

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 Sweden's goal of achieving equality between women and men, at the national level as well as internationally. However, gender equality will remain unattainable so 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 as 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 given notice to 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 a maximum period of six months. The attempted purchase of 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 along with the recruitment of women into prostitution.

Public support for the legislation is widespread and growing. Opinion polls conducted by the opinion and social research consultancy, Sifo, in June 1999, and again two years later, showed a significant rise – from 76 to 81 per cent – in the number of people in favour of the Act. The proportion of respondents who thought the Act should be repealed shrank from 15 to 14 per cent, while the

In this fact sheet:

This publication presents a short background to prostitution and trafficking in women under the following headings:

- Prostitution is a form of male violence against women
- Why does prostitution exist?
- Who is the buyer?
- The effects of prostitution
- Trafficking in women and children
- Trafficking in Sweden
- New legislation against trafficking in human beings for sexual purposes
- Proposal for temporary residence permits for victims of trafficking
- Nordic Baltic Campaign against Trafficking in Women

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Further information:

Information about the Swedish campaign:
<http://www.naring.regeringen.se/fragor/jamstalldhet/kvinnohandel/>

Information about the Nordic-Baltic campaign:
<http://www.nordicbalticcampaign.org>

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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 favour.

Procuring

According to Chapter 6, s. 8 of the Swedish *Penal Code*, anyone who promotes or encourages or improperly exploits for commercial purposes causal sexual relations entered into by another person in exchange for payment is guilty of a criminal offence and shall be sentenced for procuring to imprisonment for at most four years. If the crime is aggravated, imprisonment for at least two and at the most six years shall be imposed (gross procuring, chapter 6, s. 9). Attempts to commit procuring or gross procuring, as well as preparation for and conspiracy to commit gross procuring, together with failure to reveal such crime, 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.

Before July 1, 2002, 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 assume a demand among men for women and children, mainly girls. If men did not regard it as their self-evident right to purchase 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 schooling, 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 per cent 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 behaviour.

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 (*Folkhälsoinstitutet 1998:1*), one man in eight in Sweden purchases sexual services at least once in his life. These individuals represent a cross-section of Swedish men of all ages and from all social classes. Most are married or co-habiting 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 during 2002, found that of boys aged 16 to 25, almost 10 per cent 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 their computers in their bedrooms at home.

The effects of prostitution

Popular contemporary cinema, advertisements, fashion, music, literature and the media generally portray women and girls as objects, while presenting a false picture of prostitution. The extreme violence regularly inflicted on women and girls by buyers, pimps and human traffickers is thus trivialized. In any other context, such acts would be categorized as sexual abuse and rape. As well as extreme humiliation and degradation, 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.

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. The psychological and emotional effects of their experiences can scar prostituted women and girls for life.

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, deep 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. Apart from prostitution or other forms of sexual exploitation, the victims of traffickers – according to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention Against Transnational Organized Crime* – may be subjected to “forced labour 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 labour.

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 criminal networks often conduct and are responsible for the trafficking in human beings, 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 organised, 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 e.g. tour operators, airlines, 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 200 and 500 women – victims of trafficking – arrive in Sweden every year. Most of them come from the Baltic countries, Eastern Europe

or the former Soviet Union. Traffickers often recruit women with bogus offers of work as waitresses, au pair girls or dancers. When the women or girls arrive at the country of destination, the pimps often take their passports and papers. They are often 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 the 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, villages and camping sites, where local men buy and sexually exploit them before they are sent back to their countries of origin.

Legislation against human trafficking for sexual purposes

By signing 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*, the Swedish Government has agreed to bring traffickers of human beings to justice and to take steps to combat organised crime.

On July 1, 2002, legislation that imposed criminal liability for the *trafficking in human beings for sexual purposes* entered into force. It includes criminal responsibility for the crime of trafficking in human beings for sexual purposes for anyone who:

- 1) by the use of unlawful coercion, deception or of any other similar improper means, induces another to go to or to be transported abroad for the purpose of sexual offences, prostitution or other forms of exploitation for sexual purposes,
- 2) for such a purpose and by the use of such improper means as mentioned transports, harbours or receives someone who has arrived to a country under such conditions, and
- 3) commits any such act against a victim who has not attained 18 years of age, even if no improper means have been used.

The penal provision also applies to someone who, in such circumstances, receives, transports or gives shelter to such a person. Attempt, preparation and conspiracy to traffic in human beings for sexual purposes, or failure to report such a crime, is also punishable. The area of application covers all cross-border trafficking for sexual exploitation in which the perpetrator exploits the vulnerability of another person.

Under this legislation a trafficker can be sentenced to a minimum of two years and, at the most, ten years in prison, or in less serious cases, to a maximum of four years in prison.

The new provision is a first step towards extending penal legislation covering all forms of trafficking in persons, including trafficking within national borders and trafficking for other forms of exploitation. During 2003, the Swedish Government will introduce further legislation, which will criminalize all forms of trafficking in persons, including trafficking within national borders and trafficking for other forms of exploitation, such as forced labour and slavery.

Proposal for temporary residence permits for victims of trafficking

The Government has appointed a parliamentary committee, the *Committee on the Reception of Close Relatives (Anhörigkommittén)*, to examine and review the provisions on human smuggling in the *Aliens Act*. In its final report (SOU 2001:69), the Committee proposed stiffer penalties for a range of offences including human smuggling, illegal residence or abetting illegal residence in Sweden for commercial gain in a effort to bring the Act into line with corresponding legal instruments in the European Union.

The Committee also proposed the introduction of additional grounds for granting short-term residence permits to people prepared to serve as witnesses in cases involving human trafficking or smuggling. This would enable them to remain in Sweden legally as long as their presence was needed in connection with preliminary investigations or trials of suspected offenders. In some cases, circumstances could also justify granting permanent residence under the terms of the *Aliens Act*, which provides for such decisions on humanitarian grounds. Furthermore, the Committee proposed that victims granted a residence permit of limited duration should be entitled to the same health care and medical attention as that enjoyed by foreigners seeking asylum. According to the current regulations, any other support is the responsibility of the municipality in which the foreigner resides.

During 2003, the Swedish Government is expected to present a Bill to the Parliament, with proposals for different legal and social measures to protect and assist victims of trafficking in women.

Nordic-Baltic campaign against trafficking in women

In 2002, no less than eight campaigns against trafficking in women were conducted in the Nordic and Baltic countries. These campaigns were the outcome of an initiative taken by the Swedish Minister for Gender Equality Affairs, Margareta Winberg, during the conference, *Women and Democracy*, in Vilnius, Lithuania, in June 2001. The countries' Ministers for Gender Equality Affairs

resolved to launch a joint campaign in 2002 as a contribution to international efforts to stop trafficking in human beings. Later in the same year, the countries' Justice Ministers joined the Campaign. The Campaign was financed and carried out under the auspices of the Nordic Council of Ministers.

The Nordic-Baltic campaign opened with a joint seminar in Tallinn on May 29-31, 2002. The event was attended by delegates from Estonia, Latvia, Lithuania, Denmark, Finland, Iceland, Norway and Sweden. A second seminar, primarily concerned with the issue of protection and support for victims of trafficking in women, was held in Vilnius on October 20-22, 2002. The final joint seminar of the Campaign was held in Riga, Latvia, on November 27-28, 2002. This seminar focused on the continuing efforts of the Nordic and Baltic countries to eliminate trafficking in women and children in the region.

At an informal ministerial meeting in Stockholm in April, 2003, the Nordic and Baltic Ministers for Gender Equality, Justice and Interior, agreed on a number of concrete measures for the continuing long-term cooperation between the Nordic and Baltic countries to combat trafficking in women and children.

Campaign against prostitution and trafficking in women in Sweden

The *Swedish Campaign* has had its overall objective to increase the awareness and knowledge about prostitution and the 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.

The national campaign focused on different measures directed towards buyers and potential buyers of prostituted women and children, mostly girls, in Sweden, as well as towards those men who travel to other countries for the specific purpose of buying and exploiting prostituted women and children. The campaign also highlighted, with the long-term objective to ameliorate, the circumstances and conditions that those women and children who are, or who have been, victims of prostitution and trafficking live under.

The underlying principles expressed in the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, the law that prohibits the purchase of sexual services and the new offence on trafficking in human beings for sexual purposes formed the basis and was used as a point of departure for the Swedish campaign. The work continues during 2003-2004.



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