

## TEMPLATE POLICY PAGE

<b>Category:</b>	<b>Prostitution and Trafficking for Sexual Exploitation</b>
<b>Country:</b>	<b>Sweden</b>
<b>Year:</b>	<b>/</b>

<b>Main Policy page:</b>	<p><b><i>Continued....</i></b></p> <p>In July 2008, the Government presented an action plan against prostitution and trafficking in human beings for sexual purposes. This states the Government's views on how to combat trafficking in human beings for sexual purposes and how to strengthen support and assistance to the victims of trafficking. The action plan contains different activities and measures to strengthen preventive work, to secure quality and effectiveness within the judicial system, to promote cooperation and to increase overall knowledge regarding trafficking in human beings for sexual purposes. Special attention is given to children and young people and the specific needs of girls and boys respectively. In total, the Government has reserved about SEK 200 million (approx. EUR 21 million) to cover the costs of measures in the plan. An overall review of the action plan is planned for 2011. The action plan is not available in English.</p>
<b>Relevant legislation:</b>	<p>PROSTITUTION</p> <p><b>Purchase of sexual service – Chapter 6, Section 11 of the Swedish Penal Code</b></p> <p>Since 1999, it is not permitted to purchase sexual services in Sweden. There is no prohibition against the sale of sexual services however. It is thus the purchaser and not the seller who commits the criminal act. The section of the Penal Code applying to the purchase of sexual services applies to the purchase of sexual services in general, regardless of where services are offered, whether in the streets, at hotels, at brothels, via Internet, from escort services or massage parlours.</p> <p>The legal section covers different types of sexual activities, but primarily concerns sexual intercourse. Compensation may be both financial and other types of compensation, such as sex in return for alcohol or narcotics.</p> <p>The section also covers the purchase of sexual services when compensation is paid or offered to a third party. Thus, it also covers cases in which a business contact provides and pays for prostitutes. The attempted purchase of sexual services is also criminalised (Chapter 6, Section 15 of the Penal Code). The legislation and its effects are to be evaluated.</p> <p><b>Purchase of sexual acts from children – Chapter 6, Section 9 of the Swedish Penal Code</b></p>

A specific legal section prohibits the purchase of sexual services from children under the age of 18. Its purpose is to prevent situations that may lead children into prostitution. The section also includes persons who exploit a sexual act paid for by another person. The penalty ranges from fines to maximum imprisonment of two years. The attempted purchase of sexual acts from children is also criminalised (Chapter 6, Section 15 of the Penal Code).

#### **Procuring – Chapter 6, Section 12 of the Swedish Penal Code**

It is prohibited to receive compensation for promoting or taking undue economic advantage of the fact that a person sells sexual services. A person who lets an apartment and becomes aware that this is being used for paid sexual services and who does not act appropriately to put an end to these activities may be considered to have promoted the activity, and is thus liable for procuring. The penalty for procuring is imprisonment for a maximum of two years. For gross procuring, the minimum penalty is two years and the maximum penalty eight years of imprisonment. Attempted, and preparations for gross procuring as well as attempted procuring are also criminalised (Chapter 6, Section 15 of the Penal Code).

#### **TRAFFICKING IN HUMAN BEINGS**

The Act Prohibiting the Purchase of Sexual Services came into force in 1999. The Act made the purchase of sexual services a punishable offence. The reason for the Act was to reduce the demand for sexual services. The Act has been revoked and replaced with a penal section in Chapter 4 of the Penal Code.

#### **Trafficking in human beings – Chapter 4, Section 1a of the Swedish Penal Code**

It is forbidden to use inappropriate measures – such as unlawful coercion, misleading activities, taking advantage of someone's vulnerable situation, etc. – to take control over another person by recruiting, transporting, finding lodgings for or committing similar actions, with the purpose of making use of that person for prostitution or other sexual purposes. For persons under the age of 18 years, use of inappropriate measures is not required for the section in the Penal Code on trafficking in human beings to apply.

The prohibition also encompasses other types of exploitation, such as trafficking for labour or the trade in organs. The penalty is imprisonment for at least two and at most ten years or, if the offence is less severe, to imprisonment for at most four years. In 2005, the Government appointed an inquiry to review the legislation on trafficking in human beings. The inquiry's remit included a review of whether the legislation could be made more effective and assessing whether the legislation or the penalties ought to be changed. A report was submitted to the Government in April 2008 (*Människohandel och barnåktenskap – ett förstärkt straffrättsligt skydd*, SOU 2008:41). The report is not available in English.

**Trends:**

In 2009, a total of 350 offences regarding the purchase of sexual service were reported in Sweden, along with 88 cases of procuring offences. This represents an increase with 110% in comparison to 2008 when 167 offences of purchase of sexual service were reported. The official crime statistics provide a limited picture of the scale of prostitution. The National Board of Health and Welfare has monitored prostitution trends by interviewing some 35 key informants, whose work involves dealing with prostitution. The remainder of this paragraph presents the knowledge – or rather the perceptions and assessments – of this group regarding prostitution. The most recent report relates to the situation in 2003, when street prostitution was reported to be less widespread than it had been prior to the introduction of the new legislation banning the purchase of sexual services in 1999. There were no significant differences in the extent of prostitution compared with the situation in 1999. However, estimates of the total number of women involved in street prostitution ranged between 50–200 in Stockholm, and were lower in the other two metropolitan areas (Gothenburg and Malmö).

In 2002, some fifty men were identified as male-to-male prostitutes in Stockholm. Since it is much more difficult to develop a clear picture of prostitution that is not based on the street, and which is therefore by its very nature much more concealed, no available estimates exist of the number of women and men involved. It is also difficult to estimate the number of women and men who sell sexual services via the Internet, in part because websites and other contact channels on the Internet are constantly changing. Estimates vary; according to one, between 80 and 100 women in Sweden offer their services via the Internet, while another puts the figure at between 200 and 250. The report (entitled “Prostitution in Sweden 2003”) can be found in English at <http://www.socialstyrelsen.se>

In 2009, a total of 34 offences against the Act prohibiting the trafficking of human beings for sexual purposes were reported. In comparison to 15 offences reported in 2008 and 2007 respectively. In 2006 the number of reports were 28 and in 2005, 44. The National Criminal Investigation Department (NCID) monitors and analyses this area of criminal activity. Its report on the situation in 2005 refrains from estimating how many girls and women fell victim to this form of trafficking in Sweden over the course of the year. Their assessment is that the number of trafficking victims identified in Sweden is largely dependent on the level of resources that the police devote to combating this form of crime. The work devoted by the police to this area varies dramatically from county to county and from one year to the next. A previous report published by the NCID on the situation in 2003 estimated the number of trafficking victims in Sweden to be around 400–600 women. According to the police, the new Swedish law prohibiting the purchase of sexual services serves as a barrier to the establishment of trafficking in Sweden; it is difficult for traffickers to make a profit, since they dare not put “their” women on the street as a result of the detection risk. See <http://www.polisen.se> and <http://www.socialstyrelsen.se>.

	<p>In 2008, the Swedish government adopted an Action plan to combat prostitution and trafficking for sexual purposes. The Action plan comprises of 36 measures focusing on five priority areas:</p> <ul style="list-style-type: none"><li>• Increased protection and support for those affected</li><li>• Strengthened preventive efforts</li><li>• Enhanced quality and efficiency in the legal system</li><li>• Greater national and international cooperation</li><li>• Increased knowledge</li></ul> <p>The Government's standpoint is that these measures have to be implemented from a legal, social and gender equality perspective taking into account the primarily affected: women and girls. Children and young people are particularly targeted in order to provide them with more protection and support, for instance by giving education to professionals working with these groups. The Swedish Government invested SEK 213 million to put these measures into place.</p> <p>The Swedish National Council for Crime Prevention was commissioned to make a follow-up of the Action plan that will be presented 31 January 2012.</p>
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