

Statement by Kajsa Wahlberg, Swedish National Rapporteur on Trafficking in Human Beings, Conference on the " Preventing and Combating Trafficking in Human Beings and reducing prostitution and sexual exploitation," Plzen, The Czech Republic, June 3 2009.

It is a great honour for me to have been given the opportunity to speak in front of this audience and about a subject that is of my greatest concern, namely trafficking in human beings. My name is Kajsa Wahlberg and I am a detective inspector at the National Police Board in Sweden. I am also the Swedish National Rapporteur" on trafficking in human beings, appointed by the Swedish Government in 1998 following a joint declaration of the European Union in 1997¹. This joint declaration recommends all member states of the European Union to appoint a National Rapporteur on trafficking in human beings.

One of my duties is to collect and process information about trafficking in human beings into and in Sweden and between Sweden and other countries and publish this in annual reports to the Government. So far we have presented 9 reports on the situation in Sweden.

Today I will describe the situation on trafficking in human beings in and to Sweden and about our efforts to prevent and combat this type of crime.

The UN anti-trafficking protocol from 2000 is of course an important guideline for our work, especially the definition in article 3 a-d. We also follow the, for States Parties, obligatory article 9.5 of the Protocol, which underlines that the parties to the Protocol shall, among other things, adopt legislative or other measures, to discourage the demand for trafficking in human beings.

Today, Swedish penal legislation is not only directed against the traffickers and the pimps, but also against the demand for women and children for sexual exploitation, the buyers of sexual services. Since ten years, Sweden has an offence that prohibits the purchase of a sexual service. This offence is part of the Swedish strategy to prevent and combat prostitution and trafficking in human beings for sexual exploitation. The law is also in compliance with the Protocol, Article 9.5 and has had a direct effect on the trafficking in human beings. I will also tell you about how the section of the Criminal Code that prohibits the purchase of a sexual service is being enforced and its effects on trafficking in human beings.

¹ The Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation (Hague, 24-26 April 1997).

It is important to note that there is a government appointed committee carrying out an evaluation going on regarding the Swedish offence that prohibits a purchase of a sexual service. It will be finalized in 2010. What I can share with you is information I receive from the Swedish Police and also from the social service agencies.

First of all, we do not separate prostitution from trafficking in human beings. These two phenomena are closely connected to each other. The link between prostitution and trafficking is the market- the buyers of sexual services. Sex buyers are the most important link in the criminal chain that makes trafficking in human beings possible and profitable. We usually say that sex buyers support serious organised crime with their money.

Trafficking in human beings for sexual purposes was a phenomenon quite unknown to us in Sweden backing the 80's and 90's. Today, the NPB estimates that during the year 2007, 400-600 women were trafficked to Sweden. The victims come from Estonia, Poland, Romania, Nigeria, Thailand and Russia but some also come from other countries in Eastern Europe like Hungary, Bulgaria, the Slovak and the Czech Republic. Rather often, the victims originate from ethnic minorities in these countries. Most of the women enter Sweden by car or by one of the ferry connections we have with Estonia, Germany, Finland, Denmark and Poland.

The victims are often sold to buyers over the Internet or by small advertisements on streetlights saying, "massage" or "striptease" and giving an untraceable mobile telephone number. The recruitment of buyers of these women is the weak point for traffickers and pimps, and we do a lot of surveillance on the Internet in order to find the women they sell and the buyers to purchase them. Internet is an open and easily accessible source for anyone, and it is easy for the police to locate the women sold on the Internet, and their pimps. It is obvious to us, that if the sex buyers can find these women- the police certainly can do so too.

During the last year several cases with trafficking related crimes have occurred and been investigated in Sweden. The link to other criminal activities is clear such as drug dealing, fraud, organised thefts, illegal immigration, money laundering, tax-offences and criminal activities related to biker gangs. Most of the perpetrators residing legally in Sweden come originally from Eastern Europe, the Balkan and the Middle East. Our investigations also show that the criminals have invested their profit from the sale of women and girls in property etc on the Balkan and also in Thailand.

The legislation prohibiting trafficking in human beings for sexual purposes entered into force on July 1, 2002. Amendments were made in July 2004.

Today the legislation covers all trafficking for sexual exploitation in which the perpetrator exploits the vulnerability of another person. It also covers, for example, trafficking for the purpose of forced labour or exploitation for removal of organs etc. The punishment is imprisonment for a minimum of two and a maximum of ten years. By Swedish standards this penalty scale is quite severe.

The offence that prohibits the purchase of a sexual service came into force on Jan 1, 1999. It was amended in 2005. Opinion polls have shown that 70-80 percent of the Swedes are satisfied with the law that prohibits the buying of sexual services.

Today the question is more about how the law that prohibits the purchase of sexual services is being enforced, rather than questioning the law itself. When the law came into force, almost ten years ago, 7 Million SEK were set aside by the government for the police enforcement. The money was allotted to four police districts, which included the three largest cities. The enforcement efforts were initially mainly directed at street prostitution but prostitution in brothels, porn clubs and escort agencies are now being targeted. It is prohibited to buy sexual services anywhere in Sweden whether in street prostitution or indoors.

Both in Stockholm and Gothenburg we have special operative police commissions with the task to investigate and to take actions against trafficking in human beings, procuring and the purchase of sexual services. The punishment is fines or imprisonment for a maximum of six months. Minimum punishment 50 day fines. Day fines are a Scandinavian legal construct – they are based on a percentage of the perpetrators salary – e.g. the more you make the higher the fine you will pay. Maximum six months in prison. We are hoping that the maximum sentence will be raised to one year in prison, allowing for additional police interventions such as jailing, house search etc.

Laws are not created for the purpose of sending people to jail or to fine them. Laws are created because you want people to refrain from certain acts. This specific law is a protection of women (and men) against acts of violence. Many men have also reported that the law has led to the fact that they refrain from buying sexual services. The secondary purpose of the legislation is to create norms in Sweden based on gender equality and international human rights: that no woman, man, boy or girl is for sale, and that no one has a right to purchase someone else and sexually exploit her or him.

One of the results of the law is that we have very little street prostitution in Sweden today. During 1998 the National Board of Health and Welfare estimated that we had 2500 local women and some young men being prostituted within Sweden. In 2003, the number had gone down to 1500. Thus a reduction of 1000 women in prostitution.

This was due to the fact that the prohibition of buying sex came into force, and that the Social Welfare Authorities had increased resources to help women leave prostitution. So far The National Board of Health and Welfare has not seen any real increase in the number of women within Sweden being recruited to prostitution. Areas where street prostitution took place before 1999 also involved all kinds of violence against persons, drugs and disturbance of the order. These problems have been reduced to a minimum in these areas today. Today the police regularly visit these former areas where street prostitution still might take place. They also regularly visit areas where sexual services might be bought and sold. This refers to areas like parks and cemeteries, hotels, bars and restaurants, and massage parlours.

We are often being accused for pushing prostitution underground but prostitution activities are and cannot be pushed underground as long as the buyers can find the women. The buyers are absolutely central for the procurers to make a profit. Even before 1999 most prostitution activities (about 65 %) took place indoors. This is the case on most countries. If the police want to find out where prostitution takes place, the police can. It is just a matter of priorities and attitudes towards these issues. If the buyers can find the women in prostitution- the police can do it also.

The Swedish police regularly search the Internet for (and find) information about where prostitution activities takes place. We also process and analyze information from the public, authorities and organisations regarding the issue.

Before the law came into force, we were told that prohibiting men from buying sex should lead to much more violence against women in prostitution. We have looked in to that specifically, but the police and the social service do not report any increase of violence regarding this issue. Maybe because buyers want as little attention as possible and a buyer, who violates a prostituted woman, will face the risk that she can report him both for the violation and for buying sexual services. Believe me; most men do not take that risk. It should be noted that women in prostitution always risk to face violence from the pimps, traffickers and from buyers, with or without this kind of legislation.

During 2005 and 2006 more cases of rape have been reported to the police than during previous years. There are those that say that this is the fault of the prohibition on the purchase of sexual services. The fact is that we have new rape legislation in Sweden since April 2005. This meant that more situations than before came under the concept of rape, and women are more willing to report rapes. This must be taken into consideration when observing the statistics.

Most reports concerning the prohibition on the purchase of sexual services involves the attempt to buy sexual services. The police seldom catch men in the middle of the sexual act but this has happened in a few cases. An attempt is when you offer something, money, food, housing, drugs etc, as payment for a sexual service.

Nobody has been sentenced to jail and the Highest Court of Appeal has stated that the fine should be at least In Stockholm, the police officers doing field work report that this specific law works very well and has reduced the amount of buyers of sexual services in the streets to a minimum. The Prostitution Centre and agency working with persons in prostitution to assist them to leave the industry in Stockholm report about fewer young women entering into prostitution also.

We get most convictions regarding sex buyers through confessions and evidence collected *in situ* and also in the Internet when we investigate trafficking in human beings and procuring cases. In court, the sex buyers have to tell how they got in touch with the woman and the pimp, what kind of sexual service was bought, how much he paid for it etc. Some buyers plead guilty in order to get things over with quickly so their partners or wives won't find out. Some deny committing a crime, even if the police have found them literally with their pants down.

One can not evaluate the law by just counting convictions and police reports, even though over 1700 men have been arrested since 1999. Especially because the police intervenes if they assume someone is planning on buying sexual services, and inform potential buyers that this is prohibited. Interventions do not show in the statistics but has an effect on the overall problem, which is the main purpose of the law. Laws are not created for the purpose of sending people to jail or to fine them. Laws are created because we want people to refrain from certain acts and laws communicate values in society. This specific law is a protection of women against acts of male violence, and establishes the fact that it is not worthy for a human being to buy someone for a sexual services.

If the law causes men to refrain from buying sexual services and fewer women enter into prostitution, this is a true success. It should be noted that in Sweden

we also have three counselling centres for men who want to stop their behaviour purchasing sexual services. The majority of the clients contact the centres after their wives/partners have confronted them when they find out that their husbands/male partners have been convicted or arrested under the anti-demand legislation.

Notably, the prohibition against the purchase of a sexual service has had a direct effect on trafficking in human beings. The women, who are victims of trafficking or procuring cross border, are as I said before, seldom seen in the streets anymore. Today, traffickers and pimps need to build up networks with buyers of sexual services. They also have to make appointments with the buyers and escort the women to buyers' homes, hotels or other places indoors. They must be very discreet since buyers are afraid of getting caught.

Before the law came into force, traffickers and pimps could easily send the women out in street prostitution in order to recruit buyers themselves. This was very handy and efficient for the traffickers and pimps and ensured quick profits. Today they have to be more busy themselves in order to recruit buyers and escort the women, and they have to dispense large amounts of money to run their trade in Sweden, the recruitment of buyers takes place on the Internet, in hotels and bars etc and sometimes using hand painted signs pasted to traffic lights

Victims of trafficking for sexual purposes have several times told the police that traffickers and pimps talk about Sweden as a bad market for trafficking. Victims of trafficking, transiting through Sweden, have also told the police that the country of their destination has been for instance Spain, Denmark and the Netherlands. Clearly, traffickers transport women to sell them to buyers in countries wherever the demand is greatest, and hence giving them the largest profit.

We have also wire tapped conversations between members of several organized crime networks. I want especially to note how they look upon Sweden as a bad market for these activities. They say they have to build up an regular organisation in order to run these businesses. They have to advertise, make arrangements and experience problems because the buyers are very afraid of getting arrested. When they speak about running these activities they often plan to do it in other countries than Sweden, where women can be sent out in street prostitution or the police do not interfere with the prostitution industry, whether legal or not. Criminals are businessmen; they calculate profits, marketing factors, risks of getting caught etc before investing time and money into selling women in a particular place. Our job is to do everything possible to create a bad market for traffickers.

In cases of trafficking for sexual purposes and procuring, the prohibition to purchase a sexual service also gives us a real opportunity to punish those who demand and exploit these young women and men sexually. We can not only focus on the traffickers, pimps and women and ignore the buyers who create a demand for these services.

I have attended so many international police meetings where police officers have been scratching their heads in order to come up with proposals on how we shall combat trafficking in human beings. They call for better and stronger legislation, victim protection programs, surveillance techniques, resources etc etc. When I then ask if they think that trafficking in human beings can be prevented by prohibiting the purchase of sexual services- they look like they just swallowed a lemon. But, if men did not buy women in prostitution we would not have to call for all these measures and resources.

The police in Sweden can clearly see the role of the sex buyers and mean that these buyers must take responsibility for their actions. The buyers support organised crime with their money.

Underlying our work to prevent and combat trafficking in human beings are several important principles:

- * In Sweden, prostitution and trafficking in human beings for sexual purposes are seen as issues that cannot, and should not be separated; both are harmful practices and intrinsically linked.

- * The purpose of trafficking in human beings and the intentions of the traffickers, is always to exploit the victims; for sexual purposes in the prostitution or pornography industry, locally or internationally, for forced labour or for other means such as for slavery or for the sale of organs.

- * One of the cornerstones of Swedish policies against prostitution and trafficking in human beings is the focus on the root cause, the recognition that without men's demand for and use of women and children for sexual exploitation, the global prostitution industry and the organizing networks would not be able to flourish and expand.

- * One of the most important prerequisites for the development of prostitution activities and trafficking in human beings, is the existence of local prostitution markets, where men are able and willing to buy women and girls for sexual exploitation. These markets are easily expandable and there is always room for the traffickers and procurers to create new demands.

*The demands of the buyers also constantly shift and change. Those men who frequent the brothels, strip clubs, massage parlours, escort agencies and street corners in our countries, want unlimited access to a varied supply of women and girls from different countries, cultures and backgrounds. This constant demand for new merchandise dictates the international trade in women and children.

* Sweden has a long-standing commitment to gender equality and to combat prostitution and trafficking in human beings. We see prostitution as a gender-specific crime as the majority of victims are women and girls, although a number of young men and boys also fall victims. Prostitution is therefore a serious barrier to gender equality in all societies. Prostitution is considered a serious problem that is harmful, in particular, to the prostituted woman or child but also to society at large.

Finally:

In order to successfully find solutions to the problem of prostitution and THB, it is necessary to think about and discuss among ourselves what kind of society we wish to live in. We have to find our own ideological base and then develop a political vision that ensures a just society for all. With our vision in mind, we can then develop and implement different measures that, over time, will fulfil our vision.

Thank you!

Data on trafficking, procuring and purchase of sexual services

- Since the trafficking law came into force in 2002 (until 2007, numbers for 2008 are not yet available), 66 (for the crime of trafficking in human beings) and 194 individuals (for trafficking-related crimes such as procuring) have been charged, and 226 persons have been convicted of trafficking or trafficking-related crimes (procuring, grave procuring etc.);
- Between January 1999 and September 2008, 1753 men have been arrested; of them about 617 men (1999-2007-numbers for 2008 are not yet available) have been fined for buying sexual services (4 of them received a conditional sentence)

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