



SWEDISH LAWS, POLICIES AND INTERVENTIONS ON PROSTITUTION AND TRAFFICKING IN HUMAN BEINGS: AN OVERVIEW

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A. PROSTITUTION: LAWS AND POLICIES

History

The initiative to criminalize the men who buy sexual services originally came from the Swedish women's movement, and was carried forward by the women's associations of the political parties. Feminists, including women with experience of prostitution, analyzed women's position in society and how men, through the exercise of power through violence against women ensured that the subordinate position of women was maintained, including by men using some women and children, mostly girls, for prostitution purposes.

Principles

Swedish laws and policies on prostitution and human trafficking are particularly innovative. They rest firmly on human rights principles such as:

- Prostitution is a serious barrier to gender equality.
- Prostitution is a serious problem that is harmful to the prostituted woman or child, but also to society at large.
- Prostitution is male sexualized violence against women, especially targeting those who are economically, racially or ethnically marginalized/discriminated.
- Prostitution is incompatible with internationally accepted principles of human rights: the dignity and worth of the human person and the equal rights of men and women.
- Prostitution is a gender-specific crime; the majority of victims are women and girls, although a number of young men and boys also fall victims.

- Women and others in prostitution are not to be criminalized or subjected to administrative punishments, and have a right to live lives without being subjected to violence through the harm of prostitution.
- To end prostitution and human trafficking for sexual purposes, the political, social, legal and economic conditions under which women and girls live must be ameliorated by introducing measures such as poverty reduction, sustainable development, measures that promote gender equality and counteract male violence against women and girls, as well as social programs focusing specifically on women and girls.
- Eliminating the demand as the root cause of prostitution and human trafficking for sexual purposes is a cornerstone of Swedish policies. If men did not consider that they had the right to buy and sexually exploit women and children, prostitution and trafficking in human beings for sexual purposes would not occur. Consequently, men must take criminal and ethical responsibility for their own and other men's oppressive sexual behaviour and change it.
- Prostitution and trafficking in human beings for sexual purposes are seen as issues that cannot, and should not be separated; both are harmful practices and intrinsically linked.
- All forms of legal or policy measures that legalize different prostitution activities, such as brothels, or that decriminalize the perpetrators of the prostitution industry, including pimps, traffickers, brothel owners, and buyers, are threats to gender equality and the rights of women and girls to live lives free of male violence.
- The legalization of prostitution will inevitably normalize an extreme form of sexual discrimination and violence and strengthen male domination of all female human beings.

See also: Government Bill, *Kvinnofrid* (prop. 1997/98:55 - the Violence Against Women Act).
Online at: <http://www.sweden.gov.se/sb/d/108/a/2266> [Swedish]

See: Government *National Action Plan for Gender Equality 2002-2006 (Jämt och ständigt, Skr. 2002/03:140)*.
Online at: <http://www.regeringen.se/sb/d/108/a/2069> [Swedish]

Legislation that prohibits the purchase of a sexual service/a sexual act of a child under 18

On January 1, 1999, as the first country in the world, Sweden passed legislation that prohibits the purchase of a sexual service:

A person who, in other cases than previously stated in this chapter, obtains a casual sexual relation in exchange for payment shall be sentenced for the purchase of a sexual service to a fine or imprisonment for at the most one year. What is stated in the first paragraph also applies if the payment has been promised or made by someone else.

Penal Code, Chapter 6: Sexual Crimes, section 11

The offence comprises all forms of sexual services, whether they are purchased on the street, in brothels, in a hotel, in someone's home, or in other similar circumstances. Attempts to purchase a sexual service are also punishable.

On July 1, 2011, amendments to the offence came into force. The amendments included an increase in the maximum sentence from six months to one year in prison. The Government underlined in its Bill that the aim of the legislation is to protect both individual and societal in-

terests, and hence, that the prohibition is a crime both towards the affected individuals, public order, and society at-large.

The prohibition applies to Swedish peacekeepers stationed abroad, and has been implemented a number of times against military personnel exploiting women through prostitution in countries involved in armed conflict, such as in Kosovo in 2002.

See: Government Bill - *Skärpt straff för köp av sexuell tjänst*, Prop. 2010/11:77.

Online at: <http://www.sweden.gov.se/sb/d/13654/a/162562> [Swedish]

See: Ekberg, Gunilla S., "The Swedish Law that Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings" (2004) 10 *Violence Against Women* 1187 (Sage Publications).

Online at: <http://vaw.sagepub.com/cgi/reprint/10/10/1187> [English]

In October 2014, the newly elected Social Democrat/Green Government coalition made a commitment in its *Statement of Government Policies* to criminalize purchases of a sexual service outside Sweden by a Swedish resident, whether or not this country has a similar criminal law provision, and allow prosecution of these crimes in Sweden.

On January 30, 2015, the Minister of Justice formally commissioned the *Inquiry into a strong criminal law protection in cases of trafficking in human beings and the purchase of a sexual act from a child*, appointed in 2014 (see below), to consider whether individuals, who purchase sexual services outside Sweden, could and should be prosecuted in Swedish courts.

See: *Regeringsförklaringen* (3 oktober 2014).

Online at: <http://www.regeringen.se/content/1/c6/24/71/20/9d251590.pdf> [Swedish]

See: *Pressrelease: Lagföring i Sverige av sexköp utomlands ska utredas* (30 January 2015).

Online at: <https://www.regeringen.se/sb/d/19725/a/253662> [Swedish]

See: *Tilläggsdirektiv till Utredningen om ett starkt straffrättsligt skydd vid människohandel och köp av sexuell handling av barn (Ju 2014:22) Dir. 2015:6* (29 January 2015).

Online at: <https://www.regeringen.se/sb/d/19837/a/253523> [Swedish]

The purchase of a sexual act from a child under 18 years of age is also prohibited.

Anyone who induces a child under the age of 18 to carry out or tolerate a sexual act in exchange for payment, shall be sentenced for the purchase of a sexual act to a fine or imprisonment for at the most two years.

Penal Code, Chapter 6: Sexual Crimes, section 9

As part of the amendment to the sexual crimes legislation on July 1, 2013, this provision was further strengthened, allowing prosecution in Sweden of someone, resident in Sweden, who purchases a sexual act from a child under 18 years of age in a country where this conduct is not prohibited.

See: Government Bill, *En skärpt sexualbrottslagstiftning*, Prop. 2012/13:111.

Online at: <http://www.regeringen.se/sb/d/108/a/211292> [Swedish]

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Development of similar legislation in other countries

The positive direct and normative effects of this legislation have inspired other countries in the European Union and beyond to develop similar laws e.g. Northern Ireland and Canada [2014], Norway and Iceland (2009), South Africa (2007), and South Korea (2003). Consultations on whether to pass legislation that fully prohibits the purchase of a sexual act or sexual service are presently under way in e.g. France, Belgium, the Republic of Ireland, Finland, and Scotland.

Norway: *General Civil Penal Code (Act of 21 December 2005 No. 131)*, Chapter 26: Sexual offences, section 316: *Purchase of sexual services from adults*.

Online at: https://lovdata.no/dokument/NL/lov/2005-05-20-28/KAPITTEL_2-11#KAPITTEL_2-11 [Norwegian]

Iceland: *Penal Code (Act No. 19/1940)*, Chapter 22: Sexual offences, article 206: Prostitution offences.

Online at: <http://eng.innanrikisraduneyti.is/laws-and-regulations/english/penal-code-and-punishment/nr/1145> [English]

Canada: *Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts*, which passed into law on 6 December 2014.

Online at: <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=6767128&File=4> [English and French]

Northern Ireland: *The Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (Bill 26/11-15)*, which became law on 9 December 2014.

Online at: <http://www.niassembly.gov.uk/assembly-business/legislation/current-non-executive-bill-proposals/human-trafficking-and-exploitation-further-provisions-and-support-for-victims-bill/> [English]

Monitoring mechanisms

a. National Rapporteur

In 1997, Sweden was the first country in the European Union to appoint a National Rapporteur on Trafficking in Human Beings following a joint declaration (“The Hague Declaration”) of the European Union in 1997. This Declaration recommends all member states to appoint National Rapporteurs, who are “to report to governments on the scale, the prevention, and combating of trafficking in women”.

See: The Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation (The Hague, Netherlands, 24-26 April 1997).

Online at: <http://www.legislationline.org/en/documents/action/popup/id/8747> [English]

The National Rapporteur investigates, monitors and analyzes the character, state and scale of prostitution and trafficking in human beings for all forms of exploitation to and within and from Sweden, and publishes annual reports with comprehensive recommendations. The fifteenth annual report was released in December 2014.

See: Fifteenth annual report (for year 2013), online at:
http://www.polisen.se/Global/www%20och%20Intrapolis/Rapporter-utredningar/01%20Polisen%20nationellt/Manniskohandel/Lagesrapport_15_Manniskohandel.pdf
 [Swedish]

Fourteenth annual report (for year 2012), online at:
http://www.polisen.se/Global/www%20och%20Intrapolis/Rapporter-utredningar/01%20Polisen%20nationellt/Manniskohandel/Lagesrapport_14_Manniskohandel.pdf
 [Swedish]

Thirteenth annual report (for year 2011), online at:
http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_13_20130530.pdf [English]

Since 2011, and in collaboration with the National Police, the National Rapporteur also carries out inspections of local police authorities about their efforts to prevent and combat human trafficking, including the use of operational resources, and their capacity to investigate cases of human trafficking for sexual purposes, procuring and the purchase of sexual services, and the purchase of a sexual act from a child.

In 2012, five police districts were randomly selected and inspected. The inspection report, which was published in May 2013, concluded that there is a need for specialist, district-based anti-trafficking units, for intensified Internet surveillance, and a clearer focus on the whole chain of perpetrators – buyers of sexual services, procurers and traffickers.

See: Rikspolisstyrelsen, *Polisens förmåga att utreda ärenden om människohandel-Inspektion av polismyndigheternas förmåga att utreda ärenden om människohandel för sexuella ändamål och köp av sexuell tjänst* (Tillsynsrapport 2013:7).

Online at:

<http://www.polisen.se/Aktuellt/Rapporter-och-publikationer/Rapporter/Publicerat---Nationellt/Ovriga-rapporterutredningar/Inspektion/Polisens-formaga-att-utreda-arenden-om-manniskohandel/> [Swedish]

NB. On 1 January 2015, the Swedish Police became an integrated public authority. The 21 police districts were replaced by seven regional offices, which have the overall responsibility for policing within a specified geographical area. The office of the National Rapporteur is located at the National Police Authority in Stockholm.

b. National Board of Health and Welfare

In 1999, following the passing of the *Anti-Violence against Women Act (Kvinnofrid, Prop. 1997/98:55)*, The National Board of Health and Welfare (NBHW) was charged with the task to gather information on and to monitor the extent and development of prostitution in Sweden, as well as to give support to local authorities on the development and improvement of measures against prostitution. The NBHW reports annually to the Swedish Government.

In 2008, the NBHW was given additional tasks including to evaluate municipal support services for individuals involved in prostitution, as well as services for individuals, who purchase or who have purchased a sexual service. A comprehensive research report was published in 2012.

See: Svedin, Carl-Göran et al., *Prostitution i Sverige. Huvudrapport: Kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen* (Stockholm, Sweden: Socialstyrelsen, 2012).

Online at: <http://www.diva-portal.org/smash/get/diva2:506410/FULLTEXT01.pdf> [Swedish]

In 2013, the Government again added to the reporting tasks of the National Board of Health and Welfare. The NBHW is to regularly examine development trends in the area of prostitution, and to collect data on the needs for support and assistance from individuals selling and buying sexual services, in cooperation with other public authorities.

Within the scope of the assignment, the NBHW is also to investigate the further needs within the health and social services sectors for capacity building in order to better meet the needs of persons, who sell and purchase sexual services, including within the LGBT community. Bi-annual reports are to be presented by 13 March of the reporting year, beginning in 2014.

See: *Regleringsbrev för budgetåret 2013 avseende Socialstyrelsen* [Budget and policy appropriation directive for the budget year 2013 concerning the National Board of Health and Welfare] (Stockholm, Sweden: Government Offices, 2013) [Swedish]

Online at: <http://www.esv.se/Verktyg--stod/Statsliggaren/Regleringsbrev/?RBID=14674> [Swedish]

Evaluation of the implementation of the offence that prohibits the purchase of a sexual service – Special Inquiry (2008-2010)

In April 2008, the Government appointed a Special Inquiry led by Chancellor of Justice, Anna Skarhed, to evaluate the implementation of the ban against the purchase of sexual services and its effects.

The starting point for the evaluation was that the purchase of a sexual service remains criminalized. The Special Inquiry consulted with women and men involved in prostitution, women and men who have had experiences of prostitution, the police and prosecutions services, social workers, civil society, women's, human rights and victim support organizations, public authorities, and other key stakeholders.

See: *Dir. 2008:44: Utvärdering av förbudet mot köp av sexuell tjänst*

Online at: <http://www.regeringen.se/content/1/c6/10/37/32/fe52f127.pdf> [Swedish]

On 2 July 2010 the Chancellor of Justice presented the Special Inquiry report to the Government. The Special Inquiry concluded that:

1. There is a clear connection between the existence of prostitution and trafficking in human beings for sexual purposes.
2. The number of individuals exploited in street prostitution has halved since 1999.
3. The neighbouring countries, Denmark and Norway have three times as many individuals in street prostitution.

4. The concern that prostitution should move to other arenas has not been fulfilled.
5. Prostitution through the Internet has increased in Sweden as it has in other countries. This is not due to the law but due to the development generally of online technology.
6. The number of individuals that are sold via Internet web pages/web ads are much larger in similar neighbouring countries such as Denmark and Norway.
7. There is no evidence of an increase of indoor prostitution.
8. Despite a significant increase in prostitution in the neighbouring countries during the past 10 years, there is no evidence of a similar increase in Sweden. It is reasonable to believe that this is due to the criminalization of the purchase of sexual services in Sweden.
9. The prohibition deters the establishment of organized crime networks/groups in Sweden. As concluded by the National Police, the legislation functions as a barrier against the establishment of traffickers and pimps in Sweden.
10. The legislation has strong support in Sweden among the public, and has brought about significant positive changes in attitudes. Hence, the law has normative as well as direct effects on the reduction of crime.
11. The prohibition also acts as a deterrent for men who buy of sexual services. Individuals with experience in prostitution, as well as the police and social workers conclude that buyers are more cautious, and that demand has decreased considerably since the prohibition came into force.
12. Only 7.8% of Swedish men have bought someone for prostitution purposes (2008) compared to 13.6% of Swedish men before the legislation came into force.
13. Despite misgivings that it would be more difficult to reach women in prostitution, that prostitution would "go underground", and that the conditions of prostituted individuals would worsen, there is no evidence that the prohibition has had negative effects for individuals exploited in prostitution.
14. The enforcement of the legislation generally works very well: police and prosecutors do not identify any administrative or investigative difficulties to enforce the law.
15. Successful enforcement of the legislation depends on available resources, and what priorities are made by the justice system.

The Special Inquiry also presented a list of recommendations to the Government:

1. Continue the work to prevent and combat prostitution and trafficking in human beings for sexual purposes.
2. Those who are exploited in prostitution should be given adequate support and assistance, those who risk being prostituted should be given support and assistance, and measures to deter buyers of sexual services should be developed further.
3. Creation of a national centre for the prevention and combat of prostitution and trafficking in

human beings responsible for coordination, research and other matters.

4. The maximum sentence for the purchase of sexual services should be increased to one year in prison. This will allow the police to arrest the perpetrators, and allows other investigative methods to be used that will facilitate the pursuit of responsible networks.

5. Women in prostitution should be seen as plaintiffs in selected cases of the purchase of sexual services allowing them to receive compensation or initiate civil suits.

6. The possibility to charge Swedish citizens and residents that purchase sexual services outside the country should be investigated further.

See: Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008 (SOU 2010:49).

Online at: <http://www.regeringen.se/sb/d/12634/a/149142> [Swedish]

<http://www.regeringen.se/sb/d/13358/a/149231> [Summary in English]

See also: Ekberg, Gunilla S. and Wahlberg, K., "The Swedish Approach: A European Union Country Shows How to Effectively Fight Sex Trafficking" (2011) 2:2 *Solutions Journal*. Online at: <http://www.thesolutionsjournal.com/node/895>

Evaluation of the effects of the Norwegian legislation that prohibits the purchase of sexual services

In July 2014, the conclusions, similar to those of the Swedish Inquiry, from the Government-appointed academic evaluation of the effects of the 2009 Norwegian legislation that prohibits the purchase of sexual services (below) were presented.

The researchers concluded that:

- The ban on purchasing sexual services has reduced demand for sex and thus contribute to reduce the extent of prostitution in Norway.
- The enforcement of the law, in combination with the laws against trafficking and pimping, makes Norway a less attractive country for prostitution based trafficking than what would have been the case if the law had not been adopted.
- The economic conditions for prostitution in Norway are reduced following the implementation of the law. These effects are in line with the intentions of the law and are thus not considered as unintended side effects.
- There is not any evidence of more violence against prostitutes after the ban on buying sex entered into force.

See: Rasmussen, Ingeborg et al., *Evaluering av forbudet mot kjøp av sensuelle tjenester (Rapport 2014/30)* (Oslo, Norge: Vista Analyse AS, 2014).

Online at: <http://www.vista-analyse.no/en/news/prostitusjonsomfanget-i-norge-redusert/> [Norwegian with a summary in English]

Research data - prostitution

Men who purchase sexual services

Men who purchase sexual services represent all ages, with the majority being between 25 and 55 years of age, all income classes and all ethnic backgrounds. They have been, or are married or cohabiting, and they often have children. Men who have or have had many sexual partners are the most common buyers.

Recent Swedish research shows that the majority of those men, who had purchased sexual services, had done so on one to three occasions, whereas 10% had purchased a sexual service on more than ten occasions, often in connection with travelling for work (33%).

See: Svedin, Carl-Göran et al., *Delrapport 1: Sälja och köpa sex i Sverige 2011. Förekomst, hälsa och attityder* (Stockholm, Sweden: Socialstyrelsen, 2012).

Online at: <http://liu.diva-portal.org/smash/record.jsf?pid=diva2:505995> [Swedish]

International studies (e.g. in United Kingdom, Scotland, Lebanon, USA) about the prostitution behaviour of men, all conclude that the majority of men, who have purchased sexual services, consider that the most effective deterrents are:

1. Legislation that prohibits the purchase of a sexual act or sexual services;
2. "Public shaming" through the publication of personal information in e.g. news media, on public billboards, or through publicly displayed posters.

See: Jabbour, Ghada, et al., *Exploring the Demand for Prostitution: What Male Buyers Say about Their Motives, Practices, and Perceptions* (Beirut, Lebanon: Kafa Enough Violence and Exploitation, 2014).

Online at: <http://www.kafa.org.lb/studies-publications/43/2/exploring-the-demand-for-prostitution-what-male-bu> [English and Arabic]

See: Macleod, Jan et al., *Challenging Men's Demand for Prostitution in Scotland: A Research Report Based on Interviews with 110 Men who Bought Women in Prostitution* (Glasgow, Scotland: Women's Support Project, 2008).

Online at:

<http://www.womenssupportproject.co.uk/content/publications/183,182,216/Challenging-MensDemandforProstitutioninScotland2008.html> [English]

Some recent studies also show that although many men, who purchase someone for prostitution purposes, are aware that the woman is exploited, they do not report their suspicions to the relevant authorities. According to a 2014 research study carried out in the Republic of Ireland, Finland, Lithuania, Bulgaria and Cyprus, one-third of the interviewed men (or 222 individuals) acknowledged that women were exploited, but did not report the exploitation to law enforcement or social support agencies. An additional number of interview subjects avoided responding to the question.

See: The Immigrant Council of Ireland et al., *Stop Traffic! Tackling Demand for Sexual Services of Trafficked Women and Girls* (Dublin, Ireland: ICI, 2014).

Online at: <http://www.stoptraffick.ie/wp-content/uploads/2013/03/STOP-TRAFFICK-full-report.pdf> [English]

Direct effects of the ban against the purchase of a sexual service

According to research by the National Board of Health and Welfare, there is clear evidence of a considerable decrease in street prostitution since the legislation came into force.

See: *Kännedom om prostitution*, (Stockholm, Sverige: Socialstyrelsen, 2007)

Online at: <http://www.socialstyrelsen.se/publikationer2008/2008-126-65> [Swedish]

The National Rapporteur on Trafficking in Human Beings concluded in several of her annual reports that the legislation that prohibits the purchase of sexual services functions as an “effective barrier to the establishment of traffickers in Sweden” (see above). The National Rapporteur estimates that between 400 and 600 women are trafficked into Sweden every year, mainly from Bulgaria and Romania, the Eastern European countries such as Estonia and Lithuania, and from Russia. This number has remained fairly constant during the past several years.

According to a joint Nordic research study, the situation concerning prostitution and trafficking is different in Sweden compared to that in the other Nordic countries due to the effective implementation of this legislation. There is still trans-national prostitution from several countries, particularly from Eastern and Southern Europe. However, “no large groups of foreign women have established themselves in the visible prostitution market, contrary to what is the case in Norway, Finland and Denmark”.

See: Holmström, Charlotta et al., *Prostitution i Norden: en forskningsrapport* (Köpenhamn, Denmark: Nordiska ministerrådet, 2009).

Online at: <http://norden.diva-portal.org/smash/record.jsf?pid=diva2%3A702704&dswid=3076> [Scandinavian languages]

The 2008 Special Inquiry into the Effects of the Ban Against the Purchase of Sexual Services confirmed, through an independent investigation, all these findings in their Inquiry report published in 2010 (see above).

Normative effects – ban against the purchase of a sexual service

Swedish research shows that the legislation that prohibits the purchase of a sexual service has had a lasting impact on the prostitution behaviour of men.

i. *Fewer buyers*: Academic research from 2008 shows that the percentage of Swedish men who have bought one or more individuals for the purpose of prostitution has decreased from 13.6% in 1996 to 7.8% in 2008.

ii. *Public support for the legislation*: The same study, as well as earlier studies, shows that the legislation has massive public support in Sweden; 71% of the interviewees support it fully.

See: Kuosmanen, Jari, “Attitudes and Perceptions about Legislation Prohibiting the Purchase of Sexual Services in Sweden” (2011) 14:2 *European Journal of Social Work* 1.

Online at: <http://www.tandfonline.com/doi/abs/10.1080/13691451003744341>

Sexualization of young women and men through social media

A 2009 Swedish research study on youth and Internet use showed that approximately 10% of young people between 16 and 25 had posted sexualized photos of themselves on the Internet. Almost 50% of young female Internet users had to field requests to send sexualized photos, talk about sex or act in front of a web camera. Only 13% of young men had the same experiences.

See: Swedin, C-G and Priebe, G, *Se mig: Unga om sex och internet* [See Me: Young People About Sex and the Internet] (Stockholm, Sweden: Ungdomsstyrelsen, 2009:9).

Online at:

http://www.mucof.se/sites/default/files/publikationer_uploads/se-mig-unga-om-sex-och-internet.pdf [Swedish]

http://www.mucof.se/sites/default/files/publikationer_uploads/see-me.pdf [Summary in English]

A comprehensive study published in 2014, which investigated the differences between high school boys and girls in relation to their use of pornography, their sexual experiences, experiences of sexual abuse, and perceptions of sexuality, concluded that:

- Almost all boys (96%) and 54% of the girls had watched pornography;
- Regardless of sex, those, who consumed pornography, had a positive perception of pornography;
- Both girls and boys had been involved in sexual activities inspired by pornography; and
- A higher proportion of girls (15%) than boys (6%) had experienced sexual abuse.

See: Mattebo, Magdalena et al., "Pornography and Sexual Experiences Among High School Students in Sweden" (2014) 35:3 *Journal of Developmental & Behavioral Pediatrics* 179.

Network for individuals with experience in the prostitution industry

In 2007, the network, *PRIS – Prostitutes' Revenge in Society*, was founded by and for women with experience in different areas of the sex industry. PRIS has three main aims: to provide mutual support, and support to others in the sex industry, to raise awareness of the sex industry and its negative effects, and to improve services for those who want to exit the sex industry. PRIS also has a sister organizations, The Friends of PRIS, for Feminists, who have no experience in the sex industry, but who are supportive of the aims of the organization.

See: Website of *Nätverket PRIS*, online at: <http://www.natverketpris.se/start-english.html> [English and Swedish]

Specialized victim support services

The Swedish social services and administrative system is decentralized. This means that the primary responsibility for the well-being of any crime victim stems from obligations under the *Social Services Act*, and is firmly placed on the 290 Swedish municipalities.

See: *Social Services Act* (SFS 2001:453)

Online at:

http://www.riksdagen.se/sv/Dokument-Lagar/Lagar/Svenskforfattningssamling/Socialtjanstlag-2001453_sfs-2001-453/#K2 [Swedish]

The first municipal support and assistance services for victims of prostitution and trafficking in human beings opened during the mid-1970's in the four largest cities: Stockholm, Gothenburg, Malmö and Norrköping. Today, municipal Prostitution Groups operate in Stockholm, Gothenburg and Malmö.

These victims support services provide outreach services for individuals that are involved in prostitution, whether on the street, in indoor prostitution or through Internet-based advertising, and offer counselling, access to health care services, and exit programs. They monitor changes in prostitution activities locally and nationally with the aim to reduce such activities, and provide information and trainings to other community social service organizations, and to the public about prostitution and trafficking in human beings for sexual and other purposes.

See: Stockholm *Prostitutionsenheten/Mikamottagningen*
Online at: <http://www.stockholm.se/prostitutionsenheten>

Gothenburg *Mikamottagningen*

Online at: http://goteborg.se/wps/poc?uril=wcm%3Apath%3Agoteborg.se_enhetssidor%2FOrganisation%2FResurser%2FMikamottagningen&page=GBG.Enh.SexuellHalsa.Pro

Malmö *Råd- och stödteamet sexuella tjänster*

Online at: <http://www.malmo.se/prostitution>

The Swedish battered women's shelter associations also provide support and protection for women, who are victims of prostitution or human trafficking for sexual purposes, including prostitution and pornography, and for forced marriages.

See: National Organization for Women's Shelters and Young Women's Shelters (Roks)
Online at: <http://www.roks.se/about-roks-1> [English]

Swedish Association of Women's Shelters and Young Women's Empowerment Centres (Unizon)

Online at: <http://www.kvinnojouren.se/english> [English]

Services for buyers of sexual services (BOSS/KAST)

The three municipal services for victims of prostitution and trafficking in human beings for sexual and other purposes also operate separate services for men, who buy sexual services.

See: Stockholm KAST:

Online at:

<http://www.stockholm.se/Fristaende-webbplatser/Fackforvaltningsajter/Socialtjanstforvaltningen/Prostitutions--och-Spiralsheten/Koper-du-sexuella-tjanster/>

Gothenburg KAST:

Online at: <http://goteborg.se/wps/portal?uri=gbglnk:GBG.Enh.SexuellHalsa.Kast>

Malmö KAST:

Online at: <http://www.malmo.se/prostitution>

Crime statistics: Enforcement of the ban on the purchase of a sexual service/sexual act (1999-2014)

Since the legislation came into force on January 1, 1999, 5927 men have been apprehended for attempting to purchase or for having purchased a sexual service (PSS). In addition, 1268 men have been arrested for the purchase of a sexual act from a child under 18 years of age (PSA). Through the direct or indirect intervention by the police, many more have been dissuaded from purchasing someone for the purpose of exploitation in prostitution.

Reported offences

	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	TOT
PSS	94	92	86	110	300	156	460	163	189	187	352	1277	765	551	544	601	5927
PSA	19	21	30	56	22	38	60	46	67	46	150	233	131	103	150	96	1268

The National Council for Crime Prevention (Brottsförebyggande Rådet) [<http://www.bra.se>]

Convictions

	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	TOT
PSS	11	29	38	37	72	48	94	108	85	69	107	336	450	319	391	—	2194
PSA	—	—	—	—	—	—	—	1	6	69	6	9	7	33	76	—	308

The National Council for Crime Prevention (Brottsförebyggande Rådet) [<http://www.bra.se>]

B. TRAFFICKING IN HUMAN BEINGS AND RELATED CRIMES: LAWS AND POLICIES

Legislation – trafficking in human beings

On July 1, 2002, comprehensive legislation that imposed criminal liability for trafficking in human beings for sexual purposes entered into force in Sweden.

On July 1, 2004, in order to be compliant with and implement the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, amendments were made to extend criminalization to all forms of trafficking in persons, including trafficking within national borders and for the purpose of, for example, forced labour, war service or exploitation for removal of organs.

In 2005, the National Rapporteur on Trafficking in Human Beings recommended that the Government amend the anti-trafficking legislation. This recommendation was based on interviews of police, prosecutors and other key informants, and an analysis of case law, which concluded that the complexity of the legislation lead to recurring misinterpretations by the courts.

In 2006, the Government appointed an Expert Commission with the task to develop and strengthen the existing anti-trafficking legislation. In April 2008, the Government approved the recommendations set out in the Expert Commission report, and amendments to the legislation were made in May 2010:

A person, who in other cases than those referred to Section 1, uses unlawful coercion, deception, exploits someone's vulnerability or by some other improper means recruits, transports, transfers, harbours or receives a person in order that he or she shall be exploited for sexual purposes, the removal of organs, military service, forced labour or other activities in a situation which places that person in distress, shall be convicted of trafficking in human beings and sentenced to a prison term of at least two and at most ten years.

A person who commits an act referred to in first paragraph against a person who is under eighteen years of age shall be convicted of trafficking in human beings even if none of the improper means set out therein have been used.

If an offence referred to in the first and second paragraphs is less serious, the sentence shall be a prison term of at most four years.

Penal Code, Chapter 4: Crimes against Liberty and Peace, section 1 (a)

See: *Lag om ändring i brottsbalken* (SFS 2010:371)

Online at:

http://www.lagboken.se/dokument/Andrings-SFS/630227/strongSFS-2010strong_strong371strong-Lag-om-andring-i-brottsbalken?id=52957&search=sfs%202010:371 [Swedish]

Procuring is also an offence under the *Penal Code*, and includes any prostitution-related activities, such as brothels and escort services:

A person who promotes or improperly financially exploits the casual sexual relations for payment of another person shall be sentenced for procuring to imprisonment for at most four years.

A person who, holding the right to the use of premises, grants the right to use them to another in the knowledge that the premises are wholly or to a substantial extent used for casual sexual relations for payment and omits to do what can reasonably be expected to terminate the granted right, he or she shall, if the activity continues or is resumed at the premises, be considered to have promoted the activity and shall be sentenced in accordance with the first paragraph. (Law 1998:393).

Penal Code, chapter 6: On Sexual Crimes, section 8

If the crime provided for in Section 8 is gross, imprisonment for at least two and at most six years shall be imposed for gross procuring.

In assessing whether the crime is gross, special consideration shall be given to whether the accused promoted casual sexual relations for payment on a large scale or ruthlessly exploited another. (Law 1984:399)

Penal Code, chapter 6: On Sexual Crimes, section 9

Online at:

http://www.lagboken.se/dokument/Lagar-och-forordningar/903/Brottsbalk-1962_700?id=64855&search=koppleri [Swedish]

Inquiry concerning a strong criminal law protection in cases of trafficking in human beings and the purchase of a sexual act from a child under 18 years of age (Ju 2014:128).

In September 2014, the Government appointed a special investigator with the task to examine whether there is a need for additional measures to ensure comprehensive criminal law protection in cases of human trafficking, the purchase of a sexual service, and the purchase of sexual acts from children under 18 years of age. The investigator, who is supported by an expert group, is to submit a report by 9 March 2016.

See: Kommittédirektiv: Utredningen om ett starkt straffrättsligt skydd vid människohandel och köp av sexuell handling av barn (Ju 2014:128).

Online at: <http://www.regeringen.se/sb/d/108/a/245961> [Swedish]

Crime statistics: Enforcement of the offences of procuring, trafficking in human beings for sexual purposes (THB-SP), and for other purposes (THB-OP) (1999-2014)

Procuring

'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	TOT
32	46	43	46	69	98	94	58	65	51	94	120	86	95	108	108	1213

The National Council for Crime Prevention (Brottsförebyggande Rådet) [http://www.bra.se]

Trafficking in human beings for sexual purposes

'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	TOT
–	–	–	–	22	29	44	27	15	15	31	32	35	21	40	31	342
Adult									1	22	25	25	12	29	26	140
Children									0	9	7	10	9	11	5	51

* 2008 was the first year that data was collected separately for THB-SP of adults and THB-SP of children under the age of 18.

The National Council for Crime Prevention (Brottsförebyggande Rådet) [http://www.bra.se]

Trafficking in human beings for other purposes

'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	TOT
–	–	–	–	–	–	–	11	35	8	28	52	63	48	43	13	301

The National Council for Crime Prevention (Brottsförebyggande Rådet) [http://www.bra.se]

National Action Plan to Prevent and Combat Prostitution and Trafficking in Human Beings for Sexual Purposes

In July 2008, a national action plan for the prevention and combating prostitution and human trafficking for sexual purposes was adopted, covering five priority areas:

- protection and support for people at risk;
- prevention;

- higher standards and greater efficiency in the justice system;
- increased national and international cooperation;
- higher level of knowledge and awareness in general.

Under the National Action Plan, the County Administration Board of Stockholm was given the task to act as National Coordination Body for the work to be carried out by public authorities to prevent and combat prostitution and human trafficking for sexual and other purposes, and to ensure strengthened collaboration between government bodies, NGOs and other actors.

See: County Administration Board of Stockholm website

Online at: <http://www.lansstyrelsen.se/stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/default.aspx> [Swedish]

In 2011, the National Crime Council publicized its evaluation of the initiatives under the National Action Plan (2011). The researchers concluded that the objectives of the NAP generally were fulfilled, in particular its awareness raising and capacity building aspects, but that measures for support and assistance to victims need to be further developed.

See: Prostitution och människohandel: Slutredovisning av regeringens handlingsplan (2011:18) (Stockholm, Sverige: Brottsförebyggande rådet, 2011)

Online at:

<http://www.bra.se/bra/publikationer/arkiv/publikationer/2011-11-30-prostitution-och-manniskohandel-for-sexuella-andamal.html> [Swedish]

C. OTHER PREVENTION AND PROTECTION MEASURES – PROSTITUTION AND TRAFFICKING IN HUMAN BEINGS

1. Time-limited, extendable residence permits, with a 30-day reflection period, may be issued to a victim or a witness of human trafficking in order to conclude a preliminary investigation or the main proceedings in a criminal case. In 2013, the Swedish Migration Board granted 61 temporary residence permits to victims or witnesses of human trafficking; 25 were women and 35 were men. Residents in one of the 28 European Member States have the right to mobility, and can stay in any Member States for three months without applying for a residence permit.

See: Förstärkt straffrättsligt skydd mot människohandel (prop. 2009/2010:152 (chapter 6)

Online at: http://www.riksdagen.se/sv/Dokument-Lagar/Forslag/Propositioner-och-skrivelser/Forstarkt-strafrattsligt-skyd_GX03152/ [Swedish]

See: Aliens Act (2005:716), chapter 5: Residence permits, section 15.

Online at: <http://www.government.se/content/1/c6/06/61/22/bfb61014.pdf> [English]

See: Årsredovisning 2013 - Migrationsverket (Stockholm: Migrationsverket, 2013) at 29.

Online at: <http://www.migrationsverket.se/download/18.7c00d8e6143101d166d29f5/1414049602234/Årsredovisning+2013.pdf> [Swedish]

2. A legal advocate (lawyer), who is charged with supporting a victim during the judicial process, including through applications for court-directed compensation, is appointed to all victims of human trafficking, who testify against the organizers and facilitators of the trade.

See: Lag (1988:609) om målsägandebiträde

Online at: <http://www.notisum.se/rnp/sls/lag/19880609.htm> [Swedish]

3. In some cases, and in addition to court-ordered compensation, victims of human trafficking may be eligible for compensation from the Crime Victim Compensation and Support Authority (CVCSA), whose main task is to administrate and pay criminal injuries compensation, i.e. compensation from the state to crime victims.

In 2009, the Ministry of Justice commissioned the CVCSA to carry out a study on state compensation to victims of human trafficking. The objective was to establish routines for payments that ensure that victims of trafficking in human beings for sexual exploitation to Sweden actually receive the payment of criminal injuries compensation, preventing appropriation by traffickers or others.

In its report from February 2010, the CVCSA concluded that in “[l]ittle more than half of the victims in criminal cases leading to convictions for human trafficking claimed damage from the perpetrator” due to fear of the perpetrator.

See: Holm, Fanny, Utbetalning av brottsskadeersättning till offer för människohandel: Redovisning av ett regeringsuppdrag (Umeå, Sverige: BROM, 2010).

Online at:

<http://www.brottsoffermyndigheten.se/Filer/Böcker/Utbetalning%20av%20brottsskadeersättning%20till%20offer%20för%20människohandel.pdf> [Swedish with summary in English]

In 2013, three victims of human trafficking received a total of SEK 435,000 in state compensation from the CVCSA, compared to 2012, when the CVCSA paid out a total of SEK 547,000 in compensation to two victims of human trafficking for sexual purposes.

See: Brottsoffermyndighetens årsredovisning 2013 (Umeå, Sverige: BROM, Februari 2014) at 10.

Online at: <http://www.brottsoffermyndigheten.se/Filer/Böcker/BrOMs%20årsredovisning%202013.pdf> [Swedish]

4. An important component of the work to prevent and combat prostitution and trafficking in human beings in Sweden is regular training of law enforcement, prosecutors and judges. In Sweden, the training focuses not only on adequate investigation techniques, and but importantly also on attitudes, and underlying principles for legislation, policies and interventions regarding prostitution and trafficking in human beings.

The National Rapporteur concluded in her 2011 report on initiatives carried out under the National Action Plan (above) that regular training of police and other key public agencies is a core element in the success of the Swedish law enforcement measures to prevent and combat prostitution and trafficking in human beings.

See: Wahlberg, Kajsa, *Slutredovisning av regeringens uppdrag till Rikspolisstyrelsen att förstärka insatserna mot prostitution och människohandel för sexuella ändamål 2008-2010* (Stockholm, Sverige: Rikspolisstyrelsen, 2011).

Online at:

<http://www.polisen.se/Norrboten/Aktuellt/Rapporter-och-publikationer/Rapporter/Publicerat---Nationellt/Organiserad-brottslighet/Slutredovisning-prostitution-och-manniskohandel/> [Swedish]

Students at the Police Academy receive comprehensive training on prostitution and human trafficking-related legislation and policies, awareness-raising and effective investigation methods.

See: *Police Academy in Stockholm* website.

Online at: <http://www.polishogskolan.se/Nyheter/Ny-utbildning-i-manniskohandel/> [Swedish]

5. Since the late 1990s, a large number of awareness-raising campaigns have been carried out in Sweden and the region that focus on the prevention of prostitution and trafficking for sexual purposes, including the eight country Nordic-Baltic Campaign against Trafficking in Women (2002-2003), the four-country (Sweden, Norway, Finland and Russia) Project against Trafficking in Women and Girls in the Barents Region (2004-2006) and the Government/Swedish Film Institute (2003-2004) joint school *Lilja 4-Ever* awareness raising campaign on human trafficking in women and girls, which reached 65,000 high school students between 15 and 18 years of age.

See: Ekberg, Gunilla S., *Nordic-Baltic Campaign Against Trafficking in Women: Final Report* (Copenhagen, Denmark: Nordic Council of Ministers, 2004).

Online at: <http://www.norden.org/en/publications/publikationer/2004-715> [English]

See: Nordic Council of Ministers, *Project Against Trafficking in Women and Girls in the Barents Region: Final Report* (Copenhagen, Denmark: Nordic Council of Ministers, 2006).

Online at: [http://www.kun.nl.no/filer/Sluttrapport Trafficking.pdf](http://www.kun.nl.no/filer/Sluttrapport%20Trafficking.pdf) [English]

See: Lundqvist, D., and Viklund K., *Lilja 4-ever på skolbio: Dokumentation av Svenska Filminstitutets insatser kring Lilja 4-ever på skolbio i Sverige 2003-2004* (Stockholm: Svenska Filminstitutet, 2005).

Online at:

<http://www.sfi.se/sv/filmiskolan/Filmhandledningar/Filmhandledning/75/> [Swedish]

<http://www.sfi.se/sv/filmiskolan/Publikationer1/Vad-har-mitt-liv-med-Lilja-att-gora/> [Swedish]

6. Since 2013, the National Organisation for Women's Shelters and Young Women's Shelters (Roks), the Swedish Association of Women's Shelters and Young Women's Empowerment Centres (Unizon) and the Swedish Women's Lobby have carried out a campaign to amend the offence that prohibits the purchase of a sexual service. The amendment, inspired by the Norwegian legislation, would allow enforcement against and prosecution of Swedish residents, who purchase sexual services in another country, in Sweden.

See: *Sexköpslagen 2.0* website. Online at: <https://www.facebook.com/Sexkopslagen2.0?fref=ts> [Swedish]

7. Since 2003, Roks has carried out a successful campaign, *Porrfrria Hotell* [Porn-Free Hotels] to certify those hotels and conference centres that remove all in-room, free or pay-per-view pornography TV channels and videos. As of December 2014, 189 hotels and conference centres in Sweden have been certified, and are encouraged to use the Porn-Free logo on their marketing material. Hotel customers can book porn-free hotels through the *Porrfrritt* website.

See: The *Porrfrria Hotell* website, online at: <http://porrfritt.se> [Swedish]

8. The Swedish Women's Lobby, Roks and Unizon campaign for ethical rules against the purchase of sexual acts for businesses and corporations in Sweden, received an award from the National Crime Prevention Council in October 2014. The objective of the campaign is to "involve corporations in the counter-trafficking and women's rights process. By implementing ethical guidelines against purchases of sexual services and sexual exploitation, companies show that they respect and take an active part in realizing the common goal of safeguarding human rights."

See: The *Rätt riktning* website, online at: <http://www.rattriktning.se> [Swedish and English]

9. In January 2015, the County Administration in Värmland, in cooperation with the regional police force, initiated a public awareness campaign on attitudes towards the buying of sexual services, and about the harm caused to those, who are exploited in prostitution. The campaign, called *#somliga tror...* [#some people believe...] dispels the common myths about prostitution, about men, who purchase sexual services, and about those individuals, who are sexually exploited.

See: The *#somliga tror* website, online at: <http://www.somligatror.nu> [Swedish]

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