

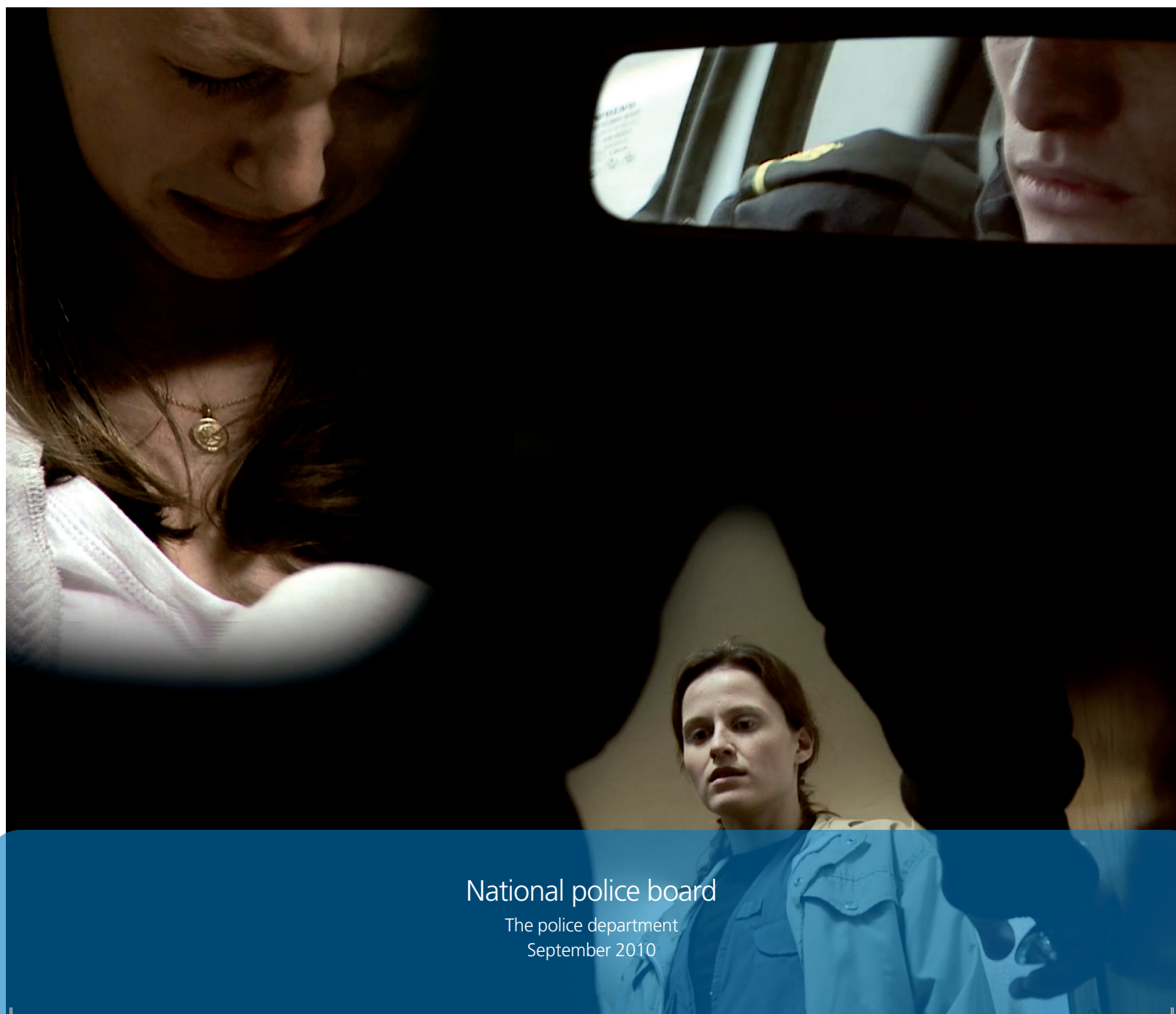
Situation Report 11

Människohandel för sexuella och andra ändamål



Trafficking in human beings
for sexual and other purposes

RPS Report 2010:6



National police board

The police department
September 2010

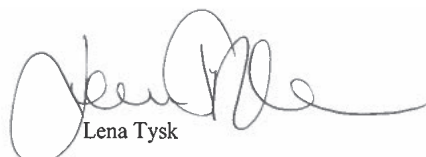
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Situation Report 11 "Människohandel för sexuella och andra ändamål" [Trafficking in human beings for sexual and other purposes]

The situation report aims to provide a picture of human trafficking for various purposes, and also the way in which the extent and prevalence of human trafficking in Sweden has changed since the previous situation report for 2008. The report is based primarily on sentencing and preliminary investigations, and on information received by the police in recent years relating to human trafficking. The report is aimed primarily at the government, public authorities in general and the various police units in particular, though it contains information that may also be useful to NGOs and the general public.

The report has been drawn up by Detective Inspector Kajsa Wahlberg and Lotta Jagefjord, Criminologist, of the Swedish National Police Board

THE POLICE DEPARTMENT



Lena Tysk

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1. SUMMARY

1.1 Trafficking in human beings for sexual purposes

According to the National Criminal Investigation Department, it is difficult to estimate how many people may have been trafficked into Sweden in 2009. The number of trafficking victims found in Sweden depends largely on the resources that the police put in to detect this type of crime. These activities vary from one police authority to another and from one year to another. Nor is it possible to identify, or even to locate, all the girls and women mentioned in tapped telephone calls or observed during police investigations. It is also difficult to restrict oneself to estimating numbers of trafficked people that are considered to be victims, according to the clause on trafficking in human beings, when most investigations result in convictions for procuring/aggravated procuring.

Despite this, the National Criminal Investigation Department can confirm that no large groups of foreign women have become established either in street prostitution or on the Internet, as was the case in Norway, Denmark and Finland. This is also supported in large sections of the research project "Prostitution i Norden" [Prostitution in the Nordic Countries] which was undertaken in 2007-2008 by NIKK (the Nordic Gender Institute) on behalf of the Ministers for Equality in the Nordic countries.

In 2009, no one was convicted of human trafficking for sexual purposes. On the other hand, seven (7) people were convicted of aggravated procuring, three (3) for procuring, one (1) for attempted procuring and one (1) for aiding procuring that was in the nature of human trafficking.

Information received by the police during 2009 shows that the foreign girls and women, recruited for prostitution purposes in Sweden, come primarily from Eastern Europe (primarily Russia, Estonia, Romania and Hungary), Albania, Thailand and Nigeria.

The people who were behind the activities investigated in 2009 were men and also some women from Romania, Moldova, Ukraine, Sweden, Estonia, Nigeria and Thailand. There are also cases in which the perpetrators exploit the same victim for several different purposes. For example, two Czech women were taken to Sweden and forced to carry out day-time thefts and were also exploited in prostitution during the evenings and nights.

Human trafficking taking place from Nigeria has been a major problem for some years throughout large parts of Europe. In Sweden also, mainly in Gothenburg, the

police have noticed a marked increase in the numbers of Nigerian women who are being exploited in prostitution, which is considered to be the effect of Norway's new Purchase of Sexual Services Act which came into force on 1 January 2009. In Norway, just as in Sweden, it has become considerably more difficult for human traffickers to sell women in Norway after introduction of the ban.

The National Criminal Investigation Department estimates that the number of women from Thailand who are being exploited for sexual purposes in Sweden has increased over the past three years. The methods used include some Swedish men exploiting Thai women through marriage or through visitors' visas. Once the women are in Sweden, they may be exploited for sexual purposes in places such as apartments, hotel rooms or Thai massage parlours. In addition, it seems that a large number of women who have been exploited for prostitution purposes in Europe have been brought in on Swedish Schengen visas, issued by the Swedish Embassy in Bangkok.

As in other countries, sexual services in Sweden are mostly sold via the Internet. In most cases, the Internet advertisements have been placed by human traffickers or pimps but are designed to look as if it is the women themselves who are behind them. In reality, the women usually have no knowledge of what the advertisements actually contain, particularly those women who can neither read nor write.

In 2009, the National Criminal Investigation Department have also received information about several cases of procuring in which girls and women with mental impairment have been sexually exploited. The victims were resident in Sweden and the cases were reported by the police authorities in the counties of Stockholm, Gävleborg and Skåne.

1.2 Other forms of trafficking in human beings

Other exploitative purposes referred to in the clause on human trafficking in Sweden's Penal Code, include exploitation of the victim in active military service or forced labour, or some other similar coerced status. The term "coerced status" is used to mean restrictions, in full or in part, of a person's freedom of action.

During 2009, four (4) people were convicted of human trafficking for non-sexual purposes, and one (1) person for complicity in this. A prosecution for human trafficking of two (2) people who exploited two children in order to commit theft was disallowed by the District Court. In addition, 26 reports were made to the police in connection with human trafficking for non-sexual

purposes. In particular, these concern British and Irish tarmac and paving layers in Sweden, but also situations in which people have been forcibly brought to Sweden to beg or commit criminal activities. Another problem is a reluctance by individuals who are using illegal labour for various services to report suspected trafficking crimes because they would then run the risk of becoming the subjects of a criminal investigation. Regardless of these difficulties, the available information indicates that trafficking in human beings for forced labour does occur in Sweden.

As with human trafficking for sexual purposes and forced labour, it is hard to give precise figures for the scope of human trafficking to, through and within Sweden. In 2009, however, it has been confirmed that people are being taken to Sweden to beg and commit criminal acts. This type of information mainly concerns victims and perpetrators from Central and Eastern Europe, primarily Bulgaria and Romania.

In January 2009, Stockholm District Court sentenced four (4) people to terms of imprisonment for human trafficking after they had, over a period of two years and at various locations within Europe, forcibly exploited a Ukrainian man with a functional impairment for begging. This was the first prosecution in Sweden for trafficking in human beings for non-sexual purposes. The Court of Appeal increased the sentences of three (3) of the perpetrators but disallowed the prosecution against the fourth perpetrator.

1.3 Trafficking in minors

In the preliminary investigations carried out in Sweden during 2009 into human trafficking for sexual purposes and similar crimes such as procuring/aggravated procuring, none of the victims were below the age of twelve. So far, all of the child victims of human trafficking for sexual purposes in Sweden were, with one exception, girls aged 16-17 years.

A small number of investigations initiated in Sweden have focused on human trafficking in which girls and boys from south-eastern Europe were exploited for the purposes of theft and begging. Some of these children have been exploited for the purpose of theft at a number of locations in Sweden, but also in other European countries. During 2009, however, there has been no major increase in the inflow of information to the National Criminal Investigation Department concerning trafficking in children for the purposes of theft and begging from Bulgaria, Romania or from any other EU countries. This information does indicate on the other hand that those

who traffic girls and boys are also interested in becoming established in Sweden. Surveillance in Stockholm's central areas has also allowed the police to confirm that groups of individuals of various ages, usually from south-eastern Europe, have been taken to Sweden on occasional visits.

In 2009, a prosecution in Stockholm District Court concerning human trafficking was disallowed against two (2) people who, according to the prosecutor, were supposed to have forcibly brought two Romanian boys aged 16 to Sweden in order to commit theft. The District Court disallowed the prosecution for human trafficking against the men since the court did not consider that the boys had been subject to the type of control that is required for human trafficking liability. The Court of Appeal formed another judgement in 2010 and convicted the men of human trafficking. This was the first time that anyone had been convicted for human trafficking in Sweden after having exploited children in some other way in a situation that involved their being in distress.

Sexual exploitation of children and adolescents has taken other forms with connection to new technology such as the Internet and mobile phones. One problem involves adults, usually men, who are on the Internet with the purpose of making contact with children and adolescents for sexual purposes. In an attempt to combat this, a new clause was inserted into Sweden's Penal Code on 1 July 2009, Chapter 6. Section 10 a, which prohibits contact with children for sexual purposes, known as grooming. The term "grooming" is used to mean the method a perpetrator uses to create opportunities to violate a child sexually, which may take place both on- and offline.

During 2009, the police have investigated some cases in which young girls and women have been recruited via the Internet to be exploited sexually by several men at the same time at hotels or in apartments, in what is known as "gang bangs", in other words, group rapes.

1.4 The child sex trade

One type of crime that often goes unnoticed is the sexual exploitation of children in other countries by Swedish nationals, the so-called child sex trade. The child sex trade is usually defined as a person resident in Sweden, travelling to another country in order to have sexual intercourse with a girl or boy resident in that country, in return for some form of payment.

The experience of the police indicates that this form of abuse is usually committed by organised groups/networks

of men, with the perpetrators making contact with children in a variety of ways. Among the ways contact may be established is through visits to brothels or by seeking to make contact with street children directly. The perpetrator may also contact older boys to ask them how and where they can get hold of younger children.

In many cases, the perpetrator has had contact with the child over quite a long period, as a result of which the perpetrator's control over the child becomes very strong. In certain cases, the sexual assaults are filmed and then sold via the Internet, an activity which generates large amounts of money that can then be used within these organised networks. In this way, the child sex trade clearly has links with child pornography.

In 2009, the Swedish police recorded nine (9) reports

concerning the child sex trade. In an attempt to combat the child sex trade more effectively, an opportunity has now been provided for leaving tip-offs on the police's website which contains a special tip-off form. The form is sent to an e-mail address for the National Criminal Investigation Department's child pornography team. Tip-offs can also be left at the email address childabuse@rkp.police.se and on the Swedish Ministry for Foreign Affairs website for the Swedish Embassy in Thailand; http://www.swedenabroad.com/Page___63499.aspx.

2. INTRODUCTION

Trafficking in human beings for various purposes such as prostitution and forced labour is a ruthless and cynical exploitation which may involve a lifetime of violation and suffering for the victim. It is a crime with a devastating scope and impact that prevents people enjoying their basic human rights and it constitutes a serious obstacle to social and gender equality.

The United Nations Office on Drugs and Crime (UNODC) confirmed in its 2008 global report on human trafficking that several million people are victims of human trafficking every year. About 79 percent of this trade is made up of human trafficking for sexual purposes, and about 18 percent is human trafficking for forced labour. The remaining 3 per cent involve other human trafficking, such as the trade in organs, forced marriage etc. The report shows that the majority of victims are women and girls, but some men and boys are also exploited. The report also points out that human trafficking is one of the fastest growing sources of income for organised crime.

In its latest report from 2010, *Trafficking in Persons to Europe for Sexual Exploitation*, the UNODC also reports that more than 140,000 victims of human trafficking for sexual purposes are exploited every day in Europe. It is

also estimated that approx. 70,000 new victims are drawn into this ruthless trade in Europe annually, and there is no sign of any reduction in the number of victims.

Human trafficking involves a number of separate elements in which many people, usually in different countries, collaborate in order to recruit the victim and then induce that person to travel from one place to another, where they are then exploited for various purposes. The trade in human beings is a global problem that is on the increase and requires a strategy involving extensive international collaboration, building on national measures throughout the world.

2.1 The purpose of this report

This report is intended to highlight the current situation during 2009 concerning human trafficking within, thorough and to Sweden, and how its scope and prevalence have changed since the previous situation report.

Separate annexes provide reports on

- legislation in this area,
- judgements and information relating to victims, perpetrators and sentences concerning human trafficking, procuring and purchase of sexual services,
- statistics on the numbers of reports,
- the police authorities' own reports to the National Criminal Investigation Department.

3. CRIME TRENDS

3.1 Trafficking in human beings for sexual purposes

The National Criminal Investigation Department regularly receives information about the groups and individuals who are behind human trafficking within, through and into Sweden. This information is provided by police authorities, PTN police liaison officers¹, NGOs, the general public and the Swedish Migration Board. This information, and the preliminary investigations carried out, indicate that human trafficking is a phenomenon that is not just found in major towns and cities, but that it is also present in smaller communities.

According to the National Criminal Investigation Department, it is difficult to estimate how many people may have been trafficked into Sweden in 2009. The number of trafficking victims found in Sweden depends largely on the resources that the police put in to detect this type of crime. These activities vary from one police authority to another and from one year to another. Nor is it possible to identify, or even to locate, all the girls and women mentioned in tapped telephone calls or observed during police investigations. It is also difficult to restrict oneself to estimating numbers of trafficked people who are considered to be victims according to the clause on human trafficking since most investigations result in convictions for procuring/aggravated procuring. Despite this, the National Criminal Investigation Department can confirm that no large groups of foreign women have become established either in street prostitution or on the Internet, as has happened in Norway, Denmark and Finland. This is also supported in large sections of the research project "Prostitution i Norden" [Prostitution in the Nordic Countries] which was undertaken in 2007-2008 by NIKK (the Nordic Gender Institute) on behalf of the Ministers for Equality in the Nordic countries.

In 2009, no one was convicted of human trafficking for sexual purposes. On the other hand, seven (7) people were convicted of aggravated procuring, three (3) for procuring, one (1) for attempted procuring and one (1) for aiding procuring that was in the nature of human trafficking.

Information received by the police during 2009 shows that the foreign girls and women recruited for prostitution purposes in Sweden come primarily from Eastern Europe (primarily Russia, Estonia, Romania and Hungary), Albania, Thailand and Nigeria.

¹ Police and customs collaboration between the Nordic countries

3.1.1 Profiles: perpetrators, organised networks

Those parts of the criminal networks that are detected in Sweden are often fairly small, although they may belong to larger networks in their countries of origin. They are made up of both men and women of various ethnic origins. The structures of the organisations revealed in Sweden can vary from having a connection with organised crime, to family-like constellations in which a couple who are married or co-habiting support themselves by exploiting people for various purposes. Many of the women involved have themselves been exploited in prostitution and have then been recruited as intermediaries by someone higher up in the criminal network.

Previous cases show that virtually all of those indicted or convicted of human trafficking for sexual purposes or for crimes resembling human trafficking, such as procuring/aggravated procuring, have had strong ties with the country from which the victims came or where they had previously lived. This means that the perpetrators had good knowledge of the victim's living conditions and their financial and social conditions in their country of origin. That knowledge has then been utilised for recruiting and controlling the women. The majority of perpetrators have been living in Sweden for quite a long time, or have been domiciled here. They speak Swedish, and sometimes also English, and have some knowledge of Swedish society.

The people who were behind the activities investigated in 2009 were men and also some women from Romania, Moldova, Ukraine, Sweden, Estonia, Nigeria and Thailand. Some of the foreign citizens have been domiciled in Sweden or have come to Sweden with the intention of carrying out criminal activities. In 2009, the National Criminal Investigation Department also obtained further evidence from convictions and preliminary investigations that those who trade in human beings for sexual and other purposes also commit other crimes such as drug offences, theft, receiving stolen goods, as well as rape and aggravated sexual exploitation of minors. There are also cases in which the perpetrators exploit the same victim for several different purposes. For example, two Czech women were taken to Karlskrona where they were forced to carry out day-time burglaries and were exploited in prostitution during the evenings and nights.

3.1.2 The victims

According to a report by the United Nations Office on Drugs and Crime (UNODC), 79% of global human trafficking is for sexual purposes. According to the report, the majority of these victims of human trafficking are

girls and women².

In its latest report from 2010, *Trafficking in Persons to Europe for Sexual Exploitation*, the UNODC also reports that more than 140,000 victims of human trafficking for sexual purposes are exploited on a daily basis in Europe. It is also estimated that approx. 70,000 new victims are drawn into this ruthless trade in Europe annually, and there is no sign of any reduction in the number of victims.

The fact that the majority of the victims of human trafficking for sexual purposes are girls and women is also reflected in the Swedish statistics. Since 1999, all of the victims of human trafficking for sexual purposes or of procuring/aggravated procuring has been a girl or woman aged between 13 and 36. In cases where men or boys have been victims of human trafficking in Sweden, it has been for non-sexual purposes.

The majority of the women belong to national minority groups and have difficulty finding employment in their home countries, or have home backgrounds characterised by unsatisfactory conditions such as assault, sexual abuse and social exclusion. Sentences indicate that many of these women had never previously left their home country before becoming victims of human trafficking for sexual purposes. They are therefore lacking in any awareness of the way Swedish society functions or of any opportunities for seeking the help and protection of the police, social authorities and NGOs. Only a few of the women and girls understood or spoke Swedish and only few have a knowledge of English.

Various experiences show that victims of human trafficking for sexual purposes often do not trust the authorities and are not particularly willing to talk to the police. They may also have no confidence in the interpreters who are available since the interpreters may come from the same background as the victim or come from the same place/country. This means that the victim may feel uneasy about her/his personal safety, and because humiliating information will be spread about them in their home countries and among their compatriots in Sweden. They may also fear reprisals from the perpetrators and feel ashamed and guilty about discussing the serious, degrading sexual abuse they have experienced, and which has often been taking place for a long time.

There is also the fact that these women are very often from very different backgrounds. It may be the case that they are being prostituted for the first time, or they may have been exploited in prostitution for many years. They may also be women who come from a poor background and who lack any education, or they may be educated women, but from countries where there is no function-

² "Global Report on Trafficking in Persons", UNODC, 2008.

ing social security network. In these countries, women's rights are often limited or not respected. Many of them also come from societies that have undergone major changes due to economic crises, political instability, armed conflict or natural disasters.

It has become more common to appoint experts on trafficking in order to clarify the social, economic, legal and political conditions in which the victims live, the psychological mechanisms controlling the behaviour of trafficking victims and the motives of what is sometimes claimed to be the victim's "voluntariness".

Children and adolescents in Sweden are sometimes contacted for sexual purposes by adults in real life, but also via the Internet and mobile telephony. During 2009, the police investigated some cases in which young girls and women were recruited via the Internet to be exploited sexually by several men at the same time at hotels or in apartments. In several cases, the perpetrators have aimed, under false pretences, to induce the victim to participate in sex acts and the young girls and women have found themselves in a very exposed position. Added to that, the perpetrators have supplied several of the victims with large sums of money, and in certain cases drugs too, which has induced them into a position of further dependency.

Several of the victims have had problematic relationships with their parents, difficulties at school and in certain cases they have been subject to sexual abuse previously. Some of the young girls and women have stated that they participated in the sex acts because they had a poor level of self-confidence and were looking for acknowledgement from men. After the abuse, several victims have experienced feelings of shame and guilt, and have been in need of long-term psychological support and medical treatment.

In 2009, the National Criminal Investigation Department also received information about several cases of procuring in which girls and women with mental impairment have been sexually exploited. The victims were resident in Sweden and the cases were reported by the police authorities in the counties of Stockholm, Gävleborg and Skåne.

3.1.3 Special details about victims from Nigeria

Human trafficking for sexual purposes, taking place from Nigeria, has been a major problem for some years throughout large parts of Europe. In Sweden also, principally in Gothenburg, the police have noticed a marked increase in the numbers of Nigerian women who are being exploited in prostitution, which is considered to be a result of Norway's new Purchase of Sexual Services Act which came into force on 1 January 2009. In Norway, just as in Sweden, it became considerably more difficult for human traffickers to sell women in Norway after the ban was

introduced. The National Criminal Investigation Department has estimated roughly that around 50 Nigerian women have been subject to human trafficking for sexual purposes in Sweden during 2009³.

The women mainly come from Benin City in the state of Edo where female oppression and poverty is viewed as the major problem and the reason for human trafficking⁴.

Recruitment of the women is undertaken mainly by means of a controlling voodoo⁵ ritual in which the human trafficker takes control of the victims. This takes place via juju, calling on supernatural powers, carried out by a juju priest. The voodoo ritual that follows also involves the woman having to hand over pieces of fingernails and hair which the priest then retains. This is to ensure that the woman remembers that, wherever she is, parts of her remain with the priest in Nigeria. Religious symbols from Christianity and Islam are also integrated in the rituals in order to make them extra strong.

The rituals force the women to behave in a certain way or to undertake a specific action to avoid an accident. The women believe that some sort of misfortune will happen to them or their family if they break their promises by not doing what they are told. At the same time, the voodoo rituals are regarded as offering protection to the women if they comply.

Educated women are not so easily influenced as women who are not educated, and they are therefore not as vulnerable. The women are often scared that they will not be believed and it is only when confidence has been built up that women talk about what they have gone through. Experience from Germany also shows that the first step in contact with women who have been exposed to controlling voodoo rituals is to show acceptance⁶.

The structure surrounding the controlling rituals often encompasses a human trafficker, a victim and a madam. The human trafficker is responsible for expenditure connected with travel and any necessary documents and ensures that the victim enters into the ritual pact that makes her deeply indebted and thereby forced to work. The madam is frequently a woman who has been a prostitute previously and who now exploits the other women in prostitution. In certain case, the madam is still subject to prostitution which can make it difficult for the police to clarify the roles in the networks and who is the perpetrator and who the victim.

³ Because of that, Europol is implementing a project targeting Nigeria (AWF Phoenix).

⁴ "Sexuell trafficking från Nigeria: ett allt mer uppmärksammat problem" [Sexual trafficking from Nigeria: a problem attracting an increasing amount of attention]. Report from Sweden's embassy in Abuja, Nigeria. 08.02.2010.

⁵ Voodoo is part of a group of West African and Haitian animistic religions

⁶ Telecommunications messages from the Swedish Embassy in Berlin. 26.06.2009.

Many of the women are aware or guess that they are going to be exploited in prostitution in the destination country, but are kept unaware of how long this will be for and what the circumstances will be. Their living conditions in their home country make it impossible for them to go against what the human traffickers want. The debt greatly exceeds the human trafficker's outlay which means that the woman is forced to work to pay off her debt through prostitution for a long time and often under conditions reminiscent of slavery.

In Sweden, it has been noticed that there are primarily three groupings that run human trafficking operations from Nigeria. These are mainly active in Stockholm, Gothenburg and Malmö. By following transactions between the chief protagonists in the Swedish groupings, the police have been able to establish that the chief protagonists in the networks, are most probably located in Spain and Nigeria. Since the Swedish Purchase of Sexual Services Act has made it more difficult to place the women in street prostitution, the criminal networks have increasingly begun to advertise on the Internet to reach out to purchasers of sexual services. Exposure on the Internet makes it easier for the police to reach the people who are organising the trade and to locate purchasers of sex and victims.

In early December 2009, the police in Stockholm and Malmö carried out a joint initiative against suspected human trafficking and aggravated procuring involving women from West Africa. Several of the main figures were seized and prosecutions are expected to start in spring 2010.

3.1.3 Special details about victims from Thailand

The National Criminal Investigation Department estimates that the number of women from Thailand who are being exploited for sexual purposes in Sweden has increased over the past three years. Among the methods used is that some Swedish men exploit Thai women by giving them the opportunity to come to Sweden through marriage or through a visitor's visa. Once the women are in Sweden, they may be exploited for sexual purposes by people paying for sex in places such as apartments, hotel rooms or Thai massage parlours.

The police estimate that there are around 90 Thai massage parlours in Stockholm and neighbouring areas. Preliminary investigations by the police confirm that most of the individual businesses offer erotic massage which often concludes with the man ejaculating, known as a happy-ending. The Stockholm County Labour Board has also reacted to the number of Thai women who are applying for residence and work permits to work as masseuses, since it is considered unlikely that the number matches the actual demand.

In addition, it seems that a large number of women who have been exploited for prostitution purposes in Europe have been brought in on Swedish Schengen visas, issued by the Swedish Embassy in Bangkok.

3.1.5 Approach

Information received by the police indicates that it is common for traffickers to exploit the vulnerability of their victims to get them to leave their home environment. The method used is that the women are offered attractive opportunities to earn a living, and are also given a feeling of affinity, which they have difficulty resisting due to their already vulnerable situation. It is most common for women to travel after having entered into an agreement with the recruiter with whom they had been in contact via newspaper advertisements, the Internet, local recruitment agencies or frequently through personal contacts, e.g. within the family.

Most of the women are aware that they will be exploited in prostitution, but are deceived about the actual terms, their living conditions, financial arrangements, abuse and the degree of personal freedom. For some women, the abuse to which they are subjected by people paying for sex and by human traffickers has already become the norm since they were exploited for prostitution for a longer or shorter period in their home country.

According to information received, those who become victims of human trafficking are often expected to repay, to the traffickers and pimps, a sum of money for travel documents, expenses for travel and other costs. This creates a debt trap in which the person who has borrowed money from the human trafficker will never earn enough to be free of debt. The human traffickers also usually retain all or large parts of the income. The original debt also grows increasingly quickly since the women are usually expected to pay for various peripheral costs in the recipient country, such as advertising and rent for premises, transportation, sanitary items, condoms and food - a cost liability that the victim may not be aware of during the recruitment phase.

Human traffickers usually use cars, busses or ferries to transport the women to Sweden, though they do also use air links. The perpetrators provide themselves or the women with fake or other people's travel documents in order to conceal their own and the victims' real identities. Perpetrators also do this in order to evade visa requirements or to avoid detection when a perpetrator is wanted by the police. There is information to indicate that many women are also exploited by people paying for sex during the journey to Sweden or to other countries, and that the women themselves are often forced to commit crimes, particularly burglaries and thefts.

Once the women have arrived in Sweden, they often have to make their own way to an agreed address, usually a flat, or else they are taken there by the perpetrators. The women are exploited for prostitution in different premises, such as sublet apartments or hotel rooms, which are visited by those purchasing the sexual services. Sometimes the pimps and human traffickers escort the women to pre-arranged locations, such as the home of the person buying the sexual service, or to a hotel. This reduces the risk of discovery and leads to fewer attendant costs for premises. The women also very rarely dare to escape because of their indebtedness to the human traffickers and the threats of harm to the women or their relatives.

Telephone tapping has allowed the police to find out that it is common for the perpetrators to give instructions to the women that they should declare that they are operating the prostitution business on their own behalf, voluntarily, if they are found by the police. The arrangements of perpetrators with regard to the business are well organised and may be controlled from just about any country. It is therefore difficult to obtain evidence physically linking the human traffickers and pimps to the women. The human traffickers rarely or never visit the premises where the women are exploited and are only seen outside with them in exceptional cases. When these women have to hand over their earnings to the perpetrators, this is often done in a public space or on public transport in order to prevent discovery. The criminal bosses, i.e. those who are higher up in the criminal networks, are not generally seen in Sweden, sending instead so-called local managers.

3.1.6 Sale and purchase of sexual services via the Internet

As in other countries, sexual services in Sweden are mostly sold via the Internet. The National Criminal Investigation Department's IT crime section has therefore assisted the police authorities in several investigations in 2009, in which advertisements with girls and women have been published on the Internet for the sale of sexual services. In most cases, the advertisements have been placed by human traffickers or pimps but are designed to look as if it is the women themselves who are behind them. In reality, the women usually have known nothing about what the advertisements actually contain, something that becomes particularly clear when it has emerged on several occasions that girls and women of Roma and Nigerian origin neither read nor write.

The most prominent websites with advertisements in which women are offered for prostitution purposes are:

- Stockholm Top Escort
- Secretary Academy
- Thumblogger
- Sthlmtjejer
- Best forums

Stockholm Top Escorts also has escort reviews.

None of the websites can be traced to a server in Sweden - most are located in the USA but also in the Czech Republic, the Netherlands, Denmark and Spain. The site administrators often use various services that can analyse visitor traffic. In this way it is possible to see where the visitors are located in geographical terms, thus providing an opportunity to optimise the advertisements by directing them at the right part of the country.

Today, people buying sexual services can now order women and girls into Sweden for sexual exploitation via the Internet by calling a booking centre based abroad. Travel and hotel bookings are probably arranged by the booking centre, and the women are then sent to Sweden or to some other country, depending on the wishes of the person buying the sexual services. Instructions to the women and the person buying sexual services concerning the time and place of the sexual purchase are sent via the Internet or SMS text messages. The websites often state clearly that the person buying the sexual services must pay a deposit, usually half the purchase sum, into an account, and then pay the balance in cash to the woman.

Some women sold for prostitution purposes via escort operations, mainly in Stockholm for a limited period, are also sold in other countries. The women are then advertised for sale in Swedish advertising sites a few weeks before their planned arrival in Sweden. According to the advertisements, other women have Swedish mobile numbers even before their arrival in Sweden, though they state that they will not respond until they have arrived. The foreign mobile numbers are updated to Swedish numbers on the advertising site after their arrival in Sweden.

According to the National Criminal Investigation Department, it is evident that subjects surrounding escort services and prostitution become an obsession. On the "Flashback" forum, there are hundreds of pages with thousands of discussion threads relating to these topics. Some of the threads contain reviews of women engaged in prostitution, written by purchasers of sex, discussing whether a woman meets the expectations suggested by her picture, whether the woman who has been ordered is actually the one who turns up, and so on. There are similar threads on the "Secretary Academy" forum, which is also divided up into different regions, some in Sweden, some in other Nordic countries, Europe and Thailand.

In the majority of cases investigated by the National Criminal Investigation Department, there are suspicions that organised crime is behind this. The fact that many different women have been photographed in the same environment and/or have very similar email addresses are examples of this. In addition, these advertisements have

been published in conjunction with each other. Other examples show different women with the same mobile number. However, it is difficult to locate the source of many of the sites since they are posted on sites which themselves are quite legitimate and which provide space for anyone wishing to publish on the Internet.

3.1.7 Sexual exploitation of children and adolescents via the Internet

Sexual exploitation of children and adolescents has taken new forms linked to the technological developments of the Internet and mobile telephony. Offensive information in the form of images and text can be distributed rapidly to a large number of people and therefore have a devastating effect on the victim. For example, the Internet plays a major role in the sexual exploitation of children because developments now allow perpetrators to convey images of sexual abuse, in other words child pornography. Despite the large amount of child pornography that exists on the Internet, few of the children have been identified. Information from Interpol, which has built up an international database of images of abuse, shows that at present it has only been possible to identify around 1100 children worldwide, and most images of abuse on the Internet show white western girls aged between 8 and 12⁷.

Another problem involves adults, overwhelmingly men, who use the Internet to make contact with children and adolescents for sexual purposes. On 1 July 2009, a new clause was inserted into Sweden's Penal Code⁸, in an attempt to combat this crime, banning contact with children for sexual purposes, a practice known as grooming. The term "grooming" is used to mean the method a perpetrator uses to facilitate opportunities to assault a child sexually, which is something that can take place both on- and offline.

One group running a particularly high risk of exposure to abuse via the Internet involves those young people who offer sexual services for payment, but other forms of personal activity on the Internet can also lead to children and adolescents gradually taking increasing risks without thinking of the consequences⁹.

3.2 Other forms of trafficking in human beings

3.2.1 Forced work or other such coerced status

Other exploitative purposes referred to in the section on human trafficking include exploitation of the victim in active military service or forced labour, or some other similar coerced status. The term "coerced status" is used to

⁷ L. Jonsson, C. Warfvinge & L. Banck. "Barn och sexuella övergrepp via IT" [Children and sexual abuse via IT]. 2009.

⁸ Chapter 6 Section 10 a of the Penal Code.

⁹ L. Jonsson, C. Warfvinge & L. Banck. "Barn och sexuella övergrepp via IT" [Children and sexual abuse via IT]. 2009.

mean restrictions, in full or in part, of a person's freedom of action. The exploitation of people as workers (known as workforce exploitation) is only regarded as being human trafficking for forced labour if all of the necessary conditions of the clause on human trafficking have been met.

During 2009, four (4) people were convicted of human trafficking for non-sexual purposes, and one (1) person for complicity in this. A prosecution for human trafficking of two (2) people who exploited two children in order to commit theft was disallowed by the District Court. In addition, 26 reports were made to the police in connection with human trafficking for non-sexual purposes. In particular, these concern British and Irish tarmac and paving layers in Sweden, but also situations in which people have been forcibly brought to Sweden to beg or commit criminal activities. The victims do not usually report personally that they have been the subject of human trafficking because they often have no confidence in the authorities that administer justice and are afraid of acts of reprisal. Another problem is a reluctance by individuals who are using illegal labour for various services to report suspected trafficking crimes because they would then run the risk themselves of becoming the subjects of a criminal investigation. In addition, these people gain financially from using these services since the costs are considerably lower than if the private person had employed legal workers. Regardless of these difficulties, the available information indicates that trafficking in human beings for forced labour does occur in Sweden.

As regards information about suspected human trafficking in which people have been forced to travel here to beg or carry out criminal activities, the information mainly concerns victims and perpetrators from Central and Eastern Europe.

3.2.2 Specific details of tarmac and paving work

The Border Police Department guards Sweden's external borders and investigates, for example, whether those travelling into the country have valid travel documents, and searches for people who are wanted by the police. The Border Police Department has also been tasked with gathering information on cross-border crime such as human trafficking and smuggling. In the county of Stockholm, for example, the Border Police Department also has a certain investigation responsibility relating to preliminary investigations concerning human trafficking for non-sexual purposes.

As with human trafficking for sexual purposes and forced labour, it is hard to give precise figures for the scope of human trafficking to, through and within Sweden. In 2009, however, it has been confirmed that people are being taken to Sweden to beg and commit criminal acts.

The majority of the information received by the police concerns perpetrators and victims from Romania and Bulgaria.

A matter of special interest

In 2008, five (5) people were prosecuted for human trafficking for purposes other than for prostitution after they forced a man from Ukraine with functional impairment to beg over a two-year period. This was the first time that a prosecution was initiated in Sweden in a case of this kind.

The man was first recruited to Moscow in the belief that he was going to be given clerical work. On the way there, the perpetrators took responsibility for the man's passport documents and money, and he was told that he was going to be working as a beggar instead. After having been forced to beg at various places in Europe, the man was taken to Sweden where he was expected to beg in public places from seven o'clock in the morning until eleven o'clock at night. The man was threatened and mistreated and made several unsuccessful attempts to escape. During one escape attempt, he succeeded in making his way to a police station in Stockholm, to which the perpetrators also made their way to report the man as having gone missing. The perpetrators were seized inside the police station and a preliminary investigation into human trafficking was initiated.

In January 2009 Stockholm District Court convicted four out of the five accused for human trafficking or complicity in human trafficking. The two ringleaders were sentenced to 5 and 3 years in prison and two others to prison terms of 6 and 9 months.

The Court of Appeal increased the sentences of 3 of the perpetrators but disallowed the prosecution against the fourth perpetrator. See Appendix 3.

3.3 Trafficking in minors

In the preliminary investigations carried out in Sweden during 2009 into human trafficking for sexual purposes and similar crimes such as procuring/aggravated procuring, none of the victims were below the age of twelve. So far, all of the child victims of human trafficking for sexual purposes in Sweden were, with one exception, girls aged 16-17 years.

A small number of investigations initiated in Sweden have focused on human trafficking in which girls and boys from south-eastern Europe were exploited for the purposes of theft and begging. Some of these children have been exploited for the purpose of theft at a number of locations in Sweden, but also in other European

countries. During 2009, however, there has been no major increase in the inflow of information to the National Criminal Investigation Department concerning trafficking in children for the purposes of theft and begging from Bulgaria, Romania or from any other EU countries. This information does indicate on the other hand that those who traffic girls and boys are also interested in becoming established in Sweden. Surveillance in central areas of Stockholm, in conjunction with internal checks on foreign citizens, has also allowed the police to confirm that groups of individuals of various ages, usually from south-eastern Europe, have been brought to Sweden on temporary visits.

3.3.1 Examples of methods: children exploited for committing crimes

Information indicates that a common recruitment procedure is for traffickers to make contact with parents living in poverty in southern European countries like Romania and Bulgaria, and either to buy or rent their girls and boys so that they can then be used for theft and begging or in prostitution. A family with a lot of children will not always be paid for the child, but instead they may be satisfied that someone else is taking responsibility for the child.

The girls and boys, who are often aged 10-14 years, are not allowed to attend school but are instead trained at an early stage by human traffickers to steal from shops and to pick pockets. Presumably, these human traffickers exploit the children's young age in order to escape punishment and a criminal record. It is not uncommon for them also to provide the children and themselves with different identities, making it difficult for the police to detect and identify this crime, especially since the groups often move from one European country to another.

The girls and boys are often taken out of their country in groups resembling family units, consisting of an adult couple and two or three children. To make detection more difficult, the perpetrators have special documents showing that they are acting as guardians with permission to travel abroad with the child/children for an indefinite period. The group travels by car between European countries, even to and through Sweden, and exploits the children for begging and theft.

In cases where the children have been caught committing a crime, police investigations show that an adult will often turn up claiming to be a relative of the child, or the child's guardian, in order to collect the child from the police or the social services. Since children represent a significant investment for the traffickers, they may go to considerable lengths to recover them from the authorities. The children are often isolated socially, are emotionally bonded to the perpetrators and therefore very inclined to

escape when placed in a safe house. In addition, they frequently do not trust the authorities, especially the police, and often do not see themselves as victims of a crime. In all, these challenges result in lengthy investigations in which the foundations for success are relatively small.

A matter of special interest

In 2009, the Border Police Department in Stockholm, together with the Commission against Human Trafficking, carried out a preliminary investigation in which two 16-year-old Romanian boys were forcibly sent to Sweden to steal. They had been enticed here by two Romanian men, believing that they would be given work and accommodation in Sweden. Once they were in Sweden, it appeared that there was neither work nor accommodation; instead, the boys were forced to steal goods from various shops. They did not feel that they had any opportunity to escape from the perpetrators since they were in a foreign country for the first time and could not speak the language. They did not even dare to tell their parents on the phone about the exploitation since they were afraid and felt extremely guilty and ashamed of what they had done. The boys were caught on several occasions by the Swedish police and were finally deprived of their liberty before the human trafficking was discovered.

The District Court disallowed the prosecution for human trafficking against the men since the court did not consider that the boys had been subject to the type of control that is required for liability for human trafficking.

The Court of Appeal formed another judgement in 2010 and convicted the men for human trafficking. The Court of Appeal was of the opinion that the crime was less grievous, but that the men actually had taken control of the boys. The control was motivated by the minors being in a foreign country where they could not speak the language and had no money of their own or even changes of clothing. On the whole they were with the men all the time and it was the men who, right from their arrival, determined where the boys would go and how they would get by.

The perpetrators were sentenced to imprisonment for 1 year and 1 year 3 months, respectively, and subsequent deportation. This was the first time that anyone had been convicted for human trafficking in Sweden after having exploited children in some other way in a situation that involved their being in distress.

3.4 Child sex trade

One type of crime that often goes unnoticed is the sexual exploitation of children in other countries by Swedish nationals, the so-called child sex trade. The child sex trade is usually defined as a person resident in Sweden, travel-

ling to another country in order to have sexual intercourse with an under-age girl or boy resident in that country, in return for some form of payment. This demand creates a market in which pimps supply the perpetrators with children and adolescents in return for payment. To satisfy the perpetrators' wishes, the victims are transported from country districts into cities, or even between different countries.

The experience obtained by the police shows that there are usually organised groups/networks of men who commit these assaults. The perpetrators have various ways of establishing contact with the children. For example, by visiting brothels or by seeking contact with street children at the location. The perpetrator may also contact older boys to ask them where to get hold of younger boys or girls. The older boys then fetch a younger child, taking him or her to the perpetrator. The perpetrator often gives money to the older boy and to the family of the younger child. Sometimes very young girls and boys are also taken from other regions or countries to "stay" with one of the men who also rents the children out to his associates.

In the majority of cases, the perpetrator has contact with the child over quite a long period, as a result of which the perpetrator's control over the child becomes very strong. In certain cases, the sexual assaults on the girl or boy are filmed to be distributed and sold on the Internet later. This generates large sums of money which can be used within the organised networks. In this way, the child sex trade clearly has links with child pornography.

In 2009, the Swedish police recorded nine (9) reports concerning the child sex trade. Of these reports, eight (8) concern crimes against children in Thailand and encompass five (5) accused men. Plaintiffs have been identified in all of the reports. Some of these plaintiffs are counted in several reports, which is because several of the perpetrators have exploited the same child. One report concerns an identified Swedish man who sexually exploited children in Cambodia.

The reason there are relatively few reports and convictions under either Swedish or foreign legislation is that it is relatively difficult to prove sexual offences committed abroad due to the difficulty of catching anyone in the act. It can also be difficult to tell the age of the children or the degree of control the adult has over the child. In addition, there are difficulties with investigations, since the victim and the alleged perpetrator are mostly in different countries. It is actually only when the perpetrators document their abuse and when the victim is found that there are opportunities for good evidence. Furthermore, it is highly unlikely that the girl or boy her/himself, or the child's family, would report the crime since the income from the sexual exploitation may be providing the main living for the child or its family. The child may also have

been sold to a pimp and therefore has very limited scope to have an influence on its own situation¹⁰.

In an attempt to combat the child sex trade more effectively, a means has now been provided for tipping off the police via their website where there is a special tip-off form. The form is sent to a function mailbox for the National Criminal Investigation Department's child pornography team. Tip-offs can also be left at the email address childabuse@rkp.police.se and on the Swedish Ministry for Foreign Affairs website for the Swedish Embassy in Thailand; http://www.swedenabroad.com/Page_63499.aspx. According to the National Criminal Investigation Department, however, only a limited number of tip-offs have been received so far, which may be due to the difficulty experienced by vacationing Swedes in finding an Internet connection the moment they witness any suspected sexual exploitation of children.

Matters of special interest

At the start of 2009, the National Criminal Investigation Department received a tip-off from NLO¹¹ Bangkok concerning a number of Swedish men who had been accused of abusing children in Pattaya, Thailand. Tracing the men resulted in the discovery of a network of men, based in Pattaya, who were sexually exploiting children. The assessment was made that collaboration between Thai and Swedish police could result in an intervention against these Swedish men. The National Criminal Investigation Department therefore travelled to Pattaya to assist with intelligence information. In conjunction with the journey, a collaborative venture was initiated with the Child, Juvenile and Woman Division, CWD¹² and the High Tech Team within the Thai police, and resulted in an operation going under the name of Operation Snapper. During interviews with the children, some Swedish men were pointed out as perpetrators and, based on the children's information, the Thai authorities issued arrest warrants for the men. It appeared that two of the Swedish suspects were domiciled in Pattaya. In May 2009, these men were arrested but were later released on bail. However, in conjunction with a visit to Sweden, one of the men was suspected of purchasing sex acts from children.

Because of the details that emerged during Operation Snapper, reports were also submitted concerning the Swedish men, which include a number of suspected perpetrators. Plaintiffs have also been named in all of the reports. Preliminary investigations were initiated and a legal-aid request has been sent to Thailand. Another case concerns a Swedish man, aged 62, who was arrested in May 2009 in Cambodia, suspected of having sexually abused children. By his own admission,

¹⁰ "Sexualbrott med svensk anknytning" [Sex Crime and the Swedish connection], C. Diesen & E. Diesen, 2008

¹¹ Nordic Liaison Officer.

¹² Child, Juvenile and Woman Division

he had adopted a 9-year-old Cambodian boy but denied any sexual contact. On 32 December 2009, legal proceedings against the man were initiated in Phnom Penh, the Cambodian capital, and on 19 January 2010 sentence was passed resulting in 6.5 years of imprisonment. However, the man has lodged an appeal and a new trial is expected within 6 months. A Swedish report has also been drawn

up and a preliminary investigation has been initiated. Swedish police are now awaiting information from the trial in order to be able to continue with the report. However, the man had been previously arrested in 2008 when he was suspected of having had sex with underage boys but was released on that occasion due to lack of evidence.

4. SUPPORT AND COMPENSATION FOR VICTIMS OF HUMAN TRAFFICKING

In cases that are assessed as human trafficking, a victim is always seen as a plaintiff who therefore has the opportunity to assist the prosecution, obtain compensation within the framework of the criminal case proceedings and to obtain legal assistance. A review of all judgements shows that all plaintiffs in cases concerning human trafficking since the crime was introduced in 2002 have had legal assistance appointed but that only just over half of the plaintiffs in these cases have obtained compensation. The reason for no more of these people having claimed damages is often that the girls/women do not see themselves as victims of crime and/or that they do not want their families to find out what has happened. Fear of reprisals has also been given as a reason, as well as the fact that the victims may have the type of relationship with the perpetrator that means that they do not view that person as an abuser¹³.

In several cases however the perpetrators have been prosecuted for and convicted of the lower penal value crime of procuring or aggravated procuring. This leads to the victim being seen instead as a witness who therefore does not have the same rights as a plaintiff. However, there is the possibility that someone other than the victim brings the action for damages in these matters, e.g. representatives of a voluntary organisation with experience of these matters. In the event of a dismissal, however, the victim is forced to pay the trial costs. In addition to that, the person regarded as being a witness can bring the action for damages in a civil case, or can apply to the Crime Victim Compensation and Support Authority, but that is something that is done on that person's own initiative and with his or her own resources.

Damages payments for violation have been made to plaintiffs in the case of convictions for human trafficking as opposed to sentences for procuring and aggravated procuring. The action for damages is often disallowed in these cases, for example because of the fact that there had been no ruthless behaviour or that it had not been evident that the accused had exploited the plaintiff in an abusive manner. Unfortunately, the law courts have frequently picked up on irrelevant factors when assessing damages, which are linked to the person of the victim, such as the

¹³ "Utbetalning av brottsskadeersättning till offer för människohandel – redovisning av ett regeringsuppdrag" [Payment of damages to victims of human trafficking - report of a government commission]. The Swedish Crime Victim Compensation and Support Authority. 2010.

victim's earlier experience of prostitution and possible relationship with the perpetrator.

A number of the people who become victims of human trafficking in Sweden are citizens of the EU, which means that they have a right of residence¹⁴ and may stay in Sweden without a residence permit and work permit for up to three months. Victims who are not EU citizens, or who do not fulfil the requirements for a right of residence, can be granted a temporary residence permit in compliance with Chap. 5 Section 15 of Sweden's Aliens Act (2005:716). Up until 1 March 2008, only 4 out of 20 plaintiffs in cases concerning human trafficking have applied for and been granted a permanent residence permit¹⁵.


The plaintiffs and witnesses who have been granted temporary residence permits are entitled, according to Sweden's Social Services Act, to the same medical and health care and assistance to which other people resident in Sweden are entitled. The social services in the municipalities, and also voluntary women's shelters, are also able to offer various forms of support, such as safe accommodation, financial support, interpreters and some form of psychological support. However, many plaintiff assistants consider that the support to victims of human trafficking in Sweden are often insufficient since accommodation is arranged but employment or language teaching are not given priority.

In most cases, however, the victims will return to their home countries and have no contact with either the public authorities or voluntary organisations. This is despite the fact that victims, according to details from the prostitution team in Gothenburg, are often afraid before their return since they are often subject to threats in conjunction with this.

Through the action plan to combat prostitution and

¹⁴ An EU citizen has a right of residence if he/she is an employee or is self-employed in Sweden, has come here to seek work and has an opportunity to obtain employment, is enrolled as a student at a recognised educational institution in Sweden, has sufficient resources to support his/her/their family members and has a comprehensive health insurance policy for him/her/themselves and for family members which is valid in Sweden.

¹⁵ "Utbetalning av brottsskadeersättning till offer för människohandel – redovisning av ett regeringsuppdrag" [Payment of damages to victims of human trafficking - report of a government commission]. The Swedish Crime Victim Compensation and Support Authority. 2010.



human trafficking for sexual purposes, the government has given the Stockholm County Administration Board the task of coordinating and developing measures to ensure that people who have been subject to prostitution and human trafficking are able more securely to return to their home countries. To make the return more effective, the aim is to create conditions that enable these vulnerable people to leave prostitution, to minimise the risks of them once again ending up in the trade on their return, to reduce human suffering and to increase the feeling of security and safety¹⁶

¹⁶ "Ett tryggare återvändande för personer som utsatts för prostitution och människohandel i Sverige" [A more secure return for people who have been subject to prostitution and human trafficking in Sweden]. Report 2010:03. Stockholm County Administrative Board.

5. NATIONAL POLICE BOARD INITIATIVES AGAINST HUMAN TRAFFICKING

In July 2008, the Swedish government presented a communication (Skr.2007/08:168) to the Parliament containing an action plan for combating prostitution and human trafficking for sexual purposes. That action plan was aimed at a number of public authorities to ensure that these jointly and severally would contribute to combating prostitution and human trafficking for sexual purposes. A majority of the measures contained in the action plan concerned the police.

In September 2008, the government issued an assignment to the Swedish National Police Board and the Swedish Prosecution Authority to reinforce operational initiatives to combat prostitution and human trafficking, and the expanded development of methodology and skills by the public authorities. In total, the National Police Board were assigned SEK 30 million to strengthen operational initiatives and SEK 10 million for developing methodology and skills. The assignment is due for completion on 31 December 2010.

To increase the number of operational initiatives, a majority of the skills development for which the National Police Board has been responsible was implemented, in the introductory phase, by the groups within the police who are working on information acquisition concerning suspected criminal activity. During 2009 this resulted in a marked increase in information on human trafficking and prostitution to the National Criminal Investigation Department's criminal intelligence service from the police authorities. In addition, this has included the training of preliminary investigation managers and the exchange of experience between the police and prosecutors to make police work within this area more efficient.

To give all police employees the opportunity to acquire more knowledge about human trafficking and prostitution, the National Police Board has also begun the work of developing an interactive training course on those issues. The training course will be published on the police intranet system in 2010.

The National Police Board has also decided permanently to place the national rapporteur on issues concerning human trafficking with the Police Department at the National Police Board¹⁷. The national rapporteur's assignment involves acquiring details of the scope of human trafficking to, in and through Sweden, analysing the situation, giving recommendations about the way the trade can be prevented and

combated, and also reporting annually on these results to the Government.

The initiatives implemented by the police authorities in 2008-2009 within the framework of the government assignment has been of a variable nature with changing objectives¹⁸. Many people have been knowledge-focused - in other words, they have been focusing on the collection and processing of information (analysis). In addition, the work has involved training and the transmission of information, internally and externally, and different types of networking with collaborative partners. Other initiatives have been more operational and repressive. Most of the operational initiatives have had international links to areas such as parts of Africa, the Baltic States, Russia and Asia, but incidences of aggravated procuring with an element of domestic human trafficking have also occurred.

The National Criminal Investigation Department was awarded funding in early 2009 via the government assignment on the national action plan, for a special initiative to combat Swedish perpetrators who subject children to sexual abuse abroad. Among other things, the initiative involves two full-time intelligence officers and two full-time analysts working on issues concerning the child sex trade. The four who work on this initiative also assist the police authorities from other countries with their investigations when Swedes are suspected of having sexually exploited children abroad. During 2009, around 40 people were being tracked. In addition there is a new tip-off form for the general public displayed on the Police Service website and there will soon be brochures about the child sex trade at all passport offices and police station reception desks nationwide. The purpose is to persuade more people to tip off the police about suspected child abuse abroad.

Finally, a special Nordic working party has been established based on a Swedish initiative. The purpose of the group is to improve collaboration concerning intelligence reports and to investigate the possibilities of joint Nordic initiatives against suspected perpetrators of sexual abuse against children abroad. An introductory meeting was held in Stockholm in October 2009 with delegates from Norway, Denmark, Finland and Sweden.

¹⁷ Decision POA 8/10

¹⁸ The police authorities apply for the specific funds for special initiatives or projects within the framework of the government assignment. A specially established secretariat then prepares the application and puts forward proposals for decision by the Operational Council.

Annex 1

REPORTING BY THE POLICE AUTHORITIES

The following report is based on what the police authorities, through the National Criminal Intelligence Service collaboration areas (SamO), have reported to the National Criminal Investigation Department for 2009. In general, it mentions only those police authorities that were reporting anything relating to trafficking in human beings or anything else that might be considered of particular interest.

Collaboration Area Stockholm (Stockholm County, Gotland County)

The Situation in Stockholm County

During 2003 the government resolved to make SEK 30 million available to the police for combating human trafficking during the period 2004-2006. At that time, the investigation department of the City Police Commissioner's district launched a project entitled Projekt Europa. The City Police Commissioner's district covers inner city Stockholm.

The management of the Stockholm County Police Authority decided in May 2008 that Projekt Europa should be reorganised into a commission to combat human trafficking for sexual purposes and the project period was extended up to and including 2010. The purpose of the commission is to identify criminal individuals and networks that are involved in aggravated procuring or human trafficking and associated crime in the county of Stockholm and to take legal proceedings against these people. Simpler cases of procuring are normally dealt with at the county's other police commissioner's districts.

The police have been monitoring the development of prostitution and associated crimes such as procuring and trafficking in human beings for a long time. Since the City Police Commissioner's district had personnel with lengthy experience of crimes resembling trafficking in human beings, this has helped in developing working methods that have produced good results.

The inflow of information on human trafficking, procuring and prostitution reduced somewhat in 2008 but then underwent a marked increase in 2009, above all as regards the police's own information gathering in environments in which people may have information to supply.

The information received during 2009 relates mainly to girls and women from Estonia, Russia, Nigeria, Albania, Hungary, Thailand and Romania. The perpetrators also

come primarily from these countries and from Sweden. The foreign women who are for sale on the Internet in Sweden are mainly available for sale in apartments and at hotels in Stockholm. By preference, the women are sent to Sweden by ferry from the Baltic States and Finland, but buses are also used as a means of transport. Some women are sent to Sweden by air, with information on this coming primarily from Skavsta Airport. As regards the transportation of Nigerian women, they are commonly first exploited in prostitution in Italy or Spain and are then transported further by air to countries such as Sweden.

An increased proportion of exploited foreign women have been noted, principally from Albania, Hungary, Romania and Thailand. Occasionally, women from Africa are also being discovered.

In 2009, the City Police Commissioner's district ran a major preliminary investigation concerning human trafficking for sexual purposes which involved seven (7) suspects and six (6) victims from Nigeria. For this, nine (9) preliminary investigations were initiated concerning procuring/aggravated procuring of a human trafficking nature etc. In addition, a preliminary investigation has been initiated concerning human trafficking for other purposes and 196 preliminary investigations concerning the purchase of sexual services.

Twelve (12) preliminary investigations, of which some were initiated in 2008, have led to guilty verdicts against 14 people in 2009. Of those 14 convictions, two (2) people have been sentenced to imprisonment for human trafficking and one for complicity. The two who were sentenced to imprisonment for human trafficking were also convicted of abduction. Eleven (11) people have been sentenced to imprisonment for aggravated procuring/procuring in the nature of human trafficking. Apart from human trafficking and procuring, the perpetrators have frequently been guilty of other crimes such as rape, complicity to rape, rape against children, the purchase of sexual acts from children, child pornography crimes, drug crimes, complicity in aggravated drug smuggling, bookkeeping crimes and fraud.

The number of Thai women exploited for sexual purposes in Sweden is assessed by the Commission as having increased over the past three years. The methods used for this include Swedish men exploiting Thai women through marriage or by applying for visitors' visas. Once the women are in Sweden, they are occasionally exploited in street prostitution but most commonly they are

exploited in individual businesses that offer erotic massage which concludes with the man ejaculating, which is known as a happy-ending.

The City Police Prostitution Project

On 15 September 2009, the City Police officially started its initiative against street prostitution which was planned to last for six months. The purpose of the project was to disrupt prostitution activities in street environments, particularly in the area around Malmskillnadsgatan in Stockholm. In itself, the prostitution generates disorder, and women who live or spend time in the area have complained to the police about not being able to be in the area around Malmskillnadsgatan without being accosted by men who want to buy sex.

Two police were working full-time on the project, reporting people buying sex for the attempted and actual purchase of sexual services. The project yielded good results and, even after just three months, around 100 people (all men) had been reported. The police have been collaborating on this project with colleagues from Klara Neighbourhood Police and the investigation department of the City Police.

Border Police Department

Since 1 October 2009, the Stockholm County Border Police Department has had coordination responsibility as regards human trafficking for non-sexual purposes. The Border Police Department obtains information, for example, about people from other countries, primarily Romania, being transported to Sweden for organised begging and theft. These other forms of human trafficking, including forced labour, are dealt with primarily by the Border Police Department. During the summer of 2009, the Border Police Department took additional measures against those people from the Republic of Ireland and the United Kingdom who organise rogue tarmac and paving work. These measures consisted primarily of checking up on these groups and distributing information to the general public.

The Border Police Department, in collaboration with Social Services and the Swedish Migration Service, has drawn up an action plan for dealing with unaccompanied children and adolescents seeking asylum who enter the country via Arlanda airport and who abscond, or who are at risk of absconding from municipal care homes. The Border Police Department has also drawn up an action plan for children who are being exploited for begging.

New trends

- More victims and perpetrators are Swedish subjects.
- An increased number of cases have involved victims who have some form of learning difficulty.

- In some notable cases, young girls and women have been recruited to be exploited sexually by several men at the same time in what are known as gang-bangs, i.e. group rapes in hotel rooms or apartments.

Collaboration Area West

(Västra Götaland County, Halland County)

Västra Götaland County

In 2009, four (4) major preliminary investigations have been initiated concerning human trafficking for sexual purposes in Västra Götaland County. In addition, one (1) preliminary investigation has been initiated into procuring/aggravated procuring which was attributable to trafficking in human beings. The case concerned a man who was eventually convicted of rape and the purchase of sexual acts from children since he had induced young boys to have anal and oral sex with him, both forcibly and for payment.

Other cases have concerned women from Romania, Nigeria and Tanzania who have been brought to Sweden to be exploited for sexual purposes. The women from Romania and Nigeria have been sold on the street and via the Internet. The women from Tanzania have mainly been sold at two clubs in Gothenburg. In the latter case, it was not possible to prove that any crime had been committed and the preliminary investigation was closed in that case. Two of these cases have resulted in convictions for procuring of the normal level.

The perpetrators select the Nigerian women carefully, choosing in particular those who are living in difficult financial conditions. The perpetrators' preferred method of recruiting and controlling the women is to use financial extortion rather than violence, threats or incarceration. The women are brought to Sweden and other Nordic countries, usually by air and via one or more transit countries, preferably Spain or Italy. All of the victims of these crimes have now left Sweden. The Nigerian women have returned to Nigeria, Spain or Italy and the rest to their respective home countries. In all cases, they have returned voluntarily and usually at their own expense.

In the preliminary investigations conducted in 2009 into human trafficking for sexual purposes, the perpetrators were primarily from Nigeria, Sweden and Romania. In some preliminary investigations there are also suspicions of some other crime, such as drug offences, money laundering and fraud.

In Norway and Denmark during the years 2007-2008 a large number of Nigerian women were found who were being exploited in organised prostitution. In 2009 there was also a distinct increase in the number of Nigerian women who were being exploited in prostitution on the

streets of Gothenburg. This is probably a consequence of the fact that Norway passed a law prohibiting the purchase of sexual services similar to the Swedish ban. Just as was the case in Sweden, it has become considerably more difficult in Norway for the human traffickers to sell women in Norway after the ban was introduced. Around thirty Nigerian women who have been exploited for sexual purposes have been identified in Västra Götaland. The purchase of sex usually takes place in a hotel or an apartment. The accomplices whom the police have identified do not have any direct contact with the "ringleaders". They primarily have contact with the women and ensure that they are transported to the people purchasing sex in return for sexual services. One of the ringleaders in Gothenburg provided apartments, arranged residence permits for the women etc.

In Västra Götaland, there is also evidence to suggest that children are being brought to Sweden from countries such as Romania, Bulgaria and elsewhere for begging, stealing, playing music or for prostitution. This activity appears to be on the increase, though as yet there have not been any convictions in this area.

The inflow of information about criminal activities involving human trafficking is increasing, though it is hard to say anything about a definite increase in human trafficking in the county. After training and information from the police human trafficking team, more police officers now understand the crime and are providing information to the team.

The work of the police

Since 2003, the police authority in Västra Götaland has had a special surveillance team administered under the County Criminal Police. The human trafficking team is responsible for working to combat human trafficking and procuring. Two analysts are also linked with this team. The team is one of six investigation teams which are subordinate to the Serious Organised Crime Department and connected to an action team leader who has the option of dividing other investigation teams to assist the human trafficking team on a human trafficking case. The human trafficking team also works closely with the Public Order Police in the city of Gothenburg and the Border Police.

The human trafficking team actively watches the Internet, but this rarely leads to the opening of new preliminary investigations. The number of advertisements for prostitution appears to be increasing, and in some of the Internet advertisements, it is suspected that the women/girls offered for sale are foreign. There are also discussion sites on which buyers of sexual services ask for certain women or particular sexual services. It is very easy for pimps to advertise their young female prostitutes on the Internet, and it is also very easy for the prospective purchasers of sexual services and the police to find the advertisements.

A certain increase has been observed in the number of foreign women being exploited in street prostitution. The women mostly come from Poland, Romania, Brazil, Cap Verde, Tanzania, the Ivory Coast, Burundi, Ghana and Nigeria. Of these, there has been a distinct increase of Nigerian and Romanian women during the past year. It is very difficult to ascertain whether or not the street prostitutes have pimps. Most of the women decline all support and collaboration with the public authorities and with voluntary organisations. It is becoming more and more common for the criminal activity to be managed at a distance from the women, and the control being exercised over them is more sophisticated than through violence, threats and incarceration. Meetings to discuss street prostitution have been held with representatives from the Border Police, social authorities and representatives from the City of Gothenburg.

A plan has now been drawn up for taking victims of crime into care. In addition to taking victims into care in Sweden, it also includes an undertaking from the authorities concerned wherever possible to make preparations for a return to the victim's home country and to get in touch with the relevant authorities and organisations there to facilitate the victim's reintegration.

Experiences from working with the support of the Purchase of Sexual Services Act have been good. However, Västra Götaland police believe that questions ought to be asked about whether someone who pays for sex today and who orders, pays for and exploits a young woman who speaks neither Swedish nor English, and who is delivered by a pimp, should not receive a sentence higher than a fine equivalent to 50 times his daily income. The Swedish police should endeavour to make the legislation more stringent in this respect.

In order to provide support for police officers on patrol, the group has produced an action card which is intended to function as a guide if police officers are faced with suspected cases of trafficking in human beings.

Staff from the human trafficking team have also held training courses and lectures for students, senior high school classes, taxi firms in Västra Götaland and voluntary organisations etc. This has been done with the purpose of highlighting the problem, distributing information and preventing criminal activity. An exhibition called Människohandel för sexuella ändamål [Human trafficking for sexual purposes] was set up in the atrium at the Police Station, Ernst Fontells Plats, in Gothenburg. The target group involved staff from within the judicial system and the purpose of the exhibition was to highlight and make apparent the problem imposed on the women who have been subject to human trafficking and exploited in prostitution.

A major problem for the police as regards the Nigerian criminal operation is the lack of competent interpreters. Several languages and hundreds of dialects are spoken in Nigeria. In addition, both victims and suspects mix these different languages and dialects throughout their speech which leads to the translation of the surveillance material falling behind. This in turn means that important information reaches the police much too late.

Halland County

In 2009, in the county of Halland, there has been one case of procuring and one case in which a man turned himself in for having bought sexual services from a prostitute on around 50 occasions. Both of the cases have been dropped.

Collaboration Area North

(the counties of Västerbotten, Norrbotten, Västernorrland, Jämtland)

In 2009, a total of 14 crimes that come under the category of human trafficking or purchase of sexual services have been reported in the northern area of collaboration. Of these reports, 2 are the subject of an ongoing investigation. Two of the reports have been forwarded to other authorities. 4 reports concern people smuggling, for which reason they have been dropped. The remaining 6 reports have been shut down because of a lack of investigation leads or because no crime could be proven.

In 2009, it was possible to report a large number of intelligence leads which principally concern women and men who advertise on the Internet, or who have their own website to market themselves. The intelligence leads can be subdivided as follows:

1. Women are offered for sexual purposes via the Internet
2. Women offer men sexual services in pubs, restaurants and similar locations
3. Women are identified as prostitutes
4. A man/men is/are observed with groups of (mostly foreign) women
5. A man/men is/are identified as involved in procuring activities
6. Vehicles are stopped for inspection where there is a suspicion that the occupants are involved in possible prostitution/trafficking in human beings.

In 2009, in the northern collaborative area, it has been possible to track 40 women and 8 men who are openly advertising their escort services on the Internet. Of these, there are 8 who only travelled to the area to "go on tour" or who had been visiting the area and in conjunction with this have declared that they sold sexual services. In the

northern collaboration area, there are 50 resident prostitutes. The term "resident prostitutes" is used to mean people who for long periods have been working and advertising in the same town.

Of the material that has been received and the material that has emerged through surveillance on the Internet, it is clear that prostitution is most widespread in the large towns. As regards Norrbotten, a clear majority of the sex ads concern Luleå, while Umeå has the largest proportion of these ads in Västerbotten. Sundsvall is affected by the majority of this advertising in Västernorrland and the few cases of prostitution that have been noted in Jämtland mainly relate to Östersund. The procuring business follows the same pattern. In the cases where procuring is suspected it is also principally the larger towns that are relevant.

The extent of human trafficking for sexual purposes in the northern collaborative area is unclear. Certain intelligence leads received, and the results of the Internet watching that has been carried out, indicate that it may occur, but that it is procuring that is apparent today.

Collaboration Area South

(the counties of Skåne, Kalmar, Kronoberg, Blekinge)

Skåne County

After the drop in intelligence leads received in 2007-2008 concerning human trafficking for sexual purposes, the number increased in 2009. The increase may partly be due to the skills development that has taken place via various training initiatives.

On 1 April 2009, Project Omega started at the County Criminal Investigation Department in Skåne. Projekt Omega works on intelligence-based cases targeting human trafficking for sexual purposes on the Internet. The project started with a case in which, on the escort pages on the Internet, there were advertisements for foreign women who were being sold for sexual services in Malmö. After months of extensive surveillance activity in the case, a move was made in early December 2009. The case then grew and encompassed suspects and exploited women, residing in both Stockholm and Malmö. The women come from Nigeria and Cameroon, were controlled by madams and received customers in apartments or at hotels. During the course of the case, Project Omega collaborated with the Commission to Combat Human Trafficking in the City Police Commissioner's District, Stockholm.

At the end of December 2009 intelligence information came in to the project that caused a new case to be initiated immediately. After a surveillance initiative of short

duration, four men were arrested, suspected of human trafficking for sexual purposes at the start of 2010. The men are resident in Sweden but originally come from the Balkans. The woman who was being exploited comes from Romania but did not want to take part in the police investigation. Neither did she want any help from the police or social services. The woman continued to sell sexual services to men after she returned to the same apartment that she was taken from. A decision was taken by the Border Police section to deport the woman supported by Sweden's Aliens Act.

Omega has dealt with two (2) reports on human trafficking for sexual purposes concerning a woman from Nigeria and a woman from Cameroon who declared that they had been subject to human trafficking for sexual purposes. Since no suspect was indicated it has not been possible to clarify whether that was the case and so the preliminary investigations had to be closed.

Crimes that concern human trafficking for sexual purposes and which come to police attention through a police report are investigated at the border police section within the County Criminal Investigation Department in Skåne. In 2009 the border police section investigated a case involving a young woman aged 17 who was abducted against her will from Slovakia to a small village just outside Malmö. There she was forced to receive clients for sexual services and she was also driven out to clients. Four men were convicted in that case. One of the men, who was convicted for human trafficking for sexual purposes, is the same man whom police had previously, in 2008, suspected of selling two Slovakian women for sexual purposes but in that case the investigation was closed because of a lack of evidence for these suspicions. The man, who is resident in Sweden, comes originally from Slovakia and has previously been convicted for procuring. The second man who was convicted of human trafficking for sexual purposes was domiciled in Slovakia and the remaining two men are resident in Sweden and they were convicted of procuring. In the same case, one man was also convicted of purchasing sexual services. Sentence was passed on 14 January 2010.

During spring 2010, the border police section has been carrying out an ongoing preliminary investigation into a number of people who are suspected of human trafficking for sexual purposes where the business is carried out at an illegal gaming club.

During 2009, the family violence unit in Malmö was dealing with a case in which female perpetrators sold a younger woman to men for sexual services. The suspects were convicted of procuring.

Blekinge County

In December 2008, two female Czech citizens were arrested in the municipality of Karlshamn, suspected of aggravated burglary from private houses. During interviews with the women, it emerged that they had been duped into coming to Sweden with the promise of work but that they were instead forced to burgle houses. One of the women also stated that she had been forced into prostitution during her stay in Sweden and had had around 10 clients. Both women also state that they have been assaulted. Both women were convicted in Blekinge District Court to approx. 1 year's imprisonment for several cases of aggravated theft but their stories were taken into consideration when their tariffs were being imposed. The women have now been released and are probably now in the Czech Republic where they both have children of their own. The preliminary investigation concerning human trafficking is still open, however.

In addition to that, the criminal intelligence service in the county is seeing an increased inflow of tip-offs concerning prostitution.

Kronoberg County

A number of cases with potential elements of human trafficking are located within the county. Among other things, two cases of reported breaches of the Swedish Purchase of Sexual Services Act, which together with other facts might indicate that there are people in the county who are being exploited in prostitution. There are still very few concrete cases of this type over a period of time.

In recent years there has been a notable increase in the occurrence of information concerning groups where there may be elements of human trafficking. This information often concerns itinerant flower salesmen, street musicians and tarmac and paving layers.

The acquisition of information is now also being supplemented by surveillance and tracking the trade in sexual services on the Internet.

The police authority, together with other authorities in the county, has been collaborating with the County Administration Board concerning a survey to investigate the occurrence of human trafficking for sexual purposes. Among the things the survey shows is that people within certain occupations have submitted information that might indicate that more individuals could be involved in some form of human trafficking than the public authorities are themselves aware of.

Kalmar County

In the county of Kalmar there is information indicating that women are being exploited in prostitution with possible elements of human trafficking. It has not been possible to confirm the information however. Information may indicate that women of a foreign background, and who may have been brought to Sweden in order to marry Swedish men, in certain cases are sold for prostitution purposes in other countries nearby.

The acquisition of information now also covers surveillance and tracking the trade in sexual services on the Internet.

In Kalmar, the scenario is similar to that in Kronoberg as regards various itinerant groups. There, in recent years, an increased frequency of various groups has also been observed in which there may be elements of human trafficking, such as itinerant flower salesmen, street musicians and tarmac and paving layers.

Central collaboration area

(the counties of Uppsala, Gävleborg, Västmanland)

Uppsala County

In the county of Uppsala a report has been drawn up in which a woman states that she has been assaulted and raped by her husband who had also sold her to other men. In the county there is also information about a person running a human trafficking business with Thai women. In Uppsala, there are also suspicions that a man admitted to a treatment home had purchased sexual services from women who had also been admitted to the same home

Gävleborg County

A report has been set up because a man is suspected of having purchased sexual services from a woman with a functional impairment.

In 2009, the authority collaborated with the County Administration Board, leading, for example, to joint information meetings with external parties and branches.

Västmanland County

In 2009, 2 reports relating to human trafficking for sexual purposes have been drawn up. One of the cases has been transferred to Skåne. The second case was investigated at the regional intelligence centre and concerns a man suspected of bringing women to Sweden from countries outside Europe to sell them later for sexual purposes. The man is also assumed to arrange marriages for women so that they would be granted residence permits. In addition, 1 report has been drawn up concerning the crime of procuring and which can be traced to human trafficking for sexual purposes where women of foreign extraction are assumed to offer sexual services at a night club. More-

over, two (2) reports have been drawn up concerning the crime of procuring that cannot be traced back to human trafficking. None of these are assumed to be cross-border cases.

Information acquisition and searches on escort sites on the Internet show that there is an increase in the number of young girls selling sexual services in the county.

In the county of Västmanland there is a local collaborative project between the County Administration Board, the Swedish Prosecution Authority, the county's municipalities and the Migration Service, who together have drawn up a public authority collaboration plan. In addition to that, a methodology and skills development project is being undertaken within the police service. In 2010 this project will be taking place in parallel with the establishment of a commission for which the public authority has had funds granted from the Operational Council.

The Bergslagen collaborative area

(the counties of Örebro, Dalarna, Värmland)

Within this collaborative area, a new trend has been detected in which young girls start communicating with adult men on the Internet which then leads on to the sale of sexual services. Within the three authorities, therefore, most reports have been drawn up concerning the purchase of sexual acts from children and the purchase of sexual services. In most cases both the victims and the perpetrators have been of Swedish origin and the action has usually been carried out in a private home. The youngest victims in 2009 have been girls born in 1996.

The police in the county of Örebro, in collaboration with the police in Dalarna and Värmland, have been assigned special funding for charting the occurrence of human trafficking and prostitution in the three counties. Part of the investment is for employing an analyst. The analyst is going to be stationed in Örebro, but will work for the three authorities.

Collaboration Area East

(the counties of Östergötland, Jönköping, Södermanland)

Within the counties of Östergötland and Jönköping, three (3) reports concerning procuring have been drawn up. It has not been possible to link any of these cases to human trafficking. There have been three more reports during 2009 concerning the purchase of sexual services and which are regarded as possibly being linked to human trafficking for sexual purposes which has taken place within Sweden.

All of the perpetrators have been Swedish citizens.

Annex 2

LEGISLATION IN THIS AREA

Trafficking in human beings

The Criminal Code (2004:406) Chap. 4, Section 1 a Trafficking in Human Beings

"A person who, in cases other than those stated in §1, by the use of unlawful coercion or deceit, by exploiting someone's vulnerable situation or by any other such improper means recruits, transports, houses, receives or takes any other such measure with a person, and in so doing takes control of that person in order for the person to be

Exposed to crime as in Chap. 6 Sections 1,2,3,4,5 or 6, exploited for casual sexual relations, or in any other way exploited for sexual purposes,

Exploited in active military service or forced labour, or some other similar coerced status,

Exploited for the removal of organs, or

In any other way exploited in a situation involving distress on the part of the person thus exploited,

*shall be sentenced for **trafficking in human beings** to a prison sentence of a minimum of two and a maximum of ten years.*

The same applies to anyone who, for such a purpose as is given in para. 1

- (1) transfers control over a person to someone else, or
- (2) accepts control over a person from someone else.

Anyone who commits a crime as referred to in para. 1 against a person who has not yet reached the age of eighteen, shall be sentenced for trafficking in human beings even if such improper means as stated therein have not been used.

If the crime as referred to in paras. 1-3 is of a less grievous nature, the perpetrator shall be sentenced to a term of imprisonment of a maximum of four years."

Trafficking in human beings is by its nature a crime against the person and it is dealt with in the Penal Code (BrB) Chap. 4 on crimes against liberty and peace. The crime of trafficking in human beings differs from procuring by virtue of the focus on violation of the victim's

liberty rather than any intended exploitation¹⁹. In order to be convicted of human trafficking it is required that the perpetrator, by use of unlawful coercion, deceit, someone's vulnerability, or some other improper means, recruits, transports, houses, receives or takes some similar action in order to take control of another person with the intention of exploiting that person for, for example, sexual purposes, forced labour, the organ trade, or in some other way exploiting a person who is in some distress. Using improper means to take control of another person with the intention of exploiting that person is a criminal offence. There must also be a causal relationship between the improper means and the taking of control. This control should entail an evident position of weakness on the part of the victim and an evident influence by the perpetrator over the victim's actions. The prerequisite of control is of crucial importance as to whether or not an act is to be classified as human trafficking. In addition, it is a punishable act to hand over or receive control of a person for the purpose of exploiting that person for sexual purposes, forced labour, active military service, organ donation, or for some other purpose in a situation involving distress for the victim²⁰.

If the victim is less than eighteen years old, the public prosecutor does not need to prove that the perpetrator used improper means in order to carry out the crime. This is because where children are concerned it is considered that a control situation can arise simply as the result of an adult's position of mental superiority relative to the child, especially younger children.

Proposed new legislation

The government decided on 20 December 2005 to appoint a special commissioner with a mandate to review the provision on crimes of human trafficking, etc. (dir. 2005:152). The government decided on 31 May 2007 (dir.2006: 78) and 20 June 2007 (dir.2007: 88) on additional directives for the commission. The aim of this review was, among other things, to enable human trafficking to be combated more effectively, and it included an assessment of whether the description of the offence or the punishment scales should be revised. The commission submitted the report entitled *Människohandel och barnäktenskap – ett förstärkt straffrättsligt skydd* [Trafficking in human beings and child marriage - enhanced protection provided by criminal law] (SOU [Reports of official commissions of inquiry] 2008:41) to the Swedish government in April 2008.

¹⁹ Government bill 2001/02:124, p 24.

²⁰ Penal Code 4: 1a, para. 2

On 18 March 2010, the government submitted a Bill to the Swedish Parliament concerning enhanced protection in criminal law against human trafficking.²¹ The Bill proposes a new formulation of human trafficking, involving a clearer and more appropriate description of the crime. The new provision on human trafficking proposed by the government, which is planned to come into force on 1 July 2010, reads as follows:

"A person who, in cases other than those stated in §1, by means of unlawful coercion, deceit, exploitation of a person's vulnerable situation or by any other such improper means, recruits, transports, transfers, houses or receives another person, and in so doing takes control of that person in order for the person to be exploited for sexual purposes, removal of organs, active military service, forced work or for some other purpose in a situation involving distress for the victim, will be sentenced to imprisonment for human trafficking for a period of a minimum of two and a maximum of ten years.

Anyone who commits a crime as referred to in para. 1 against a person who has not yet reached the age of eighteen shall be sentenced for human trafficking even if such improper means as stated therein have not been used.

If the crime as referred to in paras. 1 or 2 is of a less grievous nature, the perpetrator shall be sentenced to a term of imprisonment of a maximum of four years."

The new proposed provision still contains requirements for the use of improper means while the "prerequisite of control" is removed. In addition to the prerequisite of control, the requirement for double liability is also removed. As a consequence, a person can be convicted in Sweden of human trafficking committed abroad, even if the crime is not a criminal offence in the country in which it was committed. At the same time as the proposal for an amendment to the legislation, it is being proposed by the government that the Swedish Parliament should ratify the Council of Europe's Convention on Action against Trafficking in Human Beings.

Procuring

Chap. 6, Section 12 of the Penal Code (2004:406) Procuring/aggravated procuring

"Anyone who encourages or improperly economically exploits a person having casual sexual relations in return for payment is sentenced for procuring to a term of imprisonment of a maximum of four years.

If a person who has leased an apartment with a right of usage becomes aware that the apartment is being

used entirely or to a significant degree for casual sexual relations in return for payment and does not do what may reasonably be expected in order for the lease to come to an end, and if this activity continues or is resumed in the apartment, then he or she shall be regarded as having promoted the activity and will be sentenced for culpability in compliance with para. 1.

If a crime as referred to in para. 1 or 2 is regarded as grievous, then the perpetrator shall be convicted for aggravated procuring and sentenced to a term of imprisonment of a minimum of two and a maximum of eight years.

When considering whether or not the crime is grievous, special attention shall be paid to whether the activity was conducted on a large scale, entailed significant financial gain or involved the ruthless exploitation of another person."

Culpability for procuring rests with the person who promotes or exploits the fact of another person having more than casual sexual relations in return for payment. The act of procuring may be considered to be aggravated if the crime related to an activity was carried out on a fairly large scale, resulted in considerable gain or involved ruthless exploitation. A crime of procuring may also be considered to be aggravated if it has aspects of human trafficking and involves the transport of girls and women to Sweden from other countries for the purposes of prostitution.

The maximum punishment for aggravated procuring has been increased to a term of between six and eight years. This was done in order, among other things, to be able to punish those who plan and organise procuring in the nature of human trafficking, though where it has not been possible to prove the requirement of improper influence.

The purchase of a sexual service

The Penal Code (2004:406) Chap. 6, Section 11, The purchase of a sexual service

Someone who, in a case other than as intended previously in this chapter, obtains casual sexual intercourse in return for payment, is convicted of the purchase of a sexual service and sentenced to a fine or a custodial sentence of a maximum of six months.

What has been stated in the first paragraph also applies even if the remuneration has been promised or given by someone else.

The purchase of a sexual act from a child

The Penal Code (2004:406) Chap. 6, Section 9, The purchase of a sexual act from a child

Someone who, in a case other than as intended previously in this chapter, induces a child below the age of eighteen

²¹ Government Bill 2009/10:152

to carry out or endure a sexual act in return for payment is sentenced for *the purchase of a sexual act from a child* to a fine or to a custodial sentence of at most two years. What has been stated in the first paragraph also applies even if the remuneration has been promised or given by someone else.

The Aliens' Act

In order to make it easier for perpetrators to be brought to trial, a provision granting temporary residence permits for foreign witnesses and victims was introduced into the Aliens' Act in 2005 where this is considered justified²² in order to carry out a preliminary investigation and main hearing in the criminal case. In 2009, the Swedish Migration Board made nineteen decisions to grant temporary residence permits to such witnesses. On 1 July 2007 the provision of the Aliens' Act was amended in order to harmonise with an EU Directive on the victims of human trafficking²³. Witnesses are now required to cooperate with the criminal investigation authorities, and to break off all links with the individuals who are suspected of crimes, etc. At the request of the director of the preliminary investigation, a residence permit for thirty days can now also be issued if the witness wants time for reflection in order to recover and to make a decision as to whether he or she wishes to cooperate with the criminal investigation authorities.

The Aliens' Act (2005:716) Chap. 5 Section 15

A temporary residence permit may be granted at the request of the enquiry leader to an alien who has been living here, if this is required in order for a preliminary investigation or main hearing to be held in the criminal case. A temporary residence permit for a minimum of six months shall be given at the request of the leader of the preliminary investigation to an alien who is living here if

1. this is required in order for a preliminary investigation or main hearing to be held in the criminal case,
2. the alien in question has clearly displayed a willingness to cooperate with the criminal investigation authorities,
3. the alien has broken off all contacts with the persons who are suspected of a crime that is the subject of the preliminary investigation, and
4. considerations of public order and safety do not require that the permit should not be granted.

If the alien wishes to have some time for consideration in order to recover and to make a decision as to whether he or she wishes to cooperate with the criminal investigation

authorities, then a temporary thirty-day residence permit is issued at the request of the enquiry leader, as long as the conditions as stated in 1 and 4 of Para. 1 are fulfilled.

A residence permit issued in pursuance of para. 1 may be extended if so requested by the enquiry leader and if the conditions stated therein are still fulfilled. A residence permit issued in accordance with para. 2 may be extended if so requested by the leader of the preliminary investigation, if for particular reasons there is a need for a longer consideration time and the conditions as stated in 1 and 4 of the first para. are still fulfilled.

Legislation to be considered in cases of trafficking in human beings for forced labour

In Sweden, a person who buys/uses the victims' services may risk being found guilty of usury under Chapter 9, Section 5, Para. 1 of the Penal Code and a breach of the provisions of the Act on Tax Offences (1971:69). According to the provision on usury, anyone who, by means of a contract or some other legal document, takes advantage of someone's distress, foolishness, ignorance or dependency in order to derive benefit, which is obviously disproportionate to the remuneration or for which should no remuneration is paid, shall be punished

The provision in Chapter 20, Section 5 of the Aliens' Act should also be applicable in certain cases where someone intentionally or negligently employs a foreigner even though the alien in question does not have a prescribed work permit. Mention can also be made here of working environment violations in Chapter 3, Section 10 of the Penal Code in cases where someone intentionally or negligently is in breach of what is required, in accordance with the Work Environment Act, to prevent illness or accident, thereby causing manslaughter, bodily injury or illness.

²² The Aliens' Act (2005:716) Chap. 5 Section 15.

²³ Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

Annex 3

JUDGEMENT

SENTENCES PASSED IN STOCKHOLM COUNTY 2009

1A : SENTENCES IN SÖDERTÖRN DISTRICT COURT, 09-02-2009, CASE NO. B 6181-08

1. Male born 1986, citizen of Romania
Crime: Aggravated procuring

Sentence: Imprisonment for 2 years and 6 months
Deportation, no return for 10 years

2. Male born 1968, citizen of Germany and Romania.
Crime: Aggravated procuring

Sentence: Imprisonment for 3 years
Deportation, no return for 10 years

3. Male born 1976, citizen of Romania
Crime: Aggravated procuring

Sentence: Imprisonment for 2 years
Deportation, no return for 10 years

Victim: A woman from Romania, born 1980.

1B : SENTENCES IN THE SVEA COURT OF APPEAL 28-04-2009, CASE NO. B 1789-09

The Svea Court of Appeal confirmed the District Court ruling against the men.

2A : SENTENCES IN STOCKHOLM DISTRICT COURT, 30-01-2009, CASE NO. B 10768-08

1. Male born in 1984, citizen of Moldova.
Crime: Trafficking in human beings
Abduction
Unlawful threats

Sentence: Imprisonment for 5 years
Deportation, no return for 15 years

The offender shall pay damages to the injured party of SEK 155,000.

2. Female born 1980, citizen of Moldova.
Crime: Trafficking in human beings

Sentence: Imprisonment for 3 years
Deportation, no return for 10 years

The offender shall pay damages to the injured party of SEK 155,000.

3. Female born 1972, citizen of the Ukraine.
Crime: Complicity in trafficking in human beings
Using counterfeit documents

Sentence: Imprisonment for 9 months
(The appeal against the deportation was dismissed)

The offender shall pay damages to the injured party of SEK 15,000.

4. Female born 1974
Crime: Complicity in trafficking in human beings

Sentence: Imprisonment for 6 months

The offender shall pay damages to the injured party of SEK 5,000.

5. Male born in 1971, citizen of Afghanistan
Crime: Complicity in trafficking in human beings

Sentence: The prosecution was dismissed

Victim: A man with functional impairment from the Ukraine, born 1980.

2 B : SENTENCES IN THE SVEA COURT OF APPEAL 11-06-2009, CASE NO. B 1479-09

The Svea Court of Appeal amends the District Court ruling against perpetrator 1 by judging the crime of abduction to be a crime of trafficking in human beings and increases the sentence to 5 years and 6 months; against perpetrator 2, by also judging on abduction and increasing the sentence to 5 years and deportation with no return for 15 years; and against perpetrator 4, by dismissing the prosecution.

3A : SENTENCES IN SÖDERTÖRN DISTRICT COURT, 11-05-2009, CASE NO. B 13571-07

1. Male born 1965
Crime: Aggravated procuring

Sentence: Imprisonment for 2 years and 6 months

The offender shall pay damages to the injured party of SEK 130,000.

2. Female born 1980
Crime: Aggravated procuring

Sentence: Imprisonment for 2 years and 6 months

The offender shall pay damages to the injured party of SEK 130,000.

Victim: A woman from Estonia, born 1980.

4A : SENTENCES IN STOCKHOLM DISTRICT COURT, 31-07-2009, CASE NO. B 3692-09

1. Male born 1976
Crime:

Sentence: The prosecution was dismissed

2. Female born 1982, citizen of Thailand.
Crime: Complicity in procuring

Sentence: Suspended sentence

3. Male born 1949
Crime: Rape of a child
Procuring
Bookkeeping offences

Sentence: Imprisonment for 3 years and 6 months

The offender shall pay damages to the injured party of SEK 130,000.

Victim: A girl from Brazil. The investigation into the girl's age proves that the abuse took place when she was aged 13-14.

4B : SENTENCES IN THE SVEA COURT OF APPEAL 29-10-2009, CASE NO. B 6767-09

The Svea Court of Appeal amends the District Court ruling against perpetrator 3, by increasing the sentence to 4 years and increasing the damages to SEK 180,000.

5A : SENTENCES IN SOLNA DISTRICT COURT, 28-09-2009, CASE NO. B 6645-08

1. Male born 1948
Crime: The purchase of a sexual service

Sentence: Fine equivalent to 100 times daily income of SEK 50/day

2. Male born 1942
Crime: The purchase of a sexual service

Sentence: Fine equivalent to 80 times daily income of SEK 380/day

3. Male born 1961
Crime: Rape
Child pornography offences
The purchase of a sexual service

Sentence: Imprisonment for 2 years and 6 months

The offender shall pay damages to the injured party of SEK 90,000.

4. Male born 1966
Crime: The purchase of a sexual service

Sentence: Fine equivalent to 50 times daily income of SEK 50/day

5. Male born 1968
Crime: Aggravated procuring
Attempted aggravated procuring
The purchase of a sexual act from a child
The purchase of a sexual service

Sentence: Imprisonment for 4 years

The convicted person shall pay damages to plaintiff A of SEK 140,000, plaintiff B of SEK 40,000, plaintiff C of SEK 70,000, plaintiff D of SEK 40,000 and plaintiff E of SEK 100,000.

Victim: Ten women aged 16-25 years.

5B : SENTENCES IN THE SVEA COURT OF APPEAL 22-12-2009, CASE NO. B 8039-09

The Svea Court of Appeal confirms the District Court ruling against perpetrator 3 and amends the District Court ruling against perpetrator 5 by judging the collective offence to be aggravated procuring with which the judgement with regard to attempted procuring is annulled.

6A : SENTENCES IN STOCKHOLM DISTRICT COURT, 10-06-2009, CASE NO. B 12215-09

1. Male born 1962
Crime: Sexual exploitation of a child
The purchase of a sexual act from a child
Attempted procuring

Sentence: Imprisonment for 1 year

The convicted person shall pay damages to plaintiff A of SEK 20,000 and to plaintiff B of SEK 40,000.

Victim: Two girls, aged 14-15.

7A : SENTENCES IN STOCKHOLM DISTRICT COURT, 19-11-2009, CASE NO. B 10675-09

1. Male born 1987, citizen of Romania
Crime: Theft
Assault (minor)
The prosecution for trafficking in human beings was dismissed

Sentence: The previously imposed term of imprisonment shall also relate to the new offence

2. Male born 1988, citizen of Romania
Crime: The prosecution for trafficking in human beings was dismissed

Victim: Two boys, born 1992, citizens of Romanian.

7B : SENTENCES IN THE SVEA COURT OF APPEAL 26-02-2010, CASE NO. B 9732-09

The Court of Appeal amends the District Court ruling in such a way that the Court of Appeal sentences perpetrator 1 and perpetrator 2 for trafficking in human beings, to respective prison sentences of 1 year and 3 months and 1 year. The convicted persons shall pay damages to plaintiff A and plaintiff B of SEK 30,000 each.

The perpetrators are to be deported from Sweden and banned from returning here for 5 years and the Court of Appeal annuls the District Court ruling as regards liability for perpetrator 1 for assault.

8A : SENTENCES IN SÖDERTÖRN DISTRICT COURT, 12-11-2009, CASE NO. B 9347-09

1. Male born 1968
Crime: Procuring

Sentence: Imprisonment for 1 year and 4 months

The offender shall pay damages to the injured party of SEK 110,000.

Victim: Woman with mental impairment, born 1980.

SENTENCES PASSED IN VÄSTRA GÖTALAND 2009

1A : SENTENCES IN GOTHENBURG DISTRICT COURT, 15-06-2009, CASE NO. B 5260-09

1. Male born 1979, citizen of Romania
Crime: Procuring

Sentence: Imprisonment for 5 months
Deportation, no return for 5 years

Victim: Two women from Romania, born 1978 and 1987, respectively.

1B : SENTENCES IN THE COURT OF APPEAL FOR WESTERN SWEDEN 24-08-2009, CASE NO. B 3121-09

The Court of Appeal confirms the District Court ruling.

Annex 4

Reported Crimes²⁴

2009

Entire Country	Number
Procuring incl. aggravated	88
The purchase of a sexual service	350
Trafficking in human beings (for sexual purposes)	34
Trafficking in human beings (for other purposes)	26
The purchase of a sexual act from a child	145
Blekinge County	
Procuring incl. aggravated	0
The purchase of a sexual service	1
Trafficking in human beings (for sexual purposes)	1
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	0
Dalarna County	
Procuring incl. aggravated	0
The purchase of a sexual service	10
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	3
Gotland County	
Procuring incl. aggravated	0
The purchase of a sexual service	1
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	1
Gävleborg County	
Procuring incl. aggravated	0
The purchase of a sexual service	1
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	6
Halland County	
Procuring incl. aggravated	1
The purchase of a sexual service	50 ²⁵
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	0
Jämtland County	
Procuring incl. aggravated	0

²⁴ In accordance with statistical extracts from the police records support system Rationell anmälningsrutin, RAR [Scientific Reporting Systems].

²⁵ A person who turned himself in for having on approx. 50 occasions purchased sexual service from a prostitute

The purchase of a sexual service	0
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	4
The purchase of a sexual act from a child	1
Jönköping County	
Procuring incl. aggravated	1
The purchase of a sexual service	1
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	0
Kalmar County	
Procuring incl. aggravated	1
The purchase of a sexual service	7
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	3
Kronoberg County	
Procuring incl. aggravated	0
The purchase of a sexual service	2
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	0
Norrbottn County	
Procuring incl. aggravated	0
The purchase of a sexual service	0
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	0
Skåne County	
Procuring incl. aggravated	10
The purchase of a sexual service	20
Trafficking in human beings (for sexual purposes)	11
Trafficking in human beings (for other purposes)	2
The purchase of a sexual act from a child	41
Stockholm County	
Procuring incl. aggravated	52
The purchase of a sexual service	201
Trafficking in human beings (for sexual purposes)	9
Trafficking in human beings (for other purposes)	14
The purchase of a sexual act from a child	34
Södermanland County	
Procuring incl. aggravated	1
The purchase of a sexual service	2
Trafficking in human beings (for sexual purposes)	1
Trafficking in human beings (for other purposes)	1
The purchase of a sexual act from a child	4

Uppsala County	
Procuring incl. aggravated	3
The purchase of a sexual service	3
Trafficking in human beings (for sexual purposes)	1
Trafficking in human beings (for other purposes)	1
The purchase of a sexual act from a child	2
Värmland County	
Procuring incl. aggravated	0
The purchase of a sexual service	4
Trafficking in human beings (for sexual purposes)	1
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	6
Västerbotten County	
Procuring incl. aggravated	1
The purchase of a sexual service	0
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	1
Västernorrland County	
Procuring incl. aggravated	2
The purchase of a sexual service	3
Trafficking in human beings (for sexual purposes)	1
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	1
Västmanland County	
Procuring incl. aggravated	3
The purchase of a sexual service	0
Trafficking in human beings (for sexual purposes)	2
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	1
Västra Götaland County	
Procuring incl. aggravated	16
The purchase of a sexual service	29
Trafficking in human beings (for sexual purposes)	7
Trafficking in human beings (for other purposes)	3
The purchase of a sexual act from a child	26
Örebro County	
Procuring incl. aggravated	3
The purchase of a sexual service	1
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	1
The purchase of a sexual act from a child	10
Östergötland County	
Procuring incl. aggravated	0
The purchase of a sexual service	14
Trafficking in human beings (for sexual purposes)	0
Trafficking in human beings (for other purposes)	0
The purchase of a sexual act from a child	5

Number of suspected crimes 2009

Decision group	Procuring, aggravated procuring	The purchase of a sexual act from a child	The purchase of a sexual service	Trafficking in human beings	Total
No preliminary investigation initiated:					
Limitation on preliminary investigation	0	0	0	0	0
LUL ²⁶	0	0	0	0	0
Falling under the Statute of Limitations	0	0	0	0	0
Other grounds	2	2	2	0	6
Preliminary investigation closed:					
Limitation on preliminary investigation	2	0	2	0	4
LUL	0	0	0	0	0
Falling under the Statute of Limitations	0	0	7	0	7
Other grounds	33	42	48	23	143
No prosecution initiated:					
Falling under the Statute of Limitations	0	0	1	0	1
Offence cannot be substantiated	1	2	22	0	25
Other information	0	0	4	0	4
Order of Summary Punishment	0	3	95	0	98
Waiver of prosecution:					
LUL	0	0	0	0	0
Other information	0	0	5	0	5
Prosecution	27	58	56	5	146
Decision pending	0	0	0	0	0
Other decisions	9	22	26	3	58
Total	74	129	268	26	497

²⁶ Laws with specific stipulations concerning young offenders



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