



## The Swedish Example: Stopping Prostitution and Trafficking Where it All Begins

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*Anna Skarhed  
Chancellor of Justice  
Sweden*

His Holiness Pope Francis many times has declared that these new forms of slavery; human trafficking, forced labor, prostitution and organ trade, are extremely serious crimes, “an open wound on the body of contemporary society”. He has called upon all of society to grow in this awareness, especially with regard to national and international legislation, in order to be able to ensure that traffickers be brought to justice and their unjust earnings redirected for the rehabilitation of victims.

It is against this background particularly important that the Holy Father has given the Pontifical Academy of Social Sciences the assignment to arrange this Judges’ summit with a special focus on the victims, and with an emphasis on the fact that human trafficking and organized crime has a strong link to the question of sustainable development, including the questions of poverty and of climate change.

I am honored to be here today and to have been given the opportunity to speak to you about one of the ways in which Sweden has tried to protect children’s rights, as well as the rights of women and men who are victims of trafficking for sexual purposes.

According to the UN Global Report on Trafficking in People 2014 as many as 33 % of the detected victims of trafficking are children, twice as many girls as boys. And in Europe the vast majority of the victims of trafficking are victims of sexual exploitation. It is important to stress that although two distinct phenomena, there is a clear and strong link between prostitution and trafficking.

The number of victims and the amount of money involved in this trade, where human beings are treated as merchandize, is incomprehensible. It is estimated that only in Europe 140 000 women and girls are every day victims of trafficking for sexual purposes, forced into prostitution. Turning human beings into merchandize is a lucrative business which finances other types of organized crime, such as dealing in narcotics and weapons. Thus combatting trafficking is also essential if we want to prevent other types of serious criminality. And in order to reduce trafficking it is essential and necessary to stop prostitution.

The Swedish position on prostitution can be described as follows:

- Prostitution is a serious barrier to gender equality.
- Prostitution entails serious harm to both individuals and to society.
- Prostitution is violence, in most cases against women and girls, especially targeting those who are economically, racially or ethnically marginalized or oppressed.
- Prostitution is incompatible with internationally accepted principles of human rights: the dignity and worth of the human person and the equal rights of men and women.
- Focusing on demand is a cornerstone of Swedish policies as demand is understood to be a root cause of prostitution.
- There is a clear and strong correlation and link between prostitution and trafficking in human beings for sexual purposes.
- Trafficking for sexual purposes is to a large degree a gender-specific crime; the majority of victims are women and girls, but especially young men and boys also fall victims.
- Persons used in prostitution are not to be criminalized or subjected to administrative punishments.
- To eliminate prostitution, it is necessary to focus on poverty reduction, sustainable development, promoting gender equality, counteracting male violence against women and girls, and to create social programs for both the victims and the perpetrators.

On January 1, 1999, as the first country in the world, Sweden passed legislation that prohibits the purchase of sex.

The ban had gender equality as well as a human rights perspective. It was deemed that fighting prostitution was of pressing social interest. The hope was that criminalizing the buying of sex would have a deterrent effect on prospective buyers and serve to reduce the interest of in establishing more extensive organized prostitution activities in Sweden, which would have an inhibitory effect on the prevalence of prostitution.

The law constituted a shift in perspective – if there is no demand there would be no prostitution.

A person who ... obtains a casual sexual relation in exchange for payment shall be sentenced for the purchase of sex to a fine or imprisonment for at the most one year. What is stated in the first paragraph also applies if the payment has been promised or made by someone else. (Swedish Penal Code, Chapter 6: Sexual Crimes, section 11)

In 2008, when the ban had been in force for ten years, the Swedish government appointed me to lead a Special Inquiry to evaluate the implementation and effects of the law. The commission consulted with women and men in prostitution, women and men who have left prostitution, police, social workers, civil society, public authorities and other key stakeholders. The Committee report (SOU 2010:49) was presented to the government on July 2, 2010.

Conclusions - effects:

1. The number of persons exploited in street prostitution in Sweden had halved since 1999.
2. The prevalence of street prostitution was about the same in the three capital cities of Denmark, Norway and Sweden before 1999. In 2008 the number of persons in street prostitution in Denmark and Norway was estimated to be three times higher than in Sweden.
3. The concern that prostitution might go underground or move to other arenas had not been fulfilled.
4. Prostitution through the Internet had increased in Sweden as it had in other countries, but not because of the ban but due to the development generally of online technology.
5. However in 2008 the scale of Internet related prostitution was much more extensive in Sweden's neighbouring countries (Denmark and Norway).
6. There was no evidence of an increase of indoor prostitution in Sweden.
7. While there had been a significant increase in prostitution in Norway and Denmark 1999 - 2008, there was no evidence of a similar increase in Sweden. We could find no other explanation for this than the criminalization of the purchase of sex in Sweden.
8. According to the Swedish National Police the prohibition had deterred the establishment of organized crime networks/groups in Sweden. It could be said that the law functions as a barrier against traffickers and pimps in Sweden. And to go after the buyers actually helps and is essential when the police try to find and investigate trafficking cases.
9. While many were critical before the law was passed, surveys made after 2009 show there is now a strong support for the ban in Sweden among the public; around 70 % in favor. Thus the ban has had normative effects as well as a direct effect to reduce crime.
10. We found no evidence that the prohibition has had negative effects for individuals exploited in prostitution.
11. However good enforcement of the law depends on the resources available, and the priorities made by the justice system.

The positive direct and normative effects of this legislation have inspired other countries in the European Union and beyond to implement similar laws. The latest is France (2016), Canada (2014), England, Wales and Northern Ireland (2010), Norway and Iceland (2009), South Africa (2007), and South Korea (2003).

In a report financed by the European Commission issued 2015, before France criminalized buying sex, it was estimated that the number of persons in prostitution in France were between 30 000-44 000 individuals and that prostitution cost the French society 1,6 billion € per year.

The European Parliament in February 2014 passed a (non-binding) resolution urging the countries in the EU to work against prostitution by focusing on demand; i.e. the Swedish model.

The "new" approach of the so called Swedish or Nordic model is to focus on demand; to focus on the buyer. This is logical to us. If there was no demand there would obviously be no prostitution. It is important to mention

that this is no moral issue but a question of human rights! It is also a strong gender issue and a question of equal rights since the overwhelming majority of the victims of trafficking are girls and women.

Several reports have shown that the opposite way of dealing with the problem of trafficking, which is to legalize the “business” and to look upon the “selling” of sex as an ordinary job, has not been successful. Even if not formally victims of trafficking it is obvious that the vast majority of persons used in prostitution have not made what could be called a free choice.

A strong voice in favor of the Swedish/Nordic model is the report “Prostitution, trafficking and modern slavery in Europe”, of March 2014 by the European Commission’s rapporteur Mr Mendes Bota. He concludes that “voluntary prostitution” is a myth, since for the large majority of individuals prostitution is the consequence of either a state of poverty and extreme need or of violence. He also emphasizes that every country has the right to choose its own way but strongly advises legislators all over Europe to follow the example of Sweden and other Nordic countries and criminalize the purchase of sex.

I believe that criminalizing the buyer of sex is an important and effective measure to combat trafficking in human beings. Criminalization is not enough but it is an important message to those who exploit other human beings. To stop trafficking for sexual and other purposes is a huge and difficult task that no individual, organization or even country can solve alone. But we have to believe we can do it together. So we have to be persistent and continue the work against trafficking and prostitution. We owe this to all the victims who are trapped in this form of modern slavery.

More than 150 years ago, in 1862, the great French writer Victor Hugo wrote in his work “Les Misérables”; “Some say that slavery has disappeared from civilization. That is incorrect. It still exists, but now it weighs only on women and it is called prostitution”.

This is the challenge we still have to face today.