



SWEDISH GENDER
EQUALITY AGENCY

PROSTITUTION POLICY IN SWEDEN - TARGETING DEMAND

PROSTITUTION POLICY IN SWEDEN

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Content

- Targeting demand..... 5
- Other countries policy models 5
- Prostitution policy in Sweden..... 6
- Effects of the law and current situation 6
- National coordination, support programmes and exit services..... 7
- Evaluation of prostitution policy in Sweden..... 8
- Findings from 2021 9
- Why Sweden? 9
- A nation dedicated to gender equality 10
- The sex purchase act 12
- Children’s rights..... 14
- The link between prostitution and trafficking..... 16
- Prostitution policy in Sweden – 20 Years of action
– development of policy from 1999 to 2023 18
- International agreements 24
- The United Nations..... 24
- The Council of Europe 25
- The European Union..... 26
- Further resource materials 27



PROSTITUTION POLICY IN SWEDEN

Prostitution is a difficult subject that is not often spoken about in public. It happens somewhere else, to other people. Countries have taken different approaches to deal with prostitution, most revolving around different levels of criminalisation or decriminalisation of the act of prostitution. And then, 24 years ago, something radical happened as Sweden decided to criminalise only the purchase of sexual acts. The results are clear, and other countries are following Sweden's lead.



TARGETING DEMAND

THIS NEW LAW clearly changed the perception and focus, away from the person subjected to prostitution and towards the person buying sexual acts and hence the person responsible for prostitution.

The decision to focus on demand was taken based on an emerging consensus of gender equality and a human rights perspective.

In the years since Sweden enacted the Sex Purchase Act, several other countries have observed the positive effects of the law and introduced similar legal frameworks, including neighbouring Norway and Iceland, as well as France, Ireland, Israel, Northern Ireland, and Canada.

OTHER COUNTRIES POLICY MODELS

FINLAND AND THE UNITED KINGDOM, on the other hand, following a recommendation from the Council of Europe Convention on Action against Trafficking in Human Beings, have criminalized the purchase of sexual acts from a person subjected to force or who is a victim of trafficking.

The other models adopted by countries of the European Union (EU) can broadly be divided into four types of legislation. Either prostitution is legal (buying and selling) and regulated (e.g., Austria, Germany, Greece, Latvia, and the Netherlands), legal (buying and selling) and non-regulated (e.g., Denmark and Portugal) or illegal (selling, not buying) (e.g., Croatia, Cyprus).

PROSTITUTION POLICY IN SWEDEN

THE ORIGINAL IDEA with the introduction of the Sex Purchase Act in Sweden was to increase the agency of the seller, equalise the power balance, lessen the exploitation of the individual, mostly women, and reduce the demand. The Swedish government rationalised that it is not reasonable to prosecute the party that in most cases is in the more vulnerable position and is exploited by others. The law is also meant to encourage individuals involved to seek help to leave prostitution, as they can be safe in the knowledge that there will be no criminal consequences of having been involved in prostitution. Ending men's violence against women is a prioritised goal in Swedish gender equality policy. To prevent and combat trafficking in human beings and prostitution forms part of reaching this goal.

Statistics show that street prostitution and demand has decreased because of the law. In contrast to decriminalisation policies, which have both proven not only to multiply and increase prostitution but also to normalise the buying of sexual acts.

This legislative approach in Sweden, was in the beginning totally new and has over the years been complemented with options of social services, including exit strategies for both the buyer and the person involved in prostitution.

EFFECTS OF THE LAW AND CURRENT SITUATION

SINCE THE LEGALISATION in Sweden went into force, the prostitution market has become global, diversified, and virtual, alongside other developments in society. Prostitution is particularly problematic to accurately assess in numbers, as statistics are difficult to compare, and figures overtime vary as different studies have categorised groups differently. In some studies, the group 'young people' can be aged 15–30 and in other studies the age span can be completely different.

NATIONAL COORDINATION, SUPPORT PROGRAMMES AND EXIT SERVICES

● NATIONAL COORDINATION

The National Coordination against Prostitution and Trafficking in Human Beings at the Gender Equality Agency (NSPM), addresses prostitution, human exploitation, and trafficking for human beings for all purposes, including exploitation and trafficking of children. NSPM offer support to municipalities, governmental authorities, and CSOs in human trafficking cases. In addition to a support line for professionals, NSPM manages the Swedish National Referral Mechanism: Protecting and supporting victims of trafficking in THB in Sweden.

The National Task Force against Prostitution and Human Trafficking (NMT) is a national platform of governmental bodies working against prostitution and all forms of human trafficking. NMT is coordinated by the Swedish Gender Equality Agency.

● REGIONAL COORDINATION

The regional coordinators function as a link to social support services and referral in cases related to prostitution and human trafficking. According to the Swedish Social Services Act, the municipality is ultimately responsible for making sure people receive the support and help they need in the municipality. The regional coordinators are funded by the Swedish Gender Equality Agency and the County Administrative Boards.

● RETURN PROGRAMME

The Gender Equality Agency furthermore runs an Assisted Voluntary Return and Reintegration Programme for victims of trafficking in THB operated by the UN Organization for

Migration (IOM). Payments to beneficiaries in relation to support type can either be monthly cash allowances or in-kind support such as housing and medical allowance.

● SUPPORT SERVICES

There are several specialist centres and clinics giving support to people in prostitution. Mikamottagningen in Stockholm Gothenburg, Borås and Umeå and the Prostitution Centre (Evon House) in Malmö also conduct outreach work and are mainly staffed by social workers. The buyers of sexual services are provided with counselling at KAST (Buyers of sexual services in English) if they want support to stop purchasing sex. The service is provided in eight larger Swedish cities, to those over the age of 16. The Swedish Gender Equality Agency, and the County Administrative Board of Gothenburg initiated a small-scale evaluation on one of these services in 2020, showing promising results with a decrease in purchases of sexual services and improved health among the clients. As from 2022, a more extensive evaluation of all the KAST services, will be conducted. Results will be ready in 2025.

● CIVIL SOCIETY ORGANISATIONS

The Swedish Civil Society Platform against Trafficking in Human Beings is an umbrella platform which was formed in 2013 to coordinate civil society efforts, visualise vulnerable groups and combat human trafficking in all forms. The platform consists of a group of about 20 non-profit organisations and actors, involving advocacy organisations as well as CSOs conducting outreach to victims and providing direct assistance and shelter to victims.

EVALUATION OF PROSTITUTION POLICY IN SWEDEN

One of the most obvious effects of the legislation is that street prostitution has declined in Sweden since 1995, by more than 50 per cent, including a few fluctuations and a minor recent increase. However, just like in other countries, availability has increased due to the internet.

In 2010 the Swedish government conducted an official evaluation of the law and its effects which noted that:

- Street prostitution has decreased.
- The law has had a deterrent effect on prospective buyers of sexual services, reducing demand.
- The law has deterred trafficking as criminals have not sought to establish organised trafficking networks so readily in Sweden.
- The number of foreign women in prostitution has increased but not to the extent noticed in neighbouring countries.
- Online prostitution has increased, but not to the extent that street prostitution has simply migrated.
- Exit strategies and alternatives have been developed.
- There has been a significant change of attitude and mindset in society, the population is to a large extent in favour of the law and find sex purchase unacceptable.
- Adoption of the law has been a pioneering model for other countries.

Up until the 90s, the women involved in prostitution were mainly Swedish or from the Nordic countries, whereas they currently come, not only from other neighbouring countries, but also from countries outside the EU.



FINDINGS FROM 2021

IN 2021, THE GENDER EQUALITY AGENCY concluded a mapping of the extent of prostitution and THB in Sweden. Results show a decrease in street prostitution, and an increase in websites offering “escort services” and “sugar dating”. The risk of children and young adults being exploited has increased in recent years, one reason being the new digital arenas. The statistics according to the latest survey of the Public Health Authority from 2017, show that 10 per cent of Swedish men and 0,5 % per cent of Swedish women have bought sexual services in their lifetime. 1,5% of women have been reimbursed for sex, and 1% of men.

WHY SWEDEN?

SWEDEN’S PROSTITUTION POLICY and the development of the Sex Purchase Act did not appear in a vacuum but evolved over decades. Direct activism from the women’s movement and the shelter movement

in the 1970s and 80s led to a broader understanding of Mens violence against women and society's reaction to these phenomena.

In 1977 the Swedish government established the Sexual Crimes Committee. It published two reports: Rape and Other Sexual Assault (SOU 1982:61 Våldtäkt och andra sexuella övergrepp) as well as Prostitution in Sweden: Background and Actions (SOU 1981:71 Prostitutionen i Sverige: Bakgrund och åtgärder). This was followed by the Prostitution Investigation in 1995 (Könshandeln SOU 1995:15). In 1993, the Ministry of Social Affairs and Health set up the Commission on Violence against Women (Kvinnovåldskommissionen) which published the report Security and Integrity of Women (Kvinnofrid SOU 1996:60) focusing on sexualised violence and the normalisation processes of such violence. It stated that physical violence is closely related to other phenomena in society such as prostitution, pornography, incest, and sexual harassment in the workplace.

The proposals of the report were to form the basis of the 1998 government proposition Security and Integrity of Women (Kvinnofrid Prop. 1997/98:55). The law on gross violation of women's integrity is part of the bill alongside measures against rape and sexual harassment at work. Sweden's current Sex Purchase Act came about as part of this bill.

A NATION DEDICATED TO GENDER EQUALITY

PROSTITUTION AND SEXUAL EXPLOITATION are highly gendered issues. Men are the predominant purchasers of sexual acts whether it is provided by women (including transgender women), girls, men, or boys. Whilst most people involved in prostitution as sellers of sexual acts, are women. That the pioneering Sex Purchase Act hails from Sweden is perhaps no surprise. The social and political climate in Sweden has a long history of standing up against injustices and promoting equality, and especially gender equality.

“The overarching goal of Sweden’s national gender equality work is for women and men to have the same power to shape society and their own lives”

Gender equality has been a political priority in Sweden for over 40 years. A commission for research on gender equality was appointed in 1972, and since 1976 there has been a government minister responsible for gender equality affairs. Since 1971, when a new taxation law meant that spouses were taxed individually and not as a joint unit, the Swedish government has sought to identify and limit gender equality barriers, so that individuals can be self-empowered and freed from structural obstacles. The taxation law was followed by gender-neutral parental insurance in 1974, under which both parents were entitled to take paid leave for childcare.

The 1970s and the 1980s also saw a gradual increase in the participation of women in governmental structures. According to the Inter-Parliamentary Union data presented by the World Bank in 1990, 38.4 per cent of members of parliament were women, and by 1998 the proportion of seats held by women stood at 42.7 per cent. The figure has stayed continually over 40 percent for the last 20 years.

In 2018 Sweden set a new standard by inaugurating a Gender Equality Agency. One of the rationales behind the new authority was to respond to the national strategy to prevent and counter men’s violence against women and develop knowledge about preventive work. As stated by the Swedish Gender Equality Agency ‘The overarching goal of Sweden’s national gender equality work is for women and men to have the same power to shape society and their own lives.’

THE SEX PURCHASE ACT

“A person who, otherwise, than as previously provided in this chapter, obtains a casual sexual relation in return for payment, shall be sentenced for purchase of sexual service to imprisonment for a maximum period of one year. The provision of the first paragraph shall also apply if the payment was promised or given by another person.”

If the purchase of the sexual service is from a person between 15 and 18 years of age, the act is considered as purchase of sexual service from a minor and carries a higher punishment, prison up to four years. If the purchase of a sexual service is from someone under the age of 15, the act is considered rape of a minor, regardless of the circumstances. “If the purchase of a sexual service is from someone under the age of 15, the act is considered rape of a minor, regardless of the circumstances.”

TRAFFICKING

The Swedish law against human trafficking is based on UN’s convention against transnational organised crime, known as the Palermo Protocol, which defines human trafficking as: ‘The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion. It also includes abduction, fraud, or deception for the purpose of sexual exploitation, forced labour, slavery, or the removal of organs.



CHILDREN'S RIGHTS

SWEDEN HAS a strong history of pioneering work when it comes to protecting children (another group victimized by trafficking and prostitution). As one example, in 1979 Sweden was the first country in the world to introduce a law against corporal punishment of children.

The United Nations Convention on the Rights of the Child which became effective in 1990 and the optional protocol on the sale of children, child prostitution and child pornography, which entered into force in 2002 are cornerstones of the international framework on children's rights. In June 2018 Sweden adopted a bill which incorporated the Convention into Swedish law on 1 January 2020.

The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse is another instrument that entered into force in Sweden on 1 October 2013. It requires criminalisation of all kinds of sexual offences against children. It also ensures that certain types of conduct are classified as criminal offences, such as engaging in sexual activities with a child below the legal age as well as child prostitution and pornography. The purchase of sexual services from a minor, is as from 2022 an offence for which the punishment is imprisonment. The Convention also criminalises the solicitation of children for sexual purposes ('grooming') and 'sex tourism'. A new law, violation of a child's integrity, that came into force on the 1st of July 2021, criminalises exposing children of intimate partner violence.

“Sweden’s policy is clear, that prostitution can never be regarded as a profession; prostitution is always exploitation”



THE LINK BETWEEN PROSTITUTION AND TRAFFICKING

PROSTITUTION AND HUMAN TRAFFICKING are clearly intertwined and cannot be viewed as two entirely separated phenomena. The driving forces are primarily the same. Socio-economic factors and globalisation trends have given freedom of movement and choice to many, but pockets of poverty, social exclusion and gender inequality have remained.

Self-determination over one's body is essential in self-care and healthcare alongside sexual and reproductive rights. Total control over one's own body in a patriarchal system where men hold the balance of power is still not a total reality. Prostitution is at the centre of this power imbalance. Political factors in other countries have a knock-on effect globally; instability, conflict, corruption, weakened rule of law and poor governance exacerbate difficult economic situations, especially for women.

Trafficking is a broader phenomenon than prostitution. An individual can be trafficked for sexual exploitation and the two phenomena are often linked to the same crimes and involve the same actors. This interconnection is further increased with the growth of online prostitution. Parallels can be drawn between advertisements to facilitate prostitution and online recruitment of victims of trafficking.

“Prostitution and human trafficking are clearly intertwined and cannot be viewed as two entirely separated phenomena”



PROSTITUTION POLICY IN SWEDEN

20 years of action
– development of policy
from 1999 to 2023



2004

Sweden revises its law against human trafficking.

2002

2003

2004

2005

2002

Human trafficking is criminalised.

2005

The provision of the Sex Purchase Acts transferred to the Penal code as section 11 of a new sexual crimes chapter (6) as Sweden also tightens its legislation on procuring.

“The first country in the world to prohibit the purchase of sexual services”

2008

The Swedish government adopts the first Action Plan for combating prostitution and human trafficking for sexual purposes.



2006

2007

2008

2009



2006

A new ambassador is appointed for international cooperation in the fight against human trafficking.



2009

The Swedish government commissions the County Administrative Board of Stockholm to nationally coordinate and strengthen the work against prostitution and trafficking.

2010

The government commissions an evaluation of the Sexual Purchase Act (1999–2008).



2010

2011

2012

2013

2014

2014

Sweden's government declares itself the world's first feminist government. Sweden launches an Action Plan to protect children from human trafficking, exploitation, and sexual abuse.



2011

Sweden increases the maximum sentence for the purchase of sexual services from six months to one year after recommendations from the 2010 evaluation report.



“Sweden increases the maximum sentence for the purchase of sexual services from six months to one year”

2016

As a UN Security Council two-year member, Sweden raises efforts on conflict prevention and the link between women, peace, and security. Sweden launches an updated and strengthened Action Plan to protect children from human trafficking, exploitation, and sexual abuse. Sweden creates a new position for an ambassador to combat human trafficking.



2015

2016

2017

A 10-year national strategy to prevent and combat men's violence against women goes into effect.



2017

2018

2018

The new Swedish Gender Equality Agency is inaugurated. The national coordination against all forms of trafficking in human beings is transferred to the new agency. The government adopts a new National Action Plan to combat prostitution and trafficking in human beings. A new law which recognises sex without explicit consent as rape takes effect. Prosecution will no longer need to prove violence or vulnerability. Sex must be voluntary – if it is not, then it is illegal. Another law makes it punishable to engage in human exploitation through, for example, forced labour, begging or work under unreasonable conditions. The previous legislation against human trafficking for sexual and other purposes is still in force, although sharpened.



2022

The minimum penalty for the purchase of sexual services is increased from a fine to imprisonment. The minimum penalty for the purchase of sexual services from a minor, is increased from 2 years to 4 years of imprisonment.

2019

2020

2021

2022

2021

A new law, violation of a child's integrity, criminalises that children are bearing witness of violence in close relationships.

INTERNATIONAL AGREEMENTS

Sweden's commitment in the EU, the Council of Europe and the UN additionally inform government policy in this field.

THE UNITED NATIONS

CEDAW – The Convention on the Elimination of All Forms of Discrimination against Women – was adopted by the UN in 1979. Sweden was the first country to ratify it on 2 July 1980. Article 6 obliges states to ‘take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.’



The UN Palermo Protocol to prevent, suppress and punish trafficking in persons, especially women and children, is a comprehensive instrument to fight trafficking. The protocol was ratified by Sweden in 2004. Article 9.5 declares that state parties ‘shall adopt or strengthen legislative or other measures (...) to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.’

The UN Sustainable Development Goals include three goals that specifically address prostitution and human trafficking. Goal 5 – Gender Equality (target 5.2 to end all violence against and exploitation of women and girls); Goal 8 – Decent Work and Economic Growth (target 8.7 to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms); and Goal 16 – Peace, Justice and Strong Institutions (target 16.2 to end abuse, exploitation, trafficking and all forms of violence against and torture of children).



THE COUNCIL OF EUROPE

THE COUNCIL OF EUROPE Convention on Action against Trafficking in Human Beings was adopted in 2005. It affirms the necessity to act against the demand for sexual exploitation (Art 6) and on the criminalisation of the use of services of a victim (Art 19). The convention entered into force in February 2008 and became law in Sweden in September 2010.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is based on the understanding there can be no real equality between women and men if women experience gender-based violence, and it provides a comprehensive legal framework to tackle sexual violence against women and girls. It entered into force in Sweden in November 2014. The convention has a monitoring mechanism called GREVIO.

The Council of Europe has another monitoring mechanism called GRETA which is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. Sweden has undertaken three evaluation rounds by GRETA.

THE EUROPEAN UNION

EU ANTI-TRAFFICKING DIRECTIVE 2011/36/EU obliges EU Member States to take strong prevention and protection measures, as well as increasing the prosecutions of trafficking in human beings as a crime. Article 18.1 states that ‘Member States shall take appropriate measures, such as education and training, to discourage and reduce the demand that fosters all forms of exploitation related to trafficking in human beings.’

Article 18.4 states that ‘In order to make the preventing and combating of trafficking in human beings more effective by discouraging demand, Member States shall consider taking measures to establish as a criminal offence the use of services which are the objects of exploitation...’.

The EU Strategy towards the Eradication of Trafficking in Human Beings 2021–2025 focuses on concrete measures that will support the transposition and implementation of the Anti-trafficking Directive, bring added value, and complement the work done by governments, international organisations and civil society in the EU and third countries.

Other EU legal instruments that are important are the Victims of Crime Directive 2012/29/EU and the European Union Community Directive on temporary residence permits for victims of human trafficking.

Europol has released a report on trafficking in human beings that clearly states that prostitution is a risk sector for trafficking and that countries where prostitution has been legalised face a higher grade of exploitation. Both the Council of Europe and the European Union encourage the creation of National Rapporteurs or equivalent mechanisms and the creation of National Coordinators. Sweden appointed a National Rapporteur at the Police Authority in 1997, and a National Coordinator has been in place since 2009. The National Coordination is situated at the Swedish Gender Equality Agency.

FURTHER RESOURCE MATERIALS

MINISTRY FOR FOREIGN AFFAIRS

government.se • [@SweMFA](https://twitter.com/SweMFA)

GENDER EQUALITY AGENCY

jamstalldhetsmyndigheten.se • [@jamy_sverige](https://twitter.com/jamy_sverige)

SWEDISH CIVIL SOCIETY PLATFORM AGAINST HUMAN TRAFFICKING

manniskohandel.se

UNIZON

Unizon represents over 130 Swedish women's shelters, young women's empowerment centres and other support services which work together for a gender equal society free from violence.

unizon.se/english • [@unizonjourer](https://twitter.com/unizonjourer)

ROKS

The National Organisation for Women's Shelters and Young Women's Shelters in Sweden

roks.se/about-roks • [@roksnytt](https://twitter.com/roksnytt)

KVINNOFRIDSLINJEN

'SWEDEN'S NATIONAL WOMEN'S HELPLINE'

+46 (0)20 50 50 50

kvinnofridslinjen.se/en/

Sweden's road to combat prostitution looks quite different from that of other countries. The decision to exclusively target demand is Sweden's way to equalise an inherent power imbalance and focus on the demand for purchasing sexual acts. The Sexual Purchase Act comes in the wake of Sweden's long history of standing up against injustices and promoting equality, in particular gender equality. In the 24 years since the legislation came into effect, the results are overwhelmingly positive. It's no wonder other nations have started to look at ways to incorporate Sweden's initiative.



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