

Prostitution and trafficking in women

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 and 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 human trafficking for sexual purposes. This objective is central to strengthening women's and girl's position in society and 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. Prostituted persons are considered the weaker party, exploited by both the procurers and the buyers. It is important to motivate persons in prostitution to attempt to exit without risking punishment. By adopting these measures Sweden has shown the world that it regards prostitution as a serious form of oppression of women, and that efforts must be made to combat it.

Under the **Act Prohibiting the Purchase of Sexual Services (1998:408)**, a person who obtains casual sexual relations in exchange for payment shall be sentenced - unless the act is punishable under the Swedish Penal Code - for the purchase of sexual services to a fine or imprisonment for at most six months. Attempt to purchase sexual services is punishable under Chapter 23 of the Penal Code.

The offence comprises all forms of sexual services, whether they are purchased on the street, in brothels, in so-called massage parlours, from escort services or in other similar circumstances.

Since the Act 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. Criminalization has also meant that the number of men who buy sexual services has fallen, as has the recruitment of women into prostitution. According to The National Criminal Investigation Department the Act deters traffickers from establishing in Sweden.

Public support for the law is widespread and growing. Opinion polls conducted by SIFO; an opinion and social research consultancy firm, in June 1999, and again two years later, showed a significant rise – from 76 %

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Further information:

<http://www.regeringen.se/sb/d/2664> or
<http://www.sweden.gov.se/sb/d/2192>,

where you can also read 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.N4030

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to 81% – in the number of people in favor of the Act. The proportion of respondents who thought the Act should be repealed shrank from 15 % to 14 %, while the percentage of ‘don’t knows’ fell by almost half. A third survey carried out in October 2002 confirmed that support for the Act that Prohibits the Purchase of Sexual Services remains strong; with 8 out of 10 Swedes in favor.

Procuring

According to Chapter 6, section 8, 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 six years shall be imposed (gross procuring, chapter 6, section 9). Attempt, preparation and conspiracy to commit procuring or gross procuring, as well as failure to reveal such crimes, are also criminalized.

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

Criminal responsibility for the crime of trafficking in human beings for sexual purposes entered into force on July 1, 2002. Before then, cases of trafficking in human beings for sexual purposes were prosecuted under the procuring provisions, or, depending on the individual case, under the provisions on kidnapping, unlawful deprivation of liberty, placing a person in a distressful situation, coercion, or sexual exploitation.

Why does prostitution exist?

Like 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 women 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 would not exist. Human traffickers and pimps profit from women’s and girl’s 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 constantly 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”. Buyers are thus just as likely to be teen-age boys who gain access to prostituted women while sitting at home by their computers.

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 extreme violence regularly inflicted on women and girls by buyers, pimps and human traffickers is thus trivialized. In any other context, these acts would be categorized as sexual abuse and rape. 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. It is no exaggeration to say that prostitution is lethal to women.

Trafficking in women and children

International trafficking in women and children is a growing, worldwide problem. The trade has various aims. 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 the transporting by a person or persons of other 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 dramatic increases in recent years.

The individuals, groups and networks that traffic in human beings – for whatever purpose – do so in order to exploit their victims. 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

According to the National Criminal Investigation Department, between 400 and 600 women who are victims of trafficking arrive in Sweden every year. Most of them come from the Baltic countries, Eastern Europe or Russia. Traffickers often recruit women with bogus offers of work 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, in order to implement the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime and the European Council of Ministers' framework decision on combating trafficking in human beings ((2002/629/RIF), amendments were made to the Swedish legislation that extend 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.

The legislation includes criminal liability for trafficking in human beings 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 certain sexual offences, 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,
 4. in other ways exploited in ways that cause distress for that person.

Criminal liability for trafficking in human beings 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. Attempt, preparation and conspiracy to traffic in human beings or failure to report such a crime is also punishable.

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*, (ch. 2, s. 2), 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

The Swedish Government will develop a National Action Program for combating of trafficking in human beings. The National Action Program will be composed of two parts:

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 National Action Plan for the continued work against prostitution and trafficking in human beings for sexual purposes, especially women and children will include many different steps, in addition to a survey of previously taken measures against prostitution and trafficking of persons in Sweden. There will be proposals of further steps to prevent prostitution and trafficking of human beings in Sweden, proposals of protection and aid to victims of prostitution and trafficking of human beings and a survey of penal measures and development of the work within the justice system, police and social services. It will also include special measures to counteract the demand that furthers all forms of sexual exploitation of human beings, especially women and children.

Cooperation against prostitution and trafficking in women in the Barents region

At Sweden's initiative, a project has begun to combat prostitution and trafficking in human beings in the Barents region (Sweden, Norway, Finland and the Russia Federation). The objective is to combat 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. Cooperation with the indigenous populations in the region is of particular importance.

Nordic-Baltic Campaign against Trafficking in Women 2002

In 2002, the Nordic and Baltic countries conducted several campaigns against trafficking in women, including a joint campaign as a contribution to international efforts to stop trafficking in human beings. The Swedish Campaign had its overall objective to increase awareness and knowledge about prostitution and global trafficking in human beings through information to, and education and training of government and other public authorities, non-governmental organizations, the media and the public.



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