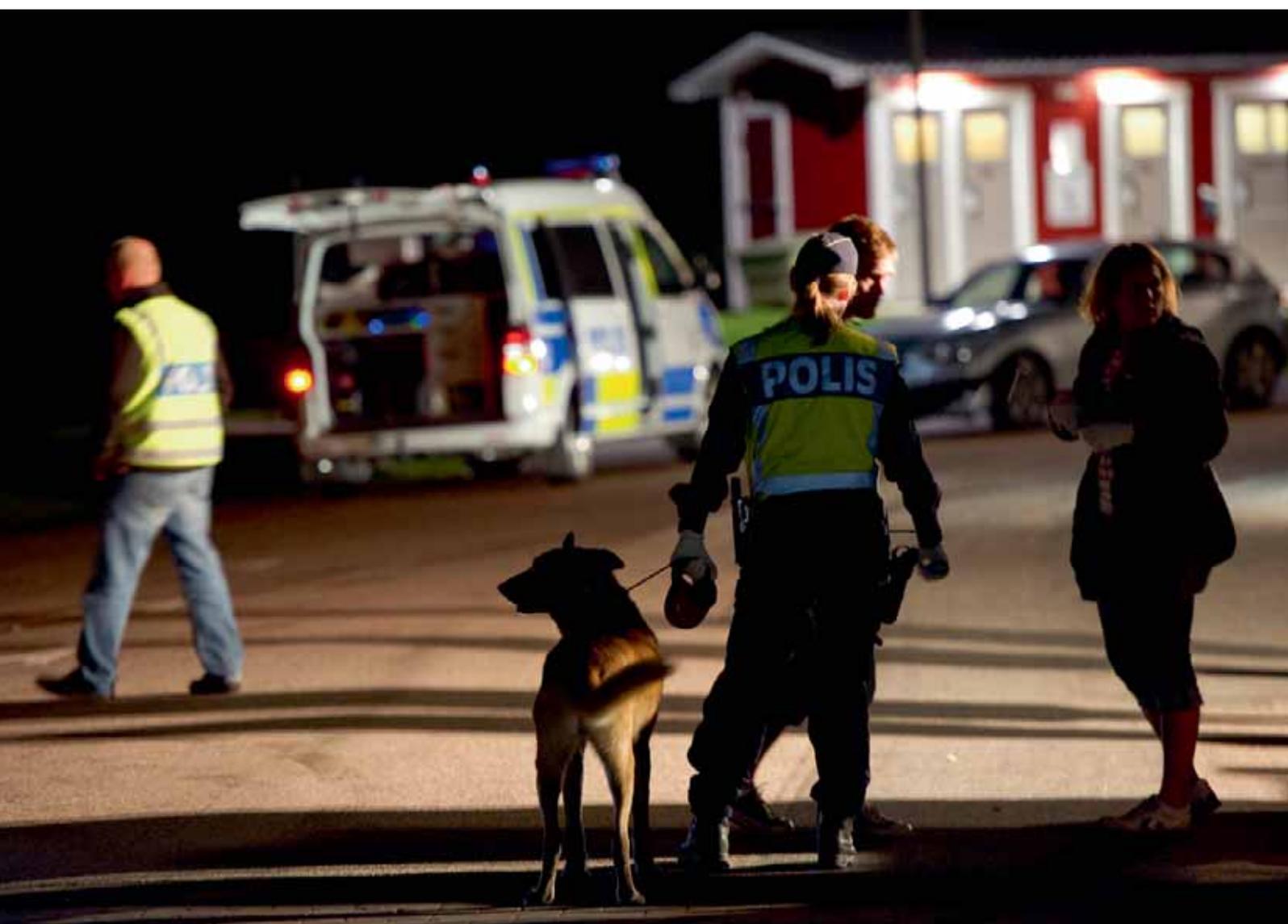


# Trafficking in human beings for sexual and other purposes



Situation report 13

RPS Rapport 2012





# Situation Report 13

## Trafficking in human beings for sexual and other purposes

The Swedish National Police Board hereby submits Situation Report 13 “Trafficking in human beings for sexual and other purposes” for the year 2011.

The Situation Report gives the Swedish National Police Board’s scenario of the way in which the scope and spread of human trafficking in Sweden has changed since the situation report for 2010. The report is based primarily on preliminary investigations and sentences as well as on information received by the police in 2011, and which concern human trafficking and crime related to that. The report is intended primarily for the government, police special units and public authorities in general. It also contains information that may be of use by NGOs and by the general public.

The report has been drawn up by Detective Superintendent Kajsa Wahlberg of the Swedish National Police Board.



Bengt Svenson

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# 1. Summary

Trafficking in human beings is, by its nature, a crime against the person and it is dealt with in the Swedish Penal Code (BrB), Chap. 4, on crimes against liberty and peace (see Annex 2). Criminal liability applies to anyone who, by means of unlawful coercion, deceit, exploitation of a person's vulnerable situation or any other such improper means, recruits, transports, transfers, accommodates or receives another person, in order for the person to be exploited for sexual purposes, removal of organs, active military service, forced labour or some other purpose in a situation involving distress for the victim. If the victim is under 18, the perpetrator will be convicted of human trafficking even if no improper means have been used in order to carry out the crime. Common to the circumstances mentioned in the provision is that they, in various ways, intend to control the victim's free and true will, regardless of the intended exploitation.

Human trafficking for sexual purposes is a crime that can occur throughout the country but which, in 2011, has mainly been found in and around the metropolitan areas. With regard to cases of trafficking for other purposes such as forced labour, begging and committing crimes, these crimes also occur but are more widespread throughout the country. Some of these forms of exploitation, such as begging, are relatively new occurrences.

In all forms of human trafficking, the perpetrators and the victims who are forced or induced to travel to Sweden mostly come from countries of origin where there is widespread poverty, high levels of unemployment, discrimination against groups such as women and minorities, and also a lack of any social security network. Usually the victims are in such a vulnerable situation that they cannot turn down an offer of work in another country, despite that offer possibly involving a risk of exploitation. Increasing mobility within the EU and the Schengen area as a result of the abolition of border controls, means that criminal networks are also increasingly mobile. These developments underline how important it is for the police and pros-

ecution authorities to develop the ability and means to work across borders.

In September 2008, the Swedish government tasked the Swedish National Police Board and the Swedish Prosecution Authority with strengthening operational initiatives to combat human trafficking crimes, and expand the development of methodology and skills. This task was allocated extra funding, comprising SEK 4 million in 2008 and SEK 18 million each for 2009 and 2010. In total, the police were allocated SEK 40 million of which SEK 30 million were to be used for operational initiatives and SEK 10 million for the development of methods and skills for the police organisation.

The increase in skills for the police authorities combined with special funding from 2008-2011 has made it possible to detect more numerous and more complex human trafficking cases. The number of police reports, preliminary investigations initiated, and prosecutions for human trafficking and crimes similar to human trafficking in the same period have therefore also increased.

## Police reports

Year	Trafficking in human beings for sexual purposes	Procuring/ aggravated procuring	Trafficking in human beings for purposes other than sexual
2008	15	51	8
2009	31	94	28
2010	32	120	52
2011	35	86	63

Statistics – National Crime Prevention Council (BRÅ) 2012

During the period 2008-2011, the number of reported cases of human trafficking for other purposes increased in Sweden and also throughout the EU. Among the reasons for this increase is that combating these crimes has been made a priority within European legislative and police work, as well as nationally. The Border Police Divisions in Stockholm and Skåne, during that same period, were given wider

responsibility for combating human trafficking for other purposes. The Swedish National Police Board's skills enhancement initiatives and dissemination of information also covered all forms of human trafficking, which led, in turn, to increased knowledge within the police organisation. The expansion of the EU also resulted in organised crime networks changing their activities to include trafficking in vulnerable people for purposes other than sexual exploitation. At the same time, this crime was given a great deal of coverage in the Swedish and foreign media.

The increased mobility of people, goods, services and capital within and into the EU as a consequence of globalisation has its counterpart in the mobility of criminal networks and crime. The financial and economic crisis is also compounding cross-border crime. People who move away from areas of social, political or economic unrest can become victims of human trafficking for various purposes.

### 1.1 Trafficking in human beings for sexual purposes

According to the Swedish National Police Board it is difficult to estimate how many people may have fallen victim to human trafficking in Sweden during 2011. The number of victims discovered in Sweden depends largely on the resources which the police put into detecting this crime and on the skills that exists within the police organisation. The level of these initiatives varies between police authorities and differs from one year to another. Neither is it possible to identify (nor indeed to locate) all of the victims, mostly girls and women, who are mentioned in tapped telephone calls or observed during police surveillance. Nor can the estimate be based exclusively on the number of victims that are seen as injured parties in human trafficking investigations; especially since most of these investigations result in sentences for procuring/aggravated procuring.

In 2011, the police drew up 35 reports relating to human trafficking for sexual purposes as compared

to 32 reports in the previous year. In 2011, two people were sentenced for human trafficking for sexual purposes. In addition, three people were sentenced for aggravated procuring and eight for procuring of a human trafficking nature. Finally 450 legal proceedings were initiated concerning the purchase of sexual services and 7 legal proceedings concerning the purchase of sexual acts from children under the age of 18<sup>1</sup>. More preliminary investigations into human trafficking, procurement and the purchase of sexual services are ongoing, for which sentences are expected to be pronounced in 2012.

Information received by the police during 2011 showed that by far the majority of victims were girls and women. No boys or men were identified in 2011 as victims of human trafficking for sexual purposes. The foreign girls and women recruited to Sweden for the purposes of prostitution came primarily from Eastern Europe (especially Romania, Lithuania, Estonia, Slovakia and Poland), Thailand and Nigeria. Here, a change can be clearly discerned since information about women from Lithuania being exploited for prostitution in Sweden has increased significantly in 2011 compared with previous years.

Human trafficking for sexual purposes, involving victims from Romania, has been a significant problem for some years throughout large parts of Europe. In Sweden too, primarily in Gothenburg, the police noted a certain increase in the number of Romanian women being exploited for the purposes of street prostitution in 2011. The perpetrators behind this trafficking (both men and women) also came from Romania.

Those responsible for the activities investigated in 2011 were men and women who came originally from Estonia, Iraq, Lithuania, Romania, Slovakia, Sweden and Poland.

As in other countries, sexual services in Sweden are today sold mostly via the Internet. In the investiga-

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1 Total judicial decisions, orders of summary punishment and waivers of prosecution in 2011.

tions conducted in 2011, the perpetrators published advertisements on websites designed to give male sex purchasers the impression that the victims themselves were responsible for these. In actual fact, the women usually had no knowledge of what was actually being described in the advertisements. This applied in particular to girls and women of Roma and Nigerian origin who were frequently unable to read or write.

## 1.2 Other forms of trafficking in human beings

Other types of exploitation as mentioned in the clause on human trafficking in the Swedish Penal Code<sup>2</sup> include exploitation of the victim for active military service, for the removal of organs, for forced labour or some other activity in a situation which involves distress for the victim<sup>3</sup>.

In 2011 one person was convicted of human trafficking for purposes other than sexual. That case concerned a man from Bulgaria who transported a 12-year-old Bulgarian girl to Sweden to commit thefts in Sweden and in other countries in Europe. In some cases of other human trafficking proceedings were dismissed because it was not possible to prove that the suspects intended, as early as the recruitment stage, to mislead the victims, or because it has not been possible to prove any exploitation. See Annex 3.

The police authorities' reports to the Swedish National Police Board during the year indicate that the number of reports, preliminary investigations initiated and cases brought concerning other human trafficking increased more than those concerning human trafficking for sexual purposes. In 2011, the

police drew up 35 reports on human trafficking for sexual purposes and 63 reports concerning human trafficking for purposes other than sexual. These other purposes principally involved situations in which people had been brought to Sweden by criminal groups from other countries to be exploited for begging, forced labour or complicity in criminal activities such as organised theft. As with human trafficking for sexual purposes, it is hard to give precise figures concerning the scope of human trafficking for other purposes to, through and within Sweden.

In order to prevent foreign workers in the future being exploited improperly by way of unreasonable working conditions, non-payment of wages, being threatened and kept in slavery-like conditions, the Swedish National Police Board initiated a collaborative venture with the Swedish Migration Board, the Swedish Tax Agency and the Swedish Work Environment Authority and labour market partners in spring 2011. This collaborative work led to the Swedish Migration Board producing guidelines before the berry-picking season for companies that offer employment to berry pickers from third-party countries.

In recent years, Europol has provided information about suspected human trafficking for the purpose of committing fraud against the welfare system, related to the UK in particular. Perpetrators recruited and transported victims from one EU country to another and applied there to register the victims on the population registry or equivalent. The purpose was to gain access to the national welfare system and to obtain benefit payments for the victims. The payments and benefits were confiscated by the perpetrators. Individual pieces of intelligence and preliminary investigations led to suspicions of similar activities also taking place in Sweden, but any legal proceedings initiated were dismissed.

As part of the national initiative to combat volume and serial crimes before 2012, the police authority in Östergötland assumed responsibility for coordinating police initiatives against gangs of certain rogue

<sup>2</sup> Chapter 4 § 1 a of the Penal Code.

<sup>3</sup> The term "distress" is used here to refer to the fact that the victim is prevented from freely making decisions about his or her own actions or finds him- or herself in a really serious predicament which is not coincidental or transient. Swedish Government Bill 2009/10:152 Förstärkt straffrättsligt skydd mot människohandel [Enhanced protection against human trafficking, provided by criminal law], page 21.

tarmac and paving layers from the UK and Ireland. Police also initiated a collaborative venture with the Swedish Tax Agency, Swedish Customs, the Swedish Prosecution Authority, the Larmtjänst service (set up to combat organised crime on behalf of the Swedish insurance industry) and the Swedish Migration Board in connection with the special initiative. A methodology manual was updated and made available on the police intranet, to enable the police to work consistently to combat this type of crime.

### 1.3 Child trafficking for sexual and other purposes

Since the legislation was introduced in 2002, all of the child victims of human trafficking for sexual purposes in Sweden have been girls aged 16-17 years, with few exceptions. In the preliminary investigations carried out in Sweden during 2011, concerning human trafficking for sexual purposes and similar crimes such as procuring/aggravated procuring, none of the victims were below the age of 12; the youngest girl was aged 14 and the oldest woman 41.

It also happens that some human traffickers get in touch with parents living in poverty in countries such as Romania and Bulgaria, either to buy or hire their sons and daughters with the purpose of exploiting them for theft or begging, or to exploit them sexually in prostitution. The girls and boys, often in the 10-14 age-group, are not allowed to attend school but are instead trained at an early stage by the human trafficker to steal from shops and to pick pockets. These human traffickers exploit the children's young age which means they escape punishment and a criminal record.

In 2011, the National Bureau of Investigation assisted Norway in a preliminary investigation in which children were exploited to commit fraud, theft and begging, sold into forced marriage and subjected to rape. Some of these crimes were also committed in Sweden. The case concerned girls aged 13-17 from Romania

who were bought and sold by a number of perpetrators in order to be exploited for fraud in the form of selling fake gold, committing thefts, begging, etc. The preliminary investigation also encompassed information about forced marriages, rapes, assaults, etc. In July 2012, Bergen District Court sentenced six people (three men and three women from Romania) to imprisonment for between three and six years for offences including human trafficking<sup>4</sup>.

### 1.4 Child trafficking for sexual purposes outside Sweden

One type of crime that ought to be given greater attention concerns Swedes who commit sexual crimes against girls and boys in other countries. This usually means that a person resident in Sweden travels to another country in order to sexually exploit a girl or boy resident in that country, in return for some form of payment. The crimes committed against children are especially rape/aggravated rape of a child, purchase of sex acts from children and child pornography crimes.

During the period 2009-2010, the National Bureau of Investigation Cyber-Crime Section ran a project to combat child trafficking for sexual purposes within the framework of the Government's assignment for the Swedish National Police Board to strengthen national initiatives to combat prostitution and human trafficking for sexual purposes.<sup>5</sup> The purpose of the project was to combat more effectively the crime of child trafficking for sexual purposes and to simplify procedures for giving the police tip-offs about these crimes in Sweden<sup>6</sup>. This is intended particularly to facilitate the identification of people suspected of exploiting children for sexual purposes outside Sweden.

4 Bergen District Court 05.07.2012, Case no 11-194827MED-BBYR/01.

5 Ju2008/7403/PO

6 Accessible at: <http://polisen.se/sv/Kontakta-oss/Tipsa-Polisen/>

During the project period, around fifty Swedish men were identified as being suspected of travelling abroad with the aim of committing sexual abuse of children. Gradually, as the general public became more aware of the project, the number of tip-offs coming in regarding these men increased. After expiry of the project period, the work of identifying and investigating these crimes continued. In 2011, a further thirty Swedish men were identified as being suspected of travelling abroad with the aim of committing child sexual abuse or producing child pornography. Information/tips on child sex trafficking submitted to the National Bureau of Investigation come primarily from Swedish and foreign police authorities and the general public. In 2011, hundreds of such tips were received and processed. The consequences of these tip-offs included the prosecution of two Swedish men (aged 76 and 45 respectively) in November 2011 for crimes relating to child sex trafficking. The man aged 76 was charged with attempted child rape, sexual abuse of three children and for child pornography offences. The man aged 45 was sentenced by the District Court to imprisonment for five years for child rape, aggravated child pornography crime, conspiracy to commit child rape, sexual exploitation of children and aggravated exploitation of children for sexual posing. The Court of Appeal extended this sentence to imprisonment for seven years.

## 2. Introduction

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

In its latest report from 2010, *The Globalization of Crime – A Transnational Threat Assessment*, the United Nations Office on Drugs and Crime (UNODC) reported that more than 140,000 victims of human trafficking for sexual purposes are exploited every day in Europe. On an annual basis, around 70,000 new victims are drawn into this trade in Europe and, according to the report, there are no signs of the number of victims reducing.

### 2.1 The purpose of this report

This year's situation report provides the Swedish National Police Board with an overview of the status in 2011 of human trafficking and criminality related to that, within, through and into Sweden and the way in which its scope and distribution has changed since the previous year's situation report.

Separate annexes provide reports on:

- the police authorities' reports to the Swedish National Police Board.
- current Swedish legislation in the field
- sentences and information relating to victims, perpetrators and sanctions concerning various forms of human trafficking, procuring and the purchase of sexual services/purchase of sexual acts from children
- statistics on the numbers of reports

# 3. Criminal Development

## 3.1 Trafficking in human beings for sexual purposes

The National Bureau of Investigation regularly receives information about groups and individuals responsible for various forms of human trafficking within, through and into Sweden. This information is provided by bodies such as the Swedish and foreign police, NGOs, the general public and the Swedish Migration Board. Information, and the preliminary investigations undertaken during 2011, show that human trafficking is not just a metropolitan phenomenon but also occurs in smaller towns throughout Sweden.

According to the Swedish National Police Board it is difficult to estimate how many people fell victim to human trafficking in Sweden during 2011. The number of victims of human trafficking identified in Sweden largely depends on the resources which the police put into detecting this crime and on the experience and competence that exists within the police organisation. The level of these initiatives varies between police authorities and can vary from one year to another. It is not possible to identify or even to locate all of the victims, mainly girls and women, mentioned in tapped telephone calls or observed during police surveillance. Neither can the estimate be based exclusively on the number of victims that are viewed as injured parties in human trafficking investigations, since the majority of these investigations result in sentences for procuring/aggravated procuring. The sequence of events in a procuring case can exhibit very great similarities to the sequence of events in a human trafficking case. The crucial issue in determining whether it might be possible to prosecute the perpetrators and convict them of human trafficking and not for procuring, is whether the victim's liberty has been violated.

There may be several explanations for why the majority of cases brought to trial result in convictions for procuring/aggravated procuring instead of human trafficking. It may be because the human

trafficking legislation is still complex and difficult to apply. In addition, in recent years, the perpetrators have changed their *modi operandi* in certain cases. Instead of using violence and threats against the victim, the perpetrators often make offers of "better conditions", such as greater freedom of action. The victims are also allowed to retain a larger proportion of their earnings. This is an effective way of getting the victims tied in and making them dependent, resulting in the victims remaining loyal to the perpetrators and being less inclined to act as witnesses against them. It can sometimes be difficult to get the courts to understand how serious the oppression has been when the women have not been treated "particularly badly". A change in the perpetrators' behaviour became apparent in 2011, when two major preliminary investigations, one in Stockholm and one in Västra Götaland, also encompassed threatened and actual physical and sexual violence against the victims.

In 2011, the police drew up 35 reports relating to human trafficking for sexual purposes. During that same year, two people were convicted for human trafficking for sexual purposes. In addition, three people were sentenced for aggravated procuring and eight for procuring that had been of a human trafficking nature. Finally 450 legal proceedings were initiated concerning the purchase of sexual services and 7 legal proceedings concerning the purchase of sexual acts from children under the age of 18<sup>7</sup>. More preliminary investigations into human trafficking, procurement and purchase of sexual services are ongoing, on which rulings are expected to be pronounced in 2012.

The above statistics can be compared to the situation during 2010 when 32 reports were drawn up concerning human trafficking for sexual purposes. In that same year, three people were sentenced for complicity in human trafficking for sexual purposes and

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7 Total judicial decisions, orders of summary punishment and waivers of prosecution in 2011.

one person was sentenced for complicity in the same crime. In 2010, five people were sentenced for aggravated procuring and fourteen for procuring of a human trafficking nature. During the same year, 336 legal proceedings were initiated concerning the purchase of sexual services and 9 legal proceedings concerning the purchase of sexual acts from children.

Information received by the police during 2011 showed that the absolute majority of victims were girls and women. No boys or men were identified in 2011 as victims of human trafficking for sexual purposes. The foreign girls and women recruited to Sweden for the purposes of prostitution came primarily from Eastern Europe (especially Romania, Lithuania, Estonia, Slovakia and Poland), Thailand and Nigeria<sup>8</sup>. Here, a change can clearly be discerned since information about women from Lithuania who are being exploited in prostitution in Sweden increased significantly in 2011 compared with previous years. Changes in the victims' backgrounds and nationalities can be explained by a weakened national socio-economic climate which is hitting women and girls particularly badly. The economic crisis in southern Europe may also mean that human traffickers and pimps are directing their activities towards countries with more stable economies, such as Sweden.

The number of tip-offs received by the National Bureau of Investigation concerning suspected prostitution in relation to Thai massage parlours in Sweden remains high. The subject is still also discussed frequently by sex-purchasers and others on various discussion forums on the Internet.

Furthermore the Swedish Tax Agency carried out inspections during 2011-2012 regarding cash handling at a fairly large number of Thai massage parlours, frequently finding flaws in this. In conjunction with

these inspections, at certain locations the Swedish Tax Agency also noted that staff at the massage parlours had no residence permits for Sweden.

In 2009, the National Bureau of Investigation estimated that there were about 90 Thai massage parlours in Stockholm and vicinity, most of which were judged to be offering sexual services for sale. At the turn of 2011/2012, the number of Thai massage parlours in the Stockholm area was estimated to be about 250 and throughout the country about 450<sup>9</sup>.

The parallel investigation conducted by the National Bureau of Investigation, related to a human trafficking investigation in Belgium initiated in 2008, clearly showed that the visas issued by the Swedish Embassy in Bangkok were a facilitating factor for carrying out the crime in Belgium. The visas were issued because the Embassy was misled in a number of application cases. (For more information, see under the heading Cooperation with Belgium on p. 36).

In 2011, evidence was also submitted showing that referees (some of whom proved to be known in relation to brothel businesses in Denmark) acted as sponsors for visa applications at the Swedish Embassy in Bangkok, thereby procuring women in order to exploit them in prostitution.

#### **Deportation of a woman in prostitution from another EU country**

In February 2011, the police authority in the county of Halland decided to deport a Romanian woman pursuant to Chapter 8, § 2, paragraph 1, 2, of the Aliens Act. Police authorities said that the woman, who made her living through prostitution, constituted a threat to public order and security. The woman appealed to the Swedish Migration Board who made the same assessment as the police authority in Halland: namely that prostitution is indeed legal in Sweden,

8 For more information about victims from Thailand and Nigeria, see the Swedish National Police Board situation reports Human Trafficking for Sexual and Other Purposes for the years 2009 and 2010.

9 Thai Massage Guide and information from Conny Svensson, Swedish Tax Agency.

but the purchase of sexual services is a criminal offence. This means in practice that a crime has to be committed under Swedish law to enable a person engaged in prostitution to support themselves.

The Migration Court agreed with the woman and stated that in her case it did not comply with the European Community Directive on freedom of movement to deport her, pursuant to Chapter 8 § 2, paragraph 1, 2 of the Aliens Act<sup>10</sup>. From Article 27.2 of the Free Movement Directive, it is clear that if a person is to be deported, that person's behaviour must constitute a "genuine, present and sufficiently serious threat affecting one of the fundamental interests of society"<sup>11</sup>. The Migration Court found that the woman had not committed any criminal acts. Her personal behaviour did not constitute a threat pursuant to the Free Movement Directive.

In a case concerning a report to the Ombudsman for Justice from the Prostitution Team in the City of Gothenburg to the police authority in Västra Götaland on 7 September 2011, the assessment of the Ombudsman for Justice differed from that of the Migration Court<sup>12</sup>. The Ombudsman for Justice announced its decision that: "Based on current preliminary statements, prostitution is to be regarded as a dishonest means of support according to the law. Prostitution - which can not occur without a crime having been committed - may also be considered as a prohibited occurrence in one principal element. Unlike the judgement in a previous determination by the Ombudsman for Justice, which related to begging, deportation in this case is considered to be compatible with the Aliens Act.

According to the EU Free Movement Directive the woman had a right in principle to reside in the country. However, the rights of the individual may be

rescinded in the event of any threat to public order, security or health. In this context, the Directive allows for interpretation. The decision includes an assessment that in this case there was nothing to prevent deportation and that, at all events, the legal position is not sufficiently clear for the police to be criticised for having made an incorrect decision."

### 3.1.1 Profiles: perpetrators, organised networks

The criminal gangs responsible for human trafficking crimes detected in Sweden in 2011 were on a smaller scale but were, in many cases, assumed to belong to larger organised networks in the victims' countries of origin. Those gangs, which comprised mainly men, were from several countries with a variety of ethnic backgrounds and were usually linked to organised crime or included in family-like constellations. Some of the women involved had themselves been exploited for the purposes of prostitution and were later recruited as intermediaries by those responsible within the criminal network. In 2011, preliminary investigations and sentences show that the people who were involved in human trafficking, in certain cases, also devoted themselves to other criminality such as extortion and fraud.

The persons responsible for the activities investigated in 2011 were men and women originally from Estonia, Iraq, Lithuania, Romania, Slovakia, Sweden and Poland.

On the whole, all of those who have been prosecuted or sentenced for human trafficking for sexual purposes, or for crimes similar to human trafficking such as procuring/aggravated procuring in 2011, had links to the countries of origin of the victims or to countries in which these people were resident. This meant that the perpetrators had knowledge of the victims' living conditions and of economic and social conditions in their country of origin. This knowledge was then utilised by the perpetrators for recruiting and controlling the women. Some of the perpetrators had

<sup>10</sup> Administrative Court in Gothenburg, Migration Court Dept. 1, 08.04.2011, Case no. UM 832-11.

<sup>11</sup> Free Movement Directive 2004/38/EC

<sup>12</sup> Parliamentary Ombudsmen - Ombudsman for Justice, Registration number: 4468-2011, 01.11.2012.

stayed in Sweden for varying periods, or were domiciled in the country. They had a command of Swedish, and sometimes also English, and had a good knowledge of Swedish society.

### Europol report

According to the official Europol situation report on human trafficking from 2011, the human trafficking gangs uncovered in other parts of Europe, are usually on a smaller scale<sup>13</sup>. These gangs either act independently or collaborate with other criminal groups. Some criminal groups, especially those that are Albanian, Nigerian and Roma, are family- or clan-based with complex loyalties connecting the perpetrators. This is often very challenging for the police when it comes to getting information about or from those persons. The situation is similar in Sweden, where people of Roma descent appear both as victims and perpetrators in relation to all forms of human trafficking. Nigerian human trafficking networks have also been trying to establish themselves in Sweden, but not to the same extent as in many other countries in Europe.

### 3.1.2 Victims of human trafficking for sexual purposes

According to the latest report on human trafficking by the United Nations Office on Drugs and Crime (UNODC), 79% of global human trafficking is for sexual purposes. The report indicates that the majority of these victims of human trafficking are girls and women<sup>14</sup>.

In its latest report on organised crime from 2010, *The Globalization of Crime – A Transnational Threat Assessment*, UNODC also reports that more than 140,000 victims of human trafficking for sexual

purposes are exploited every day in Europe. On an annual basis, almost 70,000 new victims are drawn into this trade in Europe and, according to the report, there are no signs of any reduction in the number of victims<sup>15</sup>.

The fact that, globally, 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 known victims of human trafficking for sexual purposes, or procuring/aggravated procuring have been girls and women between the ages of 13 and 45. In cases where men or boys have been victims of human trafficking in Sweden, it has been for purposes other than sexual, such as theft, begging and forced labour.

In 2011, the majority of foreign girls and women who were subject to human trafficking and crime related to that in Sweden, belonged to minority groups in their homeland, often had difficulties gaining employment or came from a home environment in which circumstances had been bad, involving assault, sexual abuse and social exclusion. Many people lacked any awareness of how Swedish society functions or of any opportunities for seeking help and protection from the police, social authorities and NGOs. None of the women and girls understood or spoke Swedish, and only a few had any command of English.

Different experiences and studies in Sweden and internationally show that victims of human trafficking for sexual purposes frequently do not trust the public authorities and are unwilling to be interviewed by the police, or to testify against their attackers. They may also not trust the available interpreters since they may come from the same background as the victim or come from the same location, ethnic group or country. This means that the victim may feel uneasy about her/his personal safety, and

13 “Trafficking in Human Beings in the European Union,” Europol 2011.

14 “Global Report on Trafficking in Human Beings”, UNODC, 2009.

15 “The Globalization of Crime - A Transnational Threat Assessment”, UNODC, 2010.

because humiliating and sensitive information may be spread in their home countries or among their compatriots in the destination country. 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 also often been taking place over a lengthy period. There are also cases in which a perpetrator initiates a sexual relationship with the victim, which may create an unwillingness in the woman to report her “partner”. The women will thus be more loyal to the perpetrators and less inclined to act as a witness against them.

The women, who had been subject to human trafficking, or crimes similar to human trafficking, into Sweden in 2011, came from similar backgrounds, as in previous years. It concerned women who had been prostituted for the first time, or women who had been exploited in prostitution for many years. Often, these were women who came from a poor background without basic education or women who came from countries in which the labour market is not open to them or in which there is no functioning social security network. In these countries of origin, women’s rights are often limited or completely non-existent.

### 3.1.3 Modi operandi

The information received by the police in 2011 indicated that human traffickers and pimps exploited their victims’ vulnerability to get them to leave their home environment. They offered the women attractive earning opportunities or in some cases a feeling of affinity that the women would find hard to resist because of their already vulnerable situation. It was most common for women to travel to Sweden after having entered into an agreement with the recruiter with whom they had got in touch via newspaper advertisements, the Internet or social media, local recruitment agencies or frequently through personal contacts, e.g. within the family.

The majority of the women and girls discovered in

2011 were aware that they would be exploited in prostitution, but were deceived as regards the actual terms, their living conditions, financial arrangements, the abuse and degree of personal freedom. For a large proportion of these women, the abuses to which they were exposed by male sex-purchasers and human traffickers had already been normalised, since they had been exploited in prostitution for varying periods of time in their home country and/or had previously been subject to sexual abuse. During 2011, in police interviews, Romanian women told how they had been bought and sold between pimps and traffickers for sums ranging between EUR 300-1500. After a purchase of this type, the man making payment has complete control over the woman he has bought.

The information also showed that those who were victims of human trafficking in 2011 were often expected to repay to the traffickers and pimps a sum of money borrowed for travel documents, travel expenses and other peripheral expenses. This created a debt trap which meant the borrower would never be able to earn enough money to get free of the debt. The human traffickers also usually kept all or most of the income. The original debt increased since the women were expected to pay for various peripheral expenses in the destination country, such as the costs of advertising and rent for premises, transportation, sanitary items, condoms, cleaning and food – a cost liability that the victim may not have been aware of during the recruitment phase.

The human traffickers used flights, cars, buses or ferries to transport the girls and women to Sweden. They sometimes acquired false passports or passports belonging to other people to hide their own real identity and that of their victims, to circumvent visa requirements or to avoid discovery if a perpetrator was a wanted person.

Once the women arrived in Sweden, they often had to make their own way to an agreed address, usually a flat, or else they would be taken there by the pepe-

trators. The women were exploited for the purposes of prostitution in apartments, rented hotel rooms or in street prostitution. Sometimes pimps and traffickers would also escort the women to the home of the sex-purchaser or to his hotel room to reduce the risk of detection and keep down the cost of premises, for example. The women also very rarely dared to escape because of their indebtedness to the human traffickers and threats of violence to themselves or their relatives.

#### 3.1.4 Human trafficking from Lithuania

The increase in Lithuanian women being sold for prostitution in Sweden in 2011 was particularly noticeable in the Stockholm area where police identified five different branches of Lithuanian human trafficking networks. These groups knew each other, but did not appear to associate or cooperate. Some groups also had offshoots in Norway, Denmark, the UK and Ireland.

The Lithuanian women were aged between 20 and 35 and were recruited from the same area, Siauliai, in Lithuania. This area is characterised by high levels of unemployment and poverty, especially for women. Several of the young women had dependent children who had either been taken into care and placed in children's homes, or who lived with grandparents.

At the time of recruitment, they were promised half the earnings. They soon discovered that this diminished because they had to pay all of the costs, both for themselves and for the perpetrators. The perpetrators immediately looked after any earnings from prostitution activities and, if the women protested, the perpetrators threatened to spread rumours in their home country about what they were involved in. These women were sold through advertisements on the Internet but did not know how the advertisements had been designed or what sexual services they were expected to perform. Furthermore, none of the women spoke Swedish or English. This often led to misunderstandings in their contacts with the men buying

sex. The women also said that the men often became irritated and sometimes violent because they were not supplied with the sexual services promised in the advertisements. The women and the advertisements were changed regularly but the perpetrators retained the same phone number to facilitate contact with the male sex-purchasers.

The perpetrators booked rooms at cheap apartment hotels for themselves and the women. During the periods when the male sex-purchasers were exploiting the women, the perpetrators would hide on a balcony or in a wardrobe. The perpetrators regularly moved the women between different hotels to avoid detection and occasionally also slept in their cars to save money.

In order to maximise revenue, perpetrators advertised on several different websites simultaneously and used several different phone numbers for the same woman. Occasionally, a number of sex-purchasers would also be booked in for the same appointment so that no revenue would be lost if any of them did not show up. At times, the perpetrators also lowered prices to retain the interest of the sex-purchasers. During police interrogation, the women told police that they had been subjected to repeated rapes and had also been subjected to "strangle sex".

The perpetrators in charge in Sweden reported regularly to their criminal bosses in Lithuania. Income from prostitution activities was conveyed out of the country by the perpetrators who travelled by ferry to Lithuania via Latvia, or was sent via Western Union. Some of the perpetrators also committed thefts in Sweden and some could also be linked to drug crimes in Norway.

While the number of convictions for sex trafficking decreased, human trafficking from Lithuania to Sweden increased in 2011. There may be a number of reasons for this. In 2003 two Lithuanian perpetrators were each sentenced in Sweden to twelve years in prison for offences including kidnapping, aggravated rape and aggravated procuring. The sentence was

widely reported in Lithuania and led to the Lithuanian human traffickers and pimps avoiding Sweden for several years. The effects of this sentence have now subsided. This may be due to a new generation in Lithuania having taken over the criminal activity aimed at Sweden. In addition, there are high levels of unemployment in Lithuania, especially for women, and that fact is exploited by traffickers to recruit additional victims. These activities were also facilitated by direct ferry connections between Lithuania and Sweden with limited border controls.

### 3.1.5 Sale and purchase of sexual services via the Internet in 2011

According to the EU statistical office, Eurostat, three-quarters of households in the EU had access to the Internet in 2011. That same year, the proportion of households with Internet access was 91 per cent in Sweden<sup>16</sup>.

Open borders, combined with the opportunities provided by technological developments for transactions and payment solutions via the Internet, make things easier for criminals. The Internet is used for the entire criminal process, from initial preparations, acquiring information, identifying and recruiting victims, advertising the victims' services and for publishing threats, removing evidence, etc. The crime is freed from both time and space constraints because perpetrators can commit the crime at any time, anywhere.

As Internet crime is inherently transnational, international judicial collaboration is crucial for effective law-enforcement. At the same time, collaborative initiatives are hampered because legislation within this area is undeveloped in many countries, or because the legislation is different. It is thus important for the law-enforcement agencies to develop the ability to combat transnational crime with transnational law-enforcement.

In 2010, the Swedish National Police Board offered all police authorities skills development concerning Internet surveillance to enhance their knowledge of the preservation of evidence in investigations relating to prostitution activities on the Internet. This led to more police authorities conducting their own investigations and the National Bureau of Investigation Cyber-Crime Section participating only in larger and more complex investigations.

As in other countries, sexual services in Sweden are today mostly sold via the Internet. In the investigations conducted during 2011, the perpetrators published advertisements on websites designed to give the male sex-purchasers the impression that the victims themselves were responsible for the advertisements. In actual fact, the women usually had no knowledge of what was actually being described in the advertisements. This applied in particular to girls and women of Roma and Nigerian origin who were frequently not able to read or write.

In 2011, advertisements were published in which women and girls were offered for purposes of prostitution, on the following websites, for example.

- Adoos
- Secretary Academy or Sexwork
- Thumblogger
- Sthlmtjejer
- Best Forums
- Sthlmtjejer.adultforum
- Sexy Stockholm City Escorts
- Cityoflove
- Rosa Sidan

According to the National Bureau of Investigation and the police's Prostitution Team in Stockholm, there has been a change regarding advertisements for foreign girls and women on the Internet. In previous years, advertising revolved mainly around the selling of girls and women from Estonia and Russia, while in 2011 it related primarily to girls and women from Lithuania, Romania and Nigeria.

<sup>16</sup> Statistics from Eurostat <http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&language=en&pcode=tin00088&plugin=1>

The National Bureau of Investigation can state that topics concerning the purchase of sex, escort services and other prostitution activities are absorbing to many people. On the Secretary Academy website and on the Flashback and Hard Facts discussion forums, there are hundreds of pages with thousands of discussion threads on these topics. Some of these threads contain reviews, written by male sex-purchasers, about women who are being exploited for the purposes of prostitution. The reviews relate to whether the woman fulfils the expectations of the man purchasing the sex, her appearance, physical attributes and her willingness to carry out the “services” promised on the website. If the woman who has been booked is the one who actually shows up is also important information for the sex purchaser. Furthermore, the sex-purchasers exchange experiences such as how to avoid detection, and about the best ways of going about purchasing sexual services. The language used by these men in their reviews is often sexualised, disparaging and offensive. The threads on the Secretary Academy on-line forum are also subdivided into different regions: Sweden, other Nordic countries, Europe and Thailand.

In 2011, none of these sites could be traced to a server in Sweden. Instead, most of the websites were stored on servers abroad where these pages are not shut down. The site administrators made use of services that analyse visitor traffic to a website to find out where users are located geographically in order to be able to tailor the advertisements to the appropriate recipient group and part of the country.

The information from 2011 showed that sex-purchasers were able to book women and girls via advertisements on the Internet, to be brought into Sweden, by phoning or texting a call centre based abroad. The websites also displayed rates relating to the costs of purchasing sex. Travel and hotel bookings were arranged by the call centre, which also arranged for the women to be sent to Sweden or to another country, depending on the wishes of the sex-purchaser.

Information about the time and place of agreed sex purchases was given to the victims and sex-purchasers via phone calls, emails and text messages.

Many of the women who were being sold for prostitution through web-based escort businesses to male sex-purchasers in Sweden in 2011 were also being sold in other countries such as Finland, Denmark and Norway. The women were advertised for sale for a few weeks before their planned arrival in Sweden. Some advertisements contained Swedish mobile numbers that were activated once the women had arrived in Sweden. On the websites, men purchasing sex were able to book a woman to go to their home/hotel room (known as an out-call) or to book time with the woman in an apartment brothel or in a hotel room (known as an in-call).

In 2011, the police Prostitution Team in Stockholm established that the sex-purchasers seemed to prefer to use “out-calls” to a greater extent than before. One reason for this is believed to be that the sex-purchasers consider that the risk of detection will be less if they order a woman to come to their home instead of exploiting her in a hotel room.

In most of the cases reviewed by the National Bureau of Investigation and the Stockholm Police Prostitution Team in 2011, there were suspicions that the sales were being arranged by organised crime groups or networks. Certain websites contained pictures of a large number of women who had been photographed in the same environment and/or were linked to email addresses with similar names or themes, or to the same mobile phone number. The advertisements were also published on different websites but at around the same date.

In 2011 the National Bureau of Investigation and Europol reported an increase in Internet-based advertisements on certain large websites, allegedly belonging to transsexual men from Brazil. The advertisements were aimed at male sex-purchasers in Sweden among other countries.

### 3.1.6 Purchase of sexual services

The Act (1998:408) concerning the prohibition of the purchase of sexual services came into force on 1 January 1999. The legislation was implemented, according to the Women's Safety Bill, to prevent and combat a serious social problem that "leads to serious harm for both the individual and society" and to highlight to other countries what the Swedish approach is to prostitution. The purpose of the legislation was to make it easier for the police to intervene against existing prostitution businesses and to prevent the establishment of foreign criminal networks in Sweden, but also to discourage people from purchasing sexual services, thereby implying a reduction in the number of people involved in prostitution.<sup>17</sup>

This clause means that there is a ban on procuring a casual sexual service in return for payment. In conjunction with the sexual crimes reform in 2005, the Sex Purchase Act was repealed and replaced by a new penalty clause – Purchase of Sexual Services – Chapter 6 (Sex Crimes). § 11 of the Penal Code. This clause means that there is a ban on procuring a casual sexual service in return for payment. The penalty tariff was originally a fine or imprisonment not exceeding six months, but on 1 July 2011 the maximum penalty was made more severe and became imprisonment for one year. The aim of making the penalties more severe was to create scope for a more nuanced assessment of the penalty tariff in serious cases of purchasing sexual services.<sup>18</sup>

Apart from persons procuring casual sexual relations in return for payment, the clause also covers anyone taking advantage of casual sexual relations that someone else has paid for. The attempted purchase of sexual services is included in this ban. The term sexual relations is primarily used to mean intercourse but other sexual acts are also covered by the ban.

In April 2008, the Swedish government passed a resolution concerning a directive for an enquiry into the application of the ban on the purchase of sexual services and its effects. Anna Skarhed, then Justice of the Supreme Court, was appointed special investigator. The purpose of that enquiry was to investigate how the clause was working in practice and what impact the ban had had on the incidence of prostitution and human trafficking for sexual purposes in Sweden. The starting point for the enquiry was that the purchase of sexual services would continue to be criminalised.<sup>19</sup>

In July 2010, Chancellor of Justice Anna Skarhed submitted the enquiry's report to the government.<sup>20</sup> The enquiry established that neither street, indoor or on-line prostitution in Sweden had increased since the introduction, unlike the situation in comparable countries such as Denmark and Norway. Just as the Swedish National Police Board stated in previous situation reports, the enquiry underlined the fact that the ban on the purchase of sexual services acts as a barrier to the establishment of organised criminal networks involved in such crimes in Sweden. The enquiry also confirmed that the ban has a deterrent effect on sex-purchasers, and that the ban has strong support in Sweden. The enquiry finally concluded that criminalisation had not adversely affected the persons being exploited in prostitution. Thus, the enquiry indicated that the ban on the purchase of sexual services has had the intended effect and that it is an important instrument in preventing and combating prostitution and human trafficking for sexual purposes.

17 Women's Safety, Bill 1997/98:55.

18 Swedish Government Bill 2010/11:77 Stricter penalty for the purchase of sexual services.

19 Dir 2008:44 Evaluation of the ban on the purchase of sexual services.

20 Ban on the purchase of sexual services An evaluation 1999-2008 (SOU 2010:49).

During the period 2008-2011, there have been 2581 reports of purchases of sexual services.<sup>21</sup> The majority of these reports were received by the police authorities in the counties of Stockholm, Västra Götaland and Skåne. The reports concerned men with Swedish or foreign backgrounds who purchased sexual services from women and men. The majority of the victims were women aged 18-25 years, who often found themselves in a very vulnerable situation. The police authorities in metropolitan counties collaborate with the social services' prostitution teams in all cases involving prostitution and human trafficking for sexual purposes. All victims are offered support sessions with specially trained staff from the social services' prostitution teams and are also informed about how to get in touch with the police if they should run into difficulties. In addition, the persons reported for purchasing sexual services were given the opportunity to make contact with local KAST-groups for purchasers of sexual services.<sup>22</sup> When a person can justifiably be suspected of crimes that can lead to imprisonment, the police have the opportunity to take DNA samples through DNA cheek-swab tests<sup>23</sup>. The results of these swab tests may in some cases be used in future criminal investigations, such as in the case of suspected sex crimes.

During the period 2008-2011, 1200 people were prosecuted for the purchase of sexual services. The great majority of people reported for purchasing sexual services admit the crimes and therefore have to

accept an order of summary punishment.<sup>24</sup> To date, no one has been sentenced to imprisonment, but several people who purchased sexual services have been given suspended sentences, often in conjunction with cases of human trafficking or procuring.

Year	Purchase of sexual services – reports	Purchase of sexual services – prosecutions/rulings
2008	187	69/19
2009	352	107/20
2010	1277	336/64
2011	765	450/135

Statistics – National Crime Prevention Council (BRÅ) 2012

When the ban on the purchase of sexual services came into force in 1999, there was speculation that the police authorities would face difficulties in applying the legislation. That has not been the case. The enquiry concerning the effects of the law on the purchase of sexual services showed that police and prosecutors now believe that its application is working well, but that its effectiveness depends on access to resources and the priorities that are set within the judicial system.

### 3.2 Human trafficking for other purposes

The clause on human trafficking in the Swedish Penal Code<sup>25</sup> can also be applied in situations in which the victim is exploited for active military service, for the removal of organs, for forced labour or some other activity in a situation which causes distress to the victim<sup>26</sup>. A Gothenburg District Court judgement states

21 The Swedish National Council for Crime Prevention statistics. Purchase of sexual services, 1 January 2008-31 December 2011.

22 KAST (Köpare Av Sexuella Tjänster [Eng: Purchasers of sexual services]) groups are located in Stockholm, Gothenburg and Malmö. These groups motivate potential and active sex purchasers to take responsibility and change their behaviour.

23 Chapter 28, §§ 12 a and b, Swedish Code of Judicial Procedure (RB).

24 An order of summary punishment has the same effect as a sentence and is entered on the criminal record. The difference is that the prosecutor does not bring a case, nor is there any trial. (Swedish Prosecution Authority, 2012).

25 Chapter 4 § 1 a of the Penal Code.

26 The term “distress” is used here to refer to the fact that the victim is prevented from freely making decisions about his or her own actions or finds him- or herself in a really serious predicament which is not coincidental or transient. Swedish Government Bill 2009/10:152 Förstärkt straffrättsligt skydd mot människohandel [Enhanced protection in criminal law against human trafficking], page 21

that “situations that entail distress as indicated by the penalty clause concerning human trafficking are when a person is induced to work under particularly difficult conditions at a very low wage. Another example is when a person is induced to beg or steal.<sup>27</sup>”

In 2011 one person was convicted for human trafficking for purposes other than sexual. That case concerned a man from Bulgaria who transported a 12-year-old Bulgarian girl to Sweden to commit thefts in Sweden and in other countries in Europe. In some cases of other types of human trafficking, the proceedings are dismissed because of a lack of evidence showing that the suspects, as early as at the time of recruitment, intended to mislead the victims or that no exploitation could be proven. (See Annex 3).

The police authorities’ reports to the Swedish National Police Board during the year indicate that the number of reports, preliminary investigations initiated and cases brought concerning other human trafficking increased more than those concerning human trafficking for sexual purposes.

In 2011 the police drew up 35 reports on human trafficking for sexual purposes and 63 reports concerning human trafficking for purposes other than sexual. These purposes generally concerned situations in which people had been brought to Sweden by criminal gangs from other countries to be exploited for begging, for forced labour or for complicity in criminal activities such as organised theft. In 2010 the police drew up 32 reports on human trafficking for sexual purposes and 52 reports concerning human trafficking for purposes other than sexual.

### 3.2.1 Forced labour or situations that involve distress

Within several sectors in the Swedish labour market, foreign labour is being used to an increasing extent. Workers from countries outside the EU require a work permit and these people are often recruited with

the help of foreign manpower agencies. For workers from other EU countries, no such permit is required. Concurrent with increases in the foreign workforce on the Swedish labour market there has also been an increase in the information provided to the police concerning factors such as poor working conditions, unreasonable terms of employment and wages, difficulties in getting paid for work done, but also concerning human trafficking for forced labour.

The concept of workforce exploitation is understood to mean a situation that may involve hard labour, long hours and low wages. Under Article 2 of ILO Convention No. 29, forced labour is defined as<sup>28</sup>:

- a) any work or service
- b) that is demanded from a person under threat of some kind of punishment
- c) and to the performance of which the person concerned has not willingly agreed.

Human trafficking for the purposes of forced labour can be difficult to prove because the people being exploited do not always see themselves as victims – even in cases where the police and prosecutors suspect these crimes have taken place. The victims are particularly vulnerable when they are in a foreign country with a foreign culture and if they do not have a command of the language. However, it can be difficult to determine the extent to which a person may have been exploited and whether the exploitation is serious enough to be considered criminal under the trafficking legislation. In addition, victims are usually able to move about freely but are deprived of their liberty in more subtle ways, for example by threats of reprisals or by being deprived of their passports or being indebted to the perpetrators. This makes it difficult to prove the power relationship that should exist between the perpetrator and the victim.

In 2011 the police received information that foreign employees who had been promised work within the con-

27 Gothenburg District Court Dept. 4, 30.01.2012, Case no. 15416-11, p.23.

28 International Labour Organisation.

struction industry, or the cleaning, hotel and restaurant sectors, within other service occupations such as snow-clearing, car-washing and catering, had been informed that working conditions had been changed in conjunction with their journey to or just after arrival in Sweden. The perpetrators thereby intentionally subjected the employees, the injured-parties, to a situation in which they were forced to accept a significant deterioration in working conditions or completely lose the opportunity to get work and an income. These cases were difficult to investigate since it was not clear whether it was a matter of human trafficking for forced labour, or whether they should be viewed as fraud or breach of contract. In cases where there were suspicions of human trafficking, the alleged perpetrators and the injured parties came from China, Hungary, Romania, Belarus and Latvia. People from outside the EU, working illegally in Sweden for rogue Swedish employers, are under great pressure since the illegal stay could be disclosed to authorities if the employees were to protest about poor conditions. (For more information, see Section 3.2.3 on foreign berry pickers in Sweden p. 23).

#### **A case of special interest**

In 2011, a preliminary investigation was initiated at the police authority in Västmanland into human trafficking for sexual purposes and fraud. The preliminary investigation led to three brothers (resident in Sweden but originally from Slovakia) being arrested by the police. The suspicions of human trafficking concerned the exploitation of two Slovak women for sexual purposes or that they had been put into a state of distress. The distress was, according to the prosecutor, that the perpetrators provided the women with a Swedish personal identity number in order to exploit them for financial crimes. The perpetrators committed credit frauds in the victims' names and intended also to use their identities in order to be able to enjoy social security benefits for themselves and their children. In this case one perpetrator was sentenced to jail for six months for fraud.

The proceedings concerning human trafficking against the three brothers were dismissed because the Court found that there was insufficient evidence of there having been any exploitation of the victims<sup>29</sup>.

#### **3.2.2 Human trafficking for begging and criminal activities**

As with human trafficking for sexual purposes, it can be difficult to assess the extent of human trafficking for other purposes to, through and within Sweden.

In 2011, information concerning suspected human trafficking for other purposes in which people were forced to come to Sweden by itinerant criminal gangs from other countries to commit crimes, primarily concerns victims and perpetrators from Central and Eastern Europe (Romania, Bulgaria, the Baltic States, Poland and Slovakia). These groups moved throughout the country and cases of organised begging occurred mostly in and around urban areas and along main roads.

The foreign criminal gangs responsible are well organised and systematic in carrying out their crimes, particularly as regards crimes of theft and fraud. Crime in 2011 was usually of a serial nature and involved several countries<sup>30</sup>. In order not to get caught, the perpetrators would convey victims across county and country borders, and also often changed the vehicles and people in the gangs. Information confirmed that the number of individuals within these gangs, often minors, had been forced to commit crimes and they could thus be victims of human trafficking.

These gangs frequently consist of family constellations with complex loyalties between perpetrator and victim. The victims, who in some cases did not see themselves as victims, thus rarely reported themselves to have been victims of human trafficking.

<sup>29</sup> Västmanland District Court 25.08. 2011, Case no B 406-11.

<sup>30</sup> Crimes of a serial nature, such as housebreaking, shoplifting, theft and skimming. The crimes are often committed by organised criminal networks that move rapidly within a country and are often transnational.

Several of the victims were also minors and were directly dependent on the perpetrators. Others lacked confidence in the law-enforcement agencies, or were afraid of reprisals. The family members occasionally also had several different ID documents with multiple identities that made it difficult to identify the victims.

The groups responsible developed a deliberate strategy, including forcing the victims to commit crimes with low punishment tariffs that are not a priority for the police. This made it more difficult to detect serial crime. The national volume and serial crime initiative that was initiated in September 2011 means enhanced opportunities for identifying and combating suspected human trafficking, providing in turn increased opportunities for using secret means of coercion in combating serial crimes.

The background to this initiative is a growing problem of criminal gangs that move rapidly through the country, and often specialise in specific types of crime. Since many crimes are committed in several counties, the police authorities need to develop the ability to share information rapidly, coordinate cases and conduct joint operations. This investment will strengthen the police's ability to prosecute these gangs and enable rapid responses in areas where crime is on the increase. The agreement, which includes the Swedish National Police Board, the National Bureau of Investigation and the police authorities, is a prerequisite if the police are to be more successful in their fight against serial crime throughout the country<sup>31</sup>.

The agreement is made up of five parts:

1. Strategic and operational consensus and national status report
2. A national reinforcement resource
3. Special action against serial crime
4. Coordination of cases
5. Enhanced opportunities for exchanging information within the police

An important element of this initiative is the national volume and serial crime force that is intended to respond rapidly in areas where crime is on the increase. The force's 136 police officers are split into 14 groups on patrol and four surveillance teams. Where and when the force is sent in is decided by the National Operational Management Team (NOLG). It is led by the Head of the National Bureau of Investigation and is made up representatives from the police service's areas of collaboration, the Swedish National Police Board and the Swedish Prosecution Authority. The team's main task is to decide, using a joint status report, where and when the national volume and serial crime force should be deployed.

### 3.2.3 Exploitation of foreign berry-pickers in Sweden

In Sweden, seasonal commercial berry picking is carried out largely by temporary foreign workers during the summer and early autumn months. The berries are sold to the food and pharmaceutical industries in Sweden and abroad. In recent years collaboration between the different players within the industry has increased, leading to a higher level of specialisation and a marked division of roles between those players. Certain players function as purchasers on site in the forests and are in direct contact with the berry pickers, while others act as wholesalers, and are responsible for selling on to Swedish and foreign customers.

In 2011, the police received information about irregularities and suspected trafficking in relation to berry pickers from Bulgaria. The conditions described were similar to those also reported and investigated in 2010 and the suspects belonged to the same criminal gang that was suspected then too. In connection with the investigation in 2011, it was discovered that the suspects in the 2010 case were again on site in Sweden and were involved in a similar operation. This led to the Swedish Prosecution Authority deciding to reopen the old case.

31 National Bureau of Investigation, doc ref: RKP A-400-68/11.

The investigation showed that the employees were, for example, promised terms and earnings opportunities that were not fulfilled on their arrival in Sweden or at the end of the contract. Employees spoke of missing wages payments, poor accommodation standards, but also of an acute lack of food and water. In addition, certain employers exercised or threatened violence when the berry pickers refused to hand over passport documents, telephones and other possessions. Certain employers also threatened berry pickers with being forced to carry out thefts (men) or being exploited in prostitution (women) unless they picked sufficient quantities of berries. Occasionally a large number of berry pickers also came to Sweden on their own initiative or were deceived by some marketing person in their home country. The marketing person then charged a fee for helping the berry pickers get to Sweden where they were subsequently left without financial means and without knowing the language.

Many berry pickers went into debt in their home country in order to be able to pay for their journey to Sweden. This made them particularly vulnerable to the perpetrators' threats and exploitation. The victims had no knowledge of Swedish conditions or of the Swedish language, which meant that they were unable to assess the risks of travelling to and working in Sweden. Many berry pickers did not earn a sufficient amount to cover their travel and accommodation costs, despite there being a relatively good supply of berries and long working days, which meant they then ran into debt.

In order to prevent foreign workers being exploited unfairly in the future, through unreasonable working conditions, unpaid wages, being subjected to threats and slavery-like conditions, during spring 2011, the Swedish National Police Board initiated a collaborative venture with the Swedish Migration Board, Swedish Tax Agency and Swedish Work Environment Authority. The collaborative process ended up with the Swedish Migration Board producing guide-

lines, ahead of the berry picking season, for companies that offered employment to berry pickers from third-party countries.

The guidelines involve the employers having to demonstrate, for example:

- Documentation on previously paid wages for companies that had formerly employed berry pickers.
- A report on how the company plans to pay the monthly wage offered (gross wage and any social security contributions) even when the berry supply is poor and/or in the event that the employee is unable to pick berries equivalent to the monthly salary offered.

The employer can do this, for example, by demonstrating that there is/are:

- cash in the bank or equivalent
- overdrafts
- bank guarantees or a legally binding commitment from other funding sources
- security from the guarantor who is able to show that assets exist. In support of this, for example, balance sheets and income statements can be submitted.

In addition, employers must show:

- That the arrangements have been made to organise the work and guide the berry pickers in carrying out their work in the manner customary within the industry. In practice, the work should also be organised in a way that is in accordance with industry practices with regard to transportation, food and accommodation, for example.
- An account of all costs that are to be borne by the berry picker.
- Documented and proven conveyance to the berry picker of information on the nature of the work, the terms of employment offered, the Right of Public Access (Swe: Allemansrätten) and current road safety rules in Sweden. Information about the employment offered, in addition to salary, period of notice, insurance protection, and it must be issued in a language the employee can understand.

Finally, foreign companies conducting business must also register a branch office in Sweden in accordance with the Act (1992:160) concerning foreign branch offices etc.<sup>32</sup>.

With the new guidelines, the public authorities wanted to show that the employee's right to reasonable conditions will take priority over any objections from the berry industry. In addition, they put the authorities and unions in a better position to act on the basis of their respective areas of responsibility. The Swedish Tax Agency was given improved conditions for inspecting the companies and the unions were given a physical partner for dialogue in Sweden.

The stricter guidelines improved the situation in 2011 for berry pickers from outside the EU by making it harder for rogue operators to exploit them. In 2011 the Swedish Migration Board granted 2,673 applications for work permits for berry picking, as compared to almost 4,500 in 2010. The majority of the applications concerned people from Thailand, but also citizens of Bangladesh and Vietnam. As a result of the more stringent guidelines, the police only drew up a few reports concerning crimes against berry pickers from countries outside the EU in 2011, a significant improvement on 2010. Despite the measures taken, however, it turned out that citizens from EU countries, who were recruited to pick berries, remained at risk of abuse and exploitation in an unfair manner. This is because rogue operators recruit labour from particularly vulnerable groups such as certain ethnic minorities, people who can neither read nor write, and who do not need a work permit to pick berries in Sweden.

### Two cases of particular interest in 2011

In the Hudiksvall District Court, a Bulgarian couple, a man and a woman, were acquitted of human trafficking and sentenced instead for assault and molesta-

tion, among other offences. According to the indictment, jointly and in agreement, the couple had misled, recruited under coercion, transported and accommodated three men from Bulgaria. The prosecutor also asserted that the couple had not made any payment to the injured-parties for any work performed and that they had confiscated the injured-parties' passports.

The couple had also misled the victims with promises of high wages for picking berries as well as free travel, food and accommodation. However, the defendants did not pay any wages and also assaulted one berry picker, for example, because he "ate too much". The case came to the attention of the police because the victims escaped and contacted the local police authority and the Bulgarian Embassy.

The District Court stated that the evidence was insufficient for a prosecution for human trafficking since the prosecutor was unable to prove that the couple had intended to cheat the berry pickers out of their wages even while still in Bulgaria. The man was therefore convicted only of attempted assault, molestation and arbitrary conduct, and sentenced to imprisonment for three months, among other things for having dragged one of the berry pickers behind a car. The woman was convicted of assault and arbitrary conduct, and sentenced to prison for three months, for having thrown an empty berry box at one of the berry pickers, for example<sup>33</sup>.

Another Bulgarian couple were remanded in custody in autumn 2011 by Hudiksvall District Court on suspicion of human trafficking. The pair were believed to have forced seven people from Bulgaria to travel to Bollnäs to pick berries in 2010. Several of the victims went to the police and told them that they had been beaten and forced to commit crimes if they did not pick enough berries. The female victims had also been threatened that they would be exploited in prostitution. The investigation was made more complex because the victims returned to Bulgaria, but it

32 The Swedish Migration Board, business area visits, residence and citizenship, VCI 2/2011.

33 Hudiksvall District Court 31.10.2011, Case no. 1834-11.

resumed in 2011. In June 2012, two perpetrators were each sentenced by Hudiksvall District Court to ten months in prison, plus a ten-year exclusion order for human trafficking for forced labour purposes<sup>34</sup>.

### 3.2.4 Exploitation of people for tarmac and paving work

As part of the national initiative to combat volume and serial crimes, the police authority in the county of Östergötland was given responsibility for coordinating police actions against gangs of rogue tarmac and paving layers from Great Britain and Ireland<sup>35</sup>. Since last year, the police have been able to establish that, in certain cases, it was possible to relate suspected human trafficking, kidnapping, arson, assaults and unlawful threats etc to these groups. Police also began collaborating with the Swedish Tax Agency, Swedish Customs, the Swedish Prosecution Authority, the Larmtjänst service (set up to combat organised crime on behalf of the Swedish insurance industry) and the Swedish Migration Board because of the special initiative. A methodology manual was updated and made available on the police intranet for all police authorities, to ensure that the police authorities could work in a consistent manner to combat this type of crime.

The gangs travelled between different locations and countries during the spring and summer months to carry out tarmac and paving work, and lived in caravans at camp sites or larger car parks. They offered their services to private individuals, often home owners, in the local area by handing out leaflets with information about their activities. These companies are usually not legitimate and only a few are registered on the companies' register. Neither the perpetrators nor the private individuals who hired the companies paid any duty, VAT or tax.

Private individuals engaging such companies may be committing a criminal offence and the demand for services from people who are victims of trafficking should be combated in compliance with international law<sup>36</sup>. In Sweden, a person purchasing/engaging the victim's services risks being held responsible for usury in compliance with Chap. 9 § 5 Para 1 of the Penal Code and breaches 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 no payment is to be made, will be punished.

Chap. 20 § 5 of Sweden's Aliens' Act should also apply in certain cases if someone intentionally or negligently employs a foreigner although the alien in question does not have a prescribed work permit. Chap. 3 § 10 of the Penal Code in cases where someone intentionally or negligently is in breach of the requirements of the Work Environment Act, to prevent illness or accident, thereby causing the death of another person, physical injury or illness.

34 Hudiksvall District Court 15.06.2012, Case no. 2220-11.

35 For more information about the exploitation of persons through tarmac and paving work, see the Swedish National Police Board's tenth situation report on Trafficking in Human Beings for Sexual and Other Purposes, 2007-2008.

36 The Council of Europe Convention on Action against Trafficking in Human Beings (2005:8, ratified 31 May 2010), Article 19: Criminalisation of the use of the services of a victim of crime.

### 3.2.5 Human trafficking for other purposes: Situations that involve distress

The EU law-enforcement agency, Europol, has in recent years reported on human trafficking in order to defraud the welfare system, especially relating to the UK. The main people responsible for these crimes were criminal gangs dominated by people from Eastern European countries like Romania and Bulgaria. The perpetrators recruited and transported the victims between countries within the EU. The victims were registered in the destination countries so that they could apply for income support through the national welfare system. The payments were confiscated by the perpetrators.

Individual pieces of intelligence and preliminary investigations led to suspicions that such activities were also taking place in Sweden. In 2011, the National Bureau of Investigation, together with the Swedish Tax Agency, the Swedish Social Insurance Agency, the Swedish Enforcement Agency and the Swedish Migration Board investigated incidences of this form of human trafficking in Sweden. The investigation confirmed that people had been recruited and transported to Sweden after having received false offers of employment. On arrival these people were registered and supplied with Swedish personal identity numbers. The perpetrators used these to acquire credit cards, which were then used to purchase mobile phones on contracts, and computers in retail stores, but also for making purchases by mail order and for obtaining credit from financial institutions. The victims were liable for paying these debts.

In 2010, the Swedish Tax Agency changed its registration procedures. This led to people who were using false documents when applying to be entered on the register in Sweden being detected and the application being rejected. The National Bureau of Investigation was able to establish that the Swedish Tax Agency's amended procedures had sharply reduced the incidence of this form of suspected trafficking. In 2011, a

similar modus operandi was used in a human trafficking case investigated by the police authority in Västmanland. The district court dismissed the prosecution concerning trafficking, however, because the district court did not find any proof that any exploitation had taken place<sup>37</sup>.

### 3.3 Child trafficking for sexual and other purposes

Since the legislation was introduced in 2002, all of the child victims of human trafficking for sexual purposes in Sweden have been, with few exceptions, girls aged 16-17 years.

Human traffickers sometimes contact parents who are living in poverty in countries such as Romania and Bulgaria, either to buy or hire their sons and daughters with the purpose of exploiting them for purposes of theft or begging, or to exploit them sexually in prostitution. These girls and boys, who are often aged 10-14, are not allowed to attend school but are instead trained at an early stage by the trafficker to steal from shops or to pick pockets. The human traffickers exploit the children's young age which means they escape punishment and a criminal record.

#### 3.3.1 Human trafficking for sexual purposes

In the preliminary investigations carried out in Sweden during 2011 into human trafficking for sexual purposes and related crimes such as procuring/aggravated procuring, none of the victims were below the age of twelve; the youngest girl was aged 14 and the oldest woman 41.

#### A case of particular interest

A man and his wife, both from Serbia, were charged in December 2011 in the Gothenburg District Court for human trafficking for sexual purposes, and for

<sup>37</sup> Västmanland District Court 25.08.2011, Case no B 406-11.

subjecting a person to a state of distress after having recruited a 14-year-old girl from Serbia to Sweden. The intention was for the girl, according to the prosecutor, to be exploited sexually by the couple's 25-year-old son, and exposed to a state of distress through an enforced relationship with the son. The woman was also charged with assault, unlawful threats, rape or complicity in rape or sexual coercion. The son was charged with child rape or the sexual exploitation of children and for rape or sexual coercion.

The prosecution was based primarily on information conveyed by the girl during police interviews. During the trial, the girl changed her statement. The court could not determine which of the girl's pieces of information were correct, and whether the girl had changed her story because she had been subjected to threats of reprisals. The prosecution concerning human trafficking was dismissed, among other things, because the reason for bringing the girl to Sweden could not be proven<sup>38</sup>. Other charges were also dismissed. The sentence, which was appealed against, was confirmed by the Court of Appeal in September 2012<sup>39</sup>. An appeal against the Court of Appeal's sentence has been submitted to the Supreme Court.

### 3.3.2 The purchase of a sexual act from a child

In conjunction with new sexual offences legislation coming into force on 1 April 2005, the ban on the purchase of sexual acts from children under the age of 18 was made stricter and extended<sup>40</sup>. The aim was that the ban should also cover situations in which a person exploits, for example, a child's lack of maturity to lure and exploit him or her to accept payment for a sexual purpose. Just as in the case of the purchase of a sexual service, this also covers cases in which a person

exploits a child through a sexual act that someone else pays for or has paid for. The penalty clause also includes the purchase of sexual acts from children under conditions other than those that constitute prostitution. A person who purchases a sexual act from a child under 18 may be sentenced to imprisonment for a maximum of two years.

Year	The purchase of a sexual act from a child – reports	The purchase of a sexual act from a child – prosecutions/rulings
2008	46	4/3
2009	150	6/5
2010	231	9/9
2011	131	7/7

Statistics – National Crime Prevention Council (BRÅ) 2012

The crime of purchasing sexual acts from children<sup>41</sup> can sometimes be difficult to investigate and to prove. It can often be a long time after the children have been exposed to abuse until a report is lodged. There may be several reasons for this: In many cases, the perpetrator threatens to reveal the child's "behaviour" to parents, school and friends if the child tells of the abuse. Children are often in great fear of the abuser and of continuing to be exposed to sexual abuse. Sometimes children also blame themselves for the abuse that they have been subjected to. Many children may have been abused previously and do not trust the adult world to take them seriously or that the abuse will cease.

Many offences relating to the purchase of sexual acts from children occur after the perpetrator has made contact with the girl or boy through on-line websites with the purpose of exploiting the child sexually. The perpetrator often endeavours to create a (false) sense of trust with the child, making it even more difficult for him or her to report the adult perpetrator for the abuse.

Most children who fall victim to the purchase of

38 Gothenburg District Court 30.01.2012, Case no B 15416-11.

39 The Court of Appeal for Western Sweden 14.09.2012, Case no B 1689-12

40 "New sexual offences legislation" (Bill 2004/05: 45).

41 Chapter 6 § 9 of the Penal Code.

sexual acts from children and where crimes are uncovered, are young teenagers. Despite this many perpetrators still escape being sentenced for this crime. In many cases where perpetrators have been prosecuted for the attempted or actual purchase of sexual acts, they claim that they had no knowledge of the child's actual age. In these situations, the courts often find that the accused's objection concerning the child's age cannot be disproved, and convict them instead for the purchase of sexual services, a crime which results in shorter sentences.

#### **The purchase of a sexual act from a child via the Internet**

In 2011, because of its focus on the sexual abuse of young girls and boys, the Stockholm police were investigating several cases in which men contacted children through advertisements on the internet, and purchased sexual acts from them or sexually exploited children in other ways. Police also discovered cases in which perpetrators of sexual abuse had changed to act as pimps for young girls. In conjunction with this initiative, the police also contacted people who used on-line advertising to sell sexual services when there was a suspicion that they were minors. This work was done in collaboration with social services in Stockholm to ensure that the young people who had been contacted through the initiative could be offered protection and support.

#### **3.3.3 Modus operandi: trafficking children with the intention of exploiting them to commit crimes**

From previous years, it has been known that certain criminal gangs in countries such as Romania and Bulgaria, specialise in trafficking children in order to exploit them for the purposes of theft and begging, or for sexual exploitation through prostitution.

Traffickers make contact with parents living in poverty with offers to buy or hire their children with the intention of exploiting them for the purposes of theft. These girls and boys, who are often aged 10-14, are

not allowed to attend school but are instead trained at an early stage by the trafficker to shoplift or to pick pockets. To make detection more difficult, the perpetrators acquire documents to show that they are acting as guardians with permission to travel abroad with the child/children for a specific period. Often the traffickers provide the children and themselves with several different identity documents, making it difficult for police to identify and trace the crime, especially because these itinerant groups move between different EU countries.

The girls and boys are often taken out of their home countries in groups resembling family units, consisting of two adults and two or three children. To make detection more difficult, the perpetrators acquire documents to show that they are acting as guardians with permission to travel abroad with the child/children for a specific period. The groups travel by car between countries within the EU, where the children are exploited for begging and for committing various property crimes.

The police investigations conducted in 2011 show that it was common for an adult to pretend to be related to the child, or to be the child's guardian to be able to fetch the child after being picked up by the police or social services. The children constitute an important investment for the traffickers, who may use violence to retrieve them from the authorities. The children are socially isolated, deprived of access to education, and linked emotionally to the perpetrators. They are therefore extremely likely to run away when they are placed in safe houses. In addition, the children frequently do not trust the authorities, especially the police, and often do not see themselves as victims of a crime. This leads to time-consuming preliminary investigations in which, until now, there has been little chance of prosecuting the perpetrators.

#### **Four cases of particular interest**

Beginning in autumn 2010, the National Bureau of Investigation was collaborating with the police in the

Hordaland police district in Norway in an extensive human trafficking case. The case concerned girls aged 13-17 years, bought and sold by a number of offenders to be used for the purpose of committing fraud in the form of selling fake gold, committing theft, begging, etc. The preliminary investigation also included information about forced marriages, rapes, assaults, etc. In July 2012, six people (three men and three women) were sentenced by the Bergen District Court to imprisonment for between three and six years for human trafficking<sup>42</sup>. The perpetrators were also convicted variously for other crimes, such as rape and complicity in rape and for forcing an under-age girl to “enter into marriage in accordance with the traditions of the Roma people”. All of those involved, six perpetrators and four injured parties, originally came from Romania and the human trafficking crimes were committed in Sweden, Norway and Romania. One of the rapes was also committed in Sweden. The case was considered by the National Bureau of Investigation to be of particular interest for raising awareness about children who are trafficked for various purposes, and for ensuring that the perspective of the injured-party/child is taken into consideration.

The crimes in this case were perpetrated by criminal gangs identified by Europol as one of the three greatest threats to society in respect of human trafficking<sup>43</sup>. The victims were children who were exposed to several different types of crime. They were within an itinerant criminal gang in which the exploitation was also a part of what might be regarded as serial crime. The case demonstrated a clear need for increased knowledge and awareness among Swedish authorities as regards human trafficking in

relation to serial crimes such as those involving under-age perpetrators, victims of human trafficking nevertheless.

In November 2006, a Bulgarian girl, aged 12, was arrested at a department store in Sollentuna after having stolen a handbag. Since the girl was alone when the theft occurred, she was handed over to the social services. A man, who claimed to be the girl’s “uncle”, later contacted social services. He had the girl’s passport with him and authorisation from her parents showing that they had given him permission to take the girl to an unlimited number of countries for an unlimited time. The social services did not hand the girl over to the man, but requested instead that the legal guardian should come to fetch his daughter.

Three days later, the father came from Bulgaria together with the alleged uncle to fetch the girl. The police investigation showed that the girl was suspected of several thefts of handbags at various locations within Sweden and she had a recently issued passport that had been stamped around seventy times. In the police interviews, the alleged uncle and the girl made statements that failed to correspond. It was therefore suspected that the girl was a victim of human trafficking and she was taken into care by social services under the terms of the Act (1990:52) relating to the Care of Young Persons (Special Provisions). The National Bureau of Investigation initiated a preliminary investigation into human trafficking.

The girl was suspected of nine thefts of handbags in different food-stores in Sweden, and a further two thefts could be linked to the gang. In the summer of 2007, the National Bureau of Investigation, together with the Bulgarian police, tapped the phone of the girl’s father in Bulgaria, during which it emerged that it was the father who was organising the operation. On the journey through Sweden, an older daughter was also exploited for carrying out thefts. The perpetrators earned up to SEK 20,000 per day and had a conscious strategy of stealing from elderly women since they were less attentive and less likely to hit back.

42 Bergen District Court 05.07.2012, Case no 11-194827MED-BBYR/01.

43 <https://www.europol.europa.eu/sites/default/files/publications/trafficking-in-human-beings-in-the-european-union-2011.pdf>. For more information on criminal human trafficking gangs within the EU, see page 12 of this report.

In summer 2007 the girl was handed over from Sweden to the social services authorities in Bulgaria. At the start of 2009, an arrest warrant was raised for the alleged uncle, in his absence, and a description circulated internationally with a request for extradition to Sweden. In June 2010, he was arrested in Bulgaria and was extradited to Sweden in July of that same year. In April 2011, he was convicted by the District Court to four years' imprisonment and ten years' deportation for human trafficking and aggravated theft. In questioning at the District Court, the girl stated that the thefts were her idea, but the District Court considered this to be ruled out, bearing in mind her young age and considered the girl to have been used as a means of carrying out the thefts. The Court of Appeal confirmed the district court's judgement which also included damages of SEK 50,000 for the girl.

In June 2011, three persons from Romania were remanded in custody by the district court in Luleå, on grounds of probability, suspected of aggravated theft. The perpetrators specialised in the theft of gold jewellery from elderly people. There were suspicions that a 14-year-old Romanian girl who was travelling with the perpetrators had been forced to commit thefts on their behalf.

A preliminary investigation concerning human trafficking for other purposes was initiated into the suspected perpetrators, in order to investigate whether the girl had been forced to go on the journey in order to commit crime. Social Services took the girl into care under the Act (1990:52) relating to the Care of Young Persons (Special Provisions) despite her parents, who had travelled from Romania, being opposed to this. The Administrative Court ruled that the girl should be taken into care. The parents submitted an appeal against the judgement to the Administrative Court of Appeal which refused the appeals. Instead the Administrative Court of Appeal referred the decision to competent authorities in the girl's home country by virtue of the Brussels II Regu-

lation (Article 8.1)<sup>44</sup>. This article means that a Swedish court has no jurisdiction in matters of parental responsibility if it can be investigated in the country in which the child is domiciled. The decision to take the girl into care was cancelled in compliance with the Administrative Court of Appeal ruling and she was reunited with her parents. The competent court in the girl's home country was informed of the Administrative Court of Appeal's ruling by the Swedish Ministry of Foreign Affairs. The preliminary investigation on human trafficking was closed in December 2011 since no crime could be proven.

In December 2011, a 42-year-old man was prosecuted at the Solna District Court for human trafficking, attempted rape, unlawful threats and assault. The man had smuggled a 16-year-old Romanian girl through Europe in a private car and then housed her in a caravan at the Solvalla camp site. The girl was kept under constant surveillance and was forced to steal items such as food and tobacco that the man then sold on. On at least one occasion the man attempted to force the girl to practice oral sex on him and also assaulted her.

The man was sentenced to a year in prison for attempted rape but was acquitted on other counts<sup>45</sup>. The court dismissed the indictment for human trafficking since the prosecutor could not prove that the reason for transporting her to Sweden and housing her there was to commit thefts. The Court of Appeal confirmed the District Court sentence<sup>46</sup>.

### 3.4 Child trafficking for sexual purposes outside Sweden's borders

One type of crime that ought to be given increased attention is the sexual exploitation of children in other countries by Swedish nationals, the so-called child sex trade. This type of crime involves a person, usual-

44 Council Regulation (EC) No 2201/2003 of 27 November 2003.

45 Solna District Court 29.12. 2011, Case no B 9980-11.

46 Svea Court of Appeal 02-03-2012, Case no. 756-12.

ly a man resident in Sweden, travelling to another country in order to sexually exploit a girl or boy resident in that country, in return for some form of payment. The crimes committed against children in particular are child rape, the purchase of sex acts from children and child pornography crimes.

#### **Project to combat child trafficking for sexual purposes outside Sweden**

During the period 2009-2010, the National Bureau of Investigation Cyber-Crime Section ran a project to combat child trafficking for sexual purposes within the framework of the Government's assignment for the Swedish National Police Board to strengthen national initiatives to combat prostitution and human trafficking for sexual purposes.<sup>47</sup> The purpose of this project was to combat more effectively the crime of trafficking children for sexual purposes committed by Swedes outside Sweden's borders, and to simplify procedures for tipping off the police in Sweden about these crimes.

During the project period, around fifty Swedish men resident in Sweden were identified who were suspected of travelling abroad with the aim of committing the sexual abuse of children. Gradually, as the general public became more aware of the project, the number of tip-offs regarding these men increased. Work to identify and investigate these crimes continued after the end of the project. In 2011, a further thirty Swedish men were identified as suspected of travelling abroad with the aim of committing child sexual abuse or producing child pornography abroad. The National Bureau of Investigation was also investigating around a hundred tip-offs from Swedish and foreign police authorities and from the general public about these crimes.

#### **Two cases of particular interest**

In 2011, a Swedish man was sentenced in Kristianstad District Court to imprisonment for five years for the

rape of a child, conspiracy to commit child rape, aggravated child pornography, sexual exploitation of children and aggravated exploitation of children for sexual posing. The Court of Appeal lengthened the sentence to imprisonment for seven years<sup>48</sup>. The man was a VIP member of a well-known international paedophile network that has more than 600 members. The network's members communicated via an electronic Internet-based bulletin board going by the name of "Dream Board"<sup>49</sup>.

The man, aged 45, was resident in Sweden, but on one occasion visited the Philippines where, on that occasion, he subjected children to sexual exploitation in different hotel rooms. The man was arrested at home in Sweden after a tip-off and through police surveillance work. The evidence at the trial consisted of the man's own photographic and video material. The man had documented the sexual abuse of four Filipino girls aged between three and fifteen. The children could not be identified. A woman who provided the man with children was identified but could not be arrested.

Another case in 2011 concerned a Swedish man, aged 76, who was married to a Filipino woman, aged 27. The man lived with his wife in the Philippines for six months and in Sweden (where he was registered) for six months. In the Philippines, the man taught young girls the English language. It was possible to prove that he had sexually exploited at least three of those girls aged between 7 and 11. All the assaults took place in their own homes. The man also lent money at usurious interest rates to people in the

48 The Court of Appeal for Skåne and Blekinge 28-03-2012, Case no. B 224-12

49 "The network specialised in graphic and often violent images of the sexual abuse of children under the age of 12, including infants. It created an incentive among members to create new files by kicking them out of the network if they did not upload material at least once every 50 days, and by granting them greater access to its archives if they created their own child pornography," said Assistant Attorney General, Lanny A. Breuer (NY Times, 3 August 2011)

Philippines who were living in poverty. He was arrested in Sweden in July after a tip-off to police.

The man was charged with the sexual exploitation of children, child pornography offences and the attempted rape of a child. Investigators from the National Bureau of Investigation's Cyber-Crime Section travelled to the Philippines on two occasions to conduct interviews with the children, and on one further occasion before recording evidence via video link. The trial was held in the Eskilstuna District Court in December 2011 and the man was sentenced in March 2012 to imprisonment for 18 months for aggravated sexual abuse of children, the sexual abuse of children and child pornography offences<sup>50</sup>.

#### **European collaborative project, Haven**

In 2010, Europol, carried out a survey into the way cases concerning child trafficking for sexual purposes outside a country's national boundaries were dealt with in EU member countries. The authority found that many countries had neither established procedures nor allocated resources for dealing with these cases.

In order to improve member states' investigations into this type of crime, increase the number of prosecutions and improve collaboration, the Europol Child Exploitation Group implemented a European collaborative project called "Haven". The first step was a joint day of action at some of Europe's major airports, in Sweden, the UK, the Netherlands and Germany in March 2011.

The aim of this day of action was to:

- detect and prevent European citizens from committing sexual abuse of children throughout the world.
- detect sexual offences against children abroad, initiate preliminary investigations and prosecute suspects.
- detect people who are carrying child pornography materials.

- raise awareness among the general public about the existence of the phenomenon and that a team within the police authorities is working on the problem.
- expand and improve collaboration between police and customs authorities to make further joint actions of a similar nature possible.
- gather knowledge about how and where "child sex tourists" are travelling, to optimise working methods.

In Sweden, the day of action was carried out at Arlanda Airport in a collaborative operation involving the National Bureau of Investigation, the Stockholm County Police Authority and Swedish Customs. The operations team inspected five flight arrivals, one from Turkey and four from Thailand and checked 1,623 passengers. IT forensic scientists examined technological equipment consisting of eight hard disks, four digital cameras, two mobile phones, a video camera, nine USB sticks, six DVDs and a video tape, belonging to 28 passengers, but did not find any criminal material.

#### **Swedish Prosecution Authority Review Project**

In December 2011, the Swedish Prosecution Authority, Development Centre Gothenburg, published a review report on child sex tourism<sup>51</sup>. The review was carried out in response to the criticisms levelled at the Swedish Prosecution Authority for failures in handling so-called child sex tourism cases.

The Swedish Prosecution Authority reviewed thirteen cases on which police reports had been drawn up between 2008 and 2010, and additional reports made in 2011. The Authority established that three preliminary investigations had been closed because of evidence problems while the rest are still ongoing. At the time the report was compiled in July 2011 not one preliminary investigation had led to legal proceedings.

50 Eskilstuna District Court 29.03. 2012, Case no B 1875-11.

51 Child sex tourism - a review project. Available at: <http://www.aklagare.se>. Under the Documents tab, and under the heading "2011 - Review of child sex tourism."

However, two people had been arrested in Sweden for the sexual abuse of children committed abroad. The review showed that the prosecutors tried to make use of all of the possibilities that existed for investigating suspected crimes, which did produce results in some cases.

Using the report as a basis, the Swedish Prosecution Authority decided in 2012 to prepare concise methodological support to facilitate the handling of these cases. Methodological support was expected to be an easily-accessible complement to the manual *Legal Assistance in Criminal Matters*<sup>52</sup> and the manual *Handling Matters Relating to Child Abuse*<sup>53</sup>.

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52 Published by the Swedish Prosecution Authority Legal Department.

53 Published by the Swedish Prosecution Authority Development Centre in Gothenburg.

# 4. Other National Bureau of Investigation initiatives against human trafficking

The National Bureau of Investigation is leading Sweden's fight against serious organised crime, nationally and internationally. The overall objective of the National Bureau of Investigation's task is to combat the opportunities that criminal networks have to become established and to operate in Sweden. The authority is also to establish international collaborative links and participate in emergency preparedness. The National Bureau of Investigation constitutes the Swedish police's national point of contact in international cases and collaborates closely with bodies such as Interpol and Europol.

## Intelligence Section

By processing and analysing information, the National Bureau of Investigation's Intelligence Section has acquired a good overview of the aggravated organised crime in Sweden. The Intelligence Section communicates this overview by means of strategic reports and high quality operational intelligence. The intelligence work is expected to prevent and combat organised crime or, in specific cases, to lead to the initiation of preliminary investigations concerning ongoing serious crimes.

The intelligence section is responsible for the strategic and operational criminal intelligence service at national level, for example in targeting human trafficking. The intelligence section assists, arranges and coordinates international cases and intelligence assignments that affect several authorities or countries. The work is carried out in collaboration with the police authorities' criminal intelligence services, other crime-fighting authorities and through international police collaboration.

## Investigation Section

At the National Bureau of Investigation there is also an Investigation Section, tasked with investigating serious crimes such as human trafficking, and providing assistance to the local police authorities, when required. This section also handles cases involving requests for legal aid from other countries.

In 2011 the National Bureau of Investigation played an active part in the cases described in that year's situation report and was also responsible for certain major international human trafficking cases. See below:

## Collaboration with Norway

Beginning in autumn 2010, the National Bureau of Investigation collaborated with the police in the Hordaland police district in Norway on an extensive human trafficking case. (For more information, see under Four cases of particular interest, p.29).

## Cooperation with the UK

In 2010, the National Bureau of Investigation assisted the police authority in Skåne with a preliminary investigation concerning suspected human trafficking for forced labour, in which the victims were exploited for purposes such as carrying out tarmac and paving work for private individuals in different parts of Sweden. In this case, the National Bureau of Investigation also collaborated with police in the UK since the itinerant suspects belonged to the same family resident in that country. The investigation led to legal proceedings in the District Court in Malmö being brought against two people in 2010 on charges including human trafficking. The court dismissed the prosecution.

The collaborative work between the National Bureau of Investigation and the police authorities in the UK continued during 2011. In September 2011, the British police made a major raid on a camp in Bedfordshire which led to seven people from one family being detained. About twenty people were taken into the care of social services as victims of human trafficking for forced labour purposes. The investigation showed that the victims were vulnerable men who were without family, work and home, and/or victims who were intellectually impaired. Some of the victims may have worked for the family for more than 15 years. The living environment, food supply and sanitary conditions for the workers in the camp were sub-standard. In July 2012, four perpetrators were sentenced by Luton Crown Court for offences including human trafficking for forced labour purposes<sup>54</sup>.

### Collaboration with Belgium

During the period 2008 to 2011, in conjunction with an investigation into suspected procuring and human trafficking in Belgium, the National Bureau of Investigation ran a parallel investigation into suspected human trafficking in Sweden. The investigation began when several Thai women were found in brothels in Belgium by the Belgian police. The women had entered the Schengen area on visas issued by the Swedish Embassy in Bangkok.

The investigation confirmed that the Swedish Embassy in Bangkok had been misled concerning the visa applications. The perpetrators had attached false documents, linked to named referees /sponsors in Sweden, to applications for visas. Some referees had also knowingly provided false information. Suspected

aggravated procuring or human trafficking could not be substantiated however because there was no evidence that the referees were aware that women would be exploited for prostitution purposes. Any violation of the Aliens Act was deemed to be covered by the statute of limitations.

The investigation showed that businesses and private individuals in Belgium had recruited Thai women for prostitution in an organised manner, and that people living in Sweden had deliberately recruited referees for the women. The necessary elements for complicity in aggravated procuring or human trafficking could not be verified, despite the suspicious behaviour of persons being considered to be a facilitating factor for the criminality itself.

Following a request from the Belgian police, the National Bureau of Investigation, assisted by local police authorities, held interviews with people in Sweden in association with the ongoing preliminary investigation into human trafficking. The interviews revealed that seven Thai women, who all found themselves in financial difficulties at home were recruited to Belgium with false promises of well-paid jobs as masseuses. The recruiters, who were a Thai woman and her American husband, acquired tickets and applied for visas for the women through the Swedish Embassy in Bangkok. The victims had no links with Sweden. Despite this, the recruiters approached twenty Swedish men who chose to stand as guarantors for the visa applications.

In Belgium, the women were exploited in prostitution in order to pay off the money owed for travel, food and lodging. The women, who did not receive any payment, were forced to live in the brothel massage booths in which they were also exploited and were kept locked up at night. Three men were arrested in the case, one of whom was married to a Thai woman.

<sup>54</sup> The ringleaders were sentenced on 12 July 2012 to between four and eleven years in prison for such offences as “holding another in servitude or requiring another to perform forced labour”.

### Collaboration with the police authority within the county of Gävleborg

In 2011, the National Criminal Intelligence Department's Intelligence and Investigation Section assisted the police authority in Gävleborg in a preliminary investigation into human trafficking for forced labour purposes, in which victims from Bulgaria were forced to travel to Sweden to pick berries. On two occasions, prosecutors and police officers from the Investigation Section travelled to Bulgaria to conduct interviews with twelve victims. The victims, who were vulnerable and impressionable, were included in family-like constellations in which there were complex loyalties between perpetrators and victims. The victims' vulnerability in the home country was exploited by the perpetrators who also demanded that the victims paid all expenses for travel and accommodation, which put them in a more dependent relationship with the traffickers. In June 2012, two offenders were each sentenced at the Hudiksvall District Court to ten months' imprisonment, and expulsion for ten years for human trafficking for the purposes of forced labour.

In 2011, the National Bureau of Investigation also assisted the police authority in the county of Västmanland on a human trafficking case, and was itself investigating a case of child trafficking in which a 12-year-old girl was forced from Bulgaria to Sweden for the purpose of stealing. (For more information, see under the heading A case of particular interest p. 21 and Four cases of particular interest p.30).

## 5. Other Swedish National Police Board initiatives to combat human trafficking

Part of the Swedish National Police Board's strategic work is to provide general supervision activities. Supervision activities are intended to help guarantee and safeguard the authority's public commitments and the requirements for legal certainty, security and good management of public funds. Carrying out supervision highlights the way in which different police departments use their resources to achieve specified goals. Supervision activities are also part of the operations development for the entire police force.

In 2011, the Swedish National Police Board passed a resolution about an inspection plan which included, for example, a mandate to carry out inspection of "the police authorities' ability to investigate cases of human trafficking for sexual purposes and purchases of sexual services." The inspections, which will be implemented in 2012, "are to provide answers as to whether the police authorities are acting in compliance with the government order (Ju 2008/7403/PO) with a focus on operational work influenced by strategy, perseverance, etc."<sup>55</sup>.

To ensure that the inspection should not be too difficult to manage, it will only affect the purchase of sexual services and human trafficking for sexual purposes. Available statistics indicate large variations between the police authority's involvement and the ability to detect and combat these types of crimes despite the special initiatives implemented since 2004. The inspection, which is expected to shed light on these variations, will focus on:

- the police authorities' strategy for combating human trafficking and the purchase of sexual services

- the way the police authorities handle these types of crimes within the framework of the strategic and operational management of the activity
- the authorities' perseverance over time to combat these crimes
- the ability of the police authorities to combat these crimes and the methods that they use to expose sex trafficking and the purchase of sexual services
- the extent to which reported crimes result in convictions
- the way the police work to combat human trafficking conducted under the Police National Investigation Concept (PNU)
- the way the police authorities work to combat human trafficking conducted within the framework of the Police Intelligence Model (PUM)
- the extent to which and the way in which the police authorities use Article 13 of the Council of Europe Convention on the Suppression of Trafficking in Human Beings (2005) concerning a person who is subject to human trafficking being entitled to a 30 day period of reflection for rest and recuperation, to enable the victim to have the opportunity to free themselves of the influence of the human traffickers
- the extent to which and the way in which the authorities apply the Aliens Act, Chapter 5, §15 concerning temporary residence permits to enable a preliminary investigation or main hearing in the criminal case to be held
- collaboration between the police authorities, the Swedish Prosecution Authority, the Swedish Migration Board, county councils, municipalities and NGOs.

55 VLK-128-494/12

# 6. Analysis and recommendations

## 6.1 Introduction

As one of the measures in the government's action plan to combat prostitution and human trafficking for sexual purposes, the Swedish National Police Board received an express mandate to act as national rapporteur on issues related to human trafficking. The national rapporteur's mission involves gathering information about the scope of human trafficking to, within and through Sweden, analysing the situation, giving recommendations about the way trafficking can be prevented and combated, and also reporting annually on these results to the government.<sup>56</sup>

### 6.1.1 Proposed measures – All forms of human trafficking

#### Few convictions for human trafficking

There may be several reasons for there being few cases of convictions for human trafficking in Sweden. First, human trafficking legislation is complex and often difficult to enforce. If criminal liability for human trafficking is to be applied, the perpetrator must, for example, show direct intent as regards the exploitation, i.e. he or she must have been intending to exploit the victim. This requirement can make it very difficult to apply the law when it comes to proving the perpetrator's intent to exploit the victim, particularly in cases where recruitment and transport took place outside Sweden.

Second, problems arise in court when the victim does not stick to the story that he or she provided to police at earlier interviews. This may lead to a reduction in the victim's credibility and to the prosecution being dismissed, unless other evidence exists.

Third, it is difficult for the court to visualise the psychological mechanisms that control victims of human trafficking and that, for the victim, there was

no real or acceptable alternative to submitting to the perpetrator's will. The methods used by the perpetrator to control the victim's free and genuine will often consist of subtle threats and pressures. These are facts/evidence that the victim usually talks about, but which cannot always be supported by other evidence in the form of written threats, for example, or by evidence from phone tapping or other surveillance measures.

A fourth reason may be that some perpetrators have changed their *modi operandi* in recent years. Instead of, as before, using violence and threats against victims, they offer improved conditions instead in the form of greater freedom and a greater share of the revenues. This often means that victims become more loyal to the perpetrators and less likely to testify against them.

One or more of these factors have sometimes contributed to prosecutions concerning human trafficking never being brought, being dismissed, or the court may choose a sentence at the lower end of the tariff range or a milder offence being cited: procuring in cases of suspected human trafficking for sexual purposes and usury in cases of suspected trafficking for forced labour purposes.

Since the success factors in these investigations are relatively low in comparison with other serious crime and the penalty tariffs are low, the tariffs and not the sentences may influence the police's future priorities.

**Proposed measures:** To ensure that human trafficking for various purposes can be investigated and prosecuted in the optimum way, methodology and skills development measures ought to be undertaken regularly within all law-enforcement agencies that come into contact with issues that concern human trafficking. Methodology and skills development measures are particularly important for increasing knowledge of the mechanisms behind human trafficking. The skills-improvement initiatives must therefore focus on the factors that make human trafficking possible for various purposes, the form of

<sup>56</sup> Government Bill 2010/11: 77, Strict punishment for the purchase of sexual services.

criminalisation, the identification of the victims and their actual situation, with the goal of providing comprehensive protection and support, and an analysis of the application of law in order to promote greater consistency. This applies to all forms of human trafficking but in particular trafficking for purposes other than sexual, where there is a great lack of knowledge and very little experience.

**Proposed measures:** Administrative measures alongside the prosecution should also be considered carefully in order to prevent and make it difficult for human trafficking networks to become established and operate in the country. For example, these measures may include the introduction of checks and/or inspections, the issue of permits and amended procedures within an authority, etc. Examples of administrative measures are the guidelines that the Swedish Migration Board developed for businesses that offered employment to berry pickers from third countries to prevent the exploitation of individuals. See page 24.

#### **Increased protection and support for all victims of human trafficking and intensified collaboration**

The objectives of the government's drive against prostitution and human trafficking for sexual purposes was to increase awareness of the issues, but also to increase collaboration to strengthen the rights of victims.

Despite various targeted skills enhancement initiatives within the judicial system, insufficient attention is paid to the victims' vulnerability and actual situation with the consequence that the victims do not receive the support and protection they need and are entitled to. Victims of human trafficking are examined and their motives and situations are questioned, often in a very far-reaching way. This indicates a lack of knowledge about the social, economic, political and legal circumstances in the victims' home countries that have led to their becoming victims of human trafficking, and about the implications for them, for example, when they return home or when personal information is handled in an inappropriate manner.

It is not just law-enforcement and social service agencies that are involved in working to provide comprehensive protection and support to victims of human trafficking for various purposes. Women's shelters, organisations for children's rights and for victims, trades unions and other active players in society also come into contact with victims of human trafficking in their everyday work. These can and ought to contribute knowledge of the victims' situation, background and need for action, protection and support to reinforce the judicial system's handling of human trafficking cases.

**Proposed measures:** Increased collaboration between the judicial system and NGOs to gain a better understanding of the victims' situation, background and need for action, protection and support to reinforce the judicial system's handling of human trafficking cases.

**Proposed measures:** Within the framework of the government's initiative, Stockholm's County Administrative Board was tasked to promote more intensive collaboration and national coordination concerning prostitution and human trafficking for sexual purposes. To further strengthen the collaboration between authorities and between authorities and society in general, the mandate of Stockholm's County Administrative Board ought to be expanded in 2013 and 2014 to include forms of exploitation other than sexual.

#### **Adequate support without any requirement for initiating a preliminary investigation and residence permits for accompanying children of witnesses**

Under current regulation, human trafficking victims and other witnesses are covered by comprehensive protection, such as in cases where it is required if it is to be possible for a preliminary investigation of crimes to be implemented<sup>57</sup>. The victim is then given

<sup>57</sup> A temporary residence permit may be granted to an alien who remains here, if this is required in order for a preliminary investigation or main hearing to be held in the criminal case.

the opportunity of a period of reflection in order to decide whether he or she wants to cooperate with the criminal investigation authorities, and can then obtain a temporary residence permit issued by the Swedish Migration Board. Accompanying the permit is a right to protection plus financial, social and medical assistance for the victim to a greater extent than is the case for asylum seekers, for example. The temporary residence permit provides an opportunity for municipalities also to receive state compensation for the accrued costs for the victim, which is governed by a regulation<sup>58</sup>. The strong link to the legal process means that victims of human trafficking who are identified outside of this, in a situation where the victim needs time for reflection before making a report to the police, cannot be given the support and help to which they are entitled under international conventions ratified by Sweden<sup>59</sup>.

In cases where victims of trafficking are identified outside the judicial process, when it may be suspected that a person has been a victim of trafficking, only his or her basic needs can be provided, such as the payment of emergency financial benefit payments from the social services, known as emergency assistance. This may be the case if a person is identified as a victim of trafficking, by social services, for example, and needs time for reflection to decide whether he or she should dare to participate in the legal process or would be able to cope with doing so.

The municipalities will receive no compensation from the state for the emergency assistance that they pay out, which means that the victim needs to decide fairly urgently whether or not he or she should participate in the legal process. This means that the victim ends up in a stressful situation and may have to make

a decision too quickly about possible participation. In a case in which the victim chooses not to participate, there is a risk that the judicial system's opportunities for being able to investigate the crime will decrease.

More preliminary investigations could eventually be initiated as a result of people who are suspected of being victims of human trafficking being offered adequate assistance and protection with no requirement for a preliminary investigation to be initiated. This could also be done if it were possible to issue residence permits for accompanying children of witnesses.

**Proposed measures:** To further support the opportunities for law-enforcement agencies to prevent and combat human trafficking, there should be comprehensive victim support and protection for people who are suspected of being victims of human trafficking regardless of purpose, even in cases where a preliminary investigation has not been initiated.

The possibility of issuing residence permits for children accompanying witnesses should be considered in order to facilitate participation in the legal process.

#### **Limited access to qualified interpreters**

The international agreements signed by Sweden include an obligation to ensure that victims are provided with translations of all materials relating to them, and also with interpretation services in a language they can understand<sup>60</sup>. According to the EU Directive on entitlement to interpretation and translation services in criminal proceedings, interpretation must also be available immediately and of sufficient quality to ensure that suspects or defendants understand what they are being accused of and are able to exercise their rights to a defence. The same rights apply to injured-parties<sup>61</sup>. Similar obligations

58 Payments from the state to the municipalities are governed by the Regulation (2002:1118) concerning state benefits for asylum seekers and others

59 See, for example, the Council of Europe Convention on the Suppression of Trafficking in Human Beings (2005), Article 12.

60 See, for example, the Council of Europe Convention on the Suppression of Trafficking in Persons (2005), Article 10.

61 The European Parliament and Council Directive 2010/64/EU of 20 October 2010 concerning the right to interpretation and translation in criminal proceedings.

for the police authorities and other public authorities are contained in the Administrative Procedure Act (1986:223).

Despite these commitments, the police authorities find it increasingly difficult to gain access to qualified interpreters and translators, particularly in certain languages. These shortages have seriously affected investigations and results in some cases. The main proceedings in a human trafficking case in Västmanland in 2011 were characterised by major problems, for example, in the interpretation and translation of evidence. Two interpreters interpreted the same material in different ways and one injured-party did not understand what was said during the main proceedings despite the fact that interpreters were used. The prosecution for human trafficking was dismissed<sup>62</sup>

This shows that the rule of law may suffer when victims and/or suspects speak a language for which only a few interpreters are available. In some cases, victims or witnesses and interpreters also belong to the same social networks in Sweden or in the country of origin. This sometimes makes the victims anxious that sensitive information about them will be spread to people they know or to the suspected perpetrators.

**Proposed measures:** To improve the availability of qualified interpreters and translators in human trafficking cases, a national inventory encompassing an analysis of the judicial system's future needs for court interpreters ought to be drawn up urgently.

#### **Need for increased cultural skills within the responsible authorities**

In a multicultural society, the responsible authorities have a responsibility to identify the victims and protect them from and take action against the crime that can result when cultural or religious traditions and values come into conflict with prevailing legal principles. At the same time, officials of the responsible authority must carry out their duties in a respectful

manner with regard to individuals and groups with different traditions, cultures and values. This sets strict requirements for cultural skills and awareness of their own and others' values.

**Proposed measures:** Responsible authorities should be given the opportunity to enhance their cultural skills through skills development and a multi-disciplinary approach in collaboration with other agencies and experts in cultural diversity, to increase their staff's ability to perform their duties and to improve efficiency in these investigations.

#### **6.1.2 Proposed measures – Human trafficking for sexual purposes**

In recent years there has been a steady increase in human trafficking for sexual purposes within the EU. There may be a number of reasons for this. The enlargement of the EU and the abolition of visa requirements for citizens of the new accession countries has made it easier for human traffickers to recruit and transport particularly vulnerable young women and girls, to be exploited for sexual purposes in EU member countries. The increase may also be due to certain countries within the EU opening up legal prostitution markets. During the same period, the difficult economic situation in certain European countries such as Spain, Italy and Greece, has led to a deterioration in opportunities for profiting from the prostitution markets in these countries. Traffickers and pimps looked instead to new and more financially profitable markets in the Netherlands and Germany, but also in Denmark, Finland, Norway and Sweden.

From 2010 to 2011, the decrease in the number of convictions in Sweden for sex trafficking and procuring may be due to a lack of perseverance within the police authorities over time but also to differences in the commitment of the police authorities and their ability to detect and combat these types of crimes. At the same time, however, there was an increase in the number of legal proceedings concerning the purchase of sexual services from 2010 to 2011. This may be

<sup>62</sup> Västmanland District Court 25.08.2011, Case no. B 406-11.

explained by the fact that a human trafficking or procuring case may involve hundreds of sex-purchasers, which can take a long time to investigate. Sex-purchasers have to be identified and it is not unusual for these cases to be referred to other police authorities in whose geographical area the sex-purchasers reside. This may mean that reports and legal proceedings concerning purchases of sexual services are difficult to compare from one year to another when the legal proceedings are not initiated in the same year in which the report was made.

**Proposed measures:** The work of combating human trafficking, regardless of its purpose, must be concentrated on all stages of this criminal activity. In the case of human trafficking for sexual purposes, the work of the police authorities is focused both on the men who purchase sexual services or sex acts from children under the age of 18 in Sweden and in transit countries, and on the organisers of human trafficking inside Sweden and abroad. This is of particular importance in preventing serious crime organisations from becoming established in Sweden, and for eliminating the demand for sexual services. To succeed in this work, not only the police authorities but also the prosecuting authorities and the courts must regularly enhance their skills through skill enhancement initiatives and exchanges of experience as well as prioritising work to combat these crimes.

#### **Need for review of visa procedures at certain Swedish embassies**

As mentioned earlier, the scale of tips received by the National Bureau of Investigation concerning suspected prostitution in relation to Thai massage parlours in Sweden remains high. (For more information, see section 3.1 Trafficking in human beings for sexual purposes p. 11).

The checks that the Swedish Tax Agency made during 2011-2012 regarding the cash management on a larger number of Thai massage parlours, and on several occasions, showed weaknesses in this. In con-

junction with these controls, it was also observed in several places that members of staff were remarkably scantily clad and in any case did not have residence permits.

The parallel investigation conducted by the National Bureau of Investigation in relation to a human trafficking investigation in Belgium initiated in 2008, showed that visas issued by the Swedish Embassy in Bangkok were a facilitating factor in carrying out the crime in Belgium. The visas were issued because the Embassy was, in various ways, misled in a number of application cases. (For further information, see under the heading Collaboration with Belgium p. 37). In 2011 reports were also received concerning the fact that referees, who proved both to be known in relation to brothel operations in Denmark, acted as sponsors for visa applications at the Swedish Embassy in Bangkok and thus recruited women to exploit them in prostitution.

**Proposed measures:** A thorough targeted review and improvement of the visa procedures at Swedish embassies in selected countries of origin should be implemented urgently. Reviewing and improving the visa procedures is expected to make it difficult for the networks that specialise in human trafficking for sexual purposes. In cases where problems emerge concerning the misuse of visas, work permits etc, stricter checking of applications could be introduced in the embassies concerned with the aim of preventing people from falling victim to human trafficking or preventing fraudulent entry into the country.

**Proposed measures:** The police investigation work on these crimes would be facilitated if the Swedish Migration Board were given the opportunity to inform the police authorities in cases where the same referee crops up in a large number of visa applications. Such a measure would also prevent women and girls in these countries of origin being subject to these crimes.

**Proposed measures:** Consideration should be given to whether the sponsor/referee should be held finan-

cially responsible with regard to accommodation and repatriation of the people that are invited into Sweden, for example. This could be done by making the sponsor/referee pay a deposit for this purpose, a system that is applied in Denmark, for example.

### 6.1.3 Proposed measures – Human trafficking for other purposes

In line with the increase in the number of foreign workers on the Swedish labour market, there was also an increase in the information given to the police in 2011, including cases of human trafficking for forced labour in which employees from EU countries and other countries were exploited by unscrupulous recruitment agencies and criminal networks. For a person to be able to obtain a work permit in Sweden, the employer must submit an offer of employment to the Swedish Migration Board that shows that the wages and working conditions are in line with prevailing collective agreements. This offer will not be legally binding.

The victims are recruited to be exploited in fields such as the berry industry, the construction industry or in restaurants. It is difficult to define the extent of human trafficking for purposes other than sexual, into and within Sweden. One of the reasons for this is that it is a crime that is seldom reported and difficult to detect. The lack of reporting may be because the general public do not know about the victims' situation, their fears of reprisals or that victims sometimes feel gratitude to the perpetrators because they are marginally better off in Sweden than in their homeland, despite their difficult situation.

**Proposed measures:** To prevent an increase in these crimes and to provide support for the victims, interaction ought to be intensified and extended between the police authorities, the Swedish Prosecution Authority, the Swedish Economic Crime Authority, Social Services, the Swedish Migration Board, the Swedish Labour Market Board, the Swedish Work Environment Authority and the Swedish Tax Agency,

trades unions and employers' organisations etc, and their counterparts in the victims' countries of origin. In addition, the regulations concerning these issues ought to be reviewed continuously, to make it more difficult for unscrupulous employers and criminal networks to become established in Sweden.

**Proposed measures:** To be able to continue combating human trafficking for forced labour, it is important that the police investigate the crimes committed when private individuals purchase services from people who are subjected to forced labour. The Swedish National Police Board proposes that a national awareness campaign concerning this form of human trafficking should be carried out, focusing on the demand for these services and the criminal liability of private individuals.

### 6.1.4 Proposed measures – Trafficking in children for various purposes

Just as with human trafficking in adults, organised crime is largely behind the trafficking of children. This is particularly evident in countries that lack an effective regulatory framework for protecting girls and boys<sup>63</sup>.

#### Challenges for the judicial system

Traffickers understand, and are well aware of, the difficulties facing the judicial system when it comes to dealing with girls and boys under the age of 18 as victims of human trafficking as well as the perpetrators of the crime. It has been shown that adults and the children they have brought with them for the purposes of theft and begging may have been apprehended in several countries under different identities. This makes it difficult for the police to identify and take action against this form of organised crime, since these individual crime reports are not automatically linked to human trafficking. Like Sweden, several countries in Europe do not register minors in a cen-

63 UNICEF (2006).

tral register when they commit crimes. When children are apprehended in connection with committing thefts or shoplifting in Sweden, they often tell the same story (taught to them by the traffickers) that they are only in Sweden for a visit.

The level of knowledge within police authorities also varies as regards trafficking in children with the intention of using them to commit crimes. This is probably because the phenomenon is relatively new in Sweden. Interviews with the children indicate that they have been brought up by the perpetrators to gain a criminal identity, as a result of which current interview methods have to be adapted. Since the children are trained from an early age to commit crimes, they have also been taught not to cooperate with the authorities and not to give any information that could entrap perpetrators. Another problem is that the traffickers have, in many cases, tied the children to them emotionally, often through the use of force or manipulation. For that reason, the children often try to escape from the institutions in which they have been placed in order to make contact with the perpetrators. As a result of this manipulation, the children do not trust the authorities and the police in particular. Overall, this results in lengthy preliminary investigations in which the chances of bringing a case to trial are relatively limited.

**Proposed measures:** According to Sweden's international commitments under the conventions concerning human trafficking, it should be noted that the crimes committed by girls and boys when they are controlled by traffickers should not automatically lead to punishment<sup>64</sup>. The previously proposed skill-building initiatives should also include increased knowledge of the different possibilities in the Swedish regulations to omit imposing penalties on victims

who have been forced to engage in criminal activity<sup>65</sup>.

**Proposed measures:** Society has major, overall responsibility for protecting these children from continued abuse. Studies need to be carried out to make a thorough analysis of the knowledge that ought to and can be obtained by the judicial system if children and young people in Sweden have been subject to trafficking for other purposes, in order to find out what methods might provide high quality information.

64 Council of Europe Convention on the Suppression of Trafficking in Human Beings, Article 26.

65 Chapter 23 § 5 and Chapter 29 § 6 of the Penal Code. For more information see "Provisions on the waiving of a penalty," SOU 2008:41 Human trafficking and child marriage p. 282-283.

# Annex 1 – Reporting by the police authorities

The following report is based on the information that the police authorities submitted to the Swedish National Police Board for 2011. The only police authorities mentioned here are those that have reported cases involving human trafficking for various purposes, related cases and cases of particular interest.

## Collaboration Area Stockholm (Counties of Stockholm and Gotland)

### **The situation in the county of Stockholm**

In 2003, the government passed a resolution to assign SEK 30 million to the police to combat human trafficking during the period 2004-2006. That same year, the surveillance squad within the City Police Commissioner District began a Human Trafficking Project called Project Europe. The objective of this project was to identify individuals and networks responsible for aggravated procuring or human trafficking for sexual purposes and associated crimes in the county of Stockholm and to bring these people to trial.

In May 2008, the management of the police authority in the County of Stockholm resolved that Project Europa should be reformed into a commission to combat human trafficking for sexual purposes and the project period should be extended to December 2010. In April 2011, the operation was made permanent and the project was reformed into a section. Less complex cases of procuring are dealt with at the county's other Police Commissioner Districts.

For a long time, the Stockholm police have been following the development of prostitution activities and related crimes such as procuring and human trafficking for sexual purposes. The City Police Commissioner District employs people with many years of experience in investigating crimes similar to human trafficking, and this has contributed to the development of effective working practices.

In 2011, the authority received particular information about girls and women from Estonia, Lithuania, Romania, Nigeria, Hungary, Thailand and Latvia who were being exploited for sexual purposes in the Stockholm area. The suspected perpetrators also came from these countries and from Sweden. The foreign women who were available for sale on websites in Sweden were exploited mainly in apartments and hotels in Stockholm. An increasing number of women, mainly from Lithuania and Romania but also from Nigeria, were exploited in street prostitution. The women were usually sent to Sweden by ferry from the Baltic States and Finland, or by bus. Some women were sent to Sweden by air.

In 2011, three reports were drawn up concerning human trafficking for sexual purposes. One report led to prosecution while two were closed down after investigation due to lack of evidence. A further 45 reports were filed concerning aggravated procuring and/or procuring.

In addition, 351 reports were filed concerning the purchase of sexual services in this section and 392 throughout the authority. All reports concerning the purchase of sexual services concerned men who had purchased or tried to purchase sexual services from women. All of the reviewed reports led to preliminary investigations being initiated. A total of 139 legal proceedings were initiated, of which 96 resulted in orders of summary punishment, 37 in court judgements and six in waivers of prosecution.

In 2011, a number of women who had been in the prostitution environment in Stockholm were deported to the countries in which they were domiciled. Before deportation, the police unsuccessfully investigated whether the women were being exploited in prostitution in Sweden within the framework of criminal activities such as human trafficking or procuring. Deportations of women from another EU country who were being exploited in prostitution ceased after

the Migration Court in Gothenburg declared that these deportations were not in conformity with the EU directive on freedom of movement.<sup>66</sup>

Below are details of a number of cases that have been investigated or on which judgements have been given during 2011. Reported cases were investigated within the Commission to Combat Human Trafficking for Sexual Purposes, the border police in Stockholm and within the Serious Crime section in Söderort.

**Preliminary investigation: The Rån Case - Joint Investigation Team<sup>67</sup> with Estonia**

Fifteen reports were filed in the Rån case. A Joint Investigation Team (JIT) was formed to streamline the work. The team included the Commission to Combat Human Trafficking, the Nordic liaison police in Estonia, and the Estonian and Central Criminal Investigation Department and the International Prosecution Authorities in Tallinn and Stockholm.

The main suspects were three men in their twenties from Estonia and a 46-year-old woman from Sweden. Surveillance measures and phone tapping of the suspects were conducted simultaneously in both countries. After raids in both countries two people were arrested in Tallin and three in Stockholm. House searches were carried out and several objects of interest to the investigation were seized. The people arrested in Estonia were then extradited to Sweden.

The preliminary investigation led to the District Court sentencing a woman to three years of impris-

onment and expulsion for 10 years for aggravated procuring and extortion. A 29-year-old man was sentenced to imprisonment for two and a half years for aggravated procuring, procuring, attempted procuring and attempted extortion. A man aged 26 and a man aged 25 were each sentenced to imprisonment for one and a half years and expulsion for five years for procuring. Finally, a man aged 24 was sentenced to imprisonment for three months for procuring and two men were fined 50 times their daily income for purchasing sexual services<sup>68</sup>. The 25-year-old appealed against his conviction for procuring, but the Court of Appeal upheld the district court's ruling<sup>69</sup>.

Nine Estonian women aged between 24 and 41 were injured-parties or witnesses in this case.

**Preliminary investigation: The STHLMSTJEJER Case**

A report concerning aggravated procuring was filed in this preliminary investigation. The prime suspect was a 52-year-old man of Finnish origin but resident in Sweden. The man acted as “webmaster” for a website publishing advertisements for the sale of women between the ages of 18 and 40 for sexual purposes. The man was arrested but released pending legal proceedings. The case is ongoing.

**Preliminary investigation: The Natalia Case**

A report concerning aggravated procuring was filed in the case. The main suspect was a 41-year-old Swedish man, who managed a website on which he published pictures of and advertisements concerning the sale of women, Swedish and foreign, for sexual purposes.

The District Court gave the man a custodial sentence of one year and six months for procuring, and he was placed under an obligation to pay SEK 700,000 to the State. In addition, a woman aged 43 was sentenced to imprisonment for three months, for

66 Administrative Court in Gothenburg, Migration Court Department 1, 08.04.2011, Case no. UM 832-11. Free Movement Directive 2004/38/EC

67 A joint investigation team (JIT) is an operational association of police officers and prosecutors with a time-limited mandate which coordinates cross-border criminal investigations. Members from two or more EU countries are members of a joint investigation team with the assistance of Europol and Eurojust.

68 Söderort District Court 29.09.2011, Case no. 15187-11.

69 Svea Court of Appeal 22-12-2011, Case no. B 8490-11.

complicity in procuring<sup>70</sup>. The woman became involved since she acted as payee and signed for money that came from advertisers on the website, despite knowing the money's origin. The Court of Appeal confirmed the District Court ruling<sup>71</sup>.

#### **Preliminary investigation: The Oktav Case**

In this preliminary investigation, reports were filed concerning aggravated procuring and the purchase of sexual services. The main suspects were a man aged 32 and a woman aged 29, resident in Sweden but originating in Poland. One more man was arrested for the same crime in Poland but was released by the Polish authorities. Four women from Poland, aged between 20 and 33, were identified as witnesses in the case. The Commission collaborated on this case with the customs liaison officer in Poland and with the Polish police and prosecution authorities<sup>72</sup>.

The 32-year-old ringleader was sentenced in January 2012 to eight months of imprisonment by the District Court for procuring and theft. The man, who had been released, was sentenced to imprisonment for four months for procuring, and the 29-year-old woman was given a suspended sentence and a fine based on her daily income, for theft<sup>73</sup>. The district court held that those suspected of procuring had promoted and improperly exploited the fact that the four women had casual sexual relations in return for payment. The promotion consisted of the perpetrators providing an apartment in Stockholm and one in Tumba, where the women lived and were exploited for the purchase of sexual services. They had also provided the women with mobile phones and phone cards, advertised the sale of sexual services on websites and taken phone calls from male purchasers of sexual services. The financial exploitation consisted

of their having seized a certain proportion of the payment for purchases of sexual services.

#### **Preliminary investigation: Södertörn**

Nine reports were filed in this case which concerned nine injured-parties, all of them young Swedish women aged between 18 and 21. A man, aged 41, was sentenced by the District Court to four years and six months of imprisonment for aggravated procuring, rape and the purchase of sexual services<sup>74</sup>. The activities had been going on for six years. During these years, the man exploited eight women on several different occasions. In conjunction with the house search, the police found computer files and pornographic images which led to eight injured-parties being identified. The District Court ruled on the sequestration of SEK 630,000 of which SEK 270,000 was to cover the injured-parties' damages claims and SEK 360,000 which related to the value of the proceeds of crime.

The perpetrator was convicted for aggravated procuring because the business had been conducted in an organised form, extensively and for a lengthy period. The business had also involved the ruthless exploitation of the women while the man had made a substantial profit. The sentence was made final in May 2011.

#### **City Police Prostitution Team**

For a long time, the police authority in the County of Stockholm have been focusing their efforts on combating open street prostitution and the purchase of sexual services at hotels and in other premises in Stockholm. Police initiatives against street prostitution usually result in interventions against the crime of purchasing sex, assault, drink driving, drugs crimes, and breaches of the Aliens Act. The police authority also exercises statutory supervision and

70 Stockholm District Court 08.07. 2011, Case no B 5085-11.

71 Svea Court of Appeal 29-08-2011, Case no. B 6171-11.

72 Police and customs cooperation.

73 Stockholm District Court 10.01.2012, Case no B 14587-10.

74 Södertörn District Court 11.04.2011, Case no B 13968-11. The sentence was made final in May 2011.

controls of known activities that offer striptease and “video clubs”<sup>75</sup>. These police initiatives always take place in collaboration with the social services’ prostitution teams which are able to offer support and assistance to the vulnerable people they come across.

The City Police Prostitution Team consists of two police officers working full-time to combat the purchase of sexual services in public places and on the Internet. Following skills enhancement programs organised by the prostitution team, other working parties in the City Police have been involved in this work. The team regularly visits hotels in Stockholm and outside, to talk about their work and how the hotel staff may get in touch with the Prostitution Team via a “hotline” if they suspect crimes such as human trafficking, procuring and the purchase of sexual services.

In 2011, the women who had been exploited in street prostitution moved from Malmskillnadsgatan to Mäster Samuelsgatan and Vasagatan, probably because these streets are better lit and are therefore considered to be safer. During the year, between 15 and 20 women of both Swedish and foreign origin were out on these streets every night. The majority of the foreign women came from Estonia, Lithuania, Latvia, Romania, Hungary, Nigeria and Belarus.

The women of Swedish origin who were exploited in street prostitution in Stockholm in 2011, all had severe psychosocial problems. Many had a long history of alcohol or drug abuse, and had been subject to sexual abuse while others were addicted to gambling. The number of female drug-abusers within street prostitution declined dramatically in 2011 because women were offered the opportunity to undergo treatment and therapy for problems such as heroin addiction.

The number of male sex-purchasers in street prosti-

tution in Stockholm City fell significantly during the year, while the social services’ KAST project saw an increase in the number of men who sought help to stop purchasing sexual services<sup>76</sup>. Approximately seven out of ten sex-purchasers in Stockholm admit purchasing sex as soon as they are found and then receive an order of summary punishment<sup>77</sup>. The punishment for attempting to purchase sexual services is still a fine of 30 times daily income, while the penalty for the full offence leads to a fine of 50 times daily income. Despite the fact that one man was reported ten times for purchasing sexual services in 2011, he was still only sentenced to fines based on daily income<sup>78</sup>.

In 2011, the Prostitution Team drew up more than 200 reports concerning the purchase of sexual services which were investigated by the Human Trafficking Team in the City Police Commissioner District. Legal proceedings were brought in most cases. The group also prepared 15 reports on procuring, which were also investigated by the Human Trafficking Team in the City Police Commissioner District. The Prostitution Team arrested eight people from Lithuania and one from Sweden for procuring. Of these, six were sentenced to prison terms of between four months and one year.

In 2011, several Lithuanian criminal gangs were detected which were trafficking Lithuanian women for sexual purposes into Sweden. Everyone involved came from the same area in northern Lithuania, Siauliai, and used similar methods. Most frequently, two Lithuanian pimps travelled to Sweden by ferry in the company of two Lithuanian women who were to

75 The term “video club”, in this context, is used to mean a video shop that also offers booths for people who want to look at erotic films and simultaneously satisfy themselves sexually.

76 Kast - Köpare Av Sexuella Tjänster [Eng: Purchasers of sexual services]. A municipal initiative in Stockholm, Gothenburg and Malmö which is aimed at those who purchase sexual services, or are thinking of purchasing sex.

77 Police assistant Simon Häggström, Prostitution Team in Stockholm City.

78 Police assistant Simon Häggström, Prostitution Team in Stockholm City.

be exploited in prostitution. The perpetrators acted as “local managers” during their stay in Sweden, and also advertised the business on the following web-sites:

- Sexystockholmcityescorts.com
- Realescort.se
- Cityoflove.com
- sthlmtjejer.net

The women, aged between 18 and 20, were put into an apartment in which male sex-purchasers were able to exploit them, or they would be conveyed to sex-purchasers’ hotel rooms. The women admitted in police interviews that they knew that they were going to be exploited in prostitution and that they would receive 40-50% of the earnings, which would be distributed at the end of their stay in Sweden. Instead the perpetrators retained the earnings and threatened the women with reprisals if they cooperated with the police.

In 2011, the Prostitution Team worked preventively to prevent the sexual abuse of young girls and boys who were being sold for sex via social networks or web-sites on the Internet. Several cases were discovered in which men purchased sex acts performed by children and where children had been sexually exploited in other ways. Police also detected cases in which male sex-purchasers had chosen to sell under-age girls to other men for sexual exploitation. The Prostitution Team also contacted people who advertised the sale of sexual services on-line, whenever there was any reason to believe that these suspects were minors.

#### **Border Police Department**

Since 1 October 2010, the Border Police Department in the County of Stockholm has held investigative responsibility as regards human trafficking for purposes other than sexual. The Border Police Department regularly receives information about people from EU or other countries being brought to Sweden to be exploited for begging and thieving in an organised manner.

In 2011, the Border Police investigated ten cases under the heading of human trafficking for purposes other than sexual. Of these cases, only one led to a prosecution for human trafficking, and it was later dismissed. This case is described below under the heading - A case of particular interest investigated by the Border Police Department. In other cases the preliminary investigations were closed. In cases where there were suspicions of human trafficking, the alleged perpetrators and the injured parties came from China, Hungary, Romania, Belarus and Latvia. In some cases the injured-parties were under 18. In several cases, the injured-parties were tricked into Sweden with false or flatteringly described job offers, but preliminary investigations were closed when it was not possible to prove that the perpetrators used unfair means. In the closed cases, the injured-parties worked on snow clearing, at car washes and in catering companies. It is worth noting that the number of cases concerning human trafficking increased during 2011, in which the smuggled people were forced to sell all their possessions or were indebted to the smuggler, thereby ending up in a vulnerable position.

#### **A case of particular interest investigated at the Border Police Department**

In December 2011, a 42-year-old man was prosecuted at the Solna District Court for human trafficking, attempted rape and unlawful threats and assault. According to the indictment, the man had smuggled a 16-year-old Romanian girl through Europe in a car and then housed her, against her will, in a caravan at Solvalla camp site where she was kept under constant surveillance. The girl was forced to steal food and tobacco on the man’s behalf, goods that the man then sold on, and she was also subjected to sexual abuse.

The man was sentenced to a year in prison for attempted rape but was acquitted of other counts. The court dismissed the indictment for human trafficking, since the purpose of transporting and hous-

ing the girl was unclear. The Court of Appeal confirmed the District Court sentence.

### **County of Gotland**

In 2011, a man was justifiably suspected of procuring but the preliminary investigation was closed. Two reports concerning the purchase of sexual services were drawn up. One of these led to a conviction.

### **Collaboration Area West**

(counties of Västra Götaland and Halland)

### **County of Västra Götaland**

Since 2003, the police authority in Västra Götaland has had a special surveillance team, the Human Trafficking Team, which is administered under the County Criminal Investigation Department. The Human Trafficking Team is responsible for working to combat human trafficking for sexual purposes and procuring. The team is one of six surveillance teams which are subordinate to the Serious Organised Crime Department and connected to an action team leader who has the option of detailing 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.

Since 2005, there has been a plan in Västra Götaland for taking into care victims who have been subject to human trafficking. In addition to actually taking victims into care in Sweden, it also includes an undertaking from the authorities affected, wherever possible, to make preparations for the victim's return and to get in touch with the authorities and organisations concerned, to facilitate the victim's reintegration.

In 2011, 15 preliminary investigations into human trafficking for sexual purposes were launched, of which two concerned victims under 18. In addition, 22 preliminary investigations were initiated concerning procuring/aggravated procuring which could be

linked in certain cases to human trafficking for sexual purposes. Other cases concerned women from Romania and Poland who were brought to Sweden to be exploited for sexual purposes, such as in street prostitution. The women from Romania and Poland were sold through street prostitution. Most of the men purchasing sex were reported after having been encountered in the vicinity of the English Church and in the Rosenlund area of central Gothenburg.

In 2011, the Greater Gothenburg Police District ran an operation in the Rosenlund district focusing on preventing the purchase of sexual services. Almost 255 male sex-purchasers were reported, resulting in 214 orders of summary punishment being issued by prosecutors and 26 cases being investigated further by the County Criminal Investigation Department.

In the preliminary investigations conducted in 2011 concerning human trafficking for sexual purposes, the majority of perpetrators were citizens of Sweden and Romania. In some preliminary investigations there were also suspicions concerning other crimes such as property crimes. One of these preliminary investigations led to two men from Romania and one man from Iraq being sentenced to imprisonment by the Gothenburg District Court for procuring, concerning a woman recruited from Romania. In this case five men were also fined for purchasing sexual services. The Court of Appeal acquitted a man convicted in the District Court for procuring.

### **Preliminary investigation: The Madonna Case**

In spring 2011, a preliminary investigation was initiated concerning a Romanian human trafficking network in Gothenburg. In the case, 15 Romanian women, aged 18-42, were identified as victims of human trafficking for sexual purposes. These women were exploited on a daily basis by a large number of male sex-purchasers in violent circumstances. The perpetrators supervised the women, and kept them locked up except when they were being transported to the sex-purchasers.

In May 2012, two men from Romania were each sentenced by the Gothenburg District Court to prison terms of six years for human trafficking and aggravated procuring. At the same time, three more men from Romania were sentenced to four years six months of imprisonment for aggravated procuring and one man from Romania was sentenced to imprisonment for three years for aggravated procuring<sup>79</sup>.

#### **A case of special interest**

A man and his wife, both from Serbia, were prosecuted in December 2011 in Gothenburg District Court for human trafficking for sexual purposes and for putting a person in a situation of distress after having recruited a 14-year-old girl from Serbia to Sweden. The intention was for her to be exploited sexually by the couple's 25-year-old son, and to subject her to distress through an enforced relationship with the son. The woman was also indicted for assault, unlawful threats, rape or complicity in rape or sexual coercion. The son was prosecuted for the rape of a child and the sexual exploitation of children and for rape or sexual coercion.

The prosecution was based primarily on information conveyed by the girl during police interviews. During the trial, the girl changed her statement. The court could not determine which of the girl's pieces of information were correct, and whether the girl had changed her story because she had been subject to threats of reprisals. The indictment concerning human trafficking was dismissed for reasons that included the fact that it was impossible to prove the intention behind bringing the girl to Sweden. Other counts were also dismissed. The conviction was appealed but the Court of Appeal confirmed the District Court's sentence in September 2012<sup>80</sup>.

79 Gothenburg District Court 14.05.2012, Case no. 8184-11.

80 The Court of Appeal for Western Sweden 14.09.2012, Case no B 1689-12

#### **County of Halland**

In 2011, the police authority in Halland initiated an intelligence project to combat human trafficking for sexual purposes and related crime. The project resulted in a Swedish man being sentenced by the District Court to imprisonment for five months for procuring. At the same time, six men were sentenced to fines based on daily income for the purchase of sexual services, and another ten men received orders of summary punishment for the purchase of sexual services. The victims were a 32-year-old woman from Panama, and a 40-year-old woman whom the perpetrator had recruited from Romania.

#### **Collaboration Area North**

(Counties of Västerbotten, Norrbotten, Västernorrland, Jämtland)

#### **County of Västerbotten**

In 2011, three preliminary investigations concerning human trafficking for purposes other than sexual were initiated. Two preliminary investigations were discontinued by prosecutors. The third preliminary investigation involved a 44-year-old man from an Asian country who was suspected of human trafficking for forced labour, or usury and illegal threats, extortion and interference in a legal case. The man and his son were each convicted in April 2012 by Skellefteå District Court to 240 hours of community service<sup>81</sup>. The two were jointly and severally to pay to the three injured-parties SEK 15,000 in damages.

One of the preliminary investigations that was discontinued concerning human trafficking for other purposes related to a man who was suspected of having abused functionally-impaired victims from Poland. The man was supposed to have deprived the victims of their identity documents and forced them to beg and sell paintings and wooden carvings. A report concerning unlawful threats was submitted in

81 Skellefteå District Court 19.04.2012, Case no. 179-12.

Norrbottnen involving the same suspect in which a female victim submitted similar details to those in Västerbottnen. The preliminary investigation concerning unlawful assault was, however, discontinued since the offence could not be proven.

### County of Norrbotten

In January 2011, Haparanda District Court sentenced a 58-year-old man with Finnish citizenship living in Sweden to fines based on daily income, for procuring<sup>82</sup>. The District Court found that the man had, on two occasions, transported Russian women from Finland to Sweden and conveyed them to male sex-purchasers. One further man was sentenced to a fine based on daily income and a suspended sentence for the purchase of sexual services.

The Court of Appeal changed the District Court's sentence for the 58-year-old who was instead given a fine based on daily income for complicity in the purchase of sexual services<sup>83</sup>.

In June 2011, three people from Romania were remanded in custody by the district court in Luleå, on probable grounds, on suspicion of aggravated theft. The perpetrators specialised in the theft of gold jewellery from elderly people. There were suspicions that a 14-year-old Romanian girl who was travelling with the perpetrators was being forced to commit thefts on their behalf.

A preliminary investigation was launched against the suspected perpetrators of human trafficking for other purposes in order to investigate whether the girl had been forced to go on the trip for the purpose of committing crimes. Social Services took the girl into care, under the Act (1990:52), relating to the Care of Young Persons (Specific Provisions) despite her parents, who had travelled from Romania, contradicting this. The Administrative Court confirmed that the

girl should be taken into care. The parents appealed against this ruling to the Administrative Court of Appeal which refused the appeals. Instead, the Administrative Court of Appeal referred the decision to competent authorities in the girl's home country under the Brussels II Regulation (Article 8.1)<sup>84</sup>. This article means that a Swedish court has no jurisdiction in matters of parental responsibility if it can be investigated in the country in which the child is domiciled. Taking the girl into care was upheld in compliance with the Administrative Court of Appeal ruling and she was reunited with her parents. The competent court in the girl's home country was informed of the Administrative Court of Appeal's ruling by the Swedish Ministry of Foreign Affairs. The preliminary investigation into human trafficking was closed in December 2011 since no crime could be proven.

### County of Västernorrland

In 2011, a preliminary investigation was initiated concerning human trafficking for forced labour. The case concerned three people from Vietnam (aged 24, 36 and 39) who were lured to Sweden with promises of work at a Thai restaurant. All were given a work permit by the Swedish Migration Board. To be able to pay for the trip to Sweden victims were forced to borrow money in their home country. After nearly a year in Sweden, they contacted the police and told them about non-existent jobs and work at lower levels of pay than had been agreed. Prosecutors discontinued the case in January 2012 since it was unclear whether any exploitation had taken place. The injured parties were later given assistance by social services to travel back to their homeland.

In October 2011, a man in his 30s from Sundsvall was sentenced by Sundsvall District Court to a sus-

82 Haparanda District Court 22.02.2011, Case no. 974-10.

83 The Court of Appeal for Upper Norrland 07.06.2011, Case no B 244-11.

84 Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of convictions in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000.

pending sentence with 120 hours of community service for procuring concerning four Swedish women, aged between 22 and 28<sup>85</sup>. Among other things, the man had posted advertisements for the sale of these women for sexual purposes on-line and had also conveyed them to the male sex-purchasers. In this case, two men were given fines based on daily income for purchasing sexual services. A third man was also sentenced for the purchase of sexual services. In the court's opinion, however, there were no grounds for imposing a new sentence since he had recently been sentenced to imprisonment for other crimes. The Court of Appeal for Lower Norrland made the punishment stricter for the ringleader, increasing it to a year in prison for procuring because the business had been extensive.

A further preliminary investigation into procuring that could be attributed to human trafficking for sexual purposes was initiated in 2011, but was discontinued because the victims did not want to participate.

#### County of Jämtland

In September 2010, a 42-year-old Swedish man was sentenced by the Court of Appeal for Lower Norrland to two years of imprisonment for aggravated procuring. The perpetrator published advertisements on-line concerning the sale of women for sexual purposes. The women were exploited by male sex-purchasers in the perpetrator's home, at local hotels and hostels, as well as the purchasers' own homes and business premises. The convicted person appealed against the sentence to the Supreme Court but withdrew that appeal. Up to September 2011, 73 orders of summary punishment had been issued in this case based on 427 reports concerning the purchase of sexual services. Another five reports concerning the purchase of sexual services were drawn up in 2011 but no preliminary investigation was initiated.

85 Sundsvall District Court 07.10.2011, Case no B 317-11.

## Collaboration Area South

(Counties of Skåne, Kalmar, Kronoberg, Blekinge)

#### County of Skåne

The police authority in Skåne investigated human trafficking for sexual and other purposes at the County Criminal Investigation Department while procuring and the purchase of sexual services were investigated within the various police districts.

At the Border Police unit, which belongs to the County Criminal Investigation Department, a criminal intelligence team was appointed in 2011, focusing on human trafficking and people smuggling. The County Criminal Investigation Department also extended its surveillance management resource to improve opportunities for combating human trafficking. An investigator at the Border Police is a member of an international expert group on human trafficking, which consists of officers and employees of bodies such as UNICEF<sup>86</sup>, OSCE<sup>87</sup> and Eurojust<sup>88</sup> within FRONTEX<sup>89</sup>. The group drew up a handbook in 2011 concerning perpetrator profiling which will be used to train all police officers within the EU.<sup>90</sup>

#### Cases in 2011

In 2011 sixteen reports were drawn up regarding human trafficking, split into the following headings:

Human trafficking for sexual purposes involving children under the age of 18	2
Human trafficking for sexual purposes involving people aged 18 or over	4
Other human trafficking involving children under the age of 18	3
Other human trafficking involving persons aged 18 or older	7

86 The United Nations Children's Fund.

87 Organisation for Security and Cooperation in Europe.

88 Eurojust is a consultative body within the EU Member States' national prosecuting authorities.

89 Frontex is the EU's common agency for border control.

90 Handbook on Risk Profiles on Trafficking in Human Beings (2011).

**Human trafficking for sexual purposes involving children under the age of 18**

Two reports were drawn up concerning girls from Vietnam. One girl came to Sweden under the pretext that she would be given a job and a wage, while the other girl said she was forced to travel to Sweden against her will. Both preliminary investigations were discontinued.

**Human trafficking for sexual purposes involving people aged 18 or over.**

In 2011, four reports were drawn up concerning human trafficking for sexual purposes involving people aged 18 or over. In one case, a woman from Uganda told how she was transported from her home country to Sweden by force, under the pretext that she was to get married. In the second case, a woman told how she was brought to Sweden with the promise of being able to attend school in Denmark. During the trip to Sweden, she realised that she was going to be exploited in prostitution, and in that way pay off her debt for the journey. A third injured-party came from Thailand and it was suspected that she was the victim of human trafficking in conjunction with her application for a visa in Thailand and her subsequent stay in Denmark and Sweden. Three of the four preliminary investigations were closed but one led to a conviction and is reported below under the heading - A case of particular interest.

**Other human trafficking with children under the age of 18**

In 2011 three reports were drawn up concerning other human trafficking involving children under 18. Two of these concerned girls where there were indications that they had been transported from Sweden to other countries to undergo forced marriage. The preliminary investigation was discontinued in both cases. The third report has not yet been finally submitted.

**Other trafficking involving persons aged 18 or older**

In 2011, seven reports were drawn up concerning other human trafficking involving persons aged 18 or older. One report concerned a Romanian couple who came to Sweden from Italy with a promise of work and housing, where payment for the work performed was not made. In another report, a man was suspected of arranging marriages between Swedish women and foreign men using threats and pressure.

Suspicious of fake marriages also occurred in another report in which Thai women were brought to Swedish men for marriage or LTA relationships. When the Thai women arrived in Sweden, they and the Swedish men were extorted of money by the suspected perpetrators. The report contained detail about a man from Serbia who tried to sell women in their twenties. One report concerned a woman from Nigeria who said she had been forced into prostitution through threats that her family would be harmed. Finally, one report concerned suspicions about a man from Iraq being guilty of human trafficking when he transported two women in Sweden. In six out of these seven cases, the preliminary investigation has been closed.

**Other information**

In 2011, six preliminary investigations concerning procuring/aggravated procuring were initiated by the police authority in Skåne. Only one of these concerned human trafficking for sexual purposes and led to a prosecution. Additionally, 26 preliminary investigations were initiated in connection with the purchase of sexual services, of which eight resulted in prosecution. None of these could be attributed to human trafficking for sexual purposes.

**A case of special interest**

In December 2011 two men, aged 24 and 30, from Romania were sentenced by the District Court in Helsingborg to imprisonment for two years and six

months for human trafficking and two years for complicity in human trafficking<sup>91</sup>, respectively. In the same case, a 21-year-old man from Kristianstad was sentenced to fines based on daily income, for the purchase of sexual services. The district court considered it proven that the two ringleaders had recruited and misled two young women from Romania to travel to Sweden to be exploited for sexual purposes. Once in Sweden, the women were transported directly to male sex-purchasers after advertising on the internet, and did not receive any payment.

On the other hand, the Court of Appeal did not consider that there had been any power relationship between the perpetrators and the victims, and instead sentenced one of the men to imprisonment for two years for aggravated procuring, and the second man to prison for ten months for procuring<sup>92</sup>.

### **County of Blekinge**

In 2011, a man was convicted in the Court of Appeal for Skåne and Blekinge to imprisonment for two years and six months for the rape of a child and the purchase of sexual acts involving children on three occasions.

### **Counties of Kalmar and Kronoberg**

In 2011, the police authority in Kalmar had no active cases relating to human trafficking, procuring and the purchase of sexual services.

The police authority in Kronoberg, however, investigated one case involving a Swedish man suspected of raping a German child, aged 18 months, during a trip to Germany. The man was suspected of belonging to a paedophile network with international branches in countries such as Sweden, Germany, the Netherlands and the United States. The preliminary investigation

was completed in spring 2012. The police authority collaborated on the case with the National Bureau of Investigation, Europol and Interpol.

For several years, the County Administrative Board in the County of Kronoberg has been responsible for an expert group for the purpose of identifying and detecting the occurrence of human trafficking. The group includes representatives of the Swedish Prosecution Authority, the Migration Board, Social Services and the police authorities in Kalmar and Kronoberg.

## **Central Collaboration Area - Central**

(the counties of Uppsala, Gävleborg, Västmanland)

### **County of Uppsala**

In 2011, a 32-year-old man was sentenced by the District Court to a suspended sentence for procuring. The man had rented out his apartment to three twenty-year-old Swedish women with the knowledge that they would be “selling” sexual services to various male sex-purchasers. The man also secretly filmed the acts with a hidden camera. The prosecutor called for six months of imprisonment for procuring and believed that the man had also helped the women advertise on the Internet. The defence called for a suspended sentence because the man had lost his job because of the allegations of procuring and because he had been detained for just over a month. According to the defence, the man had not earned any money from the business and had not helped in recruiting sex-purchasers. The District Court took the defence line and the sentence was not appealed. In this case, for the purchase of sexual services, three men were given fines based on daily earnings.

### **County of Gävleborg**

In 2011, three preliminary investigations were initiated in connection with human trafficking for forced labour, where the suspected perpetrators recruited ten vulnerable people in economically weak areas in

91 Helsingborg District Court 28.12.2011, Case no B 4188-11.

92 Court of Appeal for Skåne and Blekinge 26-03-2012, Case no. B 111-12

Bulgaria to pick berries in Sweden. All of the victims testified against the traffickers and then returned to Bulgaria. In one of the cases, a man and a woman from Bulgaria were prosecuted for offences including human trafficking, but the court dismissed the indictment. Instead, the man was convicted of attempted assault, arbitrary conduct and molestation, and sentenced to imprisonment for three months. The woman was sentenced by the District Court to imprisonment for three months for assault and arbitrary conduct<sup>93</sup>. The victims in this case were three Bulgarian men aged between 32 and 42.

In another case, in June 2012, a Bulgarian man and a Bulgarian woman were each sentenced by the District Court in Hudiksvall to prison terms of 10 months for human trafficking. The couple were also sentenced to expulsion for 10 years<sup>94</sup>.

In these cases, the police authority in the County of Gävleborg collaborated with the National Bureau of Investigation, the Bulgarian police, the International Public Prosecution Office in Stockholm and with the Norwegian police liaison officer in Sofia.

### **County of Västmanland**

In 2010-2011, the police authority in Västmanland conducted a project targeting human trafficking for sexual purposes and prostitution. During the project period, the police authority arranged a number of seminars for selected key people from public authorities, municipalities in the county and NGOs. The seminars were also aimed at police employees within the authority. The purpose of the seminars was to raise awareness among interested parties and to form a network of professional bodies and a liaison group.

The County Administrative Board of Västmanland is the responsible authority for the liaison group combating human trafficking. The group consists of rep-

resentatives from social services, the police, the Swedish Migration Board, the Swedish Prosecution Authority, the Church of Sweden, women's shelters, the Swedish Victim Support organisation and the county's schools.

The liaison group disseminated information about human trafficking and prostitution through a campaign of specialist courses and several seminars. The target group for these activities included people in various business sectors such as hotels, restaurants and taxi companies, to spread awareness of the problems and encourage the general public and others to tip off the police.

### **A case of special interest**

In 2011, the District Court in Västmanland dismissed the indictment for human trafficking against three perpetrators suspected of having recruited and exploited two women from Slovakia, since the district court did not find any proof of exploitation having taken place.

The case arose out of information from Interpol and Europol concerning the fact that women from Slovakia were being exploited for prostitution purposes in Sweden. One woman had previously been exploited for sexual purposes in Germany, but it was not possible to prove that the women had been exploited for sexual purposes in Sweden. Telephone tapping showed that one of the women had been sold to one of the suspects, but it was unclear what the exploitation purpose was.

The preliminary investigation led to three brothers, resident in Sweden but originally from Slovakia, being arrested by the police. The suspicions of human trafficking concerned the exploitation of two Slovak women for sexual purposes, or that they had been put in a position of distress. The distress consisted of suspicions that the perpetrators would provide the women with Swedish personal identification numbers in order to exploit them for financial crimes such as credit fraud. There were also suspicions that the per-

93 Hudiksvall District Court 31.10.2011, Case no. 1834-11.

94 Hudiksvall District Court 15.06.2012, Case no. 2220-11.

petrators intended to provide the women with Swedish personal identity numbers in order to receive social security benefits for themselves and their children. One perpetrator was sentenced to six months of imprisonment for fraud<sup>95</sup>. The prosecution for human trafficking also covered the claim that the two daughters (aged 6 and 8) of one of the women were being exploited for stealing food and clothing.

### Bergslagen Collaboration Area

(the counties of Dalarna, Värmland, Örebro)

#### County of Dalarna

In 2011, there were no preliminary investigations concerning human trafficking, procuring or purchasing sexual services in the County of Dalarna. In 2012, one post will be filled in order to facilitate surveillance work in this type of crime, especially via the Internet.

#### County of Värmland

In 2011, a preliminary investigation was initiated concerning human trafficking for forced labour in Värmland. The case involved 27 men and women from Uzbekistan who reported that they had been misled about working conditions in Sweden by a Polish citizen living in Sweden. The victims said they had been promised work in a factory but that on arrival, instead of what they expected, they were offered work as berry pickers. The preliminary investigation is still ongoing. The victims returned to their homeland.

#### County of Örebro

In 2011, a Swedish man (aged 48) was sentenced by Örebro District Court to probation for procuring and for the purchase of sexual services. The man voluntarily donated his apartment to one Swedish and one Romanian woman to enable them to use it for casual sexual relations in return for payment. The women

paid SEK 500 per sex-purchaser to the 48-year-old. No appeal was raised against the sentence.

### Collaboration Area East

(the counties of Östergötland, Jönköping, Södermanland)

#### County of Östergötland

The police authority in Östergötland did not initiate any preliminary investigations into human trafficking, procuring or the purchase of sexual services in 2011.

As part of the national initiative to combat volume and serial crimes in 2012, the police authority in Östergötland initiated preparatory work in 2011 in order to take responsibility for coordinating police actions against gangs of rogue tarmac and paving layers from the UK and Ireland, where suspicions of human trafficking arise. The police also began collaborating with the Swedish Tax Agency, Swedish Customs, the Swedish Prosecution Authority, the Larmtjänst service (set up to combat organised crime on behalf of the Swedish insurance industry) and the Swedish Migration Board because of the special initiative. A methodological manual was updated and made available to all police forces on the police intranet, to enable the police to work in a consistent manner against this type of crime.

#### County of Jönköping

Beginning in 2011, the police authority in the County of Jönköping worked on information gathering, tip-off management and collaboration with other authorities concerning human trafficking, procuring and the purchase of sexual services. In addition, a dedicated contact person in the authority was appointed to take responsibility for these matters. In 2011, no preliminary investigations were initiated concerning these crimes.

<sup>95</sup> Västmanland District Court 25.08.2011, Case no. B 406-11.

### **County of Södermanland**

During 2011, for example, the police in Nyköping investigated a case involving human trafficking for forced labour. Two men, originally from China, who were working in the hotel and restaurant trade, were arrested on grounds of probability, suspected of exploiting three young compatriots to work under slave-like conditions. The preliminary investigation was closed because there was no evidence that the perpetrators had a direct intent to exploit the men.

# Annex 2 – Legislation in this area

## Trafficking in human beings

On 18 March 2010, the government submitted a Bill to the Swedish Parliament concerning enhanced protection in criminal law against human trafficking.<sup>96</sup> The Bill proposed a new formulation of the crime of human trafficking, involving a clearer and more appropriate charge.

The aim was to make the charge more effective and to strengthen the protection against human trafficking in criminal law. Among the changes this implied were that the requirement for the perpetrator to take control over the victim via commercial means – the “control prerequisite” – was removed. In addition, the requirement for double criminal responsibility was abolished to enable Swedish courts to be able to pass sentence for human trafficking committed abroad.

The new provision on human trafficking proposed by the government, which came into force on 1 July 2010, reads as follows:

### **Chapter 4 § 1 a of the Penal Code (2010:371)**

*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, shall 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 18 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.”*

## Procuring/aggravated procuring

### **Chapter 6 § 12 of the Penal Code (2004:406)**

*“Anyone who encourages or improperly economically exploits a person having casual sexual relations in return for payment shall be 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 to bring an end to the lease, and if this activity continues or is resumed in the apartment, then he or she shall be regarded as having promoted the activity and shall 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 that another person has more than one casual sexual relationship in return for payment. The act of procuring may be considered to be aggravated if the crime relates to an activity that was carried out on a fairly large scale, has resulted in considerable gain or involved ruthless exploitation. A crime of procuring may also be considered to be aggravated if it involves aspects of human trafficking and the transportation 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 to make it possible, for example, for the people who plan and organise procuring in the nature of human trafficking to be punished, but where it has been impossible to prove the requirement of undue influence.

<sup>96</sup> Government Bill 2009/10:152

## Purchase of sexual services as worded from and including 01.07.2011

### **Chapter 6 § 11 of the Penal Code (2011:517)**<sup>97</sup>

*Someone who, in a case other than as intended previously in this chapter, obtains casual sexual intercourse in return for payment, will be convicted of the purchase of a sexual service and sentenced to a fine or a custodial sentence of a maximum of one year*<sup>98</sup>.

*What has been stated in paragraph 1 also applies even if the remuneration has been promised or given by someone else.*

## The purchase of a sexual act from a child

### **Chapter 6 § 9 of the Penal Code (2004:406)**

*Someone who, in a case other than as intended previously in this chapter, induces a child below the age of eighteen to carry out or endure a sexual act in return for payment will be sentenced, for the purchase of a sexual act from a child, to a fine or to a custodial sentence of a maximum of two years.*

*What has been stated in paragraph 1 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<sup>99</sup> where this is considered justified, in order to carry out a preliminary investigation and main hearing in the criminal case. In 2011, the Swedish Migration Board made 39 decisions to grant temporary residence permits to such witnesses. On 1 July 2007 the provision in the Aliens' Act was amended in order to harmonise with an EU Directive on the victims of human

trafficking<sup>100</sup>. 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.

## Chapter 5 § 15 of Sweden's Aliens Act (2005:716).

*A temporary residence permit may be granted, at the request of the leader of the preliminary investigation, 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-

<sup>97</sup> Swedish Government Bill 2010/11:77.

<sup>98</sup> The aim of tightening up the penalties is to create further room for a more nuanced assessment of the punishment value in serious cases of the purchase of sexual services.

<sup>99</sup> The Aliens' Act (2005:716) Chap. 5 § 15

<sup>100</sup> Council Directive 2004/81/EC of 29 April 2004 on the issue of residence permits to third-country nationals who have been victims of human trafficking or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

day residence permit will be issued at the request of the leader of the preliminary investigation, as long as the conditions as stated in items 1 and 4 of para. 1 have been fulfilled.

A residence permit issued in pursuance of para. 1 may be extended if so requested by the leader of the preliminary investigation 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 director of the preliminary investigation if, for particular reasons, there is a need for a longer period of consideration and the conditions as stated in items 1 and 4 of para. 1 are still fulfilled.

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

In Sweden, a person purchasing/engaging the victim's services risks being held responsible for usury in compliance with Chap. 9 § 5 Para 1 of the Penal Code and breaches 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

Chap. 20 § 5 of the Aliens' Act could also be applicable in certain cases if someone intentionally or negligently employs a foreigner even though the alien in question does not have a prescribed work permit. Chap. 3 § 10 of the Penal Code in cases where someone intentionally or negligently is in breach of what is required according to the Work Environment Act, to prevent illness or accident, thereby causing the death of another person, physical injury or illness.

# Annex 3 – Sentences

## Sentences pronounced in the county of stockholm in 2011

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### **1A-: Sentence in Södertörn District Court, 11.04.2011, Case no. B 13968-11**

1. Man, born 1970, citizen of Sweden

*Crime:* Aggravated procuring  
Rape  
The purchase of a sexual service

*Sentence:* Imprisonment for 4 years and 6 months  
The offender must pay damages to five injured-parties, at SEK 20,000 each, for one injured-party at SEK 75,000 and one injured-party at SEK 95,000. The offender was placed under an obligation to pay SEK 360,000 as the forfeited proceeds of crime. The sentence became final in May 2011.

*Victims:* Nine Swedish women aged 19-21

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### **2A-: Sentence in Attunda District Court, 27-04-2011, Case no. B 1267-07**

1. Man, born 1978, citizen of Bulgaria

*Crime:* Trafficking in human beings (for purposes other than sexual)

Aggravated burglary

*Sentence:* Imprisonment for 4 year  
The accused is expelled from the country and banned from returning before 27.04.2021.

The offender shall pay damages of SEK 85,000 to one injured-party.

*Victims:* A girl, aged 12, from Bulgaria.

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### **2B-: Sentence in the Svea Court of Appeal 22-12-2011, Case no. B 4140-11**

The Court of Appeal confirmed the District Court sentence.

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### **3A-: Sentence in Stockholm District Court, 22-09-2011, Case no. B 9708-11**

1. Man, born 1980, citizen of Lithuania

*Crime:* Procuring

*Sentence:* Imprisonment for 9 months  
The defendant is expelled from the country and banned from returning before 22.09.2016.

2. Man, born 1983, citizen of Lithuania

*Crime:* Procuring

*Sentence:* Imprisonment for 1 year  
The defendant is expelled from the country and banned from returning before 22.09.2016.

The offender was placed under an obligation to pay SEK 360,000 as the forfeited proceeds of crime.

*Victims:* Four women from Lithuania, aged between 22 and 30.

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### **3B-: Sentence in the Svea Court of Appeal 24.11.2011, Case no. B 8157-11**

The Court of Appeal dismissed the case with regard to the prosecutor's associated appeal and rejected the provision concerning deportation for both men.

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### **4A-: Sentence in Södertörn District Court, 29.09.2011, Case no. B 15187-11**

1. Man, born 1985, citizen of Estonia

*Crime:* Procuring

*Sentence:* Imprisonment for 1 years and 6 months  
The accused is expelled from the country and banned from returning before 29.09.2016.

The offender is placed under an obligation to pay SEK 30,000 as the forfeited proceeds of crime.

2. Man, born 1986, citizen of Estonia

*Crime:* Procuring

*Sentence:* Imprisonment for 1 years and 6 months  
The accused is expelled from the country and banned from returning before 29.09.2016.

The offender is placed under an obligation to pay SEK 40,000 as the forfeited proceeds of crime.

3. Woman, born 1964, stateless

*Crime:* Aggravated procuring  
Attempted extortion

*Sentence:* Imprisonment for 3 years  
The accused is expelled from the country and banned from returning before 29.09.2021.  
The offender is placed under an obligation to pay SEK 80,000 as the forfeited proceeds of crime.

The offender, jointly and severally with perpetrator 4, must pay damages to one injured-party amounting to SEK 5000.

4. Man, born 1981, citizen of Sweden

*Crime:* Aggravated procuring  
Procuring  
Attempted procuring  
Attempted extortion

*Sentence:* Imprisonment for 2 years and 6 months  
The defendant is expelled from the country and banned from returning before 29.09.2021.

5. Man born 1987, citizen of Estonia

*Crime:* Complicity in procuring

*Sentence:* Imprisonment for 3 months  
The appeal against deportation was dismissed

6. Man, born 1960, citizen of Sweden

*Crime:* The purchase of a sexual service

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

7. Man, born 1956, citizen of the UK

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 50 times daily income of SEK 120/day

8. Man, born 1973, citizen of Sweden

*Crime:* The purchase of a sexual service  
*Sentence:* Prosecution disallowed

9. Man, born 1950, citizen of Sweden

*Crime:* The purchase of a sexual service  
*Sentence:* Prosecution disallowed

*Victims:* Nine women from Estonia aged 24-41.

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**4B-: Sentence in the Svea Court of Appeal  
22-12-2011, Case no. B 8490-11**

Only perpetrator 2 appealed, but that sentence was confirmed by the Court of Appeal.

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**5A-: Sentence in Solna District Court, 29.12.2011,  
Case no. B 9980-11**

1. Man, born 1969, citizen of Romania

*Crime:* Rape

*Sentence:* Imprisonment for 1 year  
The appeal against deportation was dismissed.  
Prosecution concerning human trafficking (for purposes other than sexual), unlawful threats and assault was dismissed.

*Victims:* A girl, aged 16, from Romania.

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**5B-: Sentence in the Svea Court of Appeal  
02.03.2012, Case no. B 756-12**

The Court of Appeal confirmed the District Court ruling.

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## Sentences pronounced in the county of Skåne 2011

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### **1A-: Sentence in Helsingborg District Court, 28-12-2011, Case no. B 4188-11**

1. Man, born 1987, citizen of Romania

*Crime:* Trafficking in human beings (for sexual purposes)  
Unlawful driving

*Sentence:* Imprisonment for 2 years and 6 months  
The offender shall, jointly and severally with perpetrator 2, pay damages to injured-party A of SEK 37,000 and to injured-party B of SEK 32,000.  
The offender is placed under an obligation to pay SEK 13,000 as the forfeited proceeds of crime.

2. Man, born 1981, citizen of Romania

*Crime:* Trafficking in human beings (for sexual purposes)

*Sentence:* Imprisonment for 2 years  
The offender shall, jointly and severally with perpetrator 1, pay damages to injured-party A of SEK 37,000 and to injured-party B of SEK 32,000. The appeal concerning the forfeiture of the proceeds of crime was dismissed.

3. Male born 1990

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 40 times daily income of SEK 50/day

*Victims:* Two women from Romania aged between 19 and 24.

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### **1B-: Sentence in the Court of Appeal for Skåne and Blekinge 26.03.2012, Case no. B 111-12**

The Court of Appeal amended the District Court's sentence for perpetrator 1 by reducing the sentence to imprisonment for 2 years for aggravated procuring, and for perpetrator 2 by reducing the sentence to imprisonment for 10 months for procuring. The Court of Appeal also decreased the damages for perpetrator 1 by adjusting it to SEK 20,000 each for injured-parties A and B. The Court of Appeal dismissed entirely the claims for damages of injured-parties A and B with regard to perpetrator 2.

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## Sentences pronounced in the county of Västmanland in 2011

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### **1A-: Sentence in Västmanland District Court, 25.08.2011, Case no. B 406-11**

1. Man, born 1972, citizen of Sweden

*Crime:* Trafficking in human beings (for purposes other than sexual)

*Sentence:* Prosecution for human trafficking dismissed.

2. Man, born 1968, citizen of Sweden

*Crime:* Trafficking in human beings (for purposes other than sexual)

Rape

*Sentence:* Prosecution for human trafficking and rape was dismissed.

3. Woman, born 1961, citizen of Sweden

*Crime:* Unlawful deprivation of liberty

*Sentence:* Prosecution for unlawful detention was dismissed.

4. Man, born 1972, citizen of Sweden

*Crime:* Trafficking in human beings (for purposes other than sexual)  
Assault  
Fraud

*Sentence:* Imprisonment for 6 months for fraud  
Prosecution for human trafficking and assault was dismissed.

*Victims:* Two women from Slovakia aged 28 and 36, respectively.  
The District Court sentence was not appealed.

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#### Sentences pronounced in the county of Västra Götaland in 2011

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##### **1A-: Sentence in Gothenburg District Court, 15.07.2011, Case no. B 3509-11**

1. Man, born 1980, citizen of Iraq

*Crime:* Procuring

*Sentence:* Imprisonment for 6 months

2. Man, born 1987, citizen of Romania

*Crime:* Procuring

*Sentence:* Imprisonment for 4 months

3. Man, born 1987, citizen of Romania

*Crime:* Procuring

*Sentence:* Imprisonment for 1 year  
The accused is expelled from the country and banned from returning before 15.07.2016.  
The offender is placed under an obligation to pay SEK 13,000 as the forfeited proceeds of crime.

4. Man, born 1985, citizen of Iraq

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 80 times daily income of SEK 50/day

5. Man, born 1974, citizen of Iraq

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 80 times daily income of SEK 50/day

6. Man, born 1978, citizen of Iraq

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 80 times daily income of SEK 50/day

7. Man, born 1977, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 80 times daily income of SEK 50/day

8. Man, born 1951, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Prosecution disallowed

9. Man, born 1962, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 100 times daily income of SEK 200/day

A prosecution for procuring was dismissed

*Victims:* A woman from Romania, 25 years old.

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##### **1B-: Sentence in the Court of Appeal for Western Sweden 04-10-2011, Case no. B 3601-11**

The Court of Appeal changed the District Court sentence for perpetrator 2 such that the prosecution for procuring was dismissed. The prosecution for human trafficking concerning perpetrator 3 was also dismissed.

## Sentences pronounced in the county of Halland in 2011

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### **1A-: Sentence in Halmstad District Court, 29.12.2011, Case no. B 2354-11**

1. Man, born 1980, citizen of Sweden

*Crime:* Procuring

*Sentence:* Imprisonment for 5 months

2. Man, born 1947, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 50 times daily income of SEK 300/day

3. Man, born 1967, citizen of Sweden

*Crime:* The purchase of a sexual service

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

4. Man, born 1968, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 50 times daily income of SEK 400/day

5. Man, born 1954, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 50 times daily income of SEK 170/day

6. Man, born 1980, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 50 times daily income of SEK 300/day

7. Man, born 1952, citizen of Sweden

*Crime:* The purchase of a sexual service

*Sentence:* Fine equivalent to 40 times daily income of SEK 200/day

*Victims:* A 40-year-old woman from Romania and a 32-year-old woman from Panama.

An appeal against the District Court sentence was submitted to the Court of Appeal.

## Sentences pronounced in the county of Gävleborg in 2011

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### **1A-: Sentence in Hudiksvall District Court, 31.10.2011, Case no. B 1834-11**

1. Woman, born 1971, citizen of Bulgaria

*Crime:* Assault

Arbitrary conduct

*Sentence:* Imprisonment for 3 months

Prosecution for human trafficking for other purposes disallowed.

The appeal against deportation was dismissed

2. Man, born 1969, citizen of Bulgaria

*Crime:* Attempted assault

Arbitrary conduct

Molestation

*Sentence:* Imprisonment for 3 months

Prosecution for human trafficking for other purposes dismissed

The appeal against deportation was dismissed

*Victims:* Three men from Bulgaria aged between 32 and 42.

The District Court sentence was not appealed.

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Sentences pronounced in the county of  
Norrbotten in 2011

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**1A-: Sentence in Haparanda District Court,  
22.02.2011, Case no. B 974-10**

1. Man, born 1952, citizen of Sweden

*Crime:* Procuring

*Sentence:* Fine equivalent to 50 times daily income of  
SEK 70/day

2. Man, born 1950, citizen of Sweden

*Crime:* The purchase of a sexual service

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

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**1B : Sentence in the Court of Appeal for Upper Norr-  
land 07.06.2011, Case no. B 244-11**

The Court of Appeal modified the District Court's  
sentence for perpetrator 1 and pronounced sentence  
of a fine based on 30 times a daily income of SEK 50,  
for complicity in the purchase of sexual services.

*Victims:* a woman from Russia

# Annex 4 – Reported offences in 2011

Reported Crimes <sup>101</sup>	2010	2011	Reported Crimes <sup>101</sup>	2010	2011
<b>Entire Country</b>			<b>County of Jämtland</b>		
Trafficking in human beings (for sexual purposes)	32	35	Trafficking in human beings (for sexual purposes)	0	0
Trafficking in human beings (for other purposes)	52	63	Trafficking in human beings (for other purposes)	1	1
Procuring incl. aggravated	120	86	Procuring incl. aggravated	1	0
The purchase of a sexual service	1 277	765	The purchase of a sexual service	450	5
The purchase of a sexual act from a child	233	131	The purchase of a sexual act from a child	0	3
<b>County of Blekinge</b>			<b>County of Jönköping</b>		
Trafficking in human beings (for sexual purposes)	1	0	Trafficking in human beings (for sexual purposes)	0	0
Trafficking in human beings (for other purposes)	0	0	Trafficking in human beings (for other purposes)	1	0
Procuring incl. aggravated	0	0	Procuring incl. aggravated	0	0
The purchase of a sexual service	1	0	The purchase of a sexual service	2	3
The purchase of a sexual act from a child	0	2	The purchase of a sexual act from a child	0	4
<b>County of Dalarna</b>			<b>County of Kalmar</b>		
Trafficking in human beings (for sexual purposes)	1	0	Trafficking in human beings (for sexual purposes)	0	1
Trafficking in human beings (for other purposes)	1	0	Trafficking in human beings (for other purposes)	0	0
Procuring incl. aggravated	1	1	Procuring incl. aggravated	0	0
The purchase of a sexual service	7	0	The purchase of a sexual service	2	1
The purchase of a sexual act from a child	2	2	The purchase of a sexual act from a child	9	1
<b>County of Gotland</b>			<b>County of Kronoberg</b>		
Trafficking in human beings (for sexual purposes)	0	0	Trafficking in human beings (for sexual purposes)	0	1
Trafficking in human beings (for other purposes)	0	0	Trafficking in human beings (for other purposes)	0	0
Procuring incl. aggravated	0	1	Procuring incl. aggravated	1	1
The purchase of a sexual service	0	2	The purchase of a sexual service	2	0
The purchase of a sexual act from a child	1	1	The purchase of a sexual act from a child	0	0
<b>County of Gävleborg</b>			<b>County of Norrbotten</b>		
Trafficking in human beings (for sexual purposes)	0	2	Trafficking in human beings (for sexual purposes)	0	1
Trafficking in human beings (for other purposes)	0	3	Trafficking in human beings (for other purposes)	1	2
Procuring incl. aggravated	1	0	Procuring incl. aggravated	5	0
The purchase of a sexual service	3	0	The purchase of a sexual service	2	7
The purchase of a sexual act from a child	3	1	The purchase of a sexual act from a child	0	1
<b>County of Halland</b>			<b>County of Skåne</b>		
Trafficking in human beings (for sexual purposes)	0	0	Trafficking in human beings (for sexual purposes)	13	7
Trafficking in human beings (for other purposes)	0	2	Trafficking in human beings (for other purposes)	10	11
Procuring incl. aggravated	1	2	Procuring incl. aggravated	15	6
The purchase of a sexual service	1	19	The purchase of a sexual service	103	28
The purchase of a sexual act from a child	4	2	The purchase of a sexual act from a child	71	13

Reported Crimes <sup>101</sup>	2010	2011
<b>County of Stockholm</b>		
Trafficking in human beings (for sexual purposes)	8	2
Trafficking in human beings (for other purposes)	28	13
Procuring incl. aggravated	48	46
The purchase of a sexual service	392	354
The purchase of a sexual act from a child	96	69
<b>County of Södermanland</b>		
Trafficking in human beings (for sexual purposes)	0	0
Trafficking in human beings (for other purposes)	4	2
Procuring incl. aggravated	1	1
The purchase of a sexual service	2	12
The purchase of a sexual act from a child	0	2
<b>County of Uppsala</b>		
Trafficking in human beings (for sexual purposes)	0	2
Trafficking in human beings (for other purposes)	1	0
Procuring incl. aggravated	4	1
The purchase of a sexual service	10	15
The purchase of a sexual act from a child	6	6
<b>County of Värmland</b>		
Trafficking in human beings (for sexual purposes)	1	0
Trafficking in human beings (for other purposes)	0	1
Procuring incl. aggravated	1	2
The purchase of a sexual service	3	1
The purchase of a sexual act from a child	2	1
<b>County of Västerbotten</b>		
Trafficking in human beings (for sexual purposes)	0	1
Trafficking in human beings (for other purposes)	1	3
Procuring incl. aggravated	8	0
The purchase of a sexual service	19	0
The purchase of a sexual act from a child	5	3
<b>County of Västernorrland</b>		
Trafficking in human beings (for sexual purposes)	0	1
Trafficking in human beings (for other purposes)	1	3
Procuring incl. aggravated	4	1
The purchase of a sexual service	3	24
The purchase of a sexual act from a child	5	2

Reported Crimes <sup>101</sup>	2010	2011
<b>County of Västmanland</b>		
Trafficking in human beings (for sexual purposes)	1	1
Trafficking in human beings (for other purposes)	1	5
Procuring incl. aggravated	2	0
The purchase of a sexual service	101	3
The purchase of a sexual act from a child	2	2
<b>County of Västra Götaland</b>		
Trafficking in human beings (for sexual purposes)	5	15
Trafficking in human beings (for other purposes)	0	15
Procuring incl. aggravated	19	22
The purchase of a sexual service	153	268
The purchase of a sexual act from a child	10	8
<b>County of Örebro</b>		
Trafficking in human beings (for sexual purposes)	1	1
Trafficking in human beings (for other purposes)	1	0
Procuring incl. aggravated	3	0
The purchase of a sexual service	18	2
The purchase of a sexual act from a child	5	4
<b>County of Östergötland</b>		
Trafficking in human beings (for sexual purposes)	1	0
Trafficking in human beings (for other purposes)	1	2
Procuring incl. aggravated	5	2
The purchase of a sexual service	3	21
The purchase of a sexual act from a child	12	4

101 Statistics from the Swedish National Council for Crime Prevention (Brå). Available at: <http://statistik.bra.se>



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