

Strengths and Weaknesses of the Swedish Anti-trafficking System

Michela Semprebon and Isabelle Johansson



INSigHT
Building Capacity to
Deal with
Human Trafficking and
Transit Routes in
Nigeria, Italy, Sweden

Strengths and Weaknesses of the Swedish Anti-trafficking System

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Prepared by UNESCO Chair SSIIM, University of Venice (Italy)

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List of acronyms and abbreviations

AVRR: Assisted Voluntary Return and Reintegration (IOM Programme)

Brå: Brottsförebyggande rådet, Swedish National Council for Crime Prevention

BROM: Brottsoffermyndigheten, the Swedish Crime Victim Authority

CRC: United Nations Convention on the Rights of the Child

EMN: European Migration Network

EU: European Union

Eurojust: the European Union Agency for Criminal Justice Cooperation

Europol: the European Union Agency for Law Enforcement Cooperation

FRA: European Union Agency for Fundamental Rights

GRETA: Council of Europe and Group of Experts on Action Against Trafficking in Human Beings

ICMPD: International Centre for Migration Policy Development

IOM: International Organization for Migration

Jämy: Jämställdhetsmyndigheten, the Swedish Gender Equality Agency

JO: Justitieombudsmannen/Riksdagens ombudsmän, the Parliamentary Ombudsmen

LST Sthlm: Länsstyrelsen Stockholm, County Administrative Board of Stockholm

MIG: Migrationsverket, the Swedish Migration Agency

NGO: Non-governmental organization

NMT: Nationellt metodstödsteam mot prostitution och människohandel, the National Task Force against Prostitution and Human Trafficking

NOA: Polisens Nationella Operativa Avdelning, the Swedish Police Authority National Operations Division

NRM: National Referral Mechanism

SCB: Statistikmyndigheten, Statistics Sweden

SHRL: Scandinavian Human Rights Lawyers

UN: United Nations

Terms used in the study

A **child** is any person younger than 18 years, according to the 1989 UN Convention on the Rights of the Child (CRC) and the 2000 UN Trafficking Protocol. The Nigerian Child Rights Act¹ similarly defines a child as anyone under 18 years. This conflicts with the Nigerian Young Persons Act² which designates a child as an individual below the age of 14. This law considers individuals aged 14 to 17 as "young people". The provision of the Child Rights Act should overrule any other law, but the fact that the Child Rights Act is not ratified in all Nigerian States poses evident difficulties.

A **migrant**, in the global context, is a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate. In the EU/EFTA context, a person who either:

- (i) establishes their usual residence in the territory of an EU/EFTA Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another EU/EFTA Member State or a third country;
- (ii) or having previously been usually resident in the territory of the EU/EFTA Member State, ceases to have their usual residence in the EU/EFTA Member State for a period that is, or is expected to be, of at least 12 months³.

Human trafficking / trafficking in persons shall mean

- (a) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

Art. 2.1 of Directive 2011/36/EU includes three constitutive elements of this crime: acts, means and purpose. The act is linked to the establishment of control over a person; it consists in the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over them. The means are the way in which control is attained: the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of

¹ Available: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx> Last access: 04/02/2021.

² See State Party Reports – Nigeria – by UNICEF. Available: [https://www.unicef-irc.org/portfolios/documents/424_nigeria.htm#:~:text=Sections%2026%20\(1\)%2C%2027,are%20subject%20to%20special%20procedures](https://www.unicef-irc.org/portfolios/documents/424_nigeria.htm#:~:text=Sections%2026%20(1)%2C%2027,are%20subject%20to%20special%20procedures) Last access: 10/02/2021.

³ See the definition provided in the EMN EU Glossary. Available: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en. Last access: 04/02/2021. See also the UN Recommendations on Statistics of International Migration.

vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person. The purpose is the exploitation of the trafficked person.

Irregular migration includes movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination⁴.

Migrant smuggling refers to the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the irregular entry of a person into a State Party of which the person is not a national or a permanent resident⁵.

Sex work refers to the exchange of sexual performances for compensation and is used as a non-judgemental alternative to “prostitution” when speaking about organizations working to ensure the rights of individuals selling sex services⁶. Further, sex industry/trade is used to describe the market for commercial sex as a whole⁷.

⁴ Ibidem.

⁵ Ibidem.

⁶ See TAMPEP (n.d.). Glossary of Terms for Sex Work. Available at: http://www.sexworkeurope.org/resources4sw/documents/sw_glossary_EN.pdf Last accessed: 31 Nov 2020.

⁷ *ibid.*

Executive Summary

This report is part of a series of five reports produced by the INSigHT Action that is aimed to build the capacity of key stakeholders to deal with human trafficking and secondary routes in Nigeria, Italy and Sweden, with specific attention to women and girls who are victims of trafficking. This specific report describes the Swedish anti-trafficking system, with a focus on young Nigerian women and girls victims of trafficking, and the risks associated with secondary movements.

Over the past five years, the Swedish anti-trafficking system has developed significantly. The development has been spurred by a number of changes. The enactment of the Swedish National Referral Mechanism (NRM) in 2016 is one of the most notable events. Before the enactment of the NRM, Sweden's response to human trafficking appeared more as a collection of guidelines addressing human trafficking than a system in the strict sense. Through the NRM, Sweden approach to the issue of human trafficking has become more systematic and holistic. The Swedish anti-trafficking system has also been reinforced by improving the coordination and collaboration between key actors, government agencies and organisations (e.g., by synching regional coordinators against prostitution and human trafficking and the police to one another. The Swedish Migration Agency (Migrationsverket, MIG) has also appointed regional coordinators specifically addressing human trafficking within the agency. Another notable recent development is the establishment of the new crime of human exploitation in 2018.

While Sweden's response to the issue of human trafficking is more systematic than before, there is still no formal system for identifying individuals as victims of trafficking outside the realms of criminal proceedings, nor any possibility for individuals identified as such to remain in Sweden on a long-term basis. As such, Sweden's anti-trafficking system is still in need of development.

While the establishment of the NRM certainly represents a positive step forward, its conceptualization is currently somewhat misleading as formal identification is still heavily dependent on victims of trafficking's participation in criminal proceedings. The current focus on criminal proceedings in the Swedish NRM is worth reconsidering. Arguably, more focus should be placed on developing protection and support measures for individuals identified as victims of trafficking to ensure that their needs and rights are met on a long-term basis. Ultimately, long-term protection and support would make it easier for individuals to collaborate in criminal proceedings and could increase the prosecution of offenders.

We strongly recommend promoting capacity building on the functioning and implementation of the NRM, as well as to keep promoting actions geared towards strengthening transnational cooperation, first and foremost with other EU countries. It is important to ensure that key anti-trafficking stakeholders in Sweden can effectively communicate with key stakeholders in other EU countries about the needs of the people they assist, particularly in cases involving Dublin procedures and internal secondary movements more generally. The ultimate goal should be to ensure full protection of individuals identified as victims of trafficking in order to prevent further victimisation. In this regard, a note about returns is worth making. Our research in Sweden, Italy and Nigeria highlights that the system of assisted and voluntary returns operated by the International Organization for Migration (IOM) is still rather opaque, not to mention the system of forced returns operated by Frontex. There is ample space for increased transnational collaborations between key stakeholders to ensure that returns are operated with full respect of human rights and that adequate risk assessments and referrals are put in place to avoid that people identified as victims of trafficking are exposed to further risks, including re-trafficking.

Measures of protections and support for individuals identified as victims of trafficking are available in Sweden, even when formal identification has not taken place. However, the available protections and support measures are limited. Overall, the available measures are based on the assumption that the ultimate goal of individuals identified as victims of trafficking is to return home. As mentioned, the possibility of staying long-term in Sweden is incredibly small. There are no residence permits specifically designed for victims of trafficking. The ones that are used are for crime victims more generally. Moreover, the available residence permits are only temporary and their duration is fairly short. An argument that has been used against the introduction of a long-term or permanent residence permit especially for victims of trafficking is that they may not want to remain in Sweden. While it may be the case that some individuals wish to leave, the desire to stay cannot be automatically excluded – especially not when a person has come to Sweden to seek a better life following exploitation in another country, such as Italy, or when they have been living in Sweden for a while. One concern with a long-term or permanent permit for victims of trafficking is that it could affect the credibility of their testimonies in criminal proceedings, in that the possibility of receiving a permit could be interpreted as an incentive for providing false testimony. Given how reluctant people identified as victims of trafficking are when it comes to participating in criminal proceedings overall, such concerns seem unwarranted.

Following up on interviews, this report suggests that Sweden's efforts against human trafficking have not amounted to a full-fledged system until recently because focus has mainly been placed on human trafficking for sexual purposes. Labour market exploitation is receiving increasing attention in the Swedish context, but sex trade related trafficking still receives more attention than trafficking for other purposes. The persistent focus on the link between human trafficking and the sex industry can be exemplified by several measures associating human trafficking with prostitution, such as Sweden's anti-trafficking action plans. Sweden's national anti-trafficking coordination is another example of how the anti-trafficking system intersects with the work against prostitution in the Swedish context, as coordination against both human trafficking and prostitution is part of the national coordination mandate. The same can be said about the anti-trafficking coordination on the regional level. The yearly reports on human trafficking published by Sweden's National Rapporteur on Trafficking in Human Beings, The Police Authority, are another example. The reports, which have been published since 1999, always include information on the sex trade related crimes of paying for casual sexual relations and procuring. Our analysis suggests that Sweden's persistence on repressing the sex trade may in fact impact negatively on the anti-trafficking system's ability to address the needs of individuals who are exploited in the sex trade. Punitive laws prevent people in the sex trade from coming forth to seek help and to report abuse and exploitation – as the experiences of other EU countries also show. The focus on repression hinders the development of workplace oversight and protection as well as the involvement of sex workers' rights organizations in the Swedish anti-trafficking system, which could be important contributors as peer-to-peer communities. Furthermore, by mainly focusing on the sex trade the system may fail to acknowledge the needs of victims of trafficking in other areas of exploitation.

Our research has pointed to the important role that the regional coordinators against prostitution and human trafficking play in the Swedish anti-trafficking system. We recommend looking into how this role can be further developed. It would be worth considering the possibility of granting the regional coordinators the right to apply for the reflection period permit at MIG on behalf of individuals who they identify as victims of trafficking to ensure their right to reflection and recovery. Whether the regional coordinators against prostitution and human trafficking should be given the exercise of authority is another issue worth investigating further, although, such a change would be extremely complicated

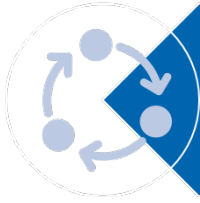
given the administrative organization of Swedish government. An alternative to consider would be to take inspiration from the regional coordinator against prostitution and human trafficking in Region North, as well as MIG, and set up some form of contact mechanism between regional anti-trafficking coordinators and social services. Such a mechanism could entail assigning selected social workers who have the exercise of authority with the task of being the contact persons for human trafficking cases in their municipalities.

Another aspect worth addressing is the currently unclear position of civil society and other non-governmental organizations (NGOs) in the Swedish anti-trafficking system. Compared with anti-trafficking NGOs in other EU countries, Swedish NGOs play a fairly limited role. The role of NGOs in the Swedish anti-trafficking system needs to be considered with a long-term perspective in mind.

As far as research is concerned, we argue that there is a dire need for more research on social workers' general knowledge of the human trafficking issue and the rights of individual who are identified as victims of trafficking, regardless of whether they work for governmental agencies or NGOs. The crucial role of research is also evident as far as systematic data gathering on individuals identified as victims of trafficking in Sweden is concerned. We strongly recommend developing a national database accounting for information pertinent to identification, such as age, gender, origin, migration status and history, type of human trafficking experienced, location of the crime, interventions undertaken in Sweden and the outcome of interventions, including measures of protection and support and criminal proceedings.

Recommendations

Recommendations for EU Policy-makers and EU Member States Policy-makers



Develop a cohesive mechanism for transnational referrals of individuals identified as VoT and potential VoT within the EU, focusing especially on secondary movements and the ramifications of the Dublin Regulation. Take into account the importance of ensuring long-term protection and support to citizens from countries within and outside the EU.



Make a clearer distinction between the temporary permits to which individuals identified as VoT are entitled according to the EU Directive on residence permits for VoT, namely permits for reflection and recovery and permits for collaboration with the competent authorities in Member States (following the Italian example). Encourage Member States to revise national law to comply with the Directive.



Promote the establishment of close working relationships with key anti-trafficking actors and organizations in the national and transnational context. Organize regular meetings to outline the roles and responsibilities of different actors as to ensure well-functioning referrals respecting the rights of individuals who have been identified as VoT.



Lobby for the development of a system of transnational referrals to ensure that individuals identified as VoT are effectively identified and provided with adequate support while also preventing the risk of re-trafficking.

⁸ The Dublin Regulation determines which EU Member State is responsible for examining asylum applications according to the principle that only one Member State is responsible. For instance, if a Nigerian individual has applied for asylum in Italy, but then travels to Sweden where they also apply for asylum, they will be referred back to Italy by the Swedish authorities (EUR-Lex, 2020). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:23010503> ¹ Last accessed: 31 Nov 2020

Recommendations for Swedish Policy-makers & Anti-trafficking Stakeholders (1/2)



Systematically evaluate the anti-trafficking system and the NRM, including the actors, agencies and organisation involved in referrals and promote capacity building for its full implementation. Include independent researchers in such assessments.



Systematically gather data on individuals identified as VoT in Sweden and develop a national database accounting for such information. To the extent possible, include information about age, gender, origin, migration history and status, type of human trafficking experienced, location of the crime, interventions undertaken in Sweden and their outcome, including measures of protection and support and criminal proceedings. Specify which actors, agencies and organisations have been involved at the various stages of the process (from identification to final outcome), including information about national and transnational collaboration.



Consider revising the current NRM to more accurately convey the short-term nature of the available measure to individuals identified as VoT and their dependence on participation in criminal proceedings. Specify that most actors, agencies and organisation involved in the NRM only engage in informal identification of VoT.



Consider revising the mechanism for identification of VoT, in so far as to make formal identification independent from participation in criminal proceedings.



Consider revising national law and the NRM to ensure that measures of protection and support to individuals identified as VoT are independent of their ability and willingness to collaborate in criminal proceedings, including a period of reflection and recovery to comply with the EU Directive on residence permits for VoT.



Consider revising the role of the regional coordinators against human trafficking and prostitution to grant them: 1) the ability to engage in formal identification of VoT; and 2) the ability to apply for temporary residence permits for reflection for individuals who they believe could be VoT.

Recommendations for Swedish Policy-makers & Anti-trafficking Stakeholders (2/2)



Consider introducing long-term measures of support to individuals identified as VoT in the form of residence permits that are independent of participation in criminal proceedings. Take into account the importance of being able to convert such residence permits into permits for the purpose of education and/or work, as well as integration programmes facilitating such possibilities (following the Italian example).



Establish collaborations in countries of origin and transit to ensure safe referrals and returns.



Develop guidelines for transnational referrals of VoT, focusing especially on secondary movements and the ramifications of the Dublin Regulation in terms of long-term protection and support provided to citizens from countries outside the EU.



Promote multi agency collaborations to understand the needs in various areas.



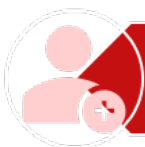
Consider strengthening the role of NGOs in the NRM and securing their funding on a long-term basis. Take into account the importance of including peer-to-peer communities, such as sex workers' rights organizations, working to ensure the rights of vulnerable groups and individuals in areas where exploitation occurs. Also consider the role of labour unions in the anti-trafficking system.



Develop specific and systematic training programmes for actors across all areas who may directly or indirectly come across individuals who may be VoT.



Develop an around the clock toll free hotline specifically targeting individuals who may be VoT (following the Italian example). The hotline should inform about the available protection and support measures in relevant languages and facilitate the access to such measures for those who need it.



Explore the possibility of introducing cultural linguistic mediators in the anti-trafficking system to promote the protection and support of individuals identified as VoT (following the Italian example).

Recommendations for Researchers



Conduct further research on the evolving dynamics of the human trafficking issue and the anti-trafficking system in place.



Conduct further research on the links between policies in areas where exploitation occurs and the occurrence of human trafficking.



Gather data on individuals identified as VoT in Sweden systematically.



Conduct further research on social workers' general knowledge of the human trafficking issue and the rights of individuals who are identified as VoT especially.

About the report

This report is part of the INSigHT Action (Building capacity to deal with human trafficking and transit routes in Nigeria, Italy, Sweden) that is aimed at building the capacity to deal with human trafficking and secondary routes in Nigeria, Italy and Sweden, with specific attention to trafficked female children engaged in prostitutions and male involved in drug dealing and street begging⁹.

The aim of this report is to describe the Swedish anti-trafficking system and to assess the extent to which the system is equipped to deal with: 1) the specific needs of children and young female victims of trafficking, especially from Nigeria, and 2) the risks associated with secondary movements. The report outlines both the positive and the critical aspects of the Swedish anti-trafficking system that have been observed over the course of the research.

Methodology

The geographical scope of the report stretches across the Swedish territory. Initially, the geographical scope was limited to the Stockholm area, the capital of Sweden and the location of the former National Anti-trafficking Coordinator, Länsstyrelsen Stockholm (the County Administrative Board of Stockholm, hereinafter: LST Sthlm). As of 2018, the task of national anti-trafficking coordination instead falls on Jämställdhetsmyndigheten (the Swedish Gender Equality Agency, hereinafter: Jämy), which is located in Gothenburg, Sweden's second largest city.

After having taken this change and other aspects into consideration, the geographical scope of the research was changed. Given the project's focus on secondary movement, it seemed appropriate to primarily focus on the region of Skåne, as Sweden's southernmost region and the first place of arrival for many migrants.

The geographical scope was later expanded to include all of Sweden, due to difficulties accessing a sufficient number of anti-trafficking stakeholders who were willing to partake in interviews in the Skåne area (more about difficulties below). As a result, the report describes the Swedish anti-trafficking system in general terms. Where relevant, observations that have been made about particular locations are specified.

The data the report draws on was collected from between October 2019 and October 2020 and is composed of the following sources:

- literature, including academic publications, government agency reports and grey papers, collected through Google and Google Scholar searches;
- numerical data from Swedish government agencies;
- semi-structured interviews with 30 stakeholders, carried out in the period October 2019 and October 2020, including 9 members of civil society organizations and other NGOs and non-profit organizations, 7 regional coordinators against human trafficking and prostitution, 3 law enforcement officers, 2 prosecutors, 2 lawyers, 2 case officers at the Swedish Migration Agency, 2 investigators at Jämy, 2 social workers, 1 senior officer at the Swedish Prison and Probation Service and 1 project assistant at IOM (see appendix 1). The interviewed stakeholders were

⁹ For further information, see the dedicated website: <https://www.insightproject.net/>

asked to sign the INSigHT Action consent form. An exception was made for two members of the Swedish sex workers' rights organization Fuckförbundet who did not feel comfortable signing the form. To ensure their full anonymity, they have been given pseudonyms in the table of interviews (see appendix 1). The majority of the interviews were recorded using different kinds of recording software (more about the interviews below);

- further contact with selected stakeholders following interviews via email to share additional information, such as internal documents on how organizations work with individuals identified as victims of trafficking, as well as information about specific cases, including criminal injuries compensation, court cases and police interviews. This information has informed the overall analysis. To ensure the anonymity of the individuals concerned, no direct reference to such information is made;
- information collected through two workshops organized via Zoom as part of the INSigHT Action: *Working with Human Trafficking in Sweden & Italy*, 08/05/2020, and *Working with Human Trafficking in Sweden & Italy – Coming Together for Transnational Collaboration*, 26/06/2020.

Overall, the interview process took longer than expected. As a result, subsequent steps like the analysis process and the compilation of the report were also delayed. Initially, difficulties were encountered in identifying a sufficient number of interview candidates in the Skåne area to meet the requested number of stakeholder interviews on time (30). As a result, the geographical scope of the research was expanded and a sufficient number of potential stakeholders to interview were identified. That being said, several of the stakeholders who were contacted proved difficult to reach, in part because of the pandemic, and did not authorise the interview and/or did not follow up on the initial contact¹⁰.

Overall, the corona virus outbreak resulted in several challenges in the project process, including an extended period of sickness. The ongoing pandemic also made it impossible to carry out planned physical meetings – stakeholder interviews, meetings and workshops – which could have opened up for fruitful networking opportunities. The INSigHT workshop *Human Trafficking in Sweden and Italy – Local and Transnational Challenges* unfortunately had to be cancelled due to pandemic related restrictions on meetings and travel. The planned visit to the National Anti-trafficking Coordinator, Jämy, in Gothenburg, was also cancelled as a result. Video and phone conferences were used as an alternative to physical meeting for conducting most of the interviews, as well as to organize workshops. While video

¹⁰ Including the following: Some of the stakeholders contacted did not provide authorisation and/or did not follow up on the request for interview including the following: Lena Pettersson, Regionkoordinator mot prostitution och människohandel, region Öst, Regional coordinator against human trafficking and prostitution region East; Rebecka Salovu, Polisen Malmö, Människohandelsgruppen; Martina Hildebrand, Nationella operativa avdelning (NOA), Police working with human trafficking; Catrin Sandman, Kvalificerad utredare, prostitution och människohandel, The Swedish Gender Equality Agency, Qualified Investigator; Sandra Frost, Migrationsverket, Regional samordnare mot människohandel i region Sthlm, Swedish Migration Agency, Regional coordinator human trafficking Stockholm Region; Märta Johansson, Örebro universitet, Forskare, Reseracher who has done work the Swedish anti-trafficking system for Swedish authorities; ABIS, anti-racist cooperative company helping people find employment, including individuals identified as victims of trafficking; Talita, shelters for women victims of human trafficking; Rosenlundsstödet, outreach to individuals selling sexual services; ROKS; Asylrättscentrum, Swedish Refugee Law Center; Insamling mot trafficking, fundraising organization; Räddningsmissionen; Team of social workers who only work with unaccompanied minors; Flyktinghälsan Malmö, Health care for refugees; Karin Gyllenring, Asylbyrå, Advokat och grundare, Lawyer and founder of organization that has represented victims of trafficking seeking international protection and residence permit in Sweden; Karin Holmqvist, polis och f.d. gruppchef för människohandelsgruppen Malmö, former Police working with human trafficking; Kajsa Wahlberg, Polismyndigheten, National Rapporteur on Human Trafficking, Swedish Police Authority; Christian Abrahamsson, Människohandelsgruppen Polisen Malmö, inspector, Police Region South / Regional Investigation Unit, Section against International Serious Organized Crime, Human Trafficking Group; Love Söderlund, inspector, border police, South Sweden; Riksrevisionen, The Swedish National Audit Office (n/a).

and phone conferences were a welcomed alternative in pandemic times, the use of digital tools caused other problems to arise.

One notable difficulty with both interviews and workshops was the fact that several stakeholders working for Swedish government agencies were not allowed to use platforms such as Teams and Zoom, nor to connect with people external to their organizations over Skype, as these platforms had been deemed insecure.

Another aspect to consider is the fact that the Swedish approach human trafficking is somewhat politicized, with the sex trade standing out as the area that receives most attention (Heber, 2020; 2018; Östergren, 2020; 2018). Some stakeholders who declined to partake in interviews may have interpreted research into the Swedish anti-trafficking system as a potential critique of the repressive Swedish prostitution policy.

Out the 31 stakeholder interviews that were conducted, a total of 23 interviews were recorded. In three instances, stakeholders did not feel comfortable with being recorded. In two instances, stakeholders agreed to being recorded but the recording software did not work. In two other instances, the place where the interviews were conducted did not lend themselves to recording. In one instance, the stakeholder preferred to answer the questions via email. Notes were taken when interviews were not recorded, either during or directly after the interview.

Future studies should consider alternative methods for gathering data from stakeholder who may be hesitant to partake in interviews for various reasons. Surveys could be one such alternative as they provide more flexibility in terms of anonymity, time and planning. Surveys can also be sent from organization that may induce more pressure on certain important stakeholders, such as those working for government agencies.

The same applies to stakeholders who are willing to be interviewed but may be unable to use certain digital tools due to restrictions internal to their organizations. Surveys could also be an alternative to interviews with individuals identified as victims of trafficking. Unfortunately, it was not possible to conduct interviews with 5 female minors identified as victims of trafficking, as laid out in the project objectives.

The failure to do so was the result of the delayed stakeholder interviews and the cancelled meetings described above. The delay in the interview process made it impossible to establish close relationships with relevant stakeholders that would have been necessary to gain access to individuals identified as victims of trafficking with whom they had been in contact – a group that is generally subject to high levels of confidentiality.

The recorded interviews were transcribed using the transcription software Express Scribe and f5. The transcripts were then analysed using the qualitative data analysis software Delve, where transcripts can be coded based on content. The same applies to interview notes as well as the answers received via email. The transcripts were coded using the following macro themes:

- agency/organization intervention, procedure, responsibility and type;
- asylum;
- capacity building;
- challenges;
- changes to the Swedish anti-trafficking system;
- collaboration/cooperation;

- criminal proceedings;
- identification;
- rights;
- risks;
- secondary movement;
- strengths of the Swedish anti-trafficking system;
- support measures;
- type of exploitation;
- victim's age, experiences, origin and status
- weaknesses of the Swedish anti-trafficking system

Introduction

In regard to human trafficking, Sweden has been described as primarily a destination country and to a lesser extent a country of transit and origin (GRETA, 2018; Whitman & Gray, 2015; Marmo, Aird & Åström, 2013; Brå, 2008). In 2019, 298 individuals were identified as victims of trafficking or potential victims of trafficking in Sweden, 49 of whom were children, according to the National Anti-trafficking Coordinator (Jämy, 2020a; 2020b). Included in this number are individuals who were identified as victims of trafficking by the regional coordinators against prostitution and human trafficking or through the national telephone support line, operated by the National Task Force against Prostitution and Human Trafficking (hereinafter: the National Task Force NMT, described in more detail below), which targets actors working for municipalities, government authorities and civil society organizations who require assistance in the identification of victims of trafficking.

When it comes to the adults who were identified as victims of trafficking in 2019, the most prevalent countries of origin were Romania (53), Nigeria (36), Bulgaria (17), Vietnam (16), Thailand (14), and Colombia (13) (Jämy, 2020a). The majority are described as adult women who had been exploited for sexual purposes, although the specific number is not indicated. The men were fewer and had primarily been exploited for labour, begging and criminal activities. In a few cases, men had been exploited for sexual purposes as well.

As far as the children identified as victims of trafficking are concerned, the most prevalent countries of origin in 2019 were Romania (14), Morocco (12), Afghanistan (5), Serbia (3), and Nigeria (3) (Jämy, 2020b). Out of the 49 children, 26 were boys and 23 were girls. The purpose of exploitation included criminal activities, begging, sexual purposes and forced marriage. Looking specifically at the Nigerian population, Jämy (2020b) reported 35 women, 1 man, 2 girls, and 1 boy. Jämy (2020b) also notes that there were at least an additional 26 children who accompanied an “exposed adult”, but no further information about this group is provided.

While it is unclear where the crimes against the identified individuals had been committed, some of the crimes had presumably taken place before their arrival to Sweden. Polismyndigheten (2019a, hereinafter: The Policy Authority), which also acts as Sweden’s National Rapporteur on Trafficking in Human Beings, has described how it is common that a large part of the human trafficking crimes that are reported to the police in Sweden have been committed elsewhere.

Examples of countries where the crimes have been committed include Greece, France, Italy, Spain and Libya (Polismyndigheten, 2019a; 2018; 2017). The Policy Authority (2019a) further notes that it can be difficult to investigate human trafficking crimes in Sweden when they have been committed in other countries. Interviewed stakeholders corroborated this observation.¹¹

¹¹ Interviews, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020.

The Swedish Approach to Human Trafficking

Scholars have noted that the Swedish approach to human trafficking has been informed by concerns with national security, organized crime and immigration, especially with foreign women selling sexual services in Sweden (Vuolajärvi, 2019a; 2019b; Heber, 2020; 2018; Johansson, 2014; Bucken-Knapp, Schaffer & Strömbäck, 2012). Overall, the Swedish response to the issue of human trafficking has been deemed somewhat narrow as it has focused more on the sex trade than exploitation in other areas (Heber, 2020; 2018; GRETA, 2018; 2014; Marmo, Aird & Åström, 2013).

Earlier studies have, however, noted discrepancies between the official anti-trafficking policy framework and local practices, in that actors working with the issue of human trafficking on the local level have expressed frustration with the persistent focus on the sex trade (Johansson, 2014).

Local level actors have also pointed to a lack of resources, structure and routine regarding how to work with human trafficking (ibid.). In terms of resources, structure and routine, positive developments are observable, especially since 2016, when Sweden established its National Referral Mechanism (NRM) (Länsstyrelsen Stockholm, 2016).

While the sex trade stands out as the area where the issue of human trafficking receives most attention in the Swedish context, exploitative labour conditions at construction sites, massage and nail parlours and restaurants are receiving increasing attention (Migrationsverket et al., 2019; Sjödin 2019; Polismyndigheten, n.d.; interview Mats Paulsson, Senior Investigator, Jämy, 23/06/2020). For instance, The Policy Authority takes part in joint inspections to counter organized crime in various industries and sectors together with agencies like Skatteverket (hereinafter: The Tax Authority) and Arbetsmiljöverket (hereinafter: The Work Environment Authority), which may focus on human trafficking (Polismyndigheten, 2019a). Although such inspections do not appear to have resulted in any human trafficking charges or convictions, they have resulted in crime reports of human exploitation and procuring, which have been described as “human trafficking-like crimes” (*människohandelsliknande brott*, Polismyndigheten, 2020a; 2019a; Migrationsverket et al., 2019).

Human exploitation is a subsidiary crime to human trafficking but does not apply to exploitation in the sex trade. Procuring is a sex trade specific crime, which refers to a third party's¹² promotion or financial exploitation of another person's engagement in casual sexual relations for payment (more about these crimes in *Legislative Framework*).

The outcome of the crime reports resulting from cross-agency inspections is unfortunately unclear. Nonetheless, such initiatives indicate that human trafficking is seen as an issue affecting several areas in Sweden. Begging has also been linked to human trafficking, especially as far as individuals who come to Sweden from poorer countries in the EU are concerned (Polismyndigheten, 2018, interview, Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020).

Besides partaking in cross-agency inspections to counter organized crime and labour exploitation, the Swedish police occasionally raid apartments where the trade in sexual services is thought to occur, sometimes by impersonating clients (Polismyndigheten, 2019b; Löwendahl, 2018; Österström, 2020; interviews, Malin Andersson, Outreach Worker, Socialförvaltningen, 02/07/2020; Josefina Zadig, Noomi, 02/07/2020; Katariina Klostergård, Social Assistant, Evonhuset, 29/09/2020). Such raids are

¹² A third party is an individual who is involved in a transaction, e.g., as a facilitator, but not as one of the principal participants in said transaction (Horning & Marcus, 2017).

described as anti-trafficking measures. At times, these raids are conducted in collaboration with anti-trafficking stakeholders like regional coordinators against human trafficking and prostitution, social workers and civil society or non-governmental organizations (NGOs) (ibid., more about these actors in *National Referral Mechanism*).

While the link between the raids and human trafficking charges or convictions remains unclear, raids have culminated in crime reports of procuring and, at least, one case where two men were convicted of human trafficking (JO, 2013; 2012; 2011). Notably, the police have described how only one in a hundred women accept the help that police and social services offer during their raids (Klintö, 2018). Another noteworthy aspect is that the Swedish police have deported several migrant women who have sold sex in Sweden as a result of their raids (JO, 2013; 2012; 2011, more information about the legal grounds of such deportations in *Sex Trade Laws*).

Although the issue of human trafficking in areas other than the sex trade is receiving increasing attention in Sweden, the focus tends to shift back onto the sex trade. Trafficking for the purpose of sexual exploitation is the most prominent type discussed in the Swedish news media and public debate and awareness of other types of trafficking has been deemed as quite low (Heber, 2020; 2018).

The fact that so much attention is paid to human trafficking and the sex trade in Sweden has led some observers to conclude that Sweden's work against human trafficking may be misguided (Heber, 2020; 2018; Levy & Jakobsson, 2013; Johansson & Östergren, 2021). Scholars and international organizations alike have raised issue with the fact that Sweden's work against trafficking is closely tied to its repressive prostitution policy (Östergren, 2020; 2018; Vuolajärvi, 2019a, 2019b; Heber, 2018, GRETA, 2018; Amnesty International, 2016; Johansson & Östergren, 2021,). Part of the concern stems from the fact that prostitution policies such as Sweden's, where several aspects of the sex trade are criminalized, often compromise the well-being and safety of participants in the sex trade (Platt et al., 2018; Vuolajärvi, 2019; Amnesty International, 2016; WHO et al., 2013; Johansson & Östergren, 2021).

Research indicates that criminalization of the sex trade can have serious negative outcomes for sex workers, leading to increased risks of suffering abuse and violence (Platt et al., 2018). Criminalization can act as an obstacle in the realization of the human rights of individuals selling sexual services, hindering their access to health care, social support, security, and state protection for crimes committed against them. As such, prostitution policies risk increasing the vulnerability of individuals in the sex trade, including victims of trafficking (ibid.). Another risk with focusing mainly on human trafficking in the sex trade is that other types of human trafficking, such as trafficking for forced begging or forced criminality, may be overlooked (Heber, 2020; 2018; GRETA, 2018; 2014).

Swedish government officials have claimed that Sweden's prostitution policy has reduced both prostitution and human trafficking in the sex trade (Jämställdhetsmyndigheten, 2019; Justitiedepartementet, 2016; SOU, 2010). However, there is limited evidence corroborating such statements. Existing studies point in diverging directions. Some scholars have concluded that the human trafficking flows into a country may be reduced by criminalizing aspects of the sex trade (Jakobsson & Kotsadam, 2013). Others suggest that the way the sex trade is regulated does not impact exploitation opportunities in host countries (Hernandez & Rudolph, 2015). Vuolajärvi (2019; 2018) noted that immigration policies also play a significant role in the regulation of the sex trade in Sweden, much like in other Nordic countries, where a significant proportion of the people who sell sex are migrants.

Migrants selling sex in Sweden have limited access state services. Moreover, they have become targets of punitive interventions, such as deportations and evictions, due to immigration legislation but also

laws criminalizing sex trade related activities (Vuolajärvi 2019; 2018; Levy & Jakobsson, 2013; Danna, 2012).

Sweden's insistence on human trafficking and the sex trade may impact negatively on the system's ability to address the needs of people victims of trafficking more broadly. This aspect has also been emphasized in GRETA's (2018; 2014) assessments of the Swedish anti-trafficking system, where Swedish authorities have been urged to strive for a comprehensive response to the issue of human trafficking, extending to all forms of exploitation. We second such calls and want to underline the importance of paying specific attention to the particular vulnerability of people who undertake secondary movements and find themselves facing several diverging asylum and reception systems, especially children and women.

Children Victims of Trafficking

Studies on children who have been identified as victims of trafficking in Sweden are incredibly scarce. Brottsoffermyndigheten (the Swedish Crime Victim Authority, hereinafter: BROM), a government agency working with the needs and rights of crime victims, have investigated the issue as part of the comparative project "Assisting and Reintegrating Child Victims of Trafficking (ARECHIVIC)" together with organizations and universities from several European countries, including Austria, Bulgaria, Hungary, Italy, and Slovakia (BROM, 2013¹³).

Overall, the conclusion of BROM was that the Swedish system of assistance, support and rehabilitation was underdeveloped as far as children were concerned. The project specifically looked at policies, programmes, and systems of assistance, support and rehabilitation for children victims of trafficking in the different countries. The conclusion was that, even though all the countries concerned had signed relevant international conventions, several aspects of the countries' systems were underdeveloped, including Sweden's.

Important measures such as a National Referral Mechanism (NRM) outlining the responsibilities of relevant authorities, agencies, and organizations was lacking. Rather than being systematic, aspects such as identification, assistance and support were carried out on an ad hoc basis and depended on the initiative of individual actors. National legislation was also deemed deficient. The same was concluded about sheltered accommodation, as there were no shelters specializing in children (BROM, 2013).

Efforts have since been made to better address the needs of children victims of trafficking. For instance, a specific action plan for human trafficking involving children has been adopted (Socialdepartementet, 2016), but the effect of such measures has not been evaluated. Reports by other government agencies have also been made to better grasp the issue of human trafficking as far as children are concerned (Länsstyrelsen Stockholm, 2019; 2017; 2015). Overall, these reports indicate that the Swedish anti-trafficking system is still underdeveloped.

¹³ The project ARECHIVIC included the Ludwig Boltzmann Institute of Human Rights in Austria, the Center for the Study of Democracy in Bulgaria, the University of Pecs in Hungary, the Censis Foundation in Italy, and the organization People in Need in Slovakia (BROM, 2013). The country reports and the handbook resulting from the project were made available on the website www.childrentrafficking.eu (BROM, 2013). Unfortunately, the website appears to no longer be in use. The information used here is taken from a publication by BROM (2013).

In 2015, the Swedish Government commissioned LST Sthlm to carry out an inquiry on children victims of trafficking in Sweden (Länsstyrelsen Stockholm, 2015¹⁴). LST Sthlm's inquiry found that, in the period between 2012 and 2015, 210 children had been identified as potential victims of trafficking or procuring by MIG, social services, civil rights organizations and LST Sthlm. Most children were between the ages of 15-17 years (72%) and many had African or Asian citizenship (61%), with Uganda being the most common country of citizenship. Among the second most common were Nigeria, Somalia and Eritrea. 13% were citizens of another EU country. Another 13% were citizens of some other European country, whereas 9% had Swedish citizenship. There was an even distribution between girls and boys in the age group 15-17 years. Slightly more boys were between 11-14 years and more girls were between 2-10 years old.

Based on the publication it is unfortunately unclear why children as young as two years-old had been identified as potential victims of trafficking. The most common form of exploitation that had been suspected was sexual. Suspicions concerned planned or initiated exploitation in Sweden in the majority of cases. In only 27% of the cases, the children had been placed in a safe location as a result of the suspicions (Länsstyrelsen Stockholm, 2015). Suspicions of human trafficking coming from MIG had arisen as a result of the child seeking asylum in the majority of cases (79%).

In regard to social services, suspicions had arisen more seldomly within the organization (32%). In such cases, suspicions came from investigations that had been initiated by the social services for reasons other than human trafficking – the reason for which is unfortunately unclear. In other instances, the Police Authority was the one to bring suspicions of human trafficking to MIG or social services. Yet in other instances, suspicions came from the child's appointed legal guardian or staff at the place where the child resided. Many children who had been exposed to exploitation in Sweden had already found themselves in Sweden for some time without a residence permit and without the authorities being aware of their presence (Länsstyrelsen Stockholm, 2015).

LST Sthlm (2015) identified undocumented unaccompanied minors as a particularly vulnerable group, as the majority of children had no documentation when they came in contact with MIG or the social services (88%). LST Sthlm (2015) describe how many unaccompanied children disappear after their arrival in Sweden and there is very little information about what happens to them. The current situation of the children was unknown in several cases (Länsstyrelsen Stockholm, 2015).

A more recent publication by LST Sthlm (2019) describes how the issue of unaccompanied minors who go missing is still a problem in Sweden. One interviewed stakeholder described how the fact that social services do not automatically share information across municipalities may partly explain the reason why unaccompanied minors are not effectively traced (interview, Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020). Another explanation may be that such children are in hiding to avoid deportation.

¹⁴ LST Sthlm collected information by surveying social services in the municipalities across Sweden and the city districts of Sweden's three largest cities, Stockholm, Gothenburg, and Malmö. About 30% of the municipalities did not return the survey. Four non-profit organizations also participated in the survey. Interviews were also conducted with social workers in some municipalities and city districts as well as with the central coordinator for efforts against human trafficking at MIG. Information was also obtained from the Police Authority in the form of twelve preliminary investigations of child trafficking (Länsstyrelsen, 2015).

Several recommendations were made as a result of the inquiry, including:

- Ensuring secure placements of children.
- Establishing a central reporting mechanism for suspicions of human trafficking.
- Further study how the protection of particularly vulnerable groups of children can be strengthened.
- Improving training, routines, method support and resource management at social services, MIG, the Police Authority and the Prosecution Authority.
- Increasing use of the reflection time permit.
- Strengthening the ability to investigate human trafficking offenses through the specialization of prosecutors.

(Länsstyrelsen Stockholm, 2015).

In 2016, LST Sthlm further investigated suspicions of human trafficking in children – this time through an analysis of preliminary investigations involving children between 2015-2016 (Länsstyrelsen Stockholm, 2017). The overall purpose was to identify the reason why so few preliminary investigations lead to prosecution.

Between 2015 and mid-2016, more than 70 police reports of human trafficking involving children were registered in Sweden. Through the analysis, 68 of these were examined in more detail. The analysed material contained information about 75 children, 60% of whom were girls and 37% of whom boys. The majority were between 15-17 years old (68%). whereas the rest were between 0 to 14 years old. Most children were African (35%) and Asian (23%) citizens. A small number had Swedish citizenship. The majority of the children were unaccompanied (66%). The forms of suspected trafficking included: trafficking for other purposes (44%), trafficking for sexual exploitation (30%), trafficking for forced labour (11%), trafficking for begging (11%) and trafficking for war service (5%) (Länsstyrelsen Stockholm, 2017).

The majority of police reports had been made by government officials such as MIG and social services. A preliminary investigation had been initiated in the majority of the cases (84%). The analysis showed that about half of the preliminary investigations had been led by the Police Authority, and half by prosecutors. The majority of cases were handled by police and prosecutors without special experience and training of human trafficking cases (Länsstyrelsen Stockholm, 2017). However, only one case resulted in prosecution. In many cases, the conclusion had been made that there was no reason to believe that a crime had been committed. In other cases, the investigative measures led to the conclusion that the suspected crime could not be substantiated and that further investigation was unlikely to change that assessment (Länsstyrelsen Stockholm, 2017). The following recommendations were made as a result of the analysis:

- Securing sufficient resources, prioritization and clear governance.
- Specialization of police officers and prosecutors and developed routines.
- Systematic cooperation in the support process between police, prosecutors and social actors, including ensuring that regional coordinators against prostitution and human trafficking in all police regions.
- Updated education and guidelines to the police officers and prosecutors.

(Länsstyrelsen Stockholm, 2017).

Whether the recommendations have had any significant impact on the Swedish system is unclear. One initiative was found, which appears to have sprung from previous findings: a web course on human trafficking involving children and young people.¹⁵ This course is primarily aimed at professionals in municipalities, authorities and civil society organizations, which may come into contact with children and young people victims of trafficking. The course was developed by the National Task Force NMT in collaboration with the County Administrative Boards and Jämy.

Key Actors in the Swedish Anti-trafficking System

The Swedish Government is involved in many aspects of the Swedish anti-trafficking system. The Government has delegated a wide range of actors with tasks related to human trafficking (Heber, 2018). As a result, several governmental actors and agencies, authorities and organizations have implemented activities and measures addressing the issue of human trafficking in their different realms of work. When the issue of human trafficking is addressed in Sweden, emphasis is often placed on the importance of coordination and cooperation (Heber 2018).

Efforts have been made to enhance and improve coordination and cooperation in the Swedish context and to some extent internationally. In 2018, the Swedish Government transferred the role of National Anti-trafficking Coordinator from LST Sthlm to the newly established Jämy. The national anti-trafficking coordination mandate is now embedded in Jämy's overarching task of overseeing the work on gender equality policy and the national strategy to combat and prevent men's violence against women. The transfer of the national coordination mandate was part of a wider effort to make Sweden's work on gender equality more long-term and strategic (SOU 2015:86¹⁶).

Through the transfer of the national level anti-trafficking coordination, the mandate was made permanent. Prior to the transfer of the mandate, LST Sthlm had operated as the National Anti-trafficking Coordinator on a temporary basis since 2009, with the mandate being renewed on several occasions (Länsstyrelsen Stockholm, 2017; GoS, 2008:27¹⁷). Besides the attempt to make Sweden's work on gender equality more long-term and strategic (SOU 2015:86), the reason why the task of national anti-trafficking coordination was transferred may be because the role aligned poorly with the nature of LST Sthlm, which is a governmental authority operating on the regional level in the Stockholm area.

The national anti-trafficking coordination mandate first came about through the 2008-2010 action plan addressing prostitution and human trafficking for sexual purposes, when the Government gave LST Sthlm the task of distributing funds and coordinating the work against prostitution and human trafficking for sexual purposes between authorities and NGOs at the national level (GoS, 2008:27). The national coordination task was born out of a previous partnership initiative within the European Social Fund's Equal Program called *Cooperation Against Trafficking*, taking place between 2005-2007.

The collaboration involved several agencies, authorities and actors from civil society in Sweden's three biggest cities: Gothenburg, Malmö and Stockholm (GoS, 2008:28). Initially, the only authorities with an official mandate to address the issue of human trafficking in Sweden were LST Sthlm, in its role as

¹⁵ For more information about the web course on human trafficking involving children and young people (*Människohandel med unga och barn*), see: <https://www.nmtsverige.se/yrkesverksamma/utbildningar/manniskohandel-med-barn-och-unga> Last accessed: 31 Nov 2020.

¹⁶ *Policy Objectives and a New Government Agency – Effective Governance of Swedish Gender Equality Policy* (SOU 2015:86)

¹⁷ Regeringens skrivelse 2007/08:167, Handlingsplan mot prostitution och människohandel för sexuella ändamål.

National Anti-trafficking Coordinator, and the Swedish Police Authority, in its role as National Rapporteur on Human Trafficking (Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). The next to actively address the issue were social services, MIG and Åklagarmyndigheten (the Swedish Prosecution Authority).

On the regional level, anti-trafficking coordination mainly takes place through the regional coordinators against human trafficking and prostitution (described below) and at MIG. The county administrative boards also have the task of supporting the coordination of efforts aimed at counteracting prostitution and human trafficking in the different counties.

In particular, the county administrative boards shall prioritize efforts counteracting the demand for sexual services, but this task appears rather vague (Government Offices of Sweden, 2016). The county administrative boards are responsible for ensuring that government decisions are implemented in the different counties and for informing the government about developments and needs in the different counties. The number of county administrative boards corresponds to the 21 counties in Sweden.

LST Sthlm was perhaps not a sustainable choice for the role of National Anti-trafficking Coordinator since it is a regional agency. Still, LST Sthlm has played a key role in developing Sweden's response to the issue of human trafficking, bridging different actors, agencies and organizations, and implementing activities and measures in various areas in order to better respond to human trafficking (Länsstyrelsen Stockholm, 2017; interviews, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Mats Paulsson, Senior Investigator, Jämy, 23/06/2020; Johan Christiansson, Qualified Investigator, Jämy, 01/07/2020).

One important contribution was the development of the NRM (described in more detail below). During the time LST Sthlm served as the national coordinator, Nationellt metodstödsteam mot prostitution och människohandel (the National Task Force against Prostitution and Human Trafficking, hereinafter: "the National Task Force") was also set up. The National Task Force remains active to this day and is meant to act as an operational and strategic resource for developing and streamlining cooperation between actors in Sweden's work against human trafficking, as well as to provide operational assistance in specific cases.

Over the years, the National Task Force NMT has developed information material, support and training programmes for different agencies, authorities and organizations, including a national telephone support line. The main targets of the support line are municipalities, government authorities and civil society organizations who require assistance in the identification of victims of trafficking (NMT, 2020).

As of 2018, Jämy is responsible for the coordination of the National Task Force NMT, which is composed by the following actors:

- Jämy
- The Swedish Police Authority and Polisens Nationella Operativa Avdelning (NOA) (National Operations Division)
- The Swedish Prosecution Authority and the National Unit against International and Organized Crime
- The Swedish Migration Agency
- Social services
- Centres offering counselling/conversational support to people who exchange sexual services
(Mikamottagningen, Evonhuset och KAST)

While Jämy has published data from the telephone support line for 2019 (as described above), there appears to be no systematic data collection on who accesses it or the results of the contact (interview, Mats Paulsson, Senior Investigator, Jämy, 19/10/2020).

The list of actors, agencies, authorities and organization involved in Sweden's anti-trafficking system has expanded over the years. Jämy (2019) has outlined the following actors as key:

- The Swedish Migration Agency (MIG)
- The regional coordinators against prostitution and human trafficking
- Social services
- The Swedish Police Authority
- The Swedish Prosecution Authority
- The Swedish Work Environment Authority
- The National Task Force against Prostitution and Human Trafficking (NMT)
- The Swedish Platform Civil Society Against Human Trafficking
- The healthcare sector
- The Swedish Ministry for Foreign Affairs
- The International Organization for Migration (IOM) Finland

As can be deduced from the lists, various actors, agencies, authorities and organizations operating on different levels are seen as playing an important role in Sweden's anti-trafficking system, including the national, regional and municipal levels (more information about the responsibility of the different actors in the section *National Referral Mechanism*). As can be further noted, international level efforts also play an important role, with IOM Finland being one notable example. IOM Finland and Sweden collaborate in returning victims of trafficking (adults and children) to their home countries or to a country where they have the right to reside (IOM, 2019; Jämy, 2019).

Returns are conducted through the programme Assisted Voluntary Return and Reintegration (AVRR) (IOM, 2019). The programme can also be accessed by foreign individuals who have been involved in the sex trade in Sweden but are not identified as victims of trafficking (IOM, 2019; Jämy, 2019; interview, Linda Öhman, IOM, 21/07/2020). As of 2018, Sweden's contribution to IOM's return program is handled by Jämy (2019), as Jämy has the task to ensure the safe return of foreign victims of trafficking.

Moreover, the Swedish Government has appointed an ambassador for the work against human trafficking, at the Ministry for Foreign Affairs. The Ambassador's task is to strengthen the Swedish contribution to international action against human trafficking, ensure that international efforts are being communicated to Swedish authorities and promote effective international cooperation (Ministry for Foreign Affairs & Ministry of Health and Social Affairs, 2016). In terms of Nordic cooperation, Sweden was meant to contribute to the development of a new cross-sectoral action plan on human trafficking in its role as the chair of the Nordic Council of Ministers, since the Nordic Council of Ministers' latest action plan ended in 2018 (ref). It is currently unclear whether a new action plan was ever established.

GRETA (2018) has recommended Swedish authorities to keep the capacity of Jämy as National Anti-Trafficking Coordinator under review. In addition, GRETA (2018) has encouraged Swedish authorities to further develop international cooperation in order to ensure safe returns in which the rights of victims of trafficking are considered and proper risk assessments are made. It is currently difficult to assess the coordination abilities of Jämy since the agency has only been operative in this role for about two years.

Other Relevant Actors

Overall, the interviewed stakeholders confirmed the relevance of Jämy's lists of key actors in the Swedish anti-trafficking system, with some additions emerging as relevant. The non-profit organization and law firm Scandinavian Human Rights Lawyers (hereinafter: SHRL) is one such example. SHRL has been involved in landmark cases involving victims of trafficking in Sweden. Notable cases with which SHRL has worked include several Nigerian women victims of trafficking and their children (interview, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020). SHRL has been successful in stopping the deportation of Nigerian individuals to both Nigeria and Italy (including Dublin-transfer).

SHRL has also helped victims and their children to receive residence permits and/or refugee status in Sweden (ibid.). Other important actors include Europol and Eurojust. Eurojust and Europol were seen as especially helpful for gathering background information in criminal proceedings (interviews, Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020).

The Swedish sex workers rights organizations Fuckförbundet also emerged as a potentially important contributor to Sweden's work on human trafficking as a peer-to-peer community for individuals who are involved in the sex trade, especially in situations where trust in government agencies is low (interview, Ophelia Eglentyn, founder and member of Red Umbrella Sweden and founder and previous member of Fuckförbundet, 17/08/2020).

All of the interviewed stakeholder working directly with people victims of trafficking emphasized how mistrust in government agencies, like the police, is prevalent. As such, there appears to be a need for more peer-to-peer communities in the Swedish anti-trafficking system. However, sex workers rights organizations' often critical view of Sweden's repressive prostitution policy limits the possibilities of collaboration with government agencies and other actors supporting and promoting aspects of the Swedish policy, like client-criminalization (Erikson & Larsson, 2020; interview, Ophelia Eglentyn, founder and member of Red Umbrella Sweden and founder and previous member of Fuckförbundet, 17/08/2020).

Legislative Framework

Legislative Framework on Human Trafficking

Swedish law defines the crime of human trafficking (*människohandel*) as follows:

by means of unlawful coercion, deception, exploitation of a person's vulnerable situation or other such improper means that severely restrict another person's alternatives, recruits, transports, transfers, harbours or receives a person in order for that person to be exploited for sexual purposes, the removal of organs, military service, forced labour or some other activity in a situation involving distress for that person (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1a).

The sentence for human trafficking is imprisonment for up to ten years (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1a).

In line with international law, Swedish law distinguishes between human trafficking involving adults and human trafficking involving children. When adults are involved, the crime of human trafficking consists of three parts, namely:

- Usage of improper means (such as unlawful coercion, deceit, exploitation of an adult person's vulnerable situation);
- A trade action (harbouring, transferring, transporting, recruiting, or receiving an adult person);
- The purpose to exploit an adult person (for sexual purposes, removal of organs, war service, forced labour or other activities that involve distress for the victim, such as begging).

For example, if person A recruits person B by using deceit in order to exploit person B through forced labour, person A could be convicted of human trafficking even if the exploitation has not yet occurred, as the human trafficking crimes refers to the purpose to exploit.

As far as children are concerned, Swedish law does not require demonstrating the use of improper means, like in situations involving adults. In situations involving children, the crime of human trafficking consists of only two parts, namely: to undertake a trade action for the purpose of exploiting the child in a situation that involves distress for the child. Similar to situations involving adults, the consent of the child is irrelevant and the purpose to exploit them should suffice (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1a; LST Sthlm, 2017). That being said, prosecutors described how proving distress is key to successful human trafficking prosecutions (interview, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020).

When human trafficking was first introduced in the Swedish Criminal Code in 2002, the law only dealt with human trafficking for sexual purposes (*människohandel för sexuella ändamål*, Swedish Criminal Code, Act 2002:436, Chapter 4, Section 1a) – much like the earlier international anti-trafficking measures (García, 2010¹⁸). Moreover, the law was only concerned with cross-border movement. The

¹⁸ The International Convention for the Suppression of the White Slave Traffic sought to repress “white slave traffic” by criminalising individuals who by fraud, violence, threat, abuse of authority or compulsion procured, enticed or led away white women or girls for “immoral purposes”, which the Convention defined as engaging in the sex industry. After World War I, when the League of Nations was formed with the mission to focus on international issues and maintain world peace, the matter of white slave traffic ended up on their plate. In the early 1920s, the League made some alterations to the 1904 Convention, e.g., the definition of “white slave traffic” was modified to the less racialised “traffic in women and children”. Moreover, the League’s

law was amended and the definition was expanded to include other forms of exploitation in 2004, as a result of Sweden's ratification of the UN Trafficking Protocol. In addition, "exploiting someone's position of vulnerability" was added to the definition of the crime, whereas inducing "someone to go to or be transported to another country" was taken out (ibid.), thus making movement in Sweden part of the offence.

Another change was made in 2010, when "take control over the person" was removed, as prosecutors had experienced difficulty demonstrating that accused offenders had control over the person (Johansson, 2014). Yet another change came about in 2018. One of the interviewed prosecutors described how the change entailed a clarification of how control over the person arises through the usage of improper means (interview, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1a).

Legislative Framework on Human Exploitation

In 2018, the crime of human exploitation (*människoexploatering*) was added to the Swedish Criminal Code as a subsidiary crime to human trafficking (Polismyndigheten, 2018). Human exploitation is defined as follows:

by unlawful coercion, deception or exploitation of another person's position of dependence, defencelessness or difficult situation [exploit] another person in forced labour, labour under clearly unreasonable conditions or begging (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1b).

The sentence for human exploitation is imprisonment for up to ten years (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1b). Like with the human trafficking crime, a distinction is made between situations involving adults and children¹⁹. As the interviewed prosecutors explained, the subsidiary status of the human exploitation crime implies that one should first clarify whether it is possible to prosecute for human trafficking. If not, one can pursue a prosecution for human exploitation instead (interviews, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020).

A notable difference between the crimes of human exploitation and human trafficking is that the human exploitation crime only concerns begging, forced labour and labour under clearly unreasonable conditions (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1b). The human exploitation crime does not concern situations of sexual exploitation, military service and organ removal like the human trafficking crime, which includes exploitation for sexual purposes, as well as activities like begging, forced labour, military service and the removal of organs (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1a).

Advisory Committee on the Traffic in Women and Children was set up in this period (See the Convention for the Suppression of International Traffic of Consenting Adult Women from 1933, as well as the draft convention on the procurement of consenting adults from 1937). These measures later came to form the basis of the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others from 1949, which have informed contemporary anti-trafficking like the UN Trafficking Protocol (García, 2010).

¹⁹ If children are involved, the use of improper means is not a required feature to demonstrate criminal liability for the crime of human exploitation. Exploitation of an individual under the age of 18 through labour, forced labour or begging under clearly unreasonable conditions is sufficient (Swedish Criminal Code, Act 2018:601, Chapter 4, Section 1b).

Moreover, as described by the Police Authority (2018), the crime of human exploitation does not require the use of any trade measure, nor that the person is in a situation of distress or lacked any tangible alternative but to submit to the exploitation. Distress can be compared to when a person's health and life is in danger by not having their basic needs met. The crime of human exploitation may apply even when the activity is performed voluntarily but under clearly unreasonable conditions (Sjödin, 2019). As such, the human exploitation crime can be relevant in situations where exploitation has occurred but actions like recruitment, transportation, transfer or housing have not or cannot be proven to have occurred (Jämy, 2019).

The introduction of the human exploitation crime was motivated by exploitative situations of begging and the exploitation of labour taking place in several Swedish sectors, such as agriculture and berry picking, beauty and personal care services, as well as in the cleaning, construction and restaurant sectors (Polismyndigheten, 2018:30; Sjödin 2019; interview, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Mats Paulsson, Senior Investigator, Jämy, 23/06/2020).

The human exploitation crime was also introduced to come to terms with the problem of proving distress in human trafficking prosecutions. While it was possible to prosecute for human trafficking in cases of begging and labour exploitation prior to the introduction of the human exploitation crime, it had been extremely difficult to prove distress. One of the interviewed prosecutors described a begging case where the prosecutor was able to demonstrate distress (interview, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020). The case involved two Romanian men who were exploited in the city of Malmö, Skåne.

The prosecutor recounted how the men, who lived as vagabonds, were in the hands of a perpetrator who had taken them to Malmö, where the perpetrator had arranged for the men to stay in an overnight shelter. During the day, the men had to stand outside various grocery stores and beg for ten hours straight. The men did not have adequate clothing for the cold weather and lacked access to a toilet. In order to sustain themselves, the men collected food from garbage cans. They were in very bad shape and did not know their whereabouts. The dire situation of the men was acknowledged as one of distress and the case resulted in a human trafficking conviction. The prosecutor described how problems had arisen in other cases where individuals had been exploited but lived under reasonable conditions, unlike the Romanian men (*ibid.*).

While stakeholders saw the human exploitation crime as a positive development, scholars have criticized the law for failing to define how law enforcement should determine what constitutes labour "under clearly unreasonable conditions" (Sjödin, 2019).

The bill set out four circumstances to consider in the assessment: 1) the labour is performed without or for extremely low remuneration; 2) the working days are unreasonably long; 3) the employee is exposed to unacceptable safety risks; and 4) unreasonable deductions are being made. In the assessment, a comparison should be made to what is seen as acceptable labour market conditions, but what that entails has not been defined.

Another point of criticism is that the legislator has not made a connection between human exploitation and existing labour market regulations in Sweden, which prescribe what is to be regarded as acceptable labour market conditions. The absence of such a connection may imply that exploited workers' claims for salary and other types of compensation will be overlooked in the context of criminal proceedings (Sjödin, 2019).

Other Relevant Laws

Temporary Residence Permits for Crime Victims

Temporary residence permits can be given to foreign nationals who participate as plaintiffs or witnesses in criminal proceedings, i.e., preliminary investigations and/or main hearings (Jämy, 2019:59; Swedish Aliens Act, Act 2005:716, Chapter 5, Section 15). The duration of the permit amounts to a minimum of six months. The permit can be extended for continued participation in the criminal proceedings but not beyond. It is referred to as an “evidence person” permit (*bevisperson*). MIG is in charge of processing applications for such temporary permits, as the agency responsible for residence permits in Sweden. An application for such a permit is made by the inquiry leader, i.e., a prosecutor or the police.

A prerequisite for granting the permit is that the individual has clearly demonstrated a will to cooperate with law enforcement in the criminal proceedings. Other prerequisites are that they have broken all relations with the suspected offender/s and that the granting of a permit does not stand in conflict with public order and safety (Swedish Aliens Act, Act 2005:716, Chapter 5, Section 15; Jämy, 2019; Länsstyrelsen Stockholm, 2011).

Individuals who obtain a temporary residence permit to participate in criminal proceedings should be provided with the assistance necessary to reach a reasonable standard of living, including increased access to health care and financial assistance from social services (LST Sthlm, 2011).

Municipalities can seek compensation from the state, through MIG, for some of their costs as related to temporary residents, including foreign nationals who participate in criminal proceedings (Jämy, 2019). Municipalities can receive compensation from the state, through MIG, for: 1) financial assistance provided to foreign individuals who stay in Sweden to participate in criminal proceedings (MIG, 2021a²⁰); 2) costs as related to children who go to preschool or school when they or relatives of theirs have received a temporary residence permit to participate in the criminal proceedings, i.e. teaching and staff costs, learning tools, student health, meals, school transportation and administrative costs.

The standard amount for 2021 ranges from SEK 53,400 to SEK 119,100 per year for one student, depending on the level of education (MIG, 2021b²¹); and 3) care provided in accordance with the Act on the Care of Young People (LVU) or the Act on the Care of Addicts (LVM) (MIG, 2021a).

In addition to the six-month permit for participating in criminal proceedings, there is a 30-day permit for individuals who require time to consider whether they are able and willing to cooperate with Swedish law enforcement (Swedish Aliens Act, Act 2005:716, Chapter 5, Section 15). This permit is referred to as a “reflection period” (*betänketid*). The reflection period permit is described as “an important part of the support and protection process” (Jämy, 2019:44), which can be extended if special needs so require, i.e., if the individual concerned is a child or if the adult “has been subjected to especially traumatic experiences or that the victim is highly dependent on the perpetrators and needs more time for recovery” (Jämy, 2019:45).

²⁰ <https://www.migrationsverket.se/Andra-aktorer/Kommuner/Statlig-ersattning/Sok-ersattning-for-bevispersoner/Ersattning-for-bevispersoner-som-har-uppehallstillstand/Bistand-och-viss-varld.html>

²¹ <https://www.migrationsverket.se/Andra-aktorer/Kommuner/Statlig-ersattning/Sok-ersattning-for-bevispersoner/Ersattning-for-bevispersoner-som-har-uppehallstillstand/Barn-och-elever-i-forskola-och-skola.html>

Notably, interrogation and other investigative law enforcement measures may take place during a reflection period, even though the purpose is to provide individuals with the opportunity to recover before making an “informed decision” (ibid.) about participating in criminal proceedings. Moreover, one apparently problematic aspect of the reflection period permit is that a preliminary investigation must have been initiated before an application for such a permit can be submitted to MIG, as only leaders of preliminary investigations can apply for it, i.e., police or prosecutors.

Several of the interviewed stakeholders emphasized how this prerequisite is clearly counterintuitive when considering the intention of providing individuals with a period of reflection before they decide whether to collaborate with law enforcement²². The current procedures around the reflection period permit stand in stark contrast to the idea of reflection, as well as protection and the possibility of recovery. Not only are thirty days a rather limited time, but one would also expect that, as a minimum, individuals are left to reflect uninterrupted for that short period, without law enforcement being able to interrogate them.

The temporary permits described above were introduced in 2004 as part of a wider scope to address serious crime, including human smuggling and human trafficking, by allowing key persons to remain in Sweden to assist in criminal proceedings. However, the law is broadly defined and could apply to several different crimes. The law regulating the conditions was slightly altered in 2007, to better align with the EU Directive on residence permits for victims of trafficking²³. Prior to the change, Swedish law had no predefined duration of the permit to participate in criminal proceedings. As changes were made, the minimum period of six months was introduced. One aspect that appears to have been ignored as these changes were made is that the EU Directive makes a clearer distinction between the reflection period and the period of criminal proceedings.

Only in the latter period should authorities consider if the presence of the individual can be of assistance to the investigation, if individuals have cut ties with suspected offenders and if they have demonstrated the will to cooperate. Stakeholders emphasized how the lack of an unconditional period of reflection implies that the Swedish anti-trafficking system currently does not align with the Council of Europe Convention on Action against Trafficking in Human Beings, Article 13, according to which individuals who are believed to be victims of trafficking should be provided at least 30 days of recovery and reflection (Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020).

Some members of Parliament and NGOs have raised the question of granting permanent residence permits to individuals identified as victims of trafficking. Different arguments have been used against such proposals. Some have said that there is no need for permanent residence permits specific to victims of trafficking, as they can request asylum once their temporary permits have expired (Johansson, 2014). Another argument is that such a permit could affect the credibility of their testimony. A reward for testifying against an accused offender in the form of permanent residency could provide defence attorneys with the opportunity to question witnesses (Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Rönnow, 2006).

²² Interviews, Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020; Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Emelie Ekerstam, Noomi, 14/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020.

²³ Council Directive 2004/81/EC of 29 April 2004. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A133187> Last accessed: 31 Nov 2020.

Sex Trade Laws

The Swedish law on procuring (*koppleri*) makes it illegal to promote and financially exploit another person's engagement in casual sexual relations for payment (Swedish Criminal Code, Act 2018:601, Chapter 6, Section 12). Notably, the law on procuring makes it a crime to grant someone the right to an apartment where the trade in sexual services occurs, as it is seen as promotion of such relations. The same applies to situations where a person's right to use an apartment is not terminated when there is suspicion that the apartment is being used for casual sexual relations against payment. The sentence for procuring is imprisonment for up to four years. If considered "gross" (*grovt*), i.e., serious, the sentence is imprisonment for up to ten years.

When assessing whether or not the crime is gross, consideration is given to whether the paid sexual relations were promoted on a large scale, involved significant financial gain or if the exploitation was ruthless. Notably, most prosecutions relating to sex trade activities involving a third party result in convictions of procuring rather than human trafficking, as human trafficking is more difficult to prove (Polismyndigheten, 2018).

There is, however, an important difference between the human trafficking crime and procuring. Whereas human trafficking is always a crime against the person, procuring is generally a crime against the state, unless considered gross. It is possible to speak of a crime victim, who may be entitled to criminal injuries compensation, if the crime is considered gross and there were reasonable grounds for the offender to assume that the exploited individual was under 18 years of age.

In Sweden, it is also a crime to obtain casual sexual relations in exchange for payment (Swedish Criminal Code, Act 2011:517, Chapter 6, Section 11). Payment can consist of cash or some other kind of compensation, such as alcohol, drugs, gifts and meals, agreed upon in advance. Included in the offence are situations where payment has been promised but not yet made and where a third person pays for the sexual relations of another.

Sentences range from a fine to imprisonment for up to one year. Casual sexual relations against payment are victimless crimes if they involve individuals of eighteen years of age or more. If the casual sexual relations against payment involve individuals under the age of eighteen the crime is different, namely: "exploitation of a child through the purchase of a sexual act", which can result in imprisonment for up to four years (Swedish Criminal Code, Act 2019:806, Chapter 6, Section 5). This crime is particular in those sexual offences concerning children generally make the distinction at the age of fifteen, as fifteen is the age of sexual consent in Sweden²⁴. The reason why sexual relations against payment differ may have to do with their status as "socially destructive behaviour" (Socialstyrelsen, 2020:17, 81-82, 85cc). In fact, individuals under the age of 21 can be taken into compulsory care for engaging in sexual relations against payment under the Care of Young Persons Act (LVU, 1990:52; Socialstyrelsen, 2020).

According to the Aliens Act (Act 2015:716, Chapter 8, Section 2), foreigner nationals who do not hold residence permits may be refused to enter or expelled from Sweden based on the assumption that they will not support themselves "by honest means" during their stay in the country. The deportation of migrant women who have sold sex in Sweden following the anti-trafficking raids conducted by the Police Authority has taken place on these grounds (JO, 2013; 2012; 2011). For instance, in 2011, several

²⁴ For instance, the following sexual offences make a distinction at 15-years of age: contact with a child for sexual purposes, exploitation of a child for sexual posing, sexual abuse, sexual assault of a child, sexual molestation and rape (Swedish Criminal Code, Act 2018: 616; 2017:1068; 2005:90, Chapter 6, Section 4; 6; 8; 10; 10a)

Romanian women who had been selling sex in Gothenburg were deported by the police based on the argument that they were earning “a living dishonestly – through prostitution” (JO, 2012:1, my translation). Social service providers working for the municipality reported the Police Authority to the Parliamentary Ombudsmen²⁵ (JO) on behalf of one of the women, who argued that the selling of sex does not constitute a crime in Sweden (Sveriges Radio, 2011-09-15).

The same woman participated as a plaintiff in a criminal proceeding where several men were sentenced for gross procuring and human trafficking (JO, 2013; 2012; 2011). While the woman had the right to stay in Sweden according to the EU Mobility Directive, JO found the deportation to be fair, stating that the right of stay can be violated if individuals are deemed to pose a threat to public order, safety and/or health. Engagement in the sex trade can be seen as a “substantially prohibited phenomenon” that poses such risks since it presumes that crimes are committed (ibid.). As a point of comparison, the Police Authority have been criticised by JO for having expelled Romanian beggars with reference to the same regulation (JO 2011; 2012). A key difference that JO emphasized between the selling of sex and begging was that begging can take place legally, whereas it is impossible to sell sex in Sweden without any crime being committed (ibid.).

In regard to the sex trade and criminal offences, there are some important differences to take into account. According to Swedish law, human trafficking is a crime against the person, thus clearly involving a crime victim. Paying for sex is a crime against public order, unless children are involved. The same goes for procuring. If the procuring crime is deemed gross, it may involve a crime victim. This difference is important to note since it means that individuals who sell sex do not necessarily acquire the status of crime victims in criminal proceedings concerning the sex trade – even if they are the result of so-called anti-trafficking raids. Instead, they may participate as plaintiffs, like the Romanian woman described above.

Anti-trafficking Action Plans

Since the crime of human trafficking was introduced, Sweden has adopted four action plans addressing human trafficking in some form. Sweden’s latest action plan was launched in 2018; *Handlingsplan mot prostitution och människohandel* (Action Plan Against Prostitution and Human Trafficking, Socialdepartementet, 2018). As indicated by the title, the Plan exemplifies how Sweden’s response to human trafficking is linked to its prostitution policy.

The 2018 action plan distinguishes itself from previous plans in that it addresses all forms of human trafficking. The focus of previous actions plans was on selected aspects of human trafficking, namely, human trafficking for sexual purposes and human trafficking involving children.

- *Handlingsplan 2016–2018 till skydd för barn mot människohandel, exploatering och sexuella övergrepp* (Action Plan to Protect Children from Human Trafficking, Exploitation and Sexual Abuse, Socialdepartementet, 2016),
- *Åtgärder för att stärka barns rättigheter och uppväxtvillkor i Sverige, 2010-2013* (Measures to Improve the Rights and Upbringing of Children in Sweden, Socialdepartementet, 2014),

²⁵ The Parliamentary Ombudsmen (JO) have the task to ensure that public authorities abide by the laws and statutes governing their actions.

- *Handlingsplan mot prostitution och människohandel för sexuella ändamål, 2008-2010* (Action Plan Against Prostitution and Human Trafficking for Sexual Purposes, Socialdepartementet, 2008).

There was no action plan on human trafficking concerning adults between the 2010 and 2018, but one explicitly concerning human trafficking and children and one in which the action plan on human trafficking and children was embedded in a plan with the wider scope of improving children's rights. Although the action plans concerning children did not have "prostitution" in their titles, they too included a range of measures addressing prostitution.

Reported Crimes & Guilty Verdicts

There is no formal system for identifying victims of trafficking in Sweden (GRETA, 2018). Formal designation of individuals as victims of trafficking really only occurs through criminal proceedings, if another individual is convicted of the human trafficking crime. As such, identification can be seen as the prerogative of law enforcement in Sweden. Since guilty human trafficking verdicts are relatively rare, they are generally seen as a poor estimate of the actual number of victims of trafficking in Sweden (GRETA, 2018).

Other estimates to consider is the number of reported and prosecuted human trafficking crimes. Brottsförebyggande rådet (the National Council for Crime Prevention, hereinafter "Brå") collects data on reported human trafficking crimes. Albeit limited as far as the actual extent of human trafficking is concerned, this data indicates that the issue of human trafficking has been receiving increasing attention in Sweden over time (see table 1: *Reported Human Trafficking Crimes & Guilty Verdicts 2015-2019* and figure 1: *Correlation Between Reported Human Trafficking and Sex Purchase Crimes 2002-2019* below).

The number of guilty human trafficking verdicts peaked in 2018 reaching a total of 15, which is more than any year since the crime was introduced into the Criminal Code in 2002 (Polismyndigheten, 2019). Out of the 15 guilty human trafficking verdicts in 2018, 12 concerned human trafficking for the purpose of begging. The remaining three concerned human trafficking for sexual purposes.

The majority of the 15 guilty verdicts had been investigated in southern Sweden. It is unclear how many victims of trafficking the guilty verdicts involved. In the same year, 214 human trafficking crimes were reported, 29 of which resulted in prosecution (Polismyndigheten, 2019:9; see also: table 1: *Reported Human Trafficking Crimes & Guilty Verdicts 2015-2019* and figure 1: *Correlation Between Reported Human Trafficking and Sex Purchase Crimes 2002-2019* below). While Sweden saw a peak in convictions in 2018, the number is still low in comparison to several other EU-countries. For instance, France reached 785 human trafficking convictions in 2016, whereas Romania reached 333, Italy 47 and Bulgaria 36 (EC, 2018).

Looking back in time, there has been a steady increase in reported human trafficking crimes since the crime of human trafficking for sexual purposes was added to the Criminal Code. In 2003, 22 human trafficking crimes were reported. Comparing 2003 with 2019, which is the most recent year for which data is available, the number of human trafficking reports have increased by over 1000 percent; with 276 human trafficking reports in 2019. This number is much higher than the years prior.

	2015	2016	2017	2018	2019
Reported trafficking sexual purposes	58 (11 children)	81 (15 children)	82 (23 children)	93 (14 children)	106 (12 children)
Reported trafficking/ forced labour	21 (4 children)	27 (8 children)	39 (12 children)	29 (5 children)	49 (7 children)
Reported trafficking/ begging	55 (5 children)	33 (6 children)	40 (13 children)	36 (16 children)	18 (11 children)
Reported trafficking organ trade	n/a	1 (1 children)	2 (2 children)	n/a	2
Reported trafficking/ war	1 (1 children)	3 (3 children)	1 (1 children)	n/a	1 (1 children)
Reported trafficking /other purposes	44 (20 children)	52 (31 children)	50 (11 children)	56 (25 children)	100 (47 children)
Reported trafficking total	179 (41 children)	197 (64 children)	214 (62 children)	214 (60 children)	276 (78 children)
Prosecuted trafficking w/conviction	2	6	5	15	2
Reported exploitation	n/a	n/a	n/a	8 (2 children)	48 (3 children)
Prosecuted exploitation w/conviction	n/a	n/a	n/a	n/a	n/a
Reported procuring, incl. gross	82	102	136	182	133
Prosecuted procuring w/conviction incl. summary impositions of a fine	10 2 gross	13 4 gross	8 1 gross	23 2 gross	14 4 gross
Reported sex purchase	523 134 children	603 191 children	563 96 children	848 131 children	764 224 children
Prosecuted sex purchase w/conviction, (incl. summary impositions of a fine)	282 8 children	279 15 children	194 18 children	279 11 children	269 13 children

TABLE 1: REPORTED HUMAN TRAFFICKING CRIMES & GUILTY VERDICTS 2015-2019 (PARENTHESIS INDICATES INCLUDED IN TOTAL NUMBER) (BASED ON DATA RETRIEVED FROM BRÅ, 2020).

A significant increase in reports is observable from 2015 and onwards. Prior to 2015, the number of reported human trafficking crimes had never exceeded 100. Up until 2014, the year that saw the most reported human trafficking crimes was 2011, when 98 crimes were reported. In 2015, the number of reported human trafficking crimes amounted to a total of 180, which is almost double in comparison to the year prior (93 in 2014) (Brå, 2020; Polismyndigheten, 2018; 2017; 2016; see table 1: *Reported Human Trafficking Crimes & Guilty Verdicts 2015-2019* and figure 1: *Correlation Between Reported Human Trafficking and Sex Purchase Crimes 2002-2019* below).

Even though 2018 saw an increase in convictions concerning human trafficking for the purpose of begging and the reported human trafficking crimes include several forms of exploitation, human trafficking convictions mainly concern sexual purposes (see also Johansson, 2017). Looking at crime reports, there is a clear correlation between reported crimes concerning human trafficking and the sex trade related crimes of casual sexual relations against payment and procuring in Sweden.

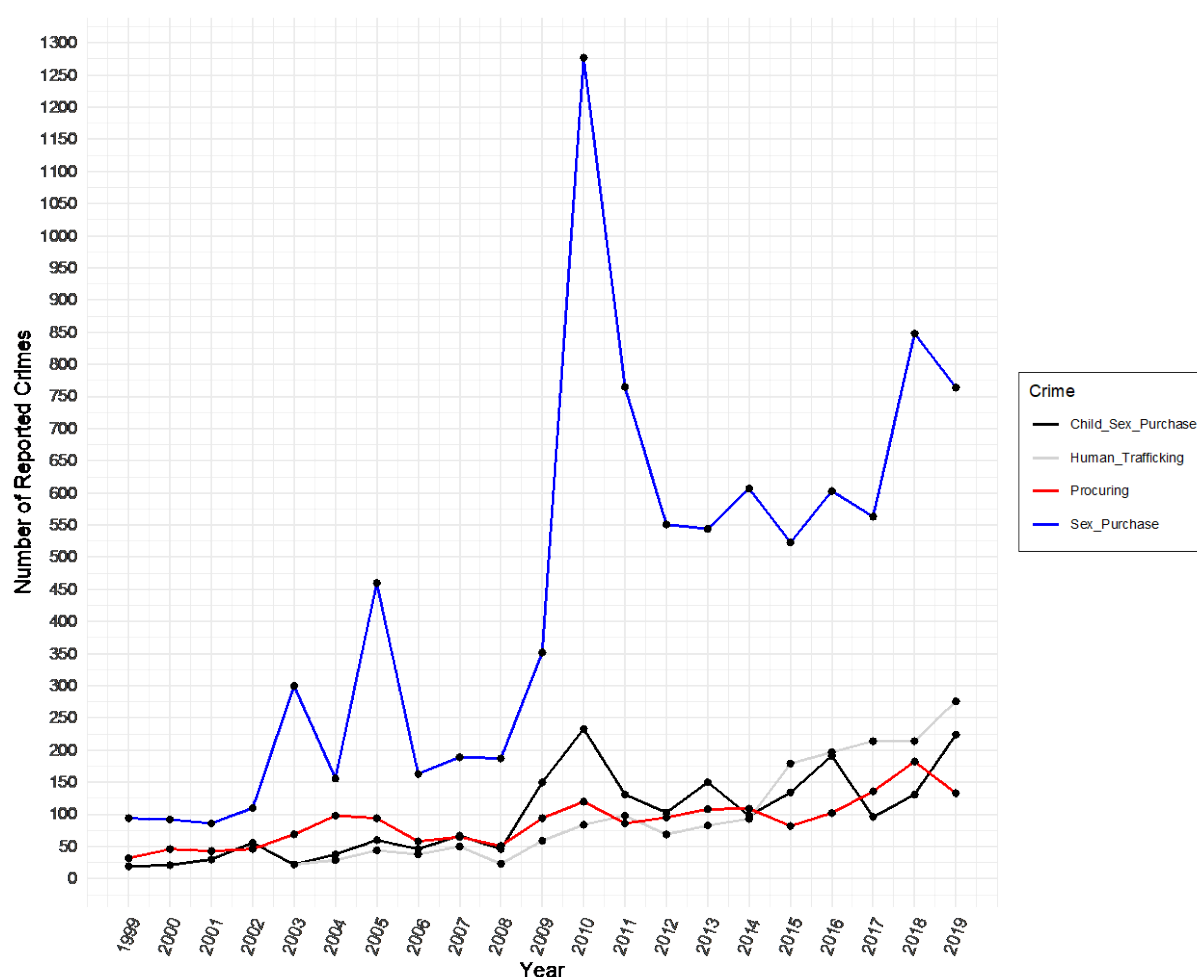


FIGURE 1: CORRELATION BETWEEN REPORTED HUMAN TRAFFICKING AND SEX PURCHASE CRIMES 2002-2019 (BASED ON DATA RETRIEVED FROM BRÅ, 2020).

Spikes in crime reports concerning human trafficking and the sex trade related crimes of casual sexual relations against payment have occurred around the enactment of the anti-trafficking plans on human

trafficking and prostitution (Socialdepartementet, 2018; 2008). These spikes indicate that anti-trafficking actions plans have a noticeable impact. Not only have they resulted in more human trafficking reports, but in improved awareness and efforts in the work on human trafficking and the sex trade more generally.

Crime reports thus corroborate the observation made by scholars, namely that Sweden's work on human trafficking is linked to its prostitution policy and targeted efforts against the sex trade, both in theory and practice (Johansson & Östergren, 2021). The links between Sweden's anti-trafficking system and its prostitution policy is an aspect that several publications touch upon (see for example: Johansson & Östergren, 2021; Vuolajärvi, 2019; Heber, 2020; 2018; Zeegers & Althoff, 2015; Jakobsson & Kotsadam, 2013; Harrington, 2012).

Scholars have further noted that the Swedish approach to human trafficking has been informed by concerns with migration and foreign women selling sexual services (Vuolajärvi, 2019; Heber, 2018; Bucken-Knapp, Schaffer & Strömbäck, 2012; Johansson, 2014). Sweden's tendency to focus on the link between human trafficking and the sex trade has been emphasized by GRETA (2018; 2014), who have encouraged Swedish authorities to broaden their focus and to develop measures for raising awareness about other types of trafficking than sex trafficking. The fact that so much attention has been paid to sex trafficking in Sweden has led scholars to conclude that Sweden's work against human trafficking may be misguided (Johansson & Östergren, 2021; Heber, 2018).

Although the number of reported and prosecuted human trafficking crimes provide some insights into the extent and kind of attention that the issue of human trafficking is receiving in Sweden, they too are generally considered poor estimates of the number of victims of trafficking.

There are several reasons why reported crimes and prosecutions are problematic estimates. One problem is that not all individuals are able and willing to report the crimes that have been committed against them to the police. Another problem is that, even when individuals have the ability and willingness to report to the police, there may not be sufficient evidence and/or resources to investigate and/or prosecute the reported crimes. Yet another problem is that crime reports can come from other sources than the crime victim and be based on suspicions, which may be faulty and/or impossible to follow up on.

Even when evidence and resources are available to follow up on crime reports, only a small number of investigations result in prosecutions and an even smaller number of prosecutions result in guilty human trafficking verdicts.²⁶

²⁶ Interviews, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Mats Paulsson, Senior Investigator, Jämy, 23/06/2020; Morgan Beijer, Commissioner, Investigation Group Region Bergslagen, Police Authority, 01709/2020.

The National Referral Mechanism

2016 constitutes an important year for the Swedish anti-trafficking system, as the year when Sweden set up its NRM (Länsstyrelsen Stockholm, 2016). The NRM describes the responsibilities of different actors, agencies and organizations who may come into contact with people identified as victims of trafficking. The NRM has been described as a positive development in Sweden's work with the issue of human trafficking (GRETA, 2018).

Prior to 2016, there were some guidelines in place (Länsstyrelsen Stockholm, 2011), but it would be misleading to conceive of them as part of a proper system (GRETA, 2014). The NRM is Sweden's response to GRETA's (2014) critique as regards to the lack of a formalized mechanism for victim referral. At the time of its launch in 2016, the NRM was divided into five steps, namely: 1) Identification; 2) First assistance and protection; 3) Long-term assistance and social inclusion; 4) Support for voluntary return; and 5) Criminal proceedings.

The NRM was developed by LST Sthlm in cooperation with ICMPD, the National Task Force NMT and the umbrella organization Plattformen Civila Sverige mot Människohandel (the Swedish Platform Civil Society against Human Trafficking, hereinafter: The Platform).

The Platform acts as the coordinating body of about thirty civil society organizations working with the issue of human trafficking in Sweden in some capacity (interview, Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020). Some of the Platform's member organizations work directly with victims of trafficking, while others address the issue through lobbyism. The Platform also gathers data on civil society organizations and their contact with victims of trafficking, and conducts knowledge and information exchanges.

The Platform was established in 2013, around the time when GRETA (2014) made its first evaluation of Sweden's work on human trafficking. Like the NRM, the involvement of the Platform in its development is Sweden's response to GRETA's (2014) critique about the lack of collaboration between government agencies and civil society actors (interviews, Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020; Johan Christiansson, Qualified Investigator, Jämy, 01/07/2020). Scholars have described the Platform as "an example of successful collaboration between civil society actors [...which...] has fostered and substantially improved public-private collaboration as well as public support programs for victims" (Erikson & Larsson 2020:181, 200).

In 2019, Jämy released a revised version of the NRM, in its newly acquired role as the Swedish National Anti-Trafficking Coordinator. In the revision of the NRM, the order of the steps was altered, steps were re-labelled and an additional step was added (Jämy, 2019). The NRM is now composed of the following six steps: 1) Identification; 2) Emergency Protection; 3) Initial Support; 4) Long-term Support; 5) Criminal Proceedings; 6) A Safe Return, which are described in Jämy's (2019:28-29) visualization below.



FIGURE 2: THE SWEDISH NATIONAL REFERRAL MECHANISM (FIGURE RETRIEVED FROM JÄMY, 2019).

As it is currently presented, the NRM appears as six consecutive steps where identification leads to protection and support measures, criminal proceedings and the return of individuals identified as victims of trafficking to their country of origin or a country where they have the right to reside (Jämy, 2019). Given that the Swedish NRM remains void of the possibility to stay in the country independently of participation in the criminal proceedings, the final outcome of the NRM for the individual who is identified as a victims of trafficking remains the same as when the NRM first came about in 2016, namely, to leave Sweden (Jämy, 2019; Länsstyrelsen Stockholm, 2016). The primary focus of the NRM also remains unaltered, in that it is geared towards the prosecution of suspected offenders.

The current presentation of the NRM further gives the impression that a range of actors engage in formal identification of victims of trafficking (Jämy, 2019). This representation is somewhat misleading. As previously mentioned, there is no formal system for identifying victims of trafficking outside the realms of criminal proceedings in Sweden.

The designation of individuals as victims of trafficking only really occurs when another individual is convicted of the human trafficking crime. Several actors can and do informally identify presumed victims of trafficking within their own realms of work or other activity, including MIG, police, social workers, and civil society organizations – some of which have established procedures for doing so. However, there is no unified database compiling the data that different agencies and organizations may be collecting on informally identified victims of trafficking.

As such, identification ultimately remains the prerogative of law enforcement (GRETA, 2018). LST Sthlm (2015) has previously emphasized how the instalment of a central function to which municipalities can report suspected human trafficking is necessary to follow up on cases systematically. The Platform appears to be the only entity that regularly makes data available accounting for the number of victims of trafficking with whom civil society organizations have been in contact (Plattformen Civila Sverige mot Människohandel, 2020).

Moreover, at a first glance, the current representation of the NRM makes protection and support measures appear as independent of participation in criminal proceedings. However, support measures are greatly dependent on participation in criminal proceedings in Sweden – as also noted by GRETA (2018). Looking closer at the NRM, this aspect becomes more apparent. For instance, presented as part

of the initial support measures is the 30-day reflection period permit, allowing individuals to consider if they are able and willing to collaborate with law enforcement in the criminal proceedings. However, as noted earlier, the apparent problem with the reflection period permit is that a preliminary investigation must have been initiated before an application for such a permit can be submitted to MIG – as only preliminary investigation leaders can apply for it.

As things currently stand, the leader of the preliminary investigation cannot apply for such a permit unless there is a chance to bring about charges against an accused offender (interviews, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020, Mats Paulsson, Senior Investigator, Jämy, 23/06/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). Several stakeholders emphasized how they encounter problems as a result of the fact temporary residence permits still depend on participation in the criminal proceeding²⁷. The one instance where stakeholders were less likely to encounter problems in accessing is when there is a police report and an individual who is willing to cooperate with law enforcement²⁸. In such instances, individuals can access reflection period permits, as well as social service support more easily²⁹.

Further, Jämy's (2019) presentation of the NRM suggests that there are long-term support measures available to individuals identified as victims of trafficking in Sweden. Unfortunately, this representation of the NRM is also rather misleading. Looking closer at the existing support measures, it becomes clear that long-term support actually refers to the temporary residence permit for participating in the criminal proceedings evidence persons. Moreover, as part of long-term support is help in preparing for the return of the individual to their home country or a country where they have the right to reside (more on returns in the section *Returns*). Doubtlessly, it is important that individuals who wish to leave Sweden are supported in doing so. However, the fact that returns remain the final outcome of the Swedish NRM seems counterintuitive to the idea of long-term support, especially when considering that some victims of trafficking come to Sweden to seek refuge after having been exploited in other countries³⁰. It is perhaps unsurprising that actual long-term support measures are lacking in Sweden, since the goal of the NRM is to prosecute crimes and have individuals identified as victims of trafficking leave the country – as opposed to including them in some form of integration project.

Together, the stakeholder interviews provided a rather different picture of the Swedish NRM from how it is presented by Jämy (2019). Differences are evident in the ways implementation occurs.

²⁷ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Emelie Ekerstam, Noomi, 14/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020.

²⁸ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020.

²⁹ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020.

³⁰ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020.

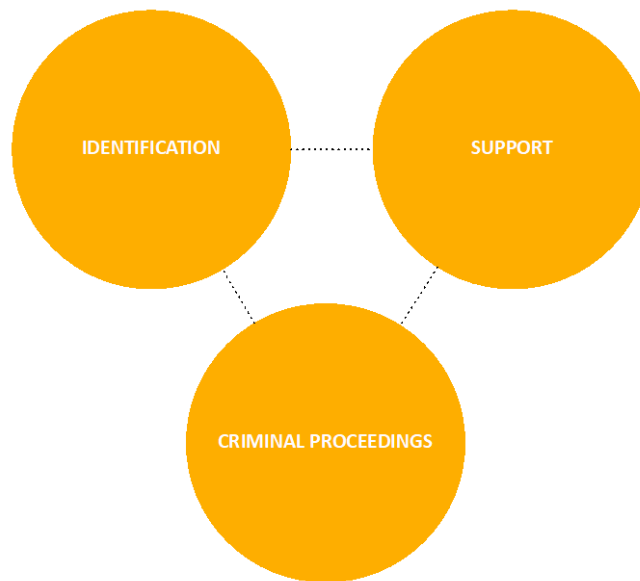


FIGURE 3: ALTERNATIVE CONCEPTUALIZATION OF THE SWEDISH NATIONAL REFERRAL MECHANISM

Identification

Although the formal designation of individuals as victims of trafficking occurs when another individual is convicted of the human trafficking crime through criminal proceedings in Sweden, the following actors, agencies and organization play a role at the identification stage in the Swedish NRM (Jämy, 2019): social services; the Police Authority; the Prosecution Authority; MIG; the Work Environment Authority; the regional coordinators against prostitution and human trafficking; and the Platform. Their respective roles at the NRM's various stages are described below. The National Task Force NMT's telephone support line may also be relevant (ibid.).

In addition to the above, Jämy (2019) further emphasizes that victims of trafficking may be identified by the following actors:

- The Customs Authority
- The Embassy or Consulate
- The Border Police
- Trade unions
- The Swedish Tax Agency
- The travel and hotel industry
- Youth organisations
- Residences
- School or student health services
- Lawyers or legal representatives
- Family members or acquaintances
- Actors in civil society
- The general public

That being said, these actors are not described as an integrate part of the NRM (Jämy, 2019).

Social Services

Social services may come across victims of trafficking in their realm of work (Jämy, 2019). If that is the case, Jämy (2019) describes how the primary task of social services is to consider whether a police report is to be made, especially in cases concerning suspicions of children victims of trafficking. Moreover, social services receive and process applications for assistance to both children and adults. In Sweden, social services are municipal agencies endowed with the so-called “exercise of authority” (*myndighetsutövning*)³¹. Within the social services, exercise of authority implies measures such as receiving and following up on notifications of concern about the well-being of children present in the municipality. It also implies processing applications for financial assistance, as well as making decisions about accommodation placements (sheltered and non-sheltered) for both children and adults. Social services can also initiate investigations into the compulsory care of children (Jämy, 2019). Outside office hours, the social emergency services cover for the regular social services in the municipalities and city districts. The social emergency services handle urgent social matters and can be reached via phone and sometimes also online.

The Police Authority

In terms of identification, the Police Authority may identify victims of trafficking through investigation and surveillance activities (Jämy, 2019). The Police Authority should notify social services when there is concern for the well-being of children and inform social services in cases where an victims of trafficking wishes to apply for assistance. Moreover, the Police Authority receives tips and crime reports of crimes and can initiate preliminary investigations in its capacity as a law enforcement agency.

If individuals are identified as victims of trafficking by the police, the police must report the suspected crime, regardless of the age of the individual concerned (Jämy, 2019). If/when a police report is drawn up, the police or prosecutor submits a request for a legal counsel for the plaintiff, i.e., an attorney. The court then decides on a suitable person who can take into account the individual's wishes or special needs as they relate to the criminal proceedings. If the individual is a child without a parent, or if the parent is the suspected offender, a special representative for the child should be appointed by the court, at the prosecutor's request. The representative must be a lawyer or similar, suitable for the task of protecting the child's interests during the criminal proceedings (Jämy, 2019).

If a child under the age of 15, the investigation is under an urgency requirement, meaning that hearings/police interviews with the child should preferably be held within two weeks of the police report. The hearing/interview should take place at an accommodation facility, where the environment is specially adapted for children, to ensure collaboration between authorities such as social services, psychologists, paediatricians, police and prosecutors. In case no such facility exists in the area to which the child belongs, hearings/interviews are to be held at a police station. Hearings/interviews with children must be held by a specially trained child interrogator. They should be recorded so that the child does not have to give their statements again in the trial efforts (Jämy, 2019).

³¹ There are about 290 municipalities in Sweden. Besides from providing social services, municipalities are in charge of public services like preschools and schools. Social services are responsible for making sure that individuals receive the assistance and support they need. Social services report to the Social Welfare Boards in the municipalities, which are appointed by the city or municipal councils. The social welfare boards have the overarching “exercise of authority” (*myndighetsutövning*) and the ultimate responsibility for initiatives within individual and family care in the municipalities, including adult, child and youth care. The areas of responsibility are regulated by numerous laws, of which the Social Services Act is the most prominent (SFS 2001:453).

The Prosecution Authority

Like the police, the Prosecution Authority can initiate preliminary investigations once an individual has been identified as a victims of trafficking (Jämy, 2019).

The Migration Agency

MIG may come across victims of trafficking in its realm of work, when processing applications for asylum and residence permits (Jämy, 2019). Jämy (2019) describes how one of the primary task of MIG is to consider whether a crime report to the police is to be made. MIG has developed internal procedures for case officers to follow when coming into contact with individuals suspected to be victims of trafficking (MIG, 2019). MIG has also developed information guidelines on human trafficking for appointed trustees of unaccompanied minors (MIG, n.d.). Informing the Police Authority about suspicions of human trafficking is described as one of the most important parts of MIG's procedures. MIG case officers can contact the police independently, without the consent of the individual concerned (MIG, 2019). Meanwhile, MIG's guidelines describe that information about any plans to contact the police should be communicated to the individual who is presumed to be a victims of trafficking. In doing so, MIG officers should emphasize that the individual has not committed any crime. MIG should also inform them about their potential right to police protection (MIG, 2019). If there is concern for the well-being of children, MIG should notify social services (Jämy, 2019; MIG, 2019).

MIG is divided into six regions and has instituted one regional coordinator in each region whose task is to support the work on human trafficking within the agency, as well as to facilitate cooperation with other actors. These individuals work part-time as coordinators and part-time as case officers. MIG's regional coordinators are in charge of receiving internal reports of suspected human trafficking from other case officers and to collect information about the individuals concerned, including country of origin, gender, form of exploitation and whether information has been passed on the police. Moreover, the coordinators are responsible for training assigned contact persons within MIG's different units on the internal procedures for handling situations of presumed human trafficking. The idea is that the contact persons act as additional support to their colleagues (Sofie Dahl, Regional Coordinator for human trafficking issues, MIG, 07/05/2020). Up until 2013-2014, MIG's coordinators only focused only on human trafficking for sexual purposes. Today, they work with all forms of human trafficking. Moreover, there is a Central Anti-trafficking Coordinator at MIG working full-time. At the time of interviews, however, MIG's this coordinator was on parental leave and the substitute had no prior experience working with the issue of human trafficking (interview, Sofie Dahl, Regional Coordinator for human trafficking issues, MIG, 07/05/2020; interview, Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020).

In 2019, MIG identified 481 cases of presumed victims of trafficking in total, which is almost one hundred more than the year prior (MIG, 2020). The number of children presumed victims of trafficking amounted to 92 out of the 481, an increase of more than double to the year before. Young Nigerian women are described as the most frequently identified group, but the size of this group is not specified (ibid.). These numbers correspond with the overall distribution of Nigerian individuals registered in MIG's system, indicating that the proportion of Nigerian adults is larger than that of children (see table 2; SCB, 2020). The increase in children is explained by the fact that MIG has paid more attention to children and young individuals (MIG, 2020; interview, Sofie Dahl, Regional Coordinator for human

trafficking issues, MIG, 07/05/2020). Meanwhile, MIG's data is based on suspicions, which have not necessarily been confirmed elsewhere. That being said, the Police Authority has also suspected a few cases of human trafficking among unaccompanied Moroccan minors (Pettersson, 2020). Given that the number of presumed victims of trafficking identified within the agency has increased, MIG's efforts appear to have had a significant impact. Stakeholders working in southern Sweden further described how MIG is often the first point of contact (interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020).

The Work Environment Authority

In terms of identification, the Work Environment Authority may identify victims of trafficking during workplace inspections (Jämy, 2019).

Regional Coordinators against Prostitution and Human Trafficking

The regional coordinators against prostitution and human trafficking act as support for the National Anti-trafficking Coordinator in the regions (interview, Mats Paulsson, Senior Investigator, Jämy, 23/06/2020). The regional coordinators against prostitution and human trafficking are in part funded by Jämy and in part by the municipalities in which they are located (Jämy, 2019; Johan Christiansson, Qualified Investigator, Jämy, 01/07/2020)³².

The task of the regional coordinators against prostitution and human trafficking is to connect with different actors who encounter victims of trafficking in the regions, including MIG, the police, social workers and civil society organizations (Jämy, 2019). At the identification stage, the role of the regional coordinators against prostitution and human trafficking is to provide consultation and support to other professionals who may come across victims of trafficking in their work (Jämy, 2019). The regional coordinators against prostitution and human trafficking can also informally identify victims of trafficking through conversation with the individual concerned. The regional coordinators tend to be social workers with a university degree, working in some branch of the social services, such as support counselling centres, centres for victims of violence or the social emergency services³³ – where they can be a crucial link between victims of trafficking and actors like social services and law enforcement.

When an individual is identified as a potential victims of trafficking by other actors, the regional coordinators against prostitution and human trafficking are generally notified. The first point of contact depends on location, but is generally MIG or the police³⁴. In Region South, MIG is the most common

³² It appears as if the funding for the regional coordinators against prostitution and human trafficking is provided through agreements that are renewed on a yearly basis (interview, Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020). During the interview process, stakeholders further described how the work description of the regional coordinators against prostitution and human trafficking was under review at Jämy (ibid.).

³³ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020.

³⁴ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020.

first point of contact (Interview, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019), whereas it tends to be the police in Region Bergslagen (Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020).

While the regional coordinators may engage in informal identification of victims of trafficking and are supposed to be the leading human trafficking experts in the regions (Jämy, 2019), they do not appear to undergo any specific training when taking on the position (interview, Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020).

The number of regional coordinators against prostitution and human trafficking has changed over time. Initially, they only operated in the three largest cities: Stockholm, Gothenburg and Malmö. Nowadays, they exist in seven regions, namely: 1) Region Bergslagen; 2) Region Mitt; 3) Region Nord; 4) Region Stockholm; 5) Region Syd; 6) Region Väst; and 7) Region Öst (see map below). As such, the idea seems to be that there should be one regional coordinator against prostitution and human trafficking for each police region.

However, in most regions, two people share the coordinator role (Nord, Stockholm, Öst, Väst, Syd), some of whom work parttime as coordinators and part-time as some other function within the social services. The correspondence between the police regions and regional coordinators against prostitution and human trafficking came about after 2015, when the Police Authority went through a significant reorganization and was divided into seven regions – where the main responsibility for operational police activities is now allocated (SOU 2012:13).

Notably, at the time of writing, there are only regional coordinators against prostitution and human trafficking in six of the seven regions, as the position in Region Bergslagen is vacant. During the interview process, stakeholders raised issue with the fact that this position was about to become vacant³⁵.

One of the interviewed police officers working in the region described how the regional coordinator against prostitution and human trafficking has plays an essential role in achieving success in criminal proceedings, in terms of providing the social support that is required to persuade the oftentimes vulnerable individuals who have been identified as victims of trafficking to participate in the criminal proceedings (interview, Morgan Beijer, Commissioner, Investigation Group Region Bergslagen, Police Authority, 01709/2020).

The Platform Civil Society Against Human Trafficking

Some of the Platform's member organizations engage in outreach work targeting individuals offering sexual services (interviews, Josefina Zadig, Noomi, 02/07/2020, Emelie Ekerstam, Noomi, 14/08/2020). At the identification stage, Platform member organizations may identify victims of trafficking through such outreach activities, or at the accommodations run by some of the Platform's member organization (Jämy, 2019).

The Platform describes how their member organization had been in contact with 177 individuals who had somehow been impacted by human trafficking in 2019, either as victims of trafficking (140), the

³⁵ Interviews, Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020, Mats Paulsson, Senior Investigator, Jämy, 23/06/2020; Morgan Beijer, Commissioner, Investigation Group Region Bergslagen, Police Authority, 01709/2020

children of victims of trafficking (28), or as their relatives/spouses (4) (ref 2020). Out of the 140 potential victims of trafficking, 126 were female, 13 male and 1 did not to say. The most prevalent countries of origin included: Sweden (39), Nigeria (36), Romania (17), Thailand (15) and Iraq (10). The Platform described how the majority of potential victims of trafficking had been subjected to sexual exploitation in Sweden (Plattformen Civila Sverige mot människohandel, 2020).

Support Measures and Roles

In terms of protection and support, the following actors, agencies and organization play a role in the Swedish NRM (Jämy, 2019): social services; the Police Authority; the Prosecution Authority; MIG; the regional coordinators against prostitution and human trafficking; the healthcare sector; and the civil society Platform. Their respective roles are described below. The National Task Force NMT's National Support Line may also be relevant at this stage to connect relevant actors (Jämy, 2019). Jämy (2019) emphasizes how the regional coordinators against prostitution and human trafficking, social services, the police and healthcare must be involved to ensure that victims of trafficking receive protection and support. Civil society actors from the Platform may have a supporting function in cases where individuals show distrust in authorities.

Moreover, in situations involving children, the Ministry of Foreign Affairs also plays a role (see the section on social services below) (Jämy, 2019). The Police Authority (2019) has emphasized that protection and support measures are inadequate as far as victims of trafficking are concerned, especially outside the three metropolitan areas (Stockholm, Gothenburg and Malmö), where social services lack expert knowledge on the matter. The Police Authority has suggested that a national strategy for protection and support for victims of trafficking be developed to ensure better coherency. Moreover, funding should be earmarked to improve protection and support measures.

The Role of Social Services

The responsibility to offer protection to crime victims lies with the municipalities in Sweden. As such, social services are responsible for ensuring that support is provided to victims of trafficking. Social services play an especially important role vis-à-vis children, as they hold the ultimate responsibility for all children in the municipalities, regardless of their status in the country (Jämy, 2019, Socialstyrelsen, 2018). In terms of emergency protection, social services perform individual risk assessments and make decisions about matters such as accommodation placements, based on individual needs and the resources available (Jämy, 2019). There are accommodation possibilities at the municipal, state and private level. Besides accommodation, support measures may include: assistance in court proceedings, counselling, interpreters and financial assistance for home travels when needed. Although the social services are responsible for providing assistance and support, they can delegate the provision of measures like sheltered accommodation to other actors while having the municipality bear the cost. Children over the age of 15 have the right to apply for social service support without the presence of a legal guardian representing the child, regardless of what the position of their legal guardian may be (Jämy, 2019).

There is room in the Social Services Act (SFS 2001:453) to assist undocumented individuals, even if different municipalities interpret the extent of assistance differently. For example, some municipalities have decided that undocumented children are entitled to full maintenance support, that undocumented adults are entitled to some maintenance support in emergency situations and that undocumented women are entitled to sheltered housing when needed. As a bare minimum, social services should provide undocumented individuals with the opportunity to return to their home country or a place where they can reside legally, and subsistence while awaiting departure (Flyktingsgruppernas Riksråd, 2014; Socialstyrelsen, 2013; FRA – European Union Agency for Fundamental Rights, 2011; SFS 2001:453).

When there is concern about children's well-being, social services are responsible to investigate the situation. Some professionals, such as the police and MIG, are obliged to report to social services when a child is suspected to be in harm's way, as well as to provide information that may be relevant to the investigation of a child's need for protection and support. This obligation applies to situations where children are the suspected victim of a crime, as well as when children are related to crime victims or perpetrators. Vice versa, social services can provide information to the police for immediate police intervention. Social services are, in fact, responsible to report suspicions of any sort of crime against children to the police, as long as it does not interfere with the best interest of the child. If the Social Welfare Board receives alarming information concerning a child, an immediate assessment of whether the child is in need of immediate protective custody must be made (Jämy, 2019; Socialstyrelsen, 2018). As a result, the child may be placed with an on-call family, in sheltered housing, or in a locked facility. The type of placement depends on the child's attitude and the threat posed to the child (interview, Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020).

In situations involving children who are foreign nationals, social services should pass on information to the Ministry of Foreign Affairs to establish contact and assist in communication with the authorities in the child's home country, including about the return of the child (Jämy, 2019; interview, Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020). The Ministry of Foreign Affairs is also responsible for determining whether the Brussels II Regulation or the 1996 Hague Convention applies to a particular country, as regards to matters of the protection of children and parental responsibility are concerned (Jämy, 2019).

If a child arrives in Sweden without a guardian or custodian and comes into contact with authorities, they are to be appointed a so-called "god man". The god man is a special representative or trustee who is responsible for the child's personal circumstances and financial and legal affairs in the place of a guardian or custodian (SFS, 2005:429). As such, the god man is a kind of legal guardian. The application for a god man can be made by individuals over the age of 16, social services, the Social Welfare Board, the Chief Guardian in the municipality where the child resides, and MIG. Individuals who wish to become a god man declare their interest to the Chief Guardian in the municipality. Requirements include being of legal age, having organized finances, and time to devote to the assignment. There is also a web course on the topic of unaccompanied minors, developed by the Swedish Association of Local Authorities and Regions (2020), which must be completed before being awarded the assignment in certain municipalities. A god man is not salaried employee but entitled to compensation for expenses they have when carrying out the assignment. If the unaccompanied minor receives a residence permit, the god man should be substituted by a specially appointed custodian (*särskilt förordnad vårdnadshavare*, SFS, 2005:429; EMN Sweden, 2017.4).

One aspect of the social services organization worth mentioning is that they keep their own records and are subject to confidentiality (interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö; Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020). Confidentiality can, however, be breached when there is suspicion of a crime with the minimum penalty of one year of imprisonment, meaning information about a crime like human trafficking can be passed onto the police. If children are involved, confidentiality can be breached even when there is suspicion of minor crimes (Jämy, 2019). That being said, there is no automatic sharing of information across social services in different municipalities. If social service providers in one municipality become aware of the presence of e.g., an

unaccompanied undocumented child in the municipality, they will have no way of knowing if they have been assisted by social services elsewhere – unless the individual informs them about their previous whereabouts and consents to contact with the social services in another municipality (interview, Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020).

The Role of Police Authority

In terms of protection and support, the responsibility of the Police Authority mainly centres around information. The police should inform victims of trafficking about their right to a reflection period permit, which allows them to consider whether they are able and willing to cooperate with Swedish law enforcement (Jämy, 2019). If the police are the one leading the preliminary investigation, the police are responsible for applying for the reflection period permit at the Migration Agency.

The Police Authority should also inform the individual about their right to information about restraining orders, preliminary investigations and main hearings, as well as their right to legal counsel for injured parties. Moreover, if contact with the regional coordinators against prostitution and human trafficking has not already been established, the police should inform about this option. Like social services, the police also perform risk assessments to determine the need for protection. If the protection need is significant, the individual should be referred to the police entity occupied with crime victims and personal safety.

The Role of the Prosecution Authority

If the Prosecution Authority is the one leading the preliminary investigation, the prosecutor in charge applies for the reflection period permit at the Migration Agency. The prosecutor also applies for a legal counsel for victims of trafficking, which are paid for by the state. If the preliminary investigation bears fruit and the individual decides to partake in the criminal proceedings, the prosecutor is further responsible for applying for a temporary residence permits for crime victims or witnesses (Jämy, 2019).

The Role of the Migration Agency

In its capacity as the government agency dealing with residency and asylum requests in Sweden, the responsibility of MIG is to decide on temporary residence permits, as well as to processes asylum requests. Whether or not an asylum request has been made plays a role as far as the responsibility of government agencies is concerned, as MIG is responsible for offering accommodation to asylum seekers. While MIG is responsible for offering accommodation to asylum seekers, opportunities are limited if an asylum seeker is also a victims of trafficking (interviews, Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020; Sofie Dahl, Regional Coordinator for human trafficking issues, MIG, 07/05/2020).

Currently, MIG does not offer any type of sheltered housing and individuals generally have to share their place of accommodation with other migrants, which may jeopardize the safety of certain individuals, particularly if still connected to the trafficking network. MIG relies on collaboration with other actors to

provide adequate support to victims of trafficking (interview, Sofie Dahl, Regional Coordinator for human trafficking issues, MIG, 07/05/2020).

Asylum seekers can also apply for financial support for daily expenses and living costs from MIG. The type and size of financial support depends on several factors, including the living situation and personal finances of the asylum seeker and their cooperation in the asylum process. The financial support also depends on the presence of children and special needs for things like baby strollers, eyewear and winter clothing etc.

Children seeking asylum have the same rights to schooling as any other child in Sweden, as do children who are undocumented (Jämy, 2019; Skolverket, 2015). However, they are exempt from the compulsory school requirement (Jämy, 2019). It is the responsibility of the municipalities to offer children preschool and further education (Jämy, 2019). As far as the children of EU-citizens are concerned, their right to education remains unclear and municipalities have reached different decisions (Skolverket, 2014). Their right to education may be asserted as a result of the recent incorporation of the Convention on the Rights of the Child into Swedish law (Regeringskansliet, 2020; SFS, 2018:1197³⁶).

The Role of the Regional Coordinators against Prostitution and Human Trafficking

In regard to protection and support, one important task of the regional coordinators against prostitution and human trafficking is to facilitate contact with social workers who have the exercise of authority, to ensure that the needs of victims of trafficking are fulfilled by social services (Jämy, 2019). While the regional coordinators against prostitution and human trafficking are employed in different branches of social services, the role does not foresee the exercise of authority that many other social workers have³⁷. Facilitating the contact between individuals and social services may include putting pressure on certain social workers who are not well-versed in regard to the needs of victims of trafficking to ensure that they receive the necessary support to which they are entitled³⁸. Several stakeholders working on various levels saw the fact that the role does not entail the exercise of authority as a significant problem (interviews, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Mats Paulsson, Senior Investigator, Jämy, 23/06/2020).

Stakeholders emphasized how the regional coordinators against prostitution and human trafficking should have the same ability as social services to make important decisions, such as where to accommodate an victims of trafficking. That being said, not all of the interviewed coordinators agreed that such a change was necessary (Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020). One problem that was emphasized is that the exercise of authority is confined to the municipalities.

Since the regional coordinators against prostitution and human trafficking work across several municipalities and counties fundamental changes to the way Sweden is governed are required to provide the coordinators with the exercise of authority, i.e., the self-governing power of municipalities would have to be uprooted (Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). The one

³⁶ <https://www.regeringen.se/regeringens-politik/barnkonventionen-som-svensk-lag/>

³⁷ Only one regional coordinator in Stockholm had the exercise of authority.

³⁸ Interviews, Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020; Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Emelie Ekerstam, Noomi, 14/08/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020.

regional coordinator who did not see the need for such a change mentioned the importance of providing capacity building to social workers who have the exercise of authority as an alternative (Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020).

If social services have the necessary knowledge of the human trafficking issue, they can make informed decisions in the interest of victims of trafficking. Moreover, the coordinator described how they had assigned specific social workers in the larger municipalities with the task of being special contact persons (Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020).

During interviews, stakeholders also raised the possibility of giving the regional coordinators against prostitution and human trafficking the ability to apply for the reflection period permit at MIG on behalf of the individual identified as a victims of trafficking (Johan Christiansson, Qualified Investigator, Jämy, 01/07/2020). If the coordinators had the ability to do so, victims of trafficking could be ensured time to recover and consider if they want to collaborate with law enforcement (ibid.).

While the regional coordinators against prostitution and human trafficking cannot make decisions about aspects such as accommodation or financial aid, they can facilitate contact between victims of trafficking and actors who can make such decisions, like civil society organizations offering sheltered accommodation (interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020).

As far as victims of trafficking are concerned, most accommodation places in Sweden are run by civil society organizations connected to the Platform (interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020; Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020).

The Role of the Healthcare Sector

In terms of support, the responsibility of the healthcare sector is to provide healthcare (Jämy, 2019). The right to healthcare in Sweden depends on the citizenship and type of residence permit a person holds (ibid.). If the person is a citizen of a country outside the EU and does not possess a Swedish residence permit, the access to healthcare depends on the healthcare insurance they have in their home country.

Children present in Sweden are entitled to receive the same level of healthcare as registered residents regardless of their legal status. In regard to adults, Swedish counties/regions are obliged to offer healthcare that cannot be deferred. Abortion care, maternity care and contraceptive counselling should be offered to asylum seekers and individuals who or are in Sweden without a permit (ibid., Socialstyrelsen, 2018).

The Role of the Platform Civil Society Against Human Trafficking

The Platform has recently experienced difficulties, due to insufficient funding from government agencies (interview, Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020)³⁹.

The Platform has developed the National Support Program (NSP). The purpose of the NSP is to function as a complement to the NRM (Jämy, 2019) to provide individuals with the unconditional protection and support to which they are entitled in accordance with Sweden's international commitments (interview, Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020). The NSP allows victims of trafficking and their children to access different forms of assistance, such as sheltered accommodation. While a civil society organization may be the first contact point, individuals can also be placed in such accommodation through social services and/or through the assistance of the regional coordinators against prostitution and human trafficking⁴⁰.

Besides accommodation, several of the Platform's organizations offer food, conversational support, help with government contacts, assistance with police reports, help in seeking healthcare, as well as integration support – which can be provided in Sweden or accompany the person to their home country. Individuals can further receive help in arranging returns (Plattformen Civila Sverige mot Människohandel, n.d.; interview, Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020).

The organizations that are part of the NSP have been certified through the Platform's certification process through which the Platform establishes whether organizations meet a list of minimum requirements. The requirements centre around ensuring that the organization has knowledge of the rights and needs of victims of trafficking, as well as NSP procedures (Plattformen Civila Sverige mot Människohandel, n.d.). Once an organization has been certified, it can apply for financial aid through the NSP.

While the Platform consists of about thirty organizations, only about eight offer sheltered and non-sheltered accommodation through the NSP (ibid.). Depending on the organization, accommodation can be offered to women, women and their children or women with addiction problems. Only one of the organizations appears to accept men (ibid.).

The number of individuals the different organizations' accommodation venues can cater to is unfortunately unclear, but they appear to be limited. The organization Noomi Hela Människan, which is located in the Skåne area, can house two women along with one accompanying child for each woman, or one woman with several children (Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020).

The NSP was launched in 2015 with funding from LST Sthlm (Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020), which at the time had the task of distributing funds

³⁹ Scholars have noted that the Platform's support for the Swedish client-criminalization could constitute a potential source of conflict in regard to the involvement of other civil society organizations (Erikson & Larsson 2020). Stakeholders described how this position definitely limits the possibility of collaborating with sex workers rights organizations, which could play an important role as a peer-to-peer community for individuals who are involved in the sex trade (interview, Ophelia Eglentyn, founder and member of Red Umbrella Sweden and founder and previous member of Fuckförbundet, 17/08/2020).

⁴⁰ Plattformen Civila Sverige mot Människohandel, 2018; GRETA, 2018; interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Emma Cotterill, the Swedish Platform Civil Society against Human Trafficking, 05/05/2020; Maria Schyberg, Regional Coordinator Against Human Trafficking and Prostitution Region Bergslagen, 24/08/2020.

and coordinating the work against prostitution and human trafficking between authorities and civil society organizations in its role as National Anti-trafficking Coordinator (GoS, 2008:27).

The NSP was operated with government funding between 2015-2018 (Mörner, 2018; 2019). At the start of 2019, however, the NSP was shut down due to lack of sufficient funds and the Platform voiced its discontent to the press, claiming that Sweden was no longer fulfilling its international commitments regarding victims of trafficking's right to protection and support (Sundell et al., 2020). The financial situation of the Platform and the status of the NSP is currently unclear, but it appears to be up and running again (Plattformen Civila Sverige mot Människohandel, 2020b).

The Roles on Returns

In terms of returns, social services, the regional coordinators against prostitution and human trafficking and IOM Finland play a role. IOM Finland has collaborated with Sweden through the IOM AVR program since 2012. Initially, the programme was only concerned with sexual exploitation, but it was later extended to other purposes.

The IOM AVR program includes the arrangement of travel, where individuals can be accompanied for parts or the entirety of the trip and/or met by an IOM representative upon arrival (IOM, 2019; interviews, Linda Öhman, IOM, 21/07/2020; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North). Participants in the programme can also obtain reintegration support from IOM, which may include financial support during the first six months after return to cover expenses like food and clothing, accommodation, medical needs, psychological support, work internships and help to start a small business.

The support is based on individual needs and the possibilities in the country to which the individual is supposed to return. The amount of support available can vary between and within countries, and IOM Finland can help to investigate the extent and kind of support is available. IOM Finland can arrange for individuals to be able to speak about their needs and available support measures with staff at IOM offices in the countries to which they return.

Children can also receive support through the programme (interview, Linda Öhman, IOM, 21/07/2020). A child without a legal guardian should only return to their country of origin or legal residence if the relevant authorities in Sweden and their home country deem that it is in the child's best interests. Social services should contact authorities in the child's home country (with the help of the Ministry of Foreign Affairs) and ensure that their best interest is taken into consideration⁴¹. Social services in Sweden are responsible for the child until the authorities in the country of origin or legal residence have taken over the responsibility to secure their protection and support (IOM, 2019; Jämy, 2019; Socialstyrelsen, 2018).

Social services and/or the regional coordinators against prostitution and human trafficking can provide assistance in applying for participation in the AVR program. The one who helps out in the application process should also fill out the risk assessment form attached to the application (IOM, 2019; Jämy, 2019). A risk assessment implies summarizing information from the person returning, social services, staff from sheltered accommodation, the police, etc. Risks include threats from perpetrators,

⁴¹ Jämy, 2019; interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Linda Öhman, IOM, 21/07/2020; Yvonne Magnusson, Regional Coordinators Against Human Trafficking and Prostitution Region East, 22/09/2020.

posed to the returnee or the individuals assisting in the return, as well as potential addiction problems of the returnee (IOM, 2019).

The application must be completed together with the individual concerned, in a language they understand, or in the presence of an authorized interpreter. The individual signs the application before it is sent to IOM Finland. The regional coordinators against prostitution and human trafficking and IOM consult with one another to decide on participation in the programme (ibid.).

So called “Dublin”⁴² transfers are generally not included in the IOM programme, since IOM stresses the voluntary nature of the return (interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Linda Öhman, IOM, 21/07/2020). In fact, stakeholders described how there is no clear procedure for victims of trafficking who are Dublin cases.

That being said, one exception was reported during interviews where a Nigerian woman participated in the IOM AVRR programme to travel back to Italy due to the Dublin Regulation (interview, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019). Stakeholders at MIG described how one often has to rely on non-profit organizations for support in situations involving Dublin transfers of victims of trafficking, which is not always possible (interview, Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020). Moreover, MIG appears to have no established procedure for passing on information about the individual’s status as a victims of trafficking to the authorities in the receiving countries, nor for following up on the outcome once the individual has left Sweden.

The Roles in Criminal Proceedings

In terms of criminal proceedings, the Police Authority, the Prosecution Authority and the regional coordinators against prostitution and human trafficking play a role in the Swedish NRM (Jämy, 2019). The police are responsible for conducting investigations, whereas the prosecutor generally leads the preliminary investigations and decides on whether it is possible to prosecute. If a prosecution is possible, the prosecutor brings about action during the trial. The regional coordinators against prostitution and human trafficking are available to provide support to the victims of trafficking (ibid.).

A problem that was emphasized by several stakeholders is that it can be challenging to proceed with both the investigations and prosecutions of presumed human trafficking crimes if the crime has been committed in a different country, even within the EU⁴³. The same applies to situations when the exploitation has taken place in Sweden, but the accused perpetrator is located elsewhere. Given Sweden’s geographical location and the fact that the country is subject to secondary movement, this issue arises regularly. Stakeholders described instances where Nigerian women have come to Sweden after having been exploited in other EU-countries, like Italy.

⁴² The Dublin Regulation determines which EU Member State is responsible for examining asylum applications according to the principle that only one Member State is responsible. For instance, if a Nigerian individual has applied for asylum in Italy, but then travels to Sweden where they also apply for asylum, they will be referred back to Italy by the Swedish authorities (EUR-Lex, 2020): https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:23010503_1.

⁴³ Interviews, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020; Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020.

The problem that generally arises in such situations is that the information the women provide about their perpetrators is not tangible enough to establish the perpetrator's identity and location, information which is necessary to proceed with an investigation. Even if an initial interrogation has been held and a preliminary investigation has been initiated, it has to be shut down if the information is too vague⁴⁴. As far as children are concerned, an analysis of preliminary investigations involving children has pointed to the absence of an identified perpetrator (Länsstyrelsen Stockholm, 2017).

Stakeholders further described instances when Europol has handed over information pertinent to specific cases that have later been prosecuted in Sweden (interviews, Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). At the same time, European level agencies do not substitute collaboration with local law enforcement agencies concerned when investigating specific cases involving secondary movement and exploitation in other countries. Collaboration with Italy was described as having been especially difficult in the past (interview, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). Aspects of Italian legislation had made cross-border collaboration in the form of joint investigation teams hard, but positive changes appear to be on the way (interview, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020).

If there is enough information to proceed with the investigation and the victims of trafficking decides to participate in the criminal proceedings, they can be granted temporary residence as evidence persons. If so, the financial responsibility for the individual lies on the municipality (as previously described) (interviews, Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020; Åsa Ekman, Regional Coordinator Against Human Trafficking and Prostitution Region West, 17/08/2020). If the criminal proceedings result in a guilty human trafficking verdict against a perpetrator, individuals can also apply for criminal injuries compensation. Criminal injuries compensation can amount to quite a significant amount, up to about SEK 250 000 (approximately 25000 Euro). However, stakeholders raised issue with the process of accessing criminal injuries compensation as far as victims of trafficking are concerned. Applying for criminal injuries compensation is not part of the assignment of the legal counsel of the victims of trafficking who is covered by state funding (interview, Fredrik Selin, Lawyer, The Swedish Crime Victim Authority, 09/07/2020). As such, the legal counsel has to go above and beyond their assigned mission in order for the individual to access such compensation, unless they now how to apply for compensation themselves (ibid.).

⁴⁴ Interviews, Helena Ljunggren, Prosecutor, Swedish Prosecution Authority, 22/04/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020.

Sweden as a Country of Immigration & Secondary Movement

The factor that has contributed most to Sweden's population growth in the past five decades is that Sweden has witnessed more immigration than emigration (Statistikmyndigheten, 2020a, Statistics Sweden, hereinafter: SCB⁴⁵). This development stands in stark contrast to Sweden's history as a country of emigration, with about 1.5 million Swedes leaving the country due to poverty and political and religious constraints between the 1850s and the 1930s. This development also makes Sweden a more recent country of immigration than other EU countries, particularly Mediterranean ones.

Although Sweden has witnessed increasing immigration over the past decades, Sweden is rarely migrants' first point of arrival, especially as far as Nigerian victims of trafficking are concerned. For this group, Sweden tends to be a country of secondary movement – with the country's geographical location largely accounting for why. Unless flying directly into the country, Nigerian individuals are likely to cross numerous countries before reaching Sweden. Stakeholders reported that Nigerian women victims of trafficking have entered and left Sweden via the Oresund Bridge⁴⁶, a motor- and railway bridge tunnel that stretches across the Oresund strait, connecting Denmark and southern Sweden.

When the Oresund Bridge opened in 2000, movement between Denmark and Sweden was made significantly easier than before, when airplane or ferry were the available modes of transportation. From the opening of the Oresund bridge in 2000 to 2016, there were no border controls along the bridge. However, in 2016, the Swedish Government requested a temporary exemption from the Schengen Agreement and introduced border and identity controls for people crossing the bridge into Sweden.

The decision to introduce such controls was part of Sweden's response to the increasing inflow of migrants in Southern Europe in the period 2015-2016 (Nedergaard, 2018; Sager & Öberg, 2017). As described in a joint statement by several government agencies, the fear was that a large influx of migrants would pose challenges and threats to public order and security in Swedish society (Justitiedepartementet, Näringsdepartementet, Statsrådsberedningen, 2015). That being said, Nigerian women and girls victims of trafficking were said to have arrived in Sweden via the Oresund Bridge before and after the border controls were introduced. Some have arrived by train and/or air (interview, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020, see also: Polismyndigheten, 2017).

One instance was described where a 16-year old Nigerian girl had flown into Copenhagen airport, Denmark (presumably from Nigeria) using the passport of her so-called "madame" in Sweden. The girl had crossed the Oresund bridge by train into Sweden, and then moved from Malmö to Stockholm (interview, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; see also: Polismyndigheten, 2017). Stakeholders also described how Nigerian women have used the recently introduced Flixbus bus service to move between Sweden and Italy (interviews, Emelie Ekerstam, Noomi, 14/08/2020; Josefina Zadig, Noomi, 02/07/2020).

⁴⁵ Sweden is the largest country in Northern Europe and one of the largest countries in the European Union (EU) While the land area of Sweden is large, the population is relatively small. In 2017, Sweden's population exceeded 10 million inhabitants, amounting to 10.327589 by the end of 2019 (SCB, 2020a).

⁴⁶ Interviews, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Emelie Ekerstam, Noomi, 14/08/2020; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020.

Nigerian Nationals & Asylum Seekers in Sweden

Overall, the composition of the Nigerian population in Sweden is relatively small. By the end of 2019, the population of Nigerian born individuals had reached a total of 6467 (SCB, 2020b). When breaking down the Nigerian population to look at close kinship and place of birth, the biggest group is Nigerian born individuals (6467), followed by children born in Sweden with a Nigerian born father and a Swedish mother (1518), children born in Sweden to two Nigerian born parents (1446), and children born in Sweden to a Nigerian father and other foreign born parents (811) (SCB, 2020).

The smallest group by far is composed by children who are born in Sweden to a Nigerian born mother and a father born in another foreign country (154). The second smallest group is children born in Sweden to a Nigerian born mother and a Swedish born father (411) (see table 2: *Foreign Born Nigerians With One or Two Nigerian Born Parents 2019* below). The number of Nigerian nationals entering Sweden does not appear to have changed as a result of the border and identity controls that were introduced as part of Sweden's response to the large inflow of migrants in Southern Europe, in the period 2015-2016. As can be seen in table 2 below, the number of Nigerian asylum seekers in Sweden has remained relatively stable over the past five years (SCB, 2020). That being said, Nigerians who arrive in Sweden may have already applied for asylum in another EU-country. As the table shows, the proportion of Nigerian men seeking asylum in Sweden is almost double in comparison to the proportion of women. Overall, the number of Nigerian adults seeking asylum is significantly larger than that of children.

Foreign Born Nigerians/One or Two Nigerian Born Parents in 2019	Foreign Born	Born in Sweden with Two Nigerian Born Parents	Born in Sweden with Nigerian Born Father and Other Foreign Born Parents	Born in Sweden with Nigerian Born Mother and Other Foreign Born Parents	Born in Sweden with Nigerian Born Father and Swedish Born Mother	Born in Sweden with Nigerian Born Mother and Swedish Born Father
	6467	1446	811	154	1518	411

TABLE 2: FOREIGN BORN NIGERIANS WITH ONE OR TWO NIGERIAN BORN PARENTS 2019 (ELABORATION FROM FILE: UTRIKES FÖDDA SAMT FÖDDA I SVERIGE MED EN ELLER TVÅ UTRIKES FÖDDA FÖRÄLDRA EFTER FÖDELSELAND/URSPRUNGLAND, SCB, 2020).

Nigerians Registered in the Swedish Migration Agency's System	2015	2016	2017	2018	2019
Adults	534	529	550	553	506
Children	279	272	244	263	252

TABLE 3: NIGERIANS REGISTERED IN THE SWEDISH MIGRATION AGENCY'S SYSTEM (ELABORATION FROM FILE: PERSONER INSKRIVNA I MIGRATIONSVERKET'S MOTTAGNINGSSYSTEM EFTER MEDBORGARSKAPSLAND, ÅLDER, KÖN OCH ÅR, SCB, 2020).

Nigerian Asylum Seekers	2015	2016	2017	2018	2019
Men	313	240	264	256	244
Women	153	129	137	145	145
Unaccompanied Refugee Minors	n/a but less than 20	n/a but less than 20	n/a but less than 20	n/a but less than 20	n/a but less than 20

TABLE 4: NIGERIAN ASYLUM SEEKERS (ELABORATION FROM FILE: ASYLSÖKANDE EFTER MEDBORGARSKAPSLAND, KÖN OCH ÅR, SCB, 2020).

Nigerian Women & Children Victims of Trafficking

The Policy Authority (2019; 2018; 2017) has described how Nigerian women and girls are a known group of victims of trafficking for sexual purposes in Sweden. This group was first acknowledged by the police back in 2007-2008 (interview, Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020). That being said, stakeholders described that few Nigerian children have come into contact with anti-trafficking actors in Sweden (interview, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020). The geographical location of Sweden may explain why few anti-trafficking actors come into contact with Nigerian children.

Even if individuals leave Nigeria at an early age, the travel to Sweden may take quite some time. One of the Policy Authority's (2017) yearly reports on human trafficking describes how Nigerian women come to Sweden after having been in countries like Italy and Spain where their exploiters have forced them to apply for residence permits as victims of trafficking so they can move more freely within the Schengen area. Stakeholders reiterated this observation as they described how Nigerian women arrive in Sweden to seek asylum after having fled situations of exploitation in other European countries, such as Italy, France, Spain and Greece⁴⁷.

While Nigerian women may come to Sweden to seek asylum after having fled situations of exploitation in other European countries, their chances of receiving asylum in Sweden are slim, especially if they are Dublin cases⁴⁸. Stakeholder further explained that arrangements may have been made for the women be exploited in Sweden⁴⁹, which several reports by the Policy Authority (2019; 2018; 2017) also state.

Stakeholders described one instance from several years back involving a Nigerian woman had been imprisoned for about 8 years in Sweden for operating as a drug courier from Italy (Elisabeth Green, former Regional Coordinator Against Human Trafficking and Prostitution Region South, Malmö Stad, 12/05/2020). The woman feared what would happen to her upon release as she had not fulfilled the agreement that she had made with the individuals who had organized her trip to Sweden and provided her with the drugs to sell. It appears as if the woman had been forced into this assignment and seen it as an opportunity to seek protection in Sweden, where she ended up in prison. It was only around the time of her release that she started talking about her situation and fears.

As a result, the Swedish Prison and Probation Service contacted the regional coordinator against prostitution and human trafficking. Unfortunately, the woman could not access the IOM AVR program for some reason, which is unclear, and was instead sent back to Nigeria via the police. The regional coordinator described how she was unable to follow-up on the woman's situation as there was

⁴⁷ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020.

⁴⁸ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Vanessa Bergstrand, Contact Person for human trafficking issues, Return Unit, MIG, 24/08/2020; Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020.

⁴⁹ Interviews, Elin Johansson and Sara Olsson, Regional Coordinators Against Human Trafficking and Prostitution Region South, Malmö Stad, 21/10/2019, 21/11/2019; Josefina Zadig, Noomi, 02/07/2020; Maria Lindskog, Noomi, 24/07/2020; Emelie Ekerstam, Noomi, 14/08/2020; Thomas Ahlstrand, Deputy Chief Public Prosecutor, Swedish Prosecution Authority, 21/08/2020; Per Englund, Criminal Inspector, NOA, 26/08/2020, 23/09/2020; Britt Svenberg, Detective, Police Authority, Region West, 01/10/2020.

no information about her whereabouts. While there was interest to address the issue of human trafficking within the Swedish Prison and Probation Service, there were no current measures in place during the time of interviews (interview, Maya Wolinder Lind, 25/09/2020).

Stakeholders described another instance where an undocumented pregnant Nigerian woman victim of trafficking was denied healthcare (interviews, Josefina Zadig, Noomi, 02/07/2020, Emelie Ekerstam, Noomi, 14/08/2020). The woman was experiencing acute pains in her stomach and lower abdomen, which the consulted Swedish doctor deemed deferrable, even though maternity care should be offered to undocumented individuals. The woman therefore decided to travel to Italy, where she had previously been staying. Once back in Italy, the woman was hospitalized. In Sweden, the women were staying in the sheltered accommodation of Noomi Hela Människan, in southern Sweden. Moreover, the Swedish border police was searching for the woman as she had deviated from her scheduled return back to Italy. She had requested asylum in Sweden, but her request was denied. From the perspective of the Swedish authorities, the woman was seen as the responsibility of Italian authorities – as a so-called Dublin case – since she had already left her fingerprints in Italy.

Another instance putting undocumented women's right to maternity care into question was recently reported in the national Swedish news, when a Bulgarian woman who did not possess the European health insurance card acquired a debt of about SEK 150,000 after an emergency caesarean section in the region of Gävleborg (Roosqvist, 2020).

As far as children are concerned, one instance from the period 2016-2017 was described when a Nigerian girl had been detained in MIG's detention centre, which are locked accommodations that individuals cannot leave on their own initiative. She had been kept there together with her offender, a Nigerian woman who was later convicted for human trafficking for sexual purposes (interview, Britt Svenberg, Detective, Police Authority, Region West, 01/10/2020). The girl and woman ended up in MIG's detention centre as a result of a police raid where the police had impersonated a client interested in paying the girl for sexual services. The police found her advertisement on an online platform and made an appointment. Later, the police arrived at the apartment where the exchange was supposed to take place and found the girl and woman. The girl told the police that she was over 20 and had been staying with the woman and her partner who had been taking care of her since her recent arrival in Sweden. Both individuals were later convicted of human trafficking. The police appear to have accepted the girl's account without further inquiry. As a result, the police placed the girl and woman in MIG's detention centre to investigate their identity and right to reside in Sweden. The woman was deported to Italy, where she had the right to reside and the girl requested asylum in Sweden. As a result, the girl ended up in an asylum accommodation (ibid.).

About half a year later, the police identified the girl on a street where individuals are known to offer sexual services. In connection, the girl told the police that she was actually under 18. She further conveyed that there was a man located in Denmark who was forcing her to provide sexual services in Sweden. As a result, the police took the girl to a sheltered accommodation run by an organization connected to the civil society Platform.

A few days later, two police officers who had previous experience working with human trafficking went to the shelter to interrogate the girl. When the police first interrogated her, she repeated that the offender was situated in Denmark. She further described how the couple with whom she had previously been staying had taken care of her as she had just arrived in Sweden.

The following day, the girl reached out to one of the police officers, asking them to come back so she could tell them about her situation. The girl recounted how she had been tricked by a person in Nigeria. The person had told her about a couple in Europe who wanted to take care of her and help her with her studies. The girl was then taken to Libya where she stayed for about three years. In Libya, she was raped, sold and stabbed.

The girl further recounted how her underwear had been stolen for the purpose of conducting an oath of obedience. She also acquired a debt of 40,000 Euros, which upon payment would break the oath. It is unclear what else happened in Libya and how she travelled from there, but she ended up in Italy, where she met with the abovementioned woman who urged the girl to sell sexual services. During her time in Italy, the girl stayed in a refugee camp and tried to distance herself from the woman and other individuals connected to her.

However, while in Italy, the girl discovered that her father had been killed as a result of her disobedience. The death of her father and further threats to her family back in Nigeria made her submit to orders. It is unclear how much time the girl spent in Italy but she was later transported to Sweden, with the assistance of the abovementioned couple and another individual. In Sweden, her exploitation continued for several months before she informed the police about her situation.

After the fact, the case was prosecuted and the trial resulted in a human trafficking conviction. The offenders were sentenced to be imprisoned for three years and six months and deported after the completed sentence. They also had to pay the girl SEK 240,000 in damages (interview, Britt Svenberg, Detective, Police Authority, Region West, 01/10/2020).

The police officers who were involved in the girl's case provided the following recommendations to their peers as a result:

- The police should not wear uniforms, but be dressed in plainclothes.
- The police should inform the individual about who they are.
- The police should listen to the individual.
- The individual must be clearly assured that they have not done anything wrong and cannot be punished in any way.
- The individual must be taken to a well-functioning sheltered accommodation with present staff as soon as possible.
- The staff at the sheltered accommodation and the police should have an open approach to each other as essential information to the case can come from both parties.
- The police should be clear that only true information must be presented by the individual and that details regarding the accused offenders are essential for successful criminal proceedings.

In regard to detention at MIG, individuals should do not be placed in the same locked accommodation as other people from the same apartment.

(Interview, Britt Svenberg, Detective, Police Authority, Region West, 01/10/2020).

While the girl's situation resulted in a human trafficking conviction, it puts into question the ability of both the police and MIG as far as identification is concerned, as the girl's identification as a victim of trafficking was dependent on her own initiative to inform the police about her situation. Moreover, the current situation of the girl was unknown at the time of interviews (interview, Britt Svenberg, Detective, Police Authority, Region West, 01/10/2020).

When it comes to Nigerian women victims of trafficking seeking asylum, the non-profit organization and law firm SHRL emerged as an important actor having been involved in several landmark cases involving Nigerian women victims of trafficking who have arrived in Sweden either pregnant or with children to seek refuge after having experienced various forms of exploitation in other EU-countries, such as Italy, Greece and/or France. Below follow summaries of three notable cases as described by SHRL (2017; 2019a; 2019b; 2020)⁵⁰.



The Story of Maria

Maria is from Nigeria. She moved to France after having been promised a job at a farm. Instead, she ended up in the hands of traffickers who forced her to sell sex. Maria was later taken to Italy where she was forced to sell sex for a long period of time. The traffickers even tattooed her body to indicate their ownership. After ten years and several escape attempts, Maria finally succeeded to flee Italy. Maria arrived in Sweden, where she applied for asylum for herself and her new-born twins. However, MIG decided to transfer the family back to Italy.

The Dublin Regulation, which asserted that the asylum claim should be processed in Italy, was cited as the reason. SHRL represented Maria and her children in their appeal against MIG's decision at the Swedish Migration Court. SHRL argued that the Swedish Migration Court needed to make an exception in Maria's case, according to art. 3.2 of the Dublin Regulation, which states that exceptions can be made if there are systemic weaknesses in the recipient country's asylum procedure. In addition, the article obliges Member States to take into consideration the risk of being subjected to inhuman or degrading treatment.

The Swedish Migration Court made the assessment that, although the specific circumstances in Maria's case were not in themselves enough to constitute an exception, there was an overall strong humanitarian reason not to transfer Maria and her two children to Italy. In its decision, the Swedish Migration Court further considered the principle of the child's best interest.

As a result, Maria and her two children could have their asylum applications examined in Sweden. The Swedish Migration Court's decision concerning the exception to the Dublin Regulation is unique and clears the way for new practices within the area, according to the SHRL (2017; interview, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020). Thanks to the assistance of SHRL, Maria and her children received permanent residency in Sweden as individuals in need of subsidiary protection.

The SHRL Chief Legal Counsel described how the process was challenging and time consuming, taking over two years to complete (interview, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020). Meanwhile, the case was described as an instance where the collaboration between SHRL, police and prosecutors worked extremely well (ibid.).

⁵⁰ The names of the women are the pseudonyms used by SHRL (2017; 2019a; 2019b; 2020). Some modifications of SHRL's texts have been made. Grammar and typos have been adjusted. The names of agencies have been changed to correspond to their current official English name and/or the acronym/abbreviation used in the report. Where deemed necessary, clarifications have also been made, based on the interview with the SHRL Chief Legal Counsel Ruth Nordström, 28/08/2020.



The Story of Joy

Joy is young Nigerian woman with a little son, who had been exploited in Greece prior to arriving in Sweden. Prior to her arrival in Sweden, Joy had been impregnated by one of her exploiters. In Sweden, Joy sought asylum, but the family's request was rejected and MIG decided to transfer them back to Greece, as the Dublin Regulation asserted that the asylum claim should be processed in Greece.

MIG handed over the case to the Swedish border police to enforce their deportation. SHRL appealed the case based on the argument that Joy and her son were at risk of being subjected to violence, re-trafficking and, in the worst case, being killed by the criminal network of traffickers who had previously exploited her. SHRL filed a complaint with the UN Committee against Torture to stop the deportation of Joy and her son. The UN Committee requested that the Swedish Government stop the expulsion and that the matter be further examined (SHRL, 2019a; 2019b).

A new examination of the need for protection was initiated by MIG. This time their case was tried against the risk of returning to Nigeria, as the Dublin Regulation had ceased to apply due to the passing of too much time. After several lengthy legal proceedings, MIG found that Joy and her son belonged to a particularly vulnerable group, victims of trafficking, and granted the family refugee status and residence permits in Sweden (SHRL, 2019a; 2019b; interview, Ruth Nordström, Chief Legal Counsel, SHRL, 28/08/2020).



The Story of Josephine

Josephine and her five-year-old daughter travelled from Nigeria to Italy, hoping to escape threats from her husband and the police because of a lesbian relationship in which Josephine was involved. When they arrived in Italy, they found that they had ended up in the hands of traffickers. These traffickers tried to force Josephine into selling sex. When she refused, Josephine and her daughter were locked in a room.

One day, several men raped and abused Josephine for several hours – an abuse that her daughter had to witness at gunpoint. Josephine overheard the traffickers discussing how they could get rid of her daughter, so Josephine sought help from another woman to escape from Italy to Sweden, where they sought asylum. Despite threats to both of them and their fragile psychological state, MIG decided to reject their request and scheduled their transfer to Italy, which was the country responsible for their asylum request in with the Dublin Regulation. SHRL appealed the decision, but the Swedish Court rejected the appeal.

A so-called “Rule 39” notification was then made to the European Court of Human Rights to stop their transfer to Italy. SHRL questioned why Sweden had not obtained individual guarantees from the Italian authorities regarding the safety of Josephine and her daughter upon return. SHRL argued that the psychological state of Josephine and her daughter and the threats that existed in Italy meant that the two are at risk of being subjected to inhuman and degrading treatment if transferred back.

Following the complaint by SHRL, the European Court of Human Rights decided to suspend their transfer and requested that the Swedish Government provide a response concerning any guarantees obtained from Italy, assuring that Josephine and her daughter receive the support of the Italian Government in a way that corresponded to their needs. Since Sweden only stated that general guarantees from Italy had been given by Italy, the time of the deportation has been moved. The case is still pending and SHRL continue to work for Josephine and her daughter’s right to stay in Sweden (SHRL, 2020).

Together, the three SHRL cases demonstrate the extensive effort that is required to provide Nigerian women and their children with a chance of receiving asylum or similar protection in Sweden.

Conclusion

In this report, the Swedish anti-trafficking system has been described. To the extent possible, the focus has been placed on children and young (female) victims of trafficking, especially from Nigeria, as well as the risks associated with secondary movements.

Over the past five years, the Swedish anti-trafficking system has developed significantly. The development has been spurred by a number of changes, the enactment of the Swedish NRM in 2016 being one of the most notable examples (Länsstyrelsen Stockholm, 2016; GRETA, 2018; Jämy, 2019). Before the NRM, Sweden's response to human trafficking appeared more as a collection of guidelines for addressing the issue of human trafficking than a system. Through the enactment of a NRM, Sweden's response appears as a more systematic approach.

The Swedish anti-trafficking system has also been reinforced by improving the coordination and collaboration between important actors, agencies and organizations, e.g., by synching regional coordinators against prostitution and human trafficking and the police regions to one another. MIG has also installed regional coordinators specifically addressing human trafficking.

The establishment of the new crime of human exploitation is another notable example in the development. It is worth noting that while Sweden's response to the issue of human trafficking is more systematic than before, there is still no formal system for identifying victims of trafficking outside the realms of criminal proceedings, nor any possibility for identified victims of trafficking to remain in Sweden on a long-term basis. The only way to stay in Sweden is if the crime victim collaborates in investigations, which is incredibly rare. As such, Sweden's anti-trafficking system is still in need of development.

Another reason why Sweden's efforts against human trafficking did not amount to a full-fledged system until recently is because Sweden has mainly focused on human trafficking for sexual purposes. Labour market exploitation and human trafficking in the context of begging are receiving increasing attention in the Swedish context, but sex trade related trafficking still receives more attention than trafficking for other purposes (Heber 2020; 2018). The persistent focus on the link between human trafficking and the sex trade can be exemplified by several measures linking human trafficking and prostitution, such as Sweden's anti-trafficking action plans (Socialdepartementet, 2018; 2016; 2014; 2008).

Sweden's national anti-trafficking coordination is another example of how Sweden's anti-trafficking system intersects with its repressive prostitution policy, as the mandate involves coordination against both human trafficking and prostitution (SOU 2015:86). The focus on the sex trade can largely be explained by the fact that Sweden's response to human trafficking is tightly tied to its policy against prostitution (Johansson & Östergren, 2021; Östergren 2018; Johansson 2014; Levy & Jacobsson, 2013).

Another example is the yearly situation reports on human trafficking, published by the National Rapporteur, the Police Authority since 1999 (Polismyndigheten, 2019-1999). The reports always include information on the sex trade related crimes of paying for casual sexual relations and procuring. Sweden's insistence on repressing the sex trade may impact negatively on the system's ability to address the needs of victims of trafficking in the sex trade as it hinders the involvement of sex workers' rights organizations, which could be an important contributor to the work on human trafficking as a peer-to-peer community (Erikson & Larsson 2020). By mainly focusing on the sex trade, the system may also fail to acknowledge the needs of victims of trafficking in other areas.

While the establishment of the NRM is a move in a promising direction, its conceptualization is currently somewhat misleading as formal victim identification is still heavily dependent on participation in criminal proceedings. The same is true for protection and support measures. Measures of protections and support for victims of trafficking are available in Sweden up to a certain point. Overall, they are based on the idea that their ultimate goal is to return home. As mentioned, the prospect of staying in Sweden is incredibly limited.

An argument that has been used against the introduction of a long-term or permanent residence permit for victims of trafficking is that victims may not want to remain in Sweden. While it may be the case that some victims wish to leave Sweden, the desire to stay cannot automatically be excluded – especially not when an individual has continued to Sweden to seek a better life after having been exploited in another country, such as Italy. One concern with such a permit has been that it could affect the credibility of the victim's testimony, in that the possibility to receive the permit could be seen as an incentive for providing false testimony. Given how reluctant victims of trafficking are to participate in criminal proceedings overall, such concerns seem unwarranted (Rönnöw, 2006).

The fact that there is no formal system for identifying victims of trafficking outside the realms of criminal proceedings and the persistent focus on criminal proceedings in the Swedish NRM are aspects worth reconsidering. Focus should instead be placed on protection and support measures to individuals identified as victims of trafficking to ensure that their needs and rights are met on a long-term basis.

Another aspect to consider is what the role of the regional coordinators against prostitution and human trafficking should entail. It would be worth looking into the possibility of granting them the right to apply for the reflection period permit at MIG to ensure victims of trafficking are granted their right to reflection and recovery. Whether the regional coordinators against prostitution and human trafficking should be given the exercise of authority is another question worth investigating. However, such a change would be extremely complicated given the administrative organization of Swedish government.

Alternatively, some form of contact mechanism between regional coordinators and social services could be solidified, taking inspiration from the regional coordinator against prostitution and human trafficking in Region North, as well as MIG. Such a mechanism could entail assigning selected social workers who have the exercise of authority with the task of being contact persons for human trafficking cases in their municipalities (Eva Norlin, Regional Coordinator Against Human Trafficking and Prostitution Region North, Umeå kommun, 21/08/2020).

Moving forward, research into the Swedish anti-trafficking system could look closer at social workers' general knowledge of the human trafficking issue and the rights of victims of trafficking. Another aspect worth addressing is the currently unclear position of civil society and other non-profit organizations in the Swedish anti-trafficking system. The role of civil society organizations in the Swedish anti-trafficking system needs to be considered with a long-term perspective in mind. The same is true for peer-to-peer organizations. Future studies could investigate the role of such organizations in different anti-trafficking systems comparatively.

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Appendix 1: List of Interviews

Sara Olsson, Evonhuset, Regionkoordinator mot människohandel och prostitution region Syd, Regional coordinator against human trafficking and prostitution region South (female)	October 21 2019, phone
Sara Olsson, Regionkoordinatorer mot människohandel och prostitution region Syd, Regional coordinators against human trafficking and prostitution region South (female) Elin Johansson, Regionkoordinatorer mot människohandel och prostitution region Syd, Regional coordinators against human trafficking and prostitution region South (female)	November 21 2019, Malmö
Helena Ljunggren, Åklagarmyndigheten, åklagare, Swedish Prosecution Authority, prosecutor (female)	April 22 2020, phone
Emma Cotterill, Frälsningsarméns, Nationell samordnare mot människohandel, The Salvation Army Sweden and Latvia Territory, National Coordinator Anti-Human Trafficking & Swedish Platform Civil Society against Human Trafficking, Board Director (female)	May 5 2020, Skype
Sofie Dahl, Migrationsverket, Regional samordnare mot människohandel, Swedish Migration Agency, South Sweden, Regional coordinator human trafficking (female)	May 7 2020, Skype
Elisabeth Green, föredetta Regionkoordinator region Syd, former Regional coordinator against human trafficking region South (female)	May 12 2020, phone
Mats Paulsson, Jämställdhetsmyndigheten, Senior utredare, prostitution och människohandel, The Swedish Gender Equality Agency, Senior Investigator (male)	June 23 2020, Zoom
Johan Christiansson, Jämställdhetsmyndigheten, Kvalificerad utredare, prostitution och människohandel, The Swedish Gender Equality Agency, Qualified Investigator (male)	July 1 2020, Skype/Zoom
Malin Andersson, Uppsökande socialsekreterare prostitution, Ungdomsjouren, Framtid Stockholm, Socialförvaltningen, Outreach Social Assistant Prostitution (female)	July 2 2020, Zoom

Josefina Zadig, Noomi, Hela Människan, NGO doing outreach work and providing sheltered accommodation targeting female sex workers and victims of trafficking (female)	July 2 2020, Zoom
Fredrik Selin, Brottoffermyndigheten, Jurist, Brottsofferfonden och Kunskapscentrum, The Swedish Crime Victim Authority, Lawyer (male)	July 9 2020, StarLeaf
Linda Öhman, International Organization for Migration (IOM) Finland, Project Assistant and former Case Worker, Assisted Voluntary Return and Reintegration, (female)	July 21 2020, Skype
Maria Lindskog, Noomi, Hela Människan, NGO doing outreach work and providing sheltered accommodation targeting female sex workers and victims of trafficking (female)	July 24, 2020, questions answered in writing
Emelie Ekerstam, Noomi, Hela Människan, NGO doing outreach work and providing sheltered accommodation targeting female sex workers and victims of trafficking (female)	August 14 2020, in person
Ophelia Eglentyn, founder and member of Red Umbrella Sweden and founder and previous member of Fuckförbundet, Swedish sex workers' rights organization	August 17 2020, Skype
Åsa Ekman, Göteborgs Stad, Social resursförvaltning, Regionkoordinator mot människohandel, Regional coordinator against human trafficking and prostitution Gothenburg (female)	August 17 2020, Zoom
Thomas Ahlstrand, Åklagarmyndigheten, Chefsåklagare, Swedish Prosecution Authority, Deputy chief public prosecutor (male)	August 21 2020, phone
Vanessa Bergstrand, Återvändandeenheten, Migrationsverket, Kontaktperson för frågor rörande människohandel, Return Unit, Swedish Migration Agency, Contact person human trafficking issues (female)	August 24 2020, phone
Maria Schyberg, Regionkoordinator mot prostitution och människohandel, region Bergslagen, Regional coordinator against human trafficking and prostitution region Bergslagen (female)	August 24 2020, phone
Per Englund, Nationella operativa avdelning (NOA), kriminalinspektör, Criminal inspector working with human trafficking (male)	August 26 2020, police online platform September 23 2020, police online platform
Ruth Nordström, Chefsjurist, Människorättsjuristerna, Chief Legal Officer, Human Rights Lawyers (female)	August 28 2020, phone

Maria Giulia Taccari, Noomi, Hela Människan, NGO doing outreach work and providing sheltered accommodation targeting female sex workers and victims of trafficking (female)	August 28 2020, in person
Anna Andersson*, Fuckförbundet, Swedish sex workers' rights organization	September 4 2020, in person
Sara Svensson*, Fuckförbundet, Swedish sex workers' rights organization	September 4 2020, in person
Eva Norlin, Regionkoordinator mot prostitution och människohandel Region Nord, Regional coordinator against human trafficking and prostitution North Sweden (female)	August 21 2020, Skype
Morgan Beijer, Kommissarie, Utredningsgruppen, Region Bergslagen, Police Commissioner, Investigation Group, Region of Bergslagen (male)	September 1 2020, phone
Isabella Kim, ECPAT Sverige (female)	September 2 2020, Zoom
Yvonne Magnusson, Regionkoordinator mot prostitution och människohandel region Öst, Regional coordinator against human trafficking and prostitution East Sweden (female)	September 22 2020, phone
Maya Wolinder Lind, Kriminalvården, Senior handläggare, The Swedish Prison and Probation Service, Senior Officer (female)	September 25 2020, phone
Katariina Klostergård, Evonhuset, Socialsekreterare Evonhuset, Social assistant providing counselling to sex workers and clients (female)	September 29 2020, Zoom
Britt Svenberg, kriminalinspektör, Polismyndigheten Region Väst, Detective, Police Authority Region Väst (female)	October 1 2020, phone



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