

# Prostitution and trafficking in human beings

In Sweden, prostitution is regarded as an aspect of male violence against women and children. It is officially acknowledged as a form of exploitation of women and children that constitutes a significant social problem, which is harmful not only to the individual prostituted woman or child, but also to society at large.

The Swedish Government has long given priority to combating prostitution and trafficking in human beings for sexual purposes. This objective is an important part of Sweden's goal of achieving equality between women and men, at the national level as well as internationally. Gender equality will remain unattainable as long as men buy, sell and exploit women and children by prostituting them.

## Prostitution is a form of male violence against women

In the legislation on gross violation of a woman's integrity (Kvinnofridslagstiftningen), the Swedish Government and Riksdag (the Parliament) defined prostitution as a form of male violence against women and children. Since January 1, 1999, purchasing – or attempting to purchase – sexual services has constituted a criminal offence punishable by fines or up to six months imprisonment. The women and children who are victims of prostitution and trafficking do not risk any legal repercussions.

Public support for the law is widespread and growing, according to opinion polls conducted by SIFO; an opinion and social research consultancy firm.

On April 1, 2005, the legislation prohibiting the purchase of a sexual service was extended to include cases where the payment has been promised or made by someone else.

### Swedish Penal Code, chapter 6, section 11

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 most six months.

That which is stated in the first section also applies if the payment has been promised or made by someone else.

Since the law came into force, there has been a dramatic drop in the number of women in street prostitution, according to information provided by the

police and social services. The number of men who buy sexual services has decreased, as has the recruitment of women into prostitution. According to The National Criminal Investigation Department the law deters traffickers from establishing in Sweden.

As stated in the Government bill "Violence Against Women" (prop. 1997/98:55 *Kvinnofrid*) the Swedish National Board of Health and Welfare is charged to continuously monitor and compile knowledge of the extent of prostitution in Sweden and of the measures taken within the social services agencies as well as to monitor the international development.

On April 1, 2005, a new section was added to the Swedish Penal Code (ch. 6, s. 9), criminalizing the purchase of a sexual act of a child. The crime is punishable by a fine or imprisonment for a maximum of two years.

## Procuring

According to chapter 6, section 12, of the Swedish Penal Code, anyone who promotes or encourages or improperly exploits for commercial purposes casual sexual relations entered into by another person in exchange for payment is guilty of a criminal offence and shall be sentenced to imprisonment for at most four years for the crime of procuring. If the crime is aggravated, imprisonment for at least two and at the most eight years shall be imposed. When judging whether it is a case of gross procuring, consideration is taken to whether the particular case has involved an extensive operation, considerable gain or ruthless exploitation of another person.

Promotion can take various forms: examples include operating a brothel, letting premises for purposes of prostitution or helping a buyer find prostituted persons.

## Why does prostitution exist?

As with other forms of violence committed by men against women, prostitution is a gender specific phenomenon; the overwhelming majority of victims are women and girls, while the perpetrators are invariably men.

Prostitution and trafficking in human beings requires a demand among men for women and children, mainly girls. If men did not regard it as their self-evident right

to buy and sexually exploit women and children, prostitution and trafficking in human beings for sexual purposes would not exist. Human traffickers and pimps profit from women's and girls' economic, social, political and legal subordination. The fact that women who suffer additional oppression, such as racism, are strongly over-represented in the global prostitution industry is clear evidence of this.

In countries where progress has been made in improving the status of women and the conditions under which they live – societies in which they are guaranteed certain basic political rights, access to jobs and education and an acceptable living standard – women and girls have more alternatives and are therefore far less vulnerable. Poverty, inadequate education, homelessness, drug dependency and sex- and racial discrimination are recurring themes in the personal histories of women and girls who are, or have been, prostituted.

Moreover, international studies show that between 65 % and 90 % of prostituted women were sexually abused by male relatives or acquaintances as girls. Many children, mainly girls, who are sexually exploited, are sold into prostitution at an early age by the men who abuse them. According to recent international studies, the median age for the entrance of girls into prostitution is 14 years of age.

### **Who is the buyer?**

Because it is traditionally assumed that men who buy and exploit prostituted women and girls act out of a 'natural' male sexual need, their underlying motives have seldom been studied or even questioned. Instead, attention has been focused on the prostituted women and girls, despite the fact that prostitution is sustained entirely by men's sexual desires and behavior.

So who are these men who see it as their right to buy women and children and subject them to humiliating and painful sexual assaults and violations?

According to the most recent studies, conducted by the National Institute of Public Health (NIPH 2000:17), one man in eight in Sweden buys sex at least once in his life. These individuals represent a cross-section of Swedish men of all ages and from all social classes. Many are married or cohabiting and have children. The image of the typical buyer as a lonely deviant is not borne out by the facts. He is much more likely to be a well-dressed, well-paid middle-class father on a business trip. Buyers have money, stability, education and power; in marked contrast to the women and children they buy. A study conducted in Stockholm in 2002, found that of boys aged 16 to 25, almost 10 % had at some time "paid for a sexual service".

### **The effects of prostitution**

Movies, advertisements, fashion, music, Internet, literature and the media generally portray women and girls as objects, while presenting a false image of prostitution. The violence regularly inflicted on women and girls by buyers, pimps and human traffickers is thus trivialized. Women and children, mainly girls, in prostitution regularly suffer threats, abuse, rape, assault and battery, torture, unwanted pregnancies, infertility, injuries and permanent damage to the skeleton, genital area and anus, as well as extreme humiliation and degradation. Another constant hazard is the risk of infection from pimps and buyers carrying sexually transmitted diseases, including HIV/AIDS.

Not only do all these acts cause severe harm to women and girls, they are also gross violations of their integrity, dignity and rights as human beings. The fact that these acts are committed in exchange for payment does not in any way diminish or mitigate the immense physical and mental damage inflicted on their bodies and minds. International studies show that prostituted women suffer from the same emotional traumas as war veterans and victims of torture. They may experience the same symptoms – flashbacks, anxiety, depression, insomnia and stress. Suicide and suicide attempts are common. A Canadian study showed that prostituted women are 40 times more likely to be murdered than the female population as a whole.

### **Trafficking in women and children**

International trafficking in women and children is a growing, worldwide problem. According to the United Nations, apart from prostitution or other forms of sexual exploitation, the victims of traffickers may be subjected to forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. Whatever the purpose, human trafficking always involves transporting people across continents, countries, regions or cities with the aim of exploiting them or profiting from them or their labor.

The UN estimates that as many as 4 million women and children fall victims to traffickers every year, most of whom are exploited for sexual purposes. According to the International Organization of Migration, at least 500,000 women are sold annually to local prostitution markets in Europe. The exact number is difficult to determine as trafficking in human beings is often organized by criminal networks, but international researchers speak of large numbers of unrecorded cases and increases in recent years.

Traffickers are often highly organized, ruthless entrepreneurs who earn huge profits from the exploitation of women and children for sexual purposes. The vast turnover generated by the global

prostitution industry goes directly into the pockets of pimps, human traffickers and brothel owners and may indirectly benefit airlines, tour operators, hotels, restaurants, taxi drivers and advertisers.

International trafficking in human beings could not flourish but for the existence of local prostitution markets where men are willing and able to buy and sell women and children for sexual exploitation. Traffickers ship women and children from countries in the south to countries in the north and from the east to the west – wherever the demand is greatest.

### **Trafficking in Sweden**

In accordance with the 1997 joint declaration of the European Union (The Hague Declaration), the National Criminal Investigation Department (NCID) of the National Police has been appointed the Swedish National Rapporteur on trafficking in human beings. The NCID annually compiles and analyses information on the scale of trafficking in human beings in Sweden as well as between Sweden and other countries and gives recommendations on how trafficking in human beings can be prevented and counteracted. It reports regularly to the Swedish Government.

According to the NCID, between 400 and 600 women who are victims of trafficking in human beings for purposes of sexual exploitation arrive in Sweden every year. Most of them come from the Baltic countries, Eastern Europe or Russia. Traffickers often recruit women with phony offers of employment as waitresses, dancers or domestic workers. When the women or girls arrive at the country of destination, the pimps usually take their passports and papers. They are frequently sexually abused and raped by the traffickers as a way of 'initiation' and then prostituted in brothels and sex clubs where they are isolated from the rest of the community.

They are guarded by pimps who often pocket most of their earnings and whose control over them – stranded as they are in a strange country, unable to speak the language and without a permit to stay – is virtually absolute. Traffickers and pimps also deliver women to Swedish border towns and villages where local men buy and sexually exploit them before they are sent back to their countries of origin.

### **Legislation against trafficking in human beings**

On July 1, 2002, legislation that imposed criminal liability for trafficking in human beings for sexual purposes entered into force in Sweden. On July 1, 2004, amendments were made to the Swedish legislation, extending criminalization to all forms of trafficking in persons, including trafficking within national borders and for the purpose of, for example, forced labor or exploitation for removal of organs.

According to the Swedish Penal Code, ch. 4, s. 1 a, criminal liability for trafficking in human beings applies to anyone who through the use of unlawful coercion or deception, by exploiting a person's vulnerability or by any other similar improper means recruits, transports, harbors, receives or takes other similar actions towards a person and thereby gains control over that person, in order for that person to be

1. subjected to sexual offences as stated in the Penal Code, chapter 6, sections 1, 2, 3, 4, 5 or 6, casual sexual relations or other forms of exploitation for sexual purposes,
2. subjected to active service or forced labor or other similar forced conditions,
3. exploited for the removal of organs, or
4. in other ways exploited in ways that cause distress for that person.

Criminal liability also extends to anyone who, for those purposes, takes control over another person or hands control over a person to someone else as well as to anyone who commits the acts mentioned in the first section against a person who has not yet turned 18 years of age, even if no improper means have been used.

A person found guilty of the crime of trafficking in human beings is sentenced to jail for a minimum of two years and at most ten years.

### **Time-limited residence permit for victims of trafficking**

On October 1, 2004, amendments were made to the penal provisions in the Aliens Act. When investigating transnational, as well as domestic crimes, the police and prosecutors have previously experienced problems because there have been no legal grounds for a victim or a witness, who unlawfully resides in Sweden, to remain here while the judicial process runs its course.

Taking into account the importance of the work against trafficking in human beings, a new provision regarding the possibility to issue a time-limited residence permit has been inserted in the Aliens Act.

The time-limited residence permit may be issued to a victim or witness if this is deemed necessary in order to conclude a preliminary investigation or the main proceedings in a criminal case. Depending on the complexity of the investigation or if the judgment is appealed, the time limited residence permit may be extended upon application by the prosecutor.

During their stay in Sweden, the victims will be entitled to health care and medical attention as well as social welfare. According to the Social Services Act, the municipal authorities carry the ultimate responsibility for ensuring that all its residents receive the support and assistance they require. Accordingly,

the municipalities as well as regional health care authorities will be reimbursed by the state for the actual costs incurred.

### **National Action Program for Combating Trafficking in Human Beings**

The Swedish Government has started working on a National Action Program for combating of trafficking in human beings. The National Action Program will be composed of two action plans:

1. *A National Action Plan for the continued work against prostitution and trafficking in human beings for sexual purposes, especially women and children.*
2. *A National Action Plan for combating trafficking in human beings for the purpose of forced labor, removal of organs and other forms of exploitation.*

The proposal for a National Action Plan for the continued work against prostitution and trafficking in human beings for sexual purposes, especially women and children, will focus on different initiatives, including a survey of previously taken measures against prostitution and trafficking of persons in Sweden. The plan will include further measures to prevent prostitution and trafficking of human beings in Sweden, including specific initiatives to discourage the demand, as well as measures of protection and support to victims of prostitution and trafficking of human beings. In addition, the plan will include initiatives for the development of the work within the justice system, police and social services. The plan will also focus on promoting and increasing the protection of human rights and leveling those political, social and economic inequalities in countries of origin and countries of transit, which further prostitution and trafficking in human beings, especially women and children.

A proposal for a National Action Plan for the continued work against prostitution and trafficking in human beings for sexual purposes, especially women and children will be presented in the fall of 2005.

### **Collaboration between Sweden and the United States**

Sweden and the United States of America (The Office to Monitor and Combat Trafficking in Persons) are undertaking a joint initiative for bilateral cooperation to combat prostitution and trafficking in human beings in Europe during the years 2004 – 2006. The joint initiative, which is carried out in partnership with two international non-governmental organizations, the European Women's Lobby and Coalition Against Trafficking in Women, aims to increase awareness about and develop strategies to combat prostitution and trafficking in human beings for sexual purposes.

The project is carried out in twelve countries, among others Bulgaria, Croatia, the Czech Republic,

Latvia, Moldavia and Serbia-Montenegro.

### **Project against prostitution and trafficking in women in the Barents region**

At Sweden's initiative, a project has begun in the Barents region (Sweden, Norway, Finland and the Russia Federation), with the objective of combating trafficking of women and girls for the purpose of prostitution from Murmansk and Archangelsk oblast to the northern parts of Sweden, Finland and Norway.

During the project measures will be taken to combat the demand of women and girls for purposes of prostitution and alternative solutions will be proposed for the women and girls in the region who are subjected to or risk being subjected to prostitution and trafficking in human beings. The aim is to improve competence and cooperation between governmental and other public authorities, non-governmental organizations and other key functions in the work against trafficking in women in the region.

### **Nordic-Baltic Campaign against Trafficking in Women**

In 2002, the Nordic and Baltic countries conducted several campaigns against trafficking in women. For more information about the Nordic-Baltic Campaign against Trafficking in Women, please see:

<http://www.norden.org/pub/velfaerd/jamstalldhet/sk/>

#### **Further information:**

<http://www.regeringen.se/sb/d/2664> or  
<http://www.sweden.gov.se/sb/d/2192>,  
where you can also download this fact sheet. Additional copies of the fact sheet may be ordered from the Ministry of Industry, Employment and Communications, Division for Gender Equality, tel. +46-8-405 10 00. Art. No.N5029

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