes it possible to prevent, detect, identify perpetrators and obtain evidence of the crime of human trafficking. It involves recording the content of conversations conducted by technical means, recording images or sound of persons from premises, means of transportation or places other than public places, recording the content of correspondence, gaining access to and inspecting the contents of shipments. When detecting the crime of human trafficking and unmasking the perpetrator, the methods provided for in the Code of Criminal Procedure are very popular. These include community interview, seizure of belongings and search, visual inspection, control of correspondence, transmission of information and shipments, expert opinion, trial experiment and examination of the person of the accused.

4. International and national prevention efforts

1. International prevention activities

Anti-human trafficking is the subject of many international and national regulations aimed at combating this type of crime. In the international field, these matters have been regulated by institutions such as the UN, NATO, the Council of Europe and the European Union. All of these organizations have employed a number of different techniques to combat the crime in question. Among other things, they make it possible to provide adequate protection to the victims of this crime, and also oblige member states to develop appropriate action programs and conduct appropriate information policies towards the public. In addition, the police and border services of each country, are tasked with undertaking cooperation among themselves to prevent the smuggling of people by land, air and sea. Additional ways of combating the crime of human trafficking include, as an example, one of the provisions of the Second Protocol supplementing the United Nations Convention, which ordered state parties to introduce better quality identity cards and passports, with the aim of reducing the possibility of falsification of

these documents¹⁷. NATO, in turn, based its anti-trafficking activities on the NATO Policy Against Human Trafficking, adopted at the Istanbul Summit¹⁸. According to the adopted policy, human trafficking is a crime deserving of condemnation, and the means to effectively prevent it are a review of national legislation, training of personnel who take part in peacekeeping missions, contractual safeguards, and a commitment to evaluate the implementation of these measures through regular inspections by the relevant authorities. The activities of another institution, the Council of Europe, include one of its most important documents on human trafficking – the Council of Europe Convention on Action against Trafficking in Human Beings opened for signature on May 16, 2005 in Warsaw¹⁹. Among its tenets are a number of obligations related to the special protection of child victims of trafficking in the event that a child is identified as a victim. In such a situation, the states-parties ensure that the child is represented by a guardian, organization or body responsible for acting in the best interest of the child, take the necessary steps to establish the identity or nationality of the child, and make every effort to locate the child's family if it is in the best interest of the child. With these, and other such regulations, the Convention makes it possible to combat the crime in question through victim protection mechanisms. In addition, since 2006, the Council of Europe has been running a campaign called „Human beings are not for sale.” These activities are aimed at raising the understanding among governments, parliamentarians, local and regional authorities, as well as the public of the seriousness of the crime of human trafficking²⁰. Since then, the Council of Europe has systematically conducted various campaigns and seminars at which the issue of human trafficking is raised. The European Union too recognizes the problem of human trafficking. Its actions are based on three pillars: prevention

¹⁷ K. Sońta, *Przeciwdziałanie handlowi ludźmi w prawie międzynarodowym*, Warszawa 2015.

¹⁸ NATO Policy on Combating Trafficking in human beings, NATO Policy document [accessed: 21.03.2022].

¹⁹ *Konwencja w sprawie działań przeciwko handlowi ludźmi*, „Council of Europe Treaty Series”, No. 197, <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treaty-num=197> [accessed: 21.03.2022].

²⁰ Girl Child Victims of Trafficking, Side-Event organised by the Council of Europe and the Permanent Mission of the Republic of San Marino to the United Nations, on behalf of the San Marino Chairmanship of the San Marino Chairmanship of the Committee of Ministers of the Council of Europe, New York 2007, s 1.

of human trafficking, support for victims of the crime and their families, and effective prosecution of traffickers²¹. Under the Union's actions, various types of cooperation mechanisms have been developed in the fields of migration policy, police cooperation, judicial cooperation, policy and social welfare, in order to minimize trafficking attempts as much as possible.

2. National prevention activities

Countering the process of human trafficking is also an issue considered at the national level. In Poland, in addition to the code regulation discussed above, the main document regulating these issues is the National Action Plan against Trafficking in Human Beings, adopted by the Council of Ministers on November 17, 2021 (National Action Plan Against Trafficking in Human Beings for 2022-2024²²). This is another adopted document that defines the scope of tasks for counteracting the crime of trafficking in human beings. Its main goal is to provide the necessary conditions for countering human trafficking in an effective manner and supporting the victims of the crime. In addition, the program also defines specific goals, which include such points as raising public awareness of this phenomenon and increasing the support provided to victims, as well as improving the skills of representatives of organizations and institutions that are involved in countering the commission of this crime. At the same time, specific goals include striving to improve the effectiveness of the actions of institutions involved in the prosecution of perpetrators of the crime of human trafficking, strengthening international cooperation in this area, and deepening knowledge of the effectiveness of the actions taken and the entire phenomenon of human trafficking. It is important that the tasks envisaged in the National Action Program against Trafficking in Human Beings have a nationwide scope. They concern both actions taken in all regions, as well as the actions of central institutions involving the creation of model practices and universally implemented legal regulations.

²¹ Komisja Europejska, Handel ludźmi. Dyrekcja generalna ds. sprawiedliwości, wolności <https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:52012DC0286&from=en> [accessed: 21.03.2022].

²² Information posted at: <https://www.gov.pl> [accessed: 21.03.2022].

Conclusion

The crime of human trafficking, the commission of which can manifest itself in a number of acts and behaviors listed in Art. 115 CC, such as „recruiting, transporting, supplying, transferring, harboring or receiving a person with the use of violence or unlawful threat, abduction, deception, misrepresentation or exploitation of error or incapacity to grasp the proper understanding of an action, abuse of a relationship of dependence, exploitation of a critical position or a state of helplessness, giving or accepting a pecuniary or personal benefit or the promise thereof to a person having custody or supervision of another person” through the huge spectrum of possibilities for its perpetration, but also because of the dramatic consequences for victims and society, is a phenomenon requiring special attention from state authorities. Ensuring public safety is essential, not only because of the consequences faced by victims, but also because of the impact of its effects on society as a whole. In addition, the crime of human trafficking is an extremely dangerous phenomenon, due to the new and ever-evolving methods of its perpetrators, the development of logistics and transportation solutions, and widespread globalization. In view of the above, it is extremely important for state authorities to take protective and preventive measures.

Providing a detailed presentation of the concept of the crime of Article 115 of the CC and the genesis of its development in Central and Eastern Europe in criminological and forensic terms, makes it possible to illustrate the seriousness and development of this phenomenon, and is an indispensable element for verifying the adopted hypotheses. In addition, enriching this article, the description of the methods and techniques used by the perpetrators of the crime of human trafficking, makes it possible to relate them to the analysis of the validity of the preventive measures taken by state authorities and to draw appropriate conclusions in support of the adopted specific hypothesis. The methods undertaken by state bodies have a positive impact on increasing the level of security of society in terms of the threat of human trafficking.

However, the key to realization of the main purpose of this article, i.e. to confirm the main hypothesis adopted according to which the existing legal regulations provide protection for the object of attack from Article 115 of the CC, was to conduct an analysis of national and international legal regulations, which are the

legislator's response to the crime of human trafficking. In addition, confirmation of the validity of the adopted hypothesis was made possible by the analysis of the literature related to the present topic.

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