
Report on NGO and law enforcement cooperation to disrupt the demand for prostitution in Sweden: A case study

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Table of Contents

.....	1
About the authors	3
The Institute for Feminism and Human Rights	4
The CEDAW as a point of departure	4
Thematic areas	4
History of the organisation	5
Historical timeline for the work to prevent and eliminate prostitution and trafficking in human beings for sexual purposes in Sweden (1970s-2000s)	6
1970s – Analyzing power differences and violence against women	6
1980s – Prostitution is incompatible with gender equality	6
1990s – Women’s political participation to fight violence against women.....	7
2000s – Implementation of the law that criminalizes the purchase of a sexual service	8
Case Study: Collaboration between community organizations and law enforcement agencies to prevent and counteract prostitution and trafficking in human beings	9
Cooperation to discourage the demand	9
Cooperation for the support and protection of victims	9
Collaboration between the Swedish National Rapporteur and community organizations.....	10
Data collection.....	11
Collaboration between regional law enforcement agencies and community organizations	13
Round table Stockholm March 2018	16
Recommendations	18
Gender equality perspective	18
Political priority	18
Cooperation with NGOs	18
Long-term strategies.....	18
Discouraging the demand	18
Adequate funding	19
Monitoring	19
Bibliography	21
Case study interviews	22

About the authors

Gunilla S. Ekberg is a Swedish-Canadian Feminist lawyer, researcher, and international expert on human rights, gender equality, and trafficking in human beings. Ms. Ekberg is regularly invited to act as an expert advisor to international and regional bodies, to give legal and policy guidance to governments, and to testify to parliamentary commissions, most recently in Northern Ireland, Canada and Scotland. She held the position as Special Advisor on trafficking in human beings to the Swedish Government for six years, where she was responsible for the development and implementation of government legal and public policies on prostitution and trafficking in human beings. Ms. Ekberg is a well-respected teacher, researcher and author. Since many years, she collaborates with women's equality-seeking organizations around the world on different issues concerning women's human rights. For fifteen years, she was a social worker working with victims of all forms of violence against women and girls in several countries including in Sweden, Denmark, USA, and Canada. She is the founder and Chairperson of the non-governmental policy institute, Institute for Feminism & Human Rights.

Anna Edman Bastos is an equality and human rights professional, who works internationally. For several years, she was a Regional Advisor at the Equality and Human Rights Commission, and prior to that appointment, she worked as a Policy and Programme Advisor at the Commission for Racial Equality in the United Kingdom. Ms. Edman Bastos was responsible for the establishment of a network of UK statutory bodies and voluntary sector organizations working to prevent and combat human trafficking in relation to the 2012 London Olympic Games. Ms. Edman Bastos also has experience of anti-human trafficking work in the Arabic Gulf countries. She is the Treasurer and member of the Board of the non-governmental policy institute, Institute for Feminism & Human Rights.

Karin Werkman is a Dutch Feminist and researcher. She has expertise on a number of topics including about the effects of environmental degradation and climate change on the conditions of women and girls globally. Over the past many years, Ms. Werkman has focused her research attention on laws and policies regarding prostitution and trafficking in women, in particular in her country of origin, the Netherlands. Ms. Werkman regularly assists non-governmental organizations in EU countries with research on different current topics. She has experience in policy making, and as an appreciated speaker at different regional and national institutions. She is the Secretary and member of the Board of the non-governmental policy institute, Institute for Feminism & Human Rights.

The Institute for Feminism and Human Rights

The Institute for Feminism & Human Rights (IF&HR) is an international not-for-profit policy institute based in Sweden with members in a number of countries in Europe and internationally.

The CEDAW as a point of departure

The Institute for Feminism & Human Rights works to prevent and eliminate the socio-economic, legal and political discrimination of women and girls through the use of Feminist strategies and research methods, and the application of international, regional and national human rights instruments. IF&HR uses the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) as a point of departure in much of its advocacy work in Europe and internationally.

The Institute produces reports and position papers, carries out research, lobbying and advocacy activities and organizes thematic conferences and, specialized trainings nationally and internationally in six distinctive thematic areas.

Central to the work of the Institute is to seek contact with and carry out initiatives in direct collaboration with equality-seeking women's organizations nationally, regionally and internationally in order to strengthen the rights of women and girls in our societies.

The Institute monitors the work to protect the human rights of women and girls in national, regional and international institutions and bodies such as the European Union, Council of Europe and the United Nations.

Thematic areas

The Institute for Feminism and Human Rights (IF&HR) works to realize the full implementation of international human rights obligations towards women and girls – especially the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW).

The main focus of the work of the Institute for Feminism & Human Rights is to promote a feminist analysis of the oppression of women and girls in society and to find and develop appropriate remedies in five thematic areas:

- ♀ Feminism and male violence against women and girls, including prostitution and trafficking in human beings

- ♀ Feminism and the sexual and reproductive rights of women and girls
- ♀ Feminism, women and political participation and power
- ♀ Feminism and new economic systems
- ♀ Feminism, environment and climate change

History of the organisation

Since its establishment in 2009, the Institute has been actively working, and with renewed energy since its recent re-establishment in 2013. Examples of the work of the Institute for Feminism & Human Rights on human trafficking include giving technical advice for a two year-qualitative research project on trafficking in human beings to and within Lebanon conducted by the respected women's organization, KAFA-Enough Exploitation and Violence based in Beirut, and advising on an education project on trafficking in women for sexual exploitation to and within the Palestine, together with the women's anti-violence organization, SAWA–All Women Together, Today and Tomorrow based in Ramallah.

The Institute for Feminism & Human Rights joined the Disrupt Demand project at its' inception and has been a member of the (digital) EU Civil Society Platform against Trafficking in Human Beings since 2013.

Historical timeline for the work to prevent and eliminate prostitution and trafficking in human beings for sexual purposes in Sweden (1970s-2000s)

1970s – Analyzing power differences and violence against women

Since the late 1960s, early 1970s, a new public debate took place in Sweden and internationally on sexual relations and power differences between men and women. The debate led to new insights and new initiatives to strengthen and ameliorate the position of women in society, address discrimination and to counteract male violence against women.

During the 1970s, 1980s, feminists, including women with lived experience of prostitution, together analyzed women's position in Swedish society and how men, through the exercise of power through the use of different forms of violence against women, maintained the subordinate position of women, including by those men, who paid for and exploited the most marginalized women and children, mostly girls, for prostitution purposes.

The initiative to criminalize those men, who purchase sexual acts/services originated in the feminist political discussions within the Swedish women's movement in the early 1970's, and was eventually carried forward in the late 1990's by the women's associations of the political parties.

In 1976, a proposal for new legislation on sexual offenses was tabled (SOU 1976:9). In 1977, the Government appointed a Commission of Inquiry, with the objective to investigate the issue of prostitution.

1980s – Prostitution is incompatible with gender equality

The outcomes of this Inquiry were presented in a report 1981, with the overall conclusion that prostitution is incompatible with gender equality, and with the political ambition to create a gender equal society (SOU 1981:71).

In 1980, Sweden signed and ratified the United Nations Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), thereby making a binding commitment to "take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women" (Article 6 CEDAW).

1990s – Women’s political participation to fight violence against women

In 1993, the United Nations Declaration on the Elimination of Violence against Women was adopted by the General Assembly, with the definition of violence against women being incorporated into Swedish policies on gender equality, prostitution and trafficking in human beings for sexual purposes in the early 2000’s:

Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men (UN Declaration 1993).

In the election of 1991 the number of women in parliament went down from 37% to 33%. This was the first time in the history of general election in Sweden that the n of women decreased. After the 1991 election a number of women (academics, journalists, activists) committed to create a feminist network called The Support Stockings (“Stödstrumporna”). They were indicating that if the established political party did not ensure that every other person on the election list was a woman, they would create a woman’s party. The outcomes of the 1994 election raised the percentage of women in parliament from 33% to 48%. New women parliamentarians committed to a cross-party cooperation to combat male violence against women.

In 1998, this cross-party cooperation led to a Government Bill on violence against women was presented to the Swedish Parliament and, among other actions aimed at addressing male violence against women, proposed the criminalization of the purchase of sexual services. (Kvinnofrid 1997/98:55). This Act was the outcome of two Commissions of Inquiry - the Commission on Prostitution (SOU 1995:15), and the Commission on Violence against Women - both reports presented in 1995. The Act on Violence against Women included several amendments to laws relating to male violence against women, including a strengthened sexual harassment law and a new offence punishing repeated instances of male violence against a woman in an intimate relationship (Ekberg 2004).

In 1998, a National Rapporteur on Trafficking in Human Beings was appointed by the Government. On 1 January 1999, the law that prohibits the purchase of sexual services entered into force.

2000s – Implementation of the law that criminalizes the purchase of a sexual service

In 2000, Sweden signed and ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (“The Palermo Protocol”).

In that same year, Sweden saw the beginning of the work to implement the reformed prostitution laws, including the law that criminalized the purchase of sexual services, and to develop and implement further comprehensive policies and strategies across all policy areas in relation to prostitution and trafficking in human beings for sexual purposes.

In 2001, the Swedish Government appointed a special advisor on prostitution and trafficking in human beings based in the Government Division on Gender Equality, who was charged with the task to coordinate actions within the Government, and with the responsible public agencies, including the National Police, and with specialized social services agencies, women’s equality-seeking associations, and other civil society and human rights organizations. This work continued until 2007. In 2001, the Nordic and Baltic Ministers for Gender Equality agreed to plan and carry out a joint information and awareness campaign during year 2002.

On July 1, 2002, comprehensive legislation that imposed criminal liability for trafficking in human beings for sexual purposes entered into force in Sweden.

Case Study: Collaboration between community organizations and law enforcement agencies to prevent and counteract prostitution and trafficking in human beings

European Union Member States have the primary responsibility for the national implementation of obligations committed to under different international agreements with the objective to prevent and combat trafficking in human beings, and to protect and strengthen the human rights of women and girls.

However, in the global struggle against trafficking in human beings for sexual purposes, the collaboration between state agencies and experienced local, regional and international non-governmental organizations is indispensable to ensure acceptance and sustainability of laws, policies, strategies and actions. To establish a platform for dialogue and concrete cooperation with a wide variety of experienced human rights, and other civil society organizations should be a priority in all national action plans for the prevention and combat of trafficking in human beings.

Cooperation to discourage the demand

Such collaboration is encouraged in several international and regional agreements. Article 9 of the Palermo Protocol underlines the importance of Government cooperation with community non-governmental organizations when establishing policies, programs and other measures to prevent trafficking in human beings for the purpose of discouraging the demand.

In particular, women's/feminist associations have an important role to play, not only as the primary organizers in local communities of diverse awareness-raising actions against trafficking in human beings for sexual purposes, but their advocacy is often key as initiators of law and policy reforms to discourage the demand.

Cooperation for the support and protection of victims

Likewise, in order to ensure that women and girls do not fall victim of prostitution users, procurers and human traffickers, frontline victims support organizations and other relevant community organizations should be closely involved in the work to alleviate factors that make them "vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity" (Article 9.4 of the Palermo Protocol).

The collaboration with front-line anti-violence women's organizations is crucial when establishing effective, and functioning mechanisms for the protection, support and reintegration of victims of trafficking in human beings for sexual purposes locally, nationally, and in the countries of origin, transit and destination.

Their involvement is particularly significant as supporters of victims, who have agreed to testify against the organizers of prostitution activities locally, against prostitution users, and as partners with local law enforcement agencies to ensure the protection against retaliation by members of organized crime networks.

Collaboration between the Swedish National Rapporteur and community organizations

In 1997, Sweden was the first country in the European Union to appoint an independent National Rapporteur on Trafficking in Human Beings following a joint declaration, The Hague Declaration, of the European Union earlier in 1997. This Declaration recommends that all EU member states appoint National Rapporteurs, who are "to report to governments on the scale, the prevention, and combating of trafficking in women."

The Swedish National Rapporteur investigates, monitors and analyzes the character, state and scale of prostitution and trafficking in human beings for all forms of exploitation to and within and from Sweden, and publishes annual reports with comprehensive recommendations. The nineteenth annual report for 2017 was released in October 2018 (Nationell rapportör 2018).

In 2018, the Swedish Government decided to amend the National Police Authority Regulation to include the Office of the National Rapporteur as a permanent function with placement at the Department of National Operations at the headquarters of the National Police Authority. The full independence of the function should be retained, and the annual reporting and recommendations requirements would remain the same. (Amendments to Förordning (2014:1102) med instruktion för Polismyndigheten, forthcoming)

Since the establishment of the Office of the Swedish National Rapporteur on Trafficking in Human Beings in 1997, the National Rapporteur collaborates closely with individual non-governmental organizations, such as the Institute for Feminism & Human Rights, and with the major women's coalitions such as the Swedish Women's Lobby, and the National Organization for Women's Shelters and Young Women's Shelters.

The collaboration focuses on law and policy reform, different aspects of the prevention of prostitution and trafficking in human beings, the consistent enforcement of the offence that prohibits the purchase of a sexual service, other actions to ensure demand reduction, and on the provision of direct support and shelter to victims.

An early example of successful cooperation is a case involving the national Police Authority and the national child rights organization, ECPAT Sweden (ECPAT). ECPAT observed that the number of Swedish men travelling to countries such as the Philippines and Thailand, where they sexually exploited children, had increased dramatically over the past several years. ECPAT raised this issue with the National Police Commissioner, and proposed changes to the enforcement of the Swedish legislation that allows the prosecution of Swedish perpetrators of child sexual exploitation in other countries to be prosecuted in Sweden.

This meeting resulted in the creation of a project within the Police Authority in 2009 with the purpose to explore the problem more in depth, and to initiate a number of police investigations. The results of the project were encouraging, leading to the project being made permanent, and funding was secured to continue the work. Today, the work to investigate and prosecute perpetrators of child sexual exploitation is a core activity of the Department of National Operations, involving extensive collaboration not only with relevant community organizations, but also cross-border investigations involving police forces in the relevant countries.

Data collection

Article 19 of the 2011 EU Directive on preventing and combating trafficking in human beings and protecting its victims, which requires EU Member States to establish National Rapporteurs, also underlines the importance of “close cooperation with relevant civil society organizations active in the field” when gathering statistics and reporting.

Since 2013, the National Rapporteur on Trafficking in Human Beings collaborates with the Swedish Platform Civil Society against Human Trafficking on the collection of data in regard to victims of all forms of trafficking in human beings. The Platform, which was created in 2013, organizes some twenty community organizations that are in direct contact with victims of human trafficking, including human rights associations, frontline victim support providers, crime prevention associations, legal aid law firms and individual lawyers.

The Platform functions as a reference group for the collection of certain data on the scale and extent of prostitution and trafficking in human beings.

Together, the National Rapporteur and the members of the Platform have developed a data reporting tool and questionnaire that is distributed to the member organizations with the purpose to collect data to be used in the annual reports of the National Rapporteur. The reporting from the community organization concerns, in particular, the situation, background, circumstances and conditions of victims of prostitution and human trafficking, the forms for exploitation that they are subjected to by prostitution users, procurers, facilitators and traffickers, and potential contacts with law enforcement agencies.

The data also includes, to a lesser extent, certain details about the traffickers, trafficking routes and the sites of exploitation. This allows the National Rapporteur to develop a wider picture of the current on-the-ground situation of prostitution and trafficking in human beings in Sweden, that can inform effective law enforcement, but also the reporting requirements under international agreements on trafficking in human beings such as the Council of Europe Convention on Action Against Trafficking in Human Beings, and the CEDAW:

Equally important of this mutual exchange of knowledge and data, is the opportunity for community organizations to utilize the annual reports of the National Rapporteur in their advocacy work for law and policy reform directed to law makers. One example is the advocacy by Swedish community organizations in relation to the complexity involving the use of temporary residence permits that are available for victims of trafficking in Sweden, including about the consequences of the requirement for the victims to participate in the prosecution of perpetrators as witnesses on their protection and safety in Sweden and in their home countries.

The National Rapporteur participates regularly in the meetings of the Platform to inform community organization about the concrete actions of the national and regional law enforcement agencies in cases of prostitution and trafficking in human beings within the limits of privacy laws. These meetings also focus on discussion about the viability, effectiveness and impact of the current legislation in the area, and ongoing discussions about additional law reforms measures. The presence of the Platform meetings by the National Rapporteur often leads to informal contacts with individual community organizations in concrete cases, but also allows community organizations to provide information and observations in relation to local challenges and trends.

Since her appointment in 1997, the National Rapporteur regularly participates in research, awareness raising and law reform projects coordinated by Swedish community organizations, both in Sweden and internationally. This collaboration includes working with Swedish organizations that make representations to international bodies such as the United Nations and the European Union about the Swedish approach for the prevention and combat of prostitution and trafficking in human beings – through joint lectures, and joint provisions of expert advice to international and national consultations on Swedish law and jurisprudence.

For this cooperation to be successful, it is important that the organizations have a gender equality focus. It is also necessary that the proposed actions are in line with the Swedish approach to gender equality, prostitution and human trafficking, as well as being in line with the official Swedish standpoint on sexual and reproductive rights, and the bodily integrity of women and girls.

A vital aspect of the engagement of the National Rapporteur on Trafficking in Human Beings with non-governmental organizations is the knowledge exchange with non-profit community organizations visiting Sweden for the purpose of learning more about the Swedish approach, and how to integrate a gender equality-perspective into the work to prevent and combat prostitution and trafficking in human beings.

Collaboration between regional law enforcement agencies and community organizations

In January 2015, the Swedish police went through a wide-reaching reorganization. The 21 regional police authorities, the National Police and the Security Police were amalgamated into one national Police Authority, and the country was divided into seven police regions, while the Department of National Operations was tasked to be the national focal point for the enforcement work to counteract trafficking in human beings.

The purpose of the reform was to create a clearer governance structure, higher quality of services, increased cost effectiveness, greater flexibility and improved results (Government Bill 2013-14/110).

In five of the seven police regions, specialized anti-trafficking law enforcement teams have been established, including the Stockholm Region Anti-Prostitution Team, and in six of the regions action plans for the continuing actions to prevent and counteract trafficking in human beings have been developed.

Today, most of the work to counteract trafficking in human beings takes place at a regional or regional level, with actions against human trafficking being part of one of the four pillars – the fight against organized crime - of the national operative strategy of the Police Authority.

A primary objective of the reorganization of the Police Authority was to ensure that decision making is based on local conditions, and stronger involvement of the local communities and citizens in crime prevention and law enforcement. Since 2015, this new direction has also brought about increased cooperation between the regional police forces with community organizations that work on different aspects of prostitution and trafficking in human beings, such as shelters for women victims of violence, crime prevention groups and migrant associations among others.

There is a general agreement within the police forces that this cooperation has brought an improved understanding about the background and circumstances of victims, and how their situation informs their ability to e.g. testify in court against the perpetrators. Importantly, community groups often are in contact with victims that do not report the crimes that they have been subjected to the police due to the lack of trust, or to the risk of reprisals for testifying. Victim support service organization can also raise issues that inform and can strengthen law enforcement against the perpetrators of prostitution and trafficking in human beings – prostitution users, procurers and traffickers.

One example concerns information not known by local police, which was provided by community groups about the situation for victims of trafficking in human beings for sexual purposes from Albania. Recently, victim support groups encountered a smaller number of women from Albania, who were trafficked to Sweden for the purpose of forced marriages. When they arrived in Sweden, they were forced to engage in prostitution activities, usually through online escort service websites, or the recruitment of prostitution users through word of mouth.

These women are often too afraid, because of the high risk of retaliation from the perpetrators, to report the crimes they have been subjected to the police. They are also reluctant to return to Albania, where they risk becoming victims of honour related crimes, due to the “shame,” they have brought to their families – not only because they were exploited in prostitution, but also because they have broken up from their (often) violent marriages. Some of these victims have been assisted by community groups to apply for asylum in Sweden.

Another example of law enforcement – community cooperation is the potential for knowledge exchange, often resulting in concrete actions. Some years ago, the Salvation Army in the southern city of Helsingborg organized a conference about prostitution activities that took place in local hotels and youth hostels, with the National Rapporteur as an invited expert. The conference resulted in the creation of a local cooperation committee with members from local law enforcement agencies, social welfare agencies, the Salvation Army as well as other community association, facilitating exchanges of operative information, and eventually leading to a decrease in active cases.

Through conferences and knowledge seminars, local and national law enforcement agencies and community organizations have the opportunity to exchange views on current law reform issues, and develop strategies about how the Swedish approach can be adapted to local conditions, and be applied at a local level.

The cooperation between law enforcement agencies and community organizations is also indispensable in the efforts to discourage the demand. Not only does the information that local police force can provide about the demographics of men, who purchase sexual services, inform the advocacy work of community organizations. The proactive enforcement of the offence that prohibits the purchase of a sexual service also facilitates the discovery of victims of prostitution and trafficking in human beings that, with the assistance of community organizations, can be provided necessary support and assistance. These victims can, in turn, provide key information about the organized crime networks– directly or through the intervention by community organizations to law enforcement agencies – that eventually can result in larger investigations and the prosecution of key offenders.

The Swedish approach has been in place for twenty years. The support for this comprehensive approach is strong among the Swedish non-profit community organization sector. The support for the Swedish approach by community organizations and the public is key to its sustainability, not only because these organizations actively promote the positive, concrete and normative effects of the approach, but also because they take part, jointly with state agencies and law enforcement, in developing its implementation.

Round table Stockholm March 2018

On 5 March 2018 a Roundtable on Police and NGO cooperation took place on the premises of the police Headquarters in Stockholm, Sweden, in the context of the Disrupt Demand project. The Roundtable was hosted by the National Rapporteur and the Institute for Feminism and Human Rights. NGO representatives, prosecutors, specialized police officers from the Prostitution Unit of the Stockholm Police, human rights organizations and international project partners were present.

The Swedish National Rapporteur on Trafficking in Human Beings, Kajsa Wahlberg's office, is mandated independently from the government and police and acts critically whenever necessary. Data is supplied to the Rapporteur through law enforcement, public agencies and NGO contacts around Sweden. In her work to monitor the situation in regard to human trafficking within and through Sweden the focus is on the entire trafficking chain, including traffickers, procurers and buyers. With this mandate, the National Rapporteur's office also facilitates police and NGO cooperation as a corner stone for effective implementation of the Swedish legal framework.

The Swedish legislation has proven useful in targeting organized crime. To ensure the successful enforcement of the Swedish legal and policy approach, training has been facilitated for those implementing the law, which focused on the principles behind the law and the importance of close cooperation with NGOs, especially victim support services. The training also highlighted the investigative benefits of the law. As such, the Swedish approach does not solely focus on criminal law - it is anchored in policies on gender equality. The approach contributes towards acceptance and support of the law among the general public. The cooperation between law enforcement and victim support services is key in ensuring continued public support.

The Roundtable facilitated an open exchange of experiences between law enforcement and the prosecutor's and NGOs. The general experience has been that the women affected by the law have a positive view of it. Though they can initially be scared to talk to the police, out of fear of repercussions from their traffickers, and because of concerns around their migration status, the victims NGOs and police play a key role in taking away that fear. The Prostitution Unit of the Stockholm Police includes a social services coordinator who liaises with front line victim support services and shelters for victims of prostitution and trafficking. Her role is of key importance in facilitating a good understanding between the victims' services and the police

operations. Long term support for women is elemental to their participation in police investigations and the successful prosecution of perpetrators. Especially in the cases of undocumented migrants and other victims who are deemed to be in a particularly vulnerable situation, close cooperation between police, prosecution and victim support services ensures that the possibilities of recovery and reflection periods and temporary residency permits are fully explored in each individual case. In this context, the social services coordinator liaises with victim support services to make referrals to specialized shelters. The prosecutors emphasized that this approach was beneficial to the overall investigation of offences. NGOs present added that cooperation in such cases benefits the victims' trust in the police and the legislative approach.

Through consistent enforcement and close cooperation between law enforcement, prosecution services and NGOs, the legislation can effectively discourage demand and thus reduce the market. The importance of the Roundtable was highlighted, particularly with regards to its ability to inform the work being done in other EU Member States such as France and Ireland, regarding the implementation of laws targeting demand for human trafficking for sexual exploitation.

The collaboration between the Institute for Feminism and Human Rights, the National Rapporteur and the planned Stockholm Regional Police Center for Human Trafficking Investigations will continue in 2019, including through a knowledge seminar to ensure sustainability of the Swedish approach.

Recommendations

Gender equality perspective

- All actions and initiatives to prevent the trafficking in human beings, especially women and children, have a gender equality and gender sensitive perspective, while taking into full consideration the diverse backgrounds, circumstances and needs of, and experiences and conditions that the victims live under when developing and implementation interventions.

Political priority

- Comprehensive and multidisciplinary actions for the prevention and combat of trafficking in human beings, especially women and children for sexual exploitation, should be undertaken as a political priority by all EU Member States.

Cooperation with NGOs

- All EU Member States should ensure that all their actions to prevent and combat prostitution and trafficking in human beings for sexual purposes are taken in consultation and cooperation with experienced non-governmental community organizations in line with article 9 and 10 of the United Nations Palermo Protocol and the EU Directive 2011/36.

Long-term strategies

- Member States should develop integrated and coordinated prevention strategies in consultation with experienced community organizations to address the demand for victims of trafficking for sexual exploitation. The introduction of laws relating to the elimination of the demand, prostitution-related activities and trafficking in human beings should be accompanied by a comprehensive range of measures, which include victim-focused enforcement policies, trauma-integrated protection and support for all victims of sexual exploitation, and comprehensive monitoring and evaluation initiatives.

Discouraging the demand

- Article 9.5 of the United Nations Palermo Protocol requires Member States to take comprehensive measures to discourage the demand. Article 18 of the EU Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims,

including to “establish as a criminal offence that criminalizes the use of services which are the objects of exploitation as referred to in Article 2, with the knowledge that the person is a victim of an offence referred to in Article 2,” provides a minimum standard for national implementation in EU member states.

- EU Member States should take into notice that the enforcement of an offence that criminalizes the purchase of a sexual act/service solely when there is evidence that the perpetrator has knowledge that the person is a victim of trafficking in human beings or of procuring, has proven ineffective.
- In order to fully address the root cause of prostitution and trafficking in human beings for sexual purposes and exploitation; the male demand that fosters all forms of exploitation fosters all forms of exploitation of persons, especially women and children, that leads to trafficking, Member States should adopt a comprehensive criminal offence that fully criminalizes the purchase of a sexual service, accompanied by national policies and strategies that ensure full accountability of the perpetrators (Article 9.5 of the Palermo Protocol). Sentencing patterns should be monitored closely to ensure consistency and that the sentence is commensurate with the seriousness of the offence.
- Decriminalization of those, who are exploited in prostitution, including victims of human trafficking, should be an integral part of any legislative framework.

Adequate funding

- Specialist, dedicated law enforcement teams should be appointed and fully resourced, with investigations into the trafficking in human beings for sexual purposes, the purchase of sexual acts, organized criminality and national prostitution activities to be prioritized. Training for police should be done in co-operation with specialist women’s organizations to ensure a consistent gender-specific, victim-centred, trauma-centred and human rights approach. Police and technical experts should also be resourced to investigate, track and prosecute the use of communications technology by organisers of prostitution.

Monitoring

- Member States should commit resources to research in order to provide reliable evidence in relation the effects, consequences and impacts of the legal and policy framework put into place to address prostitution and trafficking in human beings. Areas should include: mapping and analyzing the scale and extent of prostitution and trafficking for sexual exploitation, investigation in to the type and the number of prostitution-related activities and number of involved individuals online; research on

- the harmful consequences of prostitution for the health and well-being of girls and women and the ongoing needs and barriers for women in relation to exiting
- Independent National Rapporteurs should be appointed by each Member State. The Rapporteur should have the authority and resources to monitor and evaluate the situation related to trafficking in human beings for sexual purposes and prostitution in the Member States including through access to non-identifiable data from statutory agencies and community organizations.

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Case study interviews

Semi-structured interviews with Kajsa Wahlberg, National Rapporteur on Trafficking in Human Beings on 27 September 2018, and with Elin Hernstedt, team leader at the Stockholm Regional Police Anti-Prostitution Team on 28 September 2018..