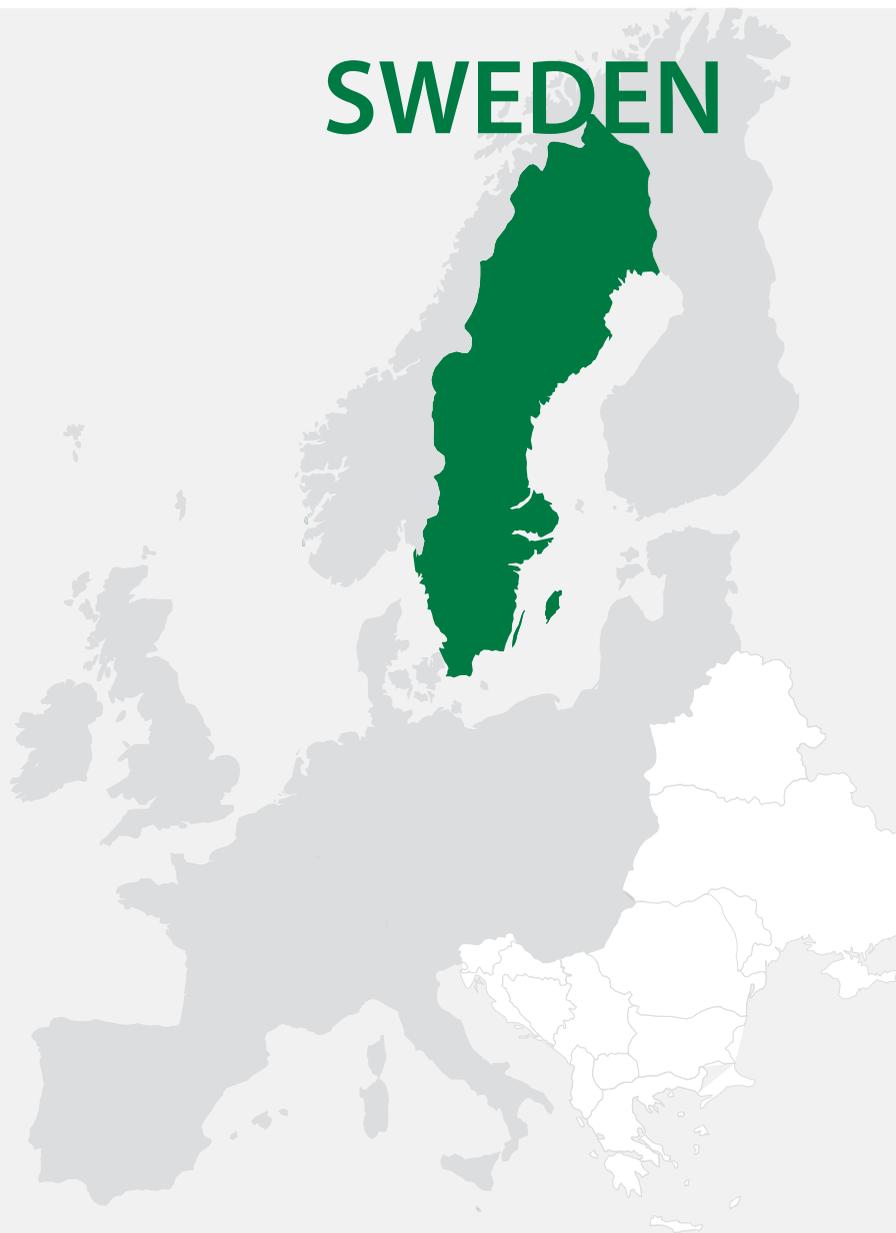




# Global Monitoring

status of action against commercial sexual exploitation of children

## SWEDEN



2<sup>nd</sup> EDITION

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# GLOSSARY OF TERMS AND ACRONYMS

- **AICREE**- Associazione Italiana del Consiglio dei Comuni e delle Regioni d'Europa
- **BRA** National Council for Crime Prevention
- **BRIS** Children's Rights in Society
- **CRC** Convention on the Rights of the Child
- **CSEC** Commercial Sexual Exploitation of Children
- **ECPAT** End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
- **EPCTF** European Police Chiefs Task Force
- **EGCC** Expert Group for Cooperation on Children at Risk
- **HDI** Human Development Index
- **NMT** National Methodology Support Team
- **OPSC** The Optional Protocol on the sale of children, child prostitution and child pornography
- **OSCE** Organization for Security and Co-operation in Europe
- **SiS** National Board of Institutional Care
- **UNDP** United Nations Development Programme
- **UNICEF** United Nations Children's Fund
- **YPP** Youth Partnership Project

# FOREWORD

The 2008 Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (CSEC) represents a broad societal alliance that builds on more than twenty years of global action. The First World Congress against Commercial Sexual Exploitation of Children was held in 1996 in Stockholm, Sweden. It marked the first public recognition by governments of the existence of CSEC and resulted in a commitment to an Agenda for Action adopted by 122 governments.

Since 1996, many actors around the world have focused their efforts around this common agenda, and more government and non-government entities have joined in to advance positive change for children and to protect their right to live free from sexual exploitation.

However, the increasing sophistication of resources available to those who seek to exploit children has grown in equal measure. Responding to these challenges, and particularly to new CSEC manifestations such as exploitation using the Internet and mobile technologies, requires new partnerships, and more coordinated and targeted efforts to address a borderless crime.

Experience demonstrates that the level of responsibility and role that a government takes to set and uphold standards of protection determines the nature, quantity and quality of what the country achieves overall for its children. Unfortunately, country actions have not been uniform, and far more urgent work must be done. In particular, the Rio Declaration highlights the increased vulnerability of children in a less stable world.

This is why I welcome the publication of second editions of ECPAT International's Agenda for Action (A4A) Country Reports Monitoring the Status of Action against the Commercial Sexual Exploitation of Children.

We are confident these unique publications will support governments to take prescribed actions to protect children from such heinous violations, which are still perpetrated with impunity in many countries. They also have the potential to stimulate the exchange of experience and knowledge among different actors to create a dialogue that can enhance our collective efforts against CSEC.

Over the years, ECPAT's A4A reports have become a baseline of information on actions taken and a roadmap for addressing gaps in each country based on the framework of the Stockholm Agenda. The reports succeeded in their goal of providing a basis for more systematic assessment of progress on implementation of country commitments. Moreover, we know they provide an important support to the implementation of other international mechanisms that exist to protect children's rights, such as the *Convention on the Rights of the Child (CRC)* and the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography*. Today, 193 countries have ratified the CRC, and 143 the OPSC.

Production of such comprehensive publications requires global collaboration. ECPAT International would like to thank all those who participated in the work and contributed their inputs. This includes ECPAT member groups, local experts and organisations, as well as the dedicated staff and interns in the Secretariat of ECPAT International. We acknowledge the generous support of donors who back these efforts. The A4A reports would not have been realised without their support and solidarity.



Kathleen Speake  
Executive Director, ECPAT International

# METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2<sup>nd</sup> Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of

information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2<sup>nd</sup> Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on

specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation. They also served as a measure for triangulating and

validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2<sup>nd</sup> Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see [www.ecpat.net](http://www.ecpat.net) for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.

# SWEDEN



## INTRODUCTION

Although the Swedish economy suffered during the global economic crisis and entered recession at the end of 2008, it bounced back quickly and is one of the strongest economies in Europe.<sup>1</sup> The Swedish Government has been able to maintain its extensive social welfare system that includes many programmes designed for children.<sup>2</sup> According to the UN Development Programme (UNDP), Sweden ranks as one of the highest on the Human Development Index (HDI).<sup>3</sup> In 2010, Sweden ranked ninth

out of 177 listed countries on the HDI.<sup>4</sup>

However, Sweden's economic status does not prevent the existence of commercial sexual exploitation of children (CSEC). According to several studies and reports, many children in Sweden are victims of child prostitution, child trafficking and particularly child pornography, which, according to the Swedish Government, has increased over the last few years.<sup>5</sup>

## Child prostitution

Although there is no accurate data on the scope of child prostitution, research has noted that Sweden continues to be affected by this form of child sexual exploitation. A 2007 report by the National Board of Health and Welfare, which is commissioned by the Government to regularly monitor the extent and development of prostitution in Sweden, identified children under the age of 18 who sold sexual services in approximately 34% of Swedish municipalities.<sup>6</sup>

A study on adolescents' sexuality in the Baltic region, published in 2007, found that selling sex for money or other forms of consideration was practised by a small percentage of the 5,623 high school students surveyed and was more common among boys (1.7%) than girls (1.0%).<sup>7</sup> However, another 2007 study, conducted in the second largest city in Sweden, presented different findings,

concluding that boys are nonexistent in accounts of selling sex.<sup>8</sup> Females involved in prostitution remain the norm, even in the adolescent context.<sup>9</sup> That study also concluded that the Internet is the major arena for boys and girls involved in selling sex.<sup>10</sup> Sixty percent of the boys and 45% of the girls who had sold sex met the buyers on the Internet.<sup>11</sup>

The Swedish National Board for Youth Affairs conducted a study commissioned by the Government, among children and young people aged 13 to 25, in 2010.<sup>12</sup> The study explains the experiences of, and attitudes towards, exposure of a sexual nature, sexual exploitation and the provision of sexual services in return for compensation of some kind. In one of the surveys presented in the report (with respondents aged 18), 1.5 percent of the respondents reported

having at some point received some form of payment for sex. “1.7 percent of males and 1.2 percent of females reported having at some point provided sexual services in return for payment of some kind...However, the experiences of municipal prostitution units in Gothenburg, Malmö and Stockholm, as well as those of a number of other municipal service providers (social services and youth clinics), indicate few contacts with youths who sell sex, particularly young males... Young people who receive compensation for sex have problems in various areas of their lives... The number of people using the internet every day has almost doubled over the past six years, whereas the number of eighteen-year-olds who report ever having received some form of payment in exchange for sex has not changed to any notable degree.” The average age at which the youths report having sold sex for the first time is 14.4 years, which is lower than the age

recorded in the 2004 study, which was 15.9 years.<sup>13</sup>

Another report, part of the NPA on trafficking and prostitution, conducted by The National Board of Institutional Care (SiS) in 2011, focused on increasing the protection of adult drug users and young people who have been, are currently or are likely to be exposed to prostitution or trafficking. The report highlighted that a rather high number of children and young people in institutional care in Sweden have received some sort of compensation in exchange for sex: 12 % of the girls and 4% of the boys (out of 567 boys and girls in total) placed in state run youth care homes sold sex for alcohol, drugs or money. The average age at which they reported having sold sex for the first time was 15 years old, within the age bracket of 12 to 19 years old.<sup>14</sup>

## Child trafficking

Sweden is primarily considered a destination country for child trafficking. There are only a few reports of Sweden being used as a transit country as in most cases in Scandinavia the trips are arranged directly from the source to the destination, without passing through another country.<sup>15</sup> The majority of girls come from nearby countries in eastern Europe.<sup>16</sup> According to a 2008 report, many girls trafficked to Sweden were already involved in the sex industry in their home countries.<sup>17</sup> During 2009 and 2010 some focus has also been put on trafficking within Sweden with Swedish children (some of whom reportedly had mental disabilities).<sup>18</sup>

Statistics on minors involved in human trafficking in Sweden are highly unreliable and there is typically no differentiation between adult and child victims in official reports.<sup>19</sup> There are no estimations made on the number of children (or adults) trafficked into or within Sweden.<sup>20</sup> The most recent

estimation is from 2003, when the National Police Board stated that between 400 and 600 women and children were trafficked into Sweden annually. The National Police Board states in their report that the number of victims discovered largely depends on resources, but the latest report states that there were no victims under 12 years of age in the 2009 preliminary investigations on trafficking.

The Committee on the Rights of the Child has expressed concern about the lack of a comprehensive system for data collection - in particular, the absence of national statistical data on child prostitution and child trafficking victims.<sup>21</sup> A 2008 study found that almost half of the 30 human trafficking cases analysed involved girls under 18, including one case involving a girl under 15.<sup>22</sup> According to data from the National Criminal Investigation Department, most

of the children trafficked to Sweden are girls between 15 and 17 years of age.<sup>23</sup> The National Police Board, on the other hand, estimates that most children trafficked to Sweden are 16-17 years old.<sup>24</sup> However, the majority of women recruited for trafficking in Sweden are in their twenties.<sup>25</sup> According to the US Department of State, 16 children were identified as victims of forced prostitution in 2009, with victims having originated from Eastern Europe, Africa and Asia.<sup>26</sup> Although the real numbers of trafficked children are suspected higher than data indicates, trafficking in children is considered by some as a limited problem in Sweden.<sup>27</sup>

In 2010, the Swedish Police conducted 32 investigations into cases of trafficking for sexual purposes, up from 31 in 2009. Of all trafficking cases investigated, including labour, 29 involved children (approximately 34%). Prosecutions were levied against 37 offenders in 2010, up from approximately

24 in 2009. These prosecutions resulted in 27 convictions and 10 dismissals, “including three for sex trafficking, five for trafficking for other purposes, one for assisting trafficking, four for aggravated procurement, and 14 for procurement.” Sex trafficking sentences ranged from three to six years imprisonment, with an average of four.<sup>28</sup>

Although traffickers are primarily men, there is evidence of women being involved as recruiters, mainly as peers or co-workers in brothels. According to the National Council for Crime Prevention (BRÅ), there were 11 convictions for human trafficking in 2006, three of which involved women traffickers.<sup>29</sup> In 2009 there were 6 women out of 15 persons in total convicted for trafficking (or related offences).<sup>30</sup> Women acting as traffickers are often previous victims of sexual exploitation and/or trafficking. In some cases, they are both former victims and wives or girlfriends of the main organisers.

The US Department of State annually releases a *Trafficking in Persons Report* which categorises countries into different “tiers” based on the extent of government action to combat human trafficking. Countries that have the highest level of compliance with the *Trafficking Victims Protection Act’s* minimum standards for the elimination of trafficking are placed in **Tier 1**. Those that have made “significant efforts” to meet the standards are placed in **Tier 2** and countries that are not making significant efforts to combat human trafficking are placed in **Tier 3**.

In the 2011 report, Sweden was placed in **Tier 1**.<sup>31</sup>

## Child pornography/ child abuse images

The total number of reported offences regarding child pornography in 2010 was 390, of which 299 were Internet related child pornography.<sup>32</sup> Unfortunately, it is not possible to follow an offence from report to conviction through the entire judicial system; nor is it possible to separate Internet-

based child pornography from other child pornography offences in the total number of convictions. In 2010 there were 114 convictions in total.<sup>33</sup> Due to this lack of disaggregated data, the Committee on the Rights of the Child recommends Sweden “to establish a coordinated system for the

collection of data – disaggregated by age, sex, geographical location and socio-economic background – specifically on offences under the Protocol, covering all victims and perpetrators of such offences.”<sup>34</sup>

According to government information, there were 125 Swedish children identified in Interpol’s database of abusive pictures as of 2009. Statistics provided by the Swedish National Council for Crime Prevention (BRÅ) indicate more than 1,000 reported cases of child pornography from 2006 to 2008 and 132 total convictions in 2006 and 2007. The conviction rate of child pornography offences during the period 2001-2005 is estimated to be 15 % and consists of about 70 convictions per year.<sup>35</sup> In a Governmental review of the provisions concerning child pornography (SOU 2007:32) 303 verdicts were analysed (2001-2005). In about 50 % of the verdicts the defendant was also sentenced for other offences on top of child pornography, two thirds of these were sentenced for sexual offences against children.

Until the end of the past decade nearly 50,000 attempts to access child pornography websites were stopped every day in Sweden by the Swedish police in cooperation with Internet service providers (ISPs). As a result of the joint efforts of ECPAT Sweden, the police, the ISPs and the Swedish Financial coalition, the matter of attempts to access the material has decreased radically.

According to a 2007 school survey conducted by BRÅ, more than 30% of 7,500 young people in year nine (children aged 15) stated that they had been exposed to some form of sexual contact during the year by a stranger

who they believed to be or knew was an adult. Almost half of the girls surveyed stated that they had been exposed to such contacts (a far greater number than boys). Most of the young people answered that they had been contacted via the Internet. Only about two percent of both boys and girls stated that they had been subjected to sexual contact via a non-internet medium.<sup>36</sup>

A major case of online grooming in 2008 involved more than 100 girls who knowingly met a man to have sex (although none of the girls admitted to being fully aware of what that implied). Through chat conversations, the perpetrator became aware of and exploited the girls’ vulnerabilities, ranging from loneliness to suicidal thoughts.<sup>37</sup>

Apart from online grooming, Swedish children are exposed to other potential harms while using the Internet. For example, access to pornography is quite common among adolescents. Research on adolescents’ sexuality in the Baltic region published in 2007 found that, apart from adult pornography, 7.6% of 17-year-old boys surveyed had watched child pornography.<sup>38</sup>

Another possible harm, which has only recently been acknowledged in Sweden, can occur when children witness their parents’ Internet activities. A recently published report noted that some children contacted the Swedish child helpline distressed over the fact that their fathers accessed pornography on the Internet or that a parent engaged in sex chats that the child somehow witnessed. In a few reported cases, adolescents had noted that a parent accessed what they judged to be child pornography.<sup>39</sup>

## Sexual exploitation of children in tourism

There are Swedish citizens seeking sex with children abroad, including in the distant countries of Brasil, Cambodia and Thailand, as well as in neighbouring Estonia, Finland, Norway and Russia. In a report initiated by ECPAT Sweden and presented in 2008, *Child sex tourism – the sexual exploitation of children committed by Swedes abroad*, it was “estimated that between 4,000 and 5,000 purchases of sexual services from minors by Swedes occur abroad every year.”<sup>40</sup>

Although the Swedish government and some authorities (mainly the National Criminal Police and the Prosecution Authority) have made improvements with regard to actions against child sex tourism in the last couple of years, much still needs to be done. The Committee on the Rights of the Child stated in their concluding observations in 2011 regarding Sweden’s implementation of the OPSC that:

“The Committee urges the State party to establish and implement an effective regulatory framework and take all necessary legislative, administrative, social and other measures to prevent and eliminate child sex tourism. In this regard, the Committee encourages the State party to strengthen its international cooperation by multilateral, regional and bilateral arrangements for the prevention and elimination of child sex

tourism. The Committee further urges the State party to strengthen its advocacy with the tourism industry on the harmful effects of child sex tourism, widely disseminate the UNWTO Global Code of Ethics for Tourism among travel agents and tourism agencies and signing up for the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism”.<sup>41</sup>

The National Police Board reported in 2010 that there were 9 reports made on child sex tourism to the police in 2009, the majority regarding offences by Swedish nationals in Thailand but also in Cambodia.<sup>42</sup>

Following the 1996 Stockholm and the 2001 Yokohama global forums on commercial sexual exploitation of children, Sweden reaffirmed its commitments at the 2008 World Congress III against Sexual Exploitation of Children and Adolescents, in Rio de Janeiro, Brasil. The World Congress III renewed global commitment and galvanised international resolve to combat sexual exploitation of children and adolescents. In total, more than 3,000 people took part in the three-day gathering, including representatives from government, the private sector and civil society, as well as 300 children and adolescents from around the world.

## NATIONAL PLAN OF ACTION

The Government submitted its fourth periodic report on the *Convention on the Rights of the Child* (CRC) to the UN Committee on the Rights of the Child in 2007. The *Optional Protocol on the sale of children, child prostitution and child pornography (Optional Protocol)* has been a starting point for the Swedish Government’s 2007 *National Action Plan for Safeguarding Children from Sexual Exploitation* and the 2008 *Action Plan against Prostitution and Human Trafficking for Sexual Purposes*. However, the two plans are not entirely consistent with the *Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*.

Sweden updated its *National Action Plan for Safeguarding Children from Sexual Exploitation* in 2007. The development of the new plan was coordinated by the Ministry of Health and Social Affairs, in cooperation with a number of ministries, other relevant authorities and some organisations. Ten measures are to be implemented by the Government in cooperation with other relevant stakeholders between 2007 and 2012. These broadly include actions to address child sex tourism; dissemination of knowledge and information; identification of measures aimed at offenders; increased cooperation at the national and international levels; and review of legislation.<sup>43</sup>

### Action Plan against sexual exploitation of children

The Government's objectives and the aims of the Action Plan from 2007 are to ensure that: no child in Sweden is subjected to sexual exploitation; no child in another country is sexually exploited by persons from Sweden; child victims of sexual exploitation receive all the support and help they need; and that Sweden contributes to effective international cooperation on this issue.

Unfortunately, Sweden falls short of protecting children from all forms of sexual exploitation and sexual abuse and fails to take all appropriate national, bilateral and multilateral measures in accordance with the Optional Protocol and the CRC. Sweden is a country where child sexual abuse can go undetected, as addressing economic crimes are prioritised. The Government lacks a fundamental strategy that is essential to prevent and protect children from commercial sexual exploitation. More is expected from a country that was one of the first in the world to ratify the CRC and to host the first World Congress against Commercial Sexual Exploitation of Children in 1996.

The National Action Plan against Sexual Exploitation of Children was updated in 2007 for the second time. The plan was supposed to be updated again after the third World Congress against Commercial Sexual Exploitation of Children in Rio de Janeiro in 2008. However, the update was initially postponed until sometime after the Concluding Observations were presented in June 2009; unfortunately, this update was never pursued. Despite the criticism from the Committee, the Swedish government has now decided to update the Action Plan in 2012 in connection with the fifth periodic report of Sweden.

ECPAT argues that the action plan in place from 2007 needs to be urgently updated and become more comprehensive to reflect the commitments made during all three world congresses against commercial sexual exploitation. ECPAT further recommends that the plan include actions not only focusing on *Swedish children*. It is equally crucial to identify children that reside illegally in Sweden and that are in need of protection and care, as well as children in other countries affected by crimes of Swedish residents abroad. Sweden has a responsibility to prosecute and provide access to justice and remedies to these children since the principle of non-discrimination is key to the Convention on the Rights of the Child and the Optional Protocol.

ECPAT welcomes that one of the many aims of the Action Plan is to ensure that "*no child in another country is sexually exploited by persons from Sweden*". However, the 2007 National Plan of Action only outlines three planned activities of limited significance. As such, until 2009, the government has *not initiated or presented any substantial measure to prevent or combat child sex tourism*. Child sex tourism has until very recently been handled as a non-issue in Sweden, as discussed above. In 2009, after years of lobbying by

ECPAT Sweden, the Swedish National Police allocated three police officers to work against child sex tourism on a project basis.<sup>44</sup>

Furthermore, in July 2008, the Government launched an *Action Plan against Prostitution and Human Trafficking for Sexual Purposes*. According to the Government, SEK 203 million will be invested in 36 measures up to the year 2010.<sup>45</sup> The plan covers five priority areas: greater protection and support for those at risk; more emphasis on preventive work; higher standards and greater efficiency in the justice system; increased national and international cooperation; greater knowledge and awareness.<sup>46</sup> Special measures are targeted at children and young people.<sup>47</sup> An integrated follow-up of the action plan will take place in 2011 and be presented to the Swedish Parliament.<sup>48</sup>

## Action Plan against prostitution and human trafficking

After years of preparations and a prolonged process, the National Action Plan against prostitution and human trafficking (2008-2010) suggested several valuable measures addressing both children and adults in order to increase protection and support, reinforce preventive work, improve quality and efficiency in the judicial system and increase national and international co-operation. If the period of implementation had been longer and the large number of activities had been co-ordinated among all the actors and on a national level, the impact would have been significant.<sup>49</sup>

Combating sexual exploitation of children is an on going process. ECPAT Sweden encourages that the government will follow-up on the Action Plan and allocate further resources so that the valuable work carried out during the two-year period will be sustained.

## COORDINATION AND COOPERATION

### Local and national levels

The UN Committee on the Rights of the Child, in its 2009 concluding observations, expressed concerns to Sweden about cooperation on the local and national levels regarding its implementation of the CRC.<sup>50</sup> In accordance with international treaties to which it is a party as well as the *Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*, Sweden should address these gaps to ensure effective coordination.

Commercial sexual exploitation of children is still not well understood among the general public and even among professionals working to protect children's rights. The general

legislations are in place, but the penalties are too low and therefore the crimes are not given priority. The combination of several involved ministries and lack of a fundamental

and coordinated strategy reaching over several years, involving all actors in the society, influence the result and impact of the activities carried out in Sweden to combat commercial sexual exploitation of children.

Cooperation on CSEC issues between government agencies and other stakeholders has been fostered through various meetings. In the spring of 2006, the former Minister for Tourism invited representatives of the travel industry, voluntary organisations and authorities to a meeting on the sexual exploitation of children in connection with tourism and travel at the request of ECPAT Sweden. There was only one meeting with few results and no follow-up, although the travel industry requested that the government do more to support this effort. In addition, over the years there has been some dialogue with ECPAT, other relevant NGOs, the Ministry of Health and Social Affairs and some departments to follow up and update the *National Action Plan for Safeguarding Children from Sexual Exploitation*.<sup>51</sup>

Between 2005 and 2008, government entities, including police, public prosecutors,

and key civil society actors, such as NGOs and religious groups, partnered in a project, “cooperation against trafficking” (*Samverkan mot trafficking*).<sup>52</sup> Such a multi-stakeholder approach to combat trafficking is also encouraged in the current *Action Plan against Prostitution and Human Trafficking for Sexual Purposes*. Measures contemplated by the plan include creating a “national methodology support team” (NMT) to coordinate action among key actors, especially the National Board of Health and Welfare, the Police Authority, the Swedish Prosecution Authority and the Swedish Migration Board. The National Methodology Support Team started its work in early 2009.

The plan also calls for national training materials and stronger cooperation mandates for regional bodies.<sup>53</sup> Unfortunately ECPAT Sweden has not been part of this NPA, despite being the only NGO with a focus on CSEC in Sweden. However, due to ECPAT Sweden’s efforts, some joint activities have been conducted in 2010 and 2011 with the NMT in its extended commission from the Government (and planned to continue until 2014).<sup>54</sup>

## Financial Coalition against Child Pornography

Following a two-year collaborative effort between ECPAT Sweden, the Swedish bank, Skandiabanken, and national law enforcement, a Swedish Financial Coalition against Child Pornography was announced in February 2009 by the Swedish Banking Association. As a result, all national banks have committed to preventing and stopping transactions related to commercial child pornography websites. Payments have successfully been hindered by Skandiabanken since mid-2008.<sup>55</sup>

In the framework of this initiative, ECPAT Sweden has drafted agreements to be signed by each individual bank that includes taking an internal and external standpoint against CSEC, preventing and obstructing payments through the financial systems in co-operation with the police, increasing the knowledge about CSEC in order to be able to contribute to the proactive work and taking part in meetings and workshops organised by the Coalition in order to contribute to the main and overall objective of the Coalition. Training sessions for employees of Skandiabanken were conducted by ECPAT Sweden in 2008 and other capacity-building activities were implemented in 2009.<sup>56</sup>

In Sweden, the local authorities and county councils have a considerable degree of autonomy and many decisions that concern young people are taken at the municipal level. Under its statutory powers, Sweden's Children's Ombudsman acts as a driving force in the implementation of the *CRC* in the country. Administrative authorities, municipalities and county councils must provide information to the Ombudsman about the actions taken to implement the *CRC* when requested by the Ombudsman.<sup>57</sup> Whilst the Ombudsman does not have the mandate to directly investigate individual cases (including complaints on CSEC violations) there is a duty of notification. The Ombudsman for Children shall immediately submit a report to the Social Welfare Board if it becomes aware that a child is abused at home or is otherwise aware that the Board needs to intervene to protect a child."<sup>58</sup>

According to the *Social Services Act*, social services shall cooperate with the relevant agencies to meet all of a child's needs for treatment and care. In that sense, agencies such as the police, schools or health service have a duty to cooperate.<sup>59</sup> Unfortunately, there is no particular focus on CSEC, not even in the Barnahus. The Children's Welfare Foundation noted in its report 2009 to the Government that "the knowledge of professionals on sexual exploitation is still relatively low in parts of Sweden." According to the Children's Welfare Foundation, representatives from, for instance, the police, the social services and schools have drawn attention to difficulties in dealing with sexual exploitation with existing resources. As a consequence of lack of knowledge there are no structures or routines to prevent the problem and protect children from commercial sexual exploitation.<sup>60</sup>

Cooperation between the Government and NGOs has been strengthened with the 2005 establishment of the Child Rights Forum. The Child Rights Forum is a platform for structured dialogue between

the Government and NGOs, as well as for the application of systematic comparisons. Nonetheless, the Committee on the Rights of the Child expressed concern in 2009 that the coordination and coherence of efforts on behalf of children at both the central and local levels were inadequate.<sup>61</sup>

The committee also expressed concern at the lack of relevant statistical data pertaining to children, including data on victims of sexual exploitation. Although it noted some positive efforts, including statistical reports by the National Board of Health and Welfare, as well as the work of Statistics Sweden, it recommended that Sweden strengthen coordination among entities that collect data on children in order to improve systematic collection of disaggregated data.<sup>62</sup>

The Swedish National Council for Crime Prevention (BRÅ) is the agency responsible for official crime statistics/data. However, data is lacking for almost all forms of sexual exploitation of children. Apart from the lack of statistics, another challenge is also the fact that it is not possible to follow a case from reporting or notification to verdict, which make the statistics very difficult to analyse. This has also been pointed out by various experts, e.g. the Faculty of Law at Stockholm University as recently as 2011. For example, the number of notifications is compared with the number of prosecuted individuals, despite the fact that most of the notifications were made the previous year. Furthermore, if a person is convicted for a rape of a child and remuneration has been provided to the child or to a third person, this will not be shown in the statistic. Only the major crime will be registered in criminal statistics.

As recommended by the Committee of the *CRC* in 2005 in Concluding Observations, article 10, Sweden still has to "*establish a coordinated approach between all entities collecting data on children and introduce a comprehensive system of data collection of victims of sexual exploitation.*"<sup>63</sup>

Sweden hosted the 1996 First World Congress against the Commercial Sexual Exploitation of Children and also assisted the organisational committee in preparing for the two conferences that followed. The Swedish Government also funded the participation of 100 children from around the world at the World Congress III, in Brasil.

Sweden is a member of the Comprehensive Operational Strategic Planning for the Police (COSPOL) Internet Related Child Abusive Material Project (CIRCAMP) network, established in 12 EU countries.<sup>1</sup> This regional network was established by the European Police Chiefs Task Force (EPCTF) in 2004. It aims to improve the coordination among law enforcement agencies from EU members to combat child sexual exploitation online. Its main objectives are to block access to child abusive materials; identify, investigate and shut down payment systems; and prosecute those who distribute child abuse material online.

EUROPOL also supports regional efforts to prevent and eradicate criminal networks related to the production, sale, and distribution of child abuse images. In 2009, the AWF provided support to several investigations conducted under the CIRCAMP initiative such as the Operation “Typhon” which involved law enforcement agencies from 19 countries and which led to the arrest of 118 child sex offenders.<sup>64</sup>

The Swedish Police is a member of the European Financial Coalition against Commercial Sexual Exploitation of Children Online, which was established in March 2009 and brings together major financial, Internet and technology corporations, law enforcement agencies and specialist child

protection NGOs from EU countries to combat commercial profits made from child abuse material online.<sup>65</sup> The Swedish Police is also a member of the Innocent Images International Task Force, which is comprised of law enforcement officers from Europol and several countries and allows real-time transfer of information between the FBI and other task force members.<sup>66</sup>

In November 2010, Europol launched Project HAVEN (Halting Europeans Abusing Victims in Every Nation), which targets travelling sex offenders originating from the EU who exploit children both inside and outside Europe. It emphasises the coordination of international operations conducted by EU law enforcement authorities.<sup>67</sup>

The group Nordic Police and Customs Cooperation involves law enforcement agencies from Denmark, Norway, Finland, Iceland and Sweden. Liaison offices have been established abroad to strengthen cooperation with foreign authorities to better counter transnational crimes, including CSEC. For example, the Swedish Embassy in Thailand hosts a liaison office, which works very closely with the Royal Thai Police in combating international crimes.<sup>68</sup>

Eurojust, the EU’s Judicial Cooperation Unit established in 2007, deals with

<sup>1</sup> Belgium, Denmark, Finland, France, Germany, Ireland, Italy, Malta, the Netherlands, Poland, Spain and Sweden.

transnational crimes, which can include cases of missing children, child sexual abuse, child trafficking and child abuse on the Internet. It facilitates the exchange of information among EU member states on good practises and experiences and plays a leading role in coordinating information and investigations. Recognising the importance of child protection, in 2008, the National Member for Sweden was appointed as the Contact Point at Eurojust for Child Protection Issues. Among other things, the Contact Point provides support to EU Member States on dealing with child protection cases requiring judicial cooperation and works closely with national law enforcement agencies, as well as other stakeholders in the field of child protection and with partners such as Europol, Interpol and UNODC.<sup>69</sup>

Sweden continues to be a part of the Expert Group for Cooperation on Children at Risk (EGCC).<sup>70</sup> The EGCC is comprised of senior officials from the ministries responsible for children's issues in the member countries of the Council of Baltic Sea States and the European Commission.<sup>71</sup> The EGCC identifies, supports and implements cooperative efforts focused on children at risk among countries and organisations in the region.<sup>72</sup> It also examines and reviews areas of concern with regard to children, as identified by its network of national coordinators and experts.<sup>73</sup> From September 2006 to January 2008, a "Baltic Sea Region Comprehensive Assistance to Children Victims of Trafficking" training programme brought together 55 experts from 9 countries in the region for a series of six meetings on care, protection and rehabilitation of child victims of trafficking and on care for unaccompanied children.<sup>74</sup> The group of experts is now a national and

regional resource.<sup>75</sup> Furthermore, in January 2008, a report, *The Frail Chain*, on child trafficking in the region was launched.<sup>76</sup> In October 2008, a second Plan of Action on Unaccompanied and Trafficked Children in the region of the Baltic Sea States was adopted, covering the period of April 2008 to June 2011. It includes a number of measures to address child trafficking and sexual exploitation.<sup>77</sup>

Sweden has been also active in the drafting of multilateral, regional and bilateral agreements for international penal law collaboration within the Nordic Council, the Council of Europe, the European Union and the United Nations. Through UNICEF, Sweden notably contributed to extend technical support to Moldova to improve legal protection related to CSEC, including by establishing a children's ombudsman. Sweden has also contributed to the development of measures against human trafficking in Europe and Russia through IOM, the Organisation of Security and Cooperation in Europe (OSCE), Save the Children and local NGOs.<sup>78</sup>

Good collaboration exists between Sweden and UN agencies and NGOs. Sweden is one of the largest regular donors to UNODC and UNICEF, which work, respectively, on counteracting human trafficking and prevent and protect children from CSEC. Sweden also provides a grant to ECPAT International to build up countries' capacity to assist child victims, as well as to the NGO, Group for the Convention on the Rights of the Child, for their work on alternative reporting on the *Optional Protocol* and their work of following up the world congresses against sexual exploitation of children.<sup>79</sup>

## PREVENTION

The effective prevention of CSEC requires multi-faceted strategies and policies that simultaneously address the different elements of the problem. These strategies should target both vulnerable children and those who engage in sexual activities with children while also addressing the root causes of CSEC such as poverty and lack of education.

Long term prevention strategies include improving the status of children who are most vulnerable to CSEC by implementing policies to reduce poverty and social inequality and improving access to education, health and social services. Effective short to medium term strategies include awareness raising campaigns and education and training initiatives for the general public, vulnerable groups and government officials. The resources, expertise and influence of the private sector, particularly the tourism and IT industries, should also be engaged in prevention measures, in particular in awareness raising activities.

Furthermore, information, education and outreach programmes should be directed at those engaging in the commercial sexual exploitation of children (e.g. users of children forced into prostitution) to promote changes in social norms and behaviour and reduce the demand for child victims of CSEC.

The Government's *Action Plan against Prostitution and Human Trafficking for Sexual Purposes*, of 2008, contains several efforts to raise awareness about trafficking in human beings, addressing both children and adults (see the earlier section on National Plan of Action).<sup>80</sup>

In 2008, UNICEF Sweden and the National Board of Health and National Board of

Health and Welfare together produced a publication for professionals working with children on identifying risk factors of trafficking.<sup>81</sup>

Since 2002, the Media Council, Sweden's "Awareness Node", has been participating in the EU project, Safety Awareness, Facts and Tools (SAFT), which aims to promote more secure use of the Internet among children and young people. Together with the Swedish National Agency for School Improvement (MSU), the council has prepared material entitled "The Young Internet," and arranged conferences to provide support to teaching and discussion concerning the Internet and other media. As of 2007, the Media Council worked with Children's Rights in Society (BRIS) to introduce a special helpline through which children and young people can get advice and support concerning their experience on the Internet. The Media Council has also produced a brochure entitled "Ten tips to parents with surfing children." Additionally, in 2008, the Minister of Health and Social Affairs initiated dialogue with senior representatives of Internet and telecom companies, with a view to identifying the most effective methods to increase protection of children when they use the Internet or other media.<sup>82</sup>

In the spring of 2008, the Government held a dialogue meeting with relevant actors in the travel industry and agencies responsible for tourism education. Through this dialogue, the Government sought to learn the views of these actors with regard to the measures needed to combat CSEC in connection with tourism and travel. Unfortunately, the invitations to the meeting were sent out on very short notice and few persons were able

to attend.<sup>83</sup>

One new major tour operator in Scandinavia, Solresor, signed the Code of Conduct in 2008. Solresor has been successful in adopting a corporate policy against commercial sexual exploitation of children, including clauses against child sex abuse in all their contracts with hotels and suppliers and informing their customers.

Following work conducted by ECPAT Sweden, the Board of TRAC (i.e., Travel Academy, a registered trademark owned by the Association of Swedish Travel Agents, the Swedish Bus and Coach Federation, Europeiska, Scandinavian Airlines, Swedish State Railways, Fritidsresor, Amadeus Scandinavia AB and the Passenger Shipping Association) included a compulsory module on sustainable tourism in all its training courses, which ECPAT Sweden had pursued for years. This decision was taken by the board of TRAC in April 2009 ([www.trac.se](http://www.trac.se)).<sup>84</sup> In 2009, ECPAT Sweden launched a new campaign against child sex tourism, called “Support Kim,” including a fictional character created by ECPAT Sweden to represent all survivors of child sex tourism in the world. The purpose of the campaign is to give the public a way to show that they care about the issue and to increase political pressure in the area of children’s rights. Thousands of people have joined the campaign via Facebook and the website, [www.supportkim.com](http://www.supportkim.com).<sup>85</sup>

Advertisements in travel magazines and information campaigns on child sex tourism have been conducted by ECPAT Sweden on a yearly basis to increase awareness among the Swedish public. The campaigns have also been part of the continuing lobbying towards politicians in order to increase their focus on travelling child sex offenders.<sup>86</sup>

In an effort to counteract child pornography, Radisson Blue Hotels and Resorts, in 2010, publicly announced the installation of a system to prevent hotel guests from accessing child abuse images via the Internet. While some organisations quietly install such software on their systems, Radisson Blue has publicised the effort at its Scandinavia Hotel in Gothenburg. The hotel group also announced that it will eventually roll out the NetClean Child Abuse Free Zone technology on the guest computer network around its chain of 235 hotels in Europe, Middle East and Africa.<sup>87</sup>

As stated in the *Rio Declaration and Call to Action*, effective deterrence measures are necessary to tackle the issue of CSEC. Sweden seems to be in line with this recommendation. One of the most successful deterrence strategies appears to be Swedish legislation that decriminalises the selling of sex, but raises the criminal penalties for purchasing sex. Sweden’s law overtly acknowledges the presence of sexism and violence against women in the sex trade industry. It is based on the belief that if communities and governments cannot identify the connection between prostitution and gender inequality, meaningful change will never take place.<sup>88</sup>

In 2007, about 20,000 adolescents around 18 years of age, from the six Baltic countries of Estonia, Lithuania, Norway, Poland, Sweden, and North-West Russia, participated in *The Baltic Sea Regional Study on Adolescents’ Sexuality*. The study is useful for drawing comparisons in the areas of sexuality, sexual offences, sexual abuse and pornography. The adolescents responded to questions on their experiences with their families, themselves, voluntary sexual relations and sexually abusive relations.<sup>89</sup>

## Reducing the demand for sex with children

The Karolinska University Hospital Center for Andrology and Sexual Medicine (CASM) has received funds from the Government (in 2011) to start a helpline for persons with sexual problems, e.g. compulsive sexual behaviour, or at risk of initiating or recommitting sexual exploitation of children. The helpline is something that CASM, ECPAT Sweden and others have advocated for years.

In a report by the National Board of Health and Welfare's in 2011, it was concluded:

*"The National Board of Health and Welfare is of the opinion that tried treatment efforts should be further elaborated and be made available for men, women and children who have committed or run a risk on committing sexual offences. The availability to treatment for children with sexually oriented problematic behaviour and young people who have committed or run a risk of committing sexual offences, is restricted to the southern part of Sweden. The National Board of Health and Welfare emphasizes the importance of the development of regional proficiency centres to facilitate access for children and young people to evidence based treatment efforts geographically nearer their home district. The current level of understanding of children with sexual behaviours towards others is limited, as well as how their problems can be treated. Considerable efforts are called for in this field and the National Board of Health and Welfare recommends special investments in order to provide personnel in pre-schools, recreation centers, schools, social services as well as parents the support they require."<sup>90</sup>*

The Swedish National Criminal Police unit that combats child sex tourism has also had

a campaign to urge the public to report suspected offences committed abroad.



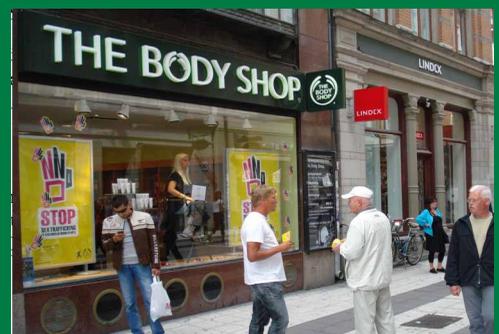
### STOP Sex Trafficking of Children & Young People Campaign

Conducted in partnership between The Body Shop and ECPAT, this three-year campaign, launched in 2009, seeks to provide immediate relief to child victims with funds raised and to create long-term changes through engaging the public in awareness raising and lobbying decision makers to

strengthen concerted action against child trafficking for sexual purposes.

ECPAT Sweden worked with The Body Shop to increase the public's understanding of the issue of child sex trafficking, while advocating for legal changes to protect children from sex trafficking. ECPAT Sweden and Mr. Thomas Bodström, former Minister of Justice and Ex-chairman of ECPAT Sweden, actively promoted the campaign, by handing out campaign flyers and collecting signatures for the campaign petition. In Sweden, the campaign funds supported advocacy work of ECPAT Sweden, resulting in among other things, changes in the national human trafficking and child

pornography laws, where the principle of 'double criminality' no longer applies in these contexts. In addition, Sweden ratified the *Council of Europe Convention on Action against Trafficking in Human Beings* on 31 May 2010. Other advocacy work focused on calling for an internal review to prevent children from being exploited in the migration system and for the Government to introduce a child trafficking offense, with strict penalties.



## PROTECTION

Comprehensive and effective legislation is essential to protect children from CSEC. Specific laws must be developed, implemented and/or strengthened to combat the various manifestations of CSEC. These laws must be reviewed and updated regularly to incorporate evolving forms of CSEC,

such as grooming or viewing and accessing child pornography online, and changes in the international legal framework. In addition, national laws must be effectively enforced. Policies and procedures to protect child victims and witnesses are also essential.

### Regional and international level

As in the case of other international conventions and agreements that Sweden has acceded to, the CRC and two protocols have been incorporated into Swedish law by

various legislative measures. On ratification of the *Optional Protocol*, a review was made of Swedish legislation and the amendments required for ratification were adopted.

International instruments	
Charter-based bodies	Comments
<b>Human Rights bodies related to Child rights</b>	
Working Group of the Universal Periodic Review – Human Rights Council	2009
<i>Special Rapporteur on the sale of children, child prostitution and child pornography</i>	No visit so far.
<i>Special Rapporteur on trafficking in persons, especially in women and children</i>	No visit so far.
<b>Treaty-based bodies</b>	
Committee on the Rights of the Child	<p><b>Main recommendations on the implementation of articles 34 and 35 of the CRC (2009):</b></p> <ul style="list-style-type: none"> <li>- fully implement the national action plans for sexual exploitation of children and against prostitution and trafficking in people for sexual purposes, in order to protect children against trafficking;</li> <li>- strengthen measures to monitor and foresee new and emerging risk situations of sexual exploitation of children;</li> <li>- strengthen measures to protect children who are victims of sexual exploitation, including trafficking and prostitution, and bring perpetrators to justice, and provide data on the extent and patterns of such offences in the next periodic report;</li> </ul>

Treaty-based bodies	
Committee on the Rights of the Child	<ul style="list-style-type: none"> <li>- train law-enforcement officials, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner that respects confidentiality;</li> <li>- implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the first, second and third World Congresses against Commercial Sexual Exploitation of Children in 1996, 2001 and 2008;</li> <li>- ensure that education and training, as well as psychological assistance and counselling, are provided to child victims of trafficking; and</li> <li>- negotiate bilateral agreements and multilateral agreements with countries concerned, including neighbouring countries, to prevent the sale, trafficking and abduction of children, and develop joint plans of action between and among the countries involved.</li> </ul> <p><b>Main recommendations on the implementation of the OPSC (2011)</b></p> <ul style="list-style-type: none"> <li>- fully incorporate the Convention and its Optional Protocols into its legislation, including by: <ul style="list-style-type: none"> <li>Ensuring that commercial sexual exploitation is subject to commensurate sanctions under its criminal justice system;</li> <li>Ensuring that all victims of child abuse, particularly those above the age of 15 years, are provided with adequate legal protection;</li> <li>Reconsider their evaluation of the purchase of a sexual act of a minor and exploitation of children for sexual purposes as “less serious sexual offenses against children” and consider removing the requirement of double criminality for such offences when they are committed outside its territory;</li> </ul> </li> <li>- undertake concrete measures to strengthen its inter-agency coordination for addressing violations under the Optional Protocol, including by establishing a system for the monitoring and evaluation of bodies responsible for the implementation of the Protocol and coordination of such efforts between relevant regional and local authorities</li> <li>- ensure the provision of rehabilitation and counselling for all perpetrators of Protocol offences, including those who have not been subject to a prison sentence;</li> <li>- ensure the provision of adequate protections measures for children in an unaccompanied asylum-seeking or migration situation, including by increasing control of the person(s) into whose care the child is put.</li> <li>- establish and implement an effective regulatory framework and take all necessary legislative, administrative, social and other measures to prevent and eliminate child sex tourism.</li> <li>- expediently ratify all relevant international and regional human rights instruments that it is signatory to.</li> </ul>

Children's rights instruments	Date of ratification	Date of submitted reports
Convention on the Rights of the Child - 1989	1990	Last report submitted in 2007 – concluding observations of the CRC in 2009.
Optional Protocol on the sale of children, child prostitution and child pornography – 2000	2006	1st report submitted in February 2009 – concluding observations of the OPSC in 2011.
ILO Convention on the Worst Forms of Child Labour - 1999 (No. 182)	2001	N/A
UN Convention against Transnational Organized Crime - 2000	2004	N/A
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and children – 2000 (supplementing the UN Convention against Transnational Organized Crime)	2004	N/A
Treaty-based bodies		
Council of Europe Convention on Action against Trafficking in Human Beings		2010
Convention on Cybercrime		Signed but not ratified.
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse		Signed but not ratified.

## Legislation

The Swedish legislation on commercial sexual exploitation is generally well-defined. The protection against commercial sexual exploitation is however limited for children between 13–17 years old. The age of consent at 15 years old seems to have undermined the legal protection, as well as the commercial aspect of sexual abuse of a child. In the latter case the offender is punished by fine for the purchase of a sexual act of a minor, but not the actual sexual crime. The punishments for the crimes *on the demand-side of the criminality* are very low and at the very bottom of the scale of Swedish crime sanctions. The average punishment for child pornography is, for example, a

financial penalty, which is also the case when it comes to punishment for purchase of sex with a trafficked victim (child or adult). As a consequence of the low sanctions these crimes are not given priority.

Since 2005 child pornography and trafficking laws have been reviewed and have provided children with better protection against these forms of CSEC. In addition, a law protecting children from online solicitation for sexual purposes ('grooming') was passed in July of 2009. However, some aspects of legislation still fall short of relevant international and regional legal standards.

With respect to child prostitution, chapter 6, section 9 of The Swedish Penal Code (Penal Code) stipulates that “a person who... induces a child under eighteen years of age to undertake or endure a sexual act in return for payment, shall be sentenced for purchase of a sexual act from a child to a fine or imprisonment for at most two years.”<sup>91</sup> “Payment” (ersättning in Swedish) is not restricted to money but also includes other forms of compensation. These elements of Swedish law are in line with the Optional Protocol. Section 9 also applies “if the payment was promised or given by another person.”<sup>92</sup>

In addition, according to chapter 6, section 4 of the Penal Code, engaging in sexual intercourse or other comparable sexual acts with a child under the age of 15 is considered

“rape of a child” and is punishable by a prison sentence of at least two and at most six years.<sup>93</sup>

The *Penal Code* criminalises ‘pimping’ and ‘procurement’ under chapter 6, section 12, which says “[a] person who promotes or improperly financially exploits a person’s engagement in casual sexual relations in return for payment shall be sentenced for procuring to imprisonment for at most four years.”<sup>94</sup>

It should be highlighted that the statute of limitations for initiating judicial proceedings in sexual crimes against children has been changed and now does not begin to run until the child turns, or would have turned, 18 years of age.<sup>95</sup>

## TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

The Government of Sweden complies with the minimum standards of the Trafficking Protocol and the Council of Europe Convention on Action against *Trafficking in Human Beings*, which was ratified in May 2010. In 2002, legislation came into force that criminalised trafficking in human beings for sexual purposes. In 2004, this legislation was amended to criminalise trafficking within national borders as well.<sup>96</sup> The definition of trafficking meets the requirements of the Trafficking Protocol with regards to trafficking in children for sexual purposes. In 2008, the Committee of Inquiry into Human Trafficking and Related Matters presented proposals to: make penal legislation even more effective; further strengthen the protection of victims; and clarify the vulnerable situation of children. However, the only change actually conducted in the new legislation presented in 2010 was to remove the “control-requisite” and double criminality. The Government did not introduce a specific offence for trafficking of children, as requested by ECPAT

Sweden, UNICEF Sweden, The Children’s Ombudsman and Save the Children Sweden.<sup>97</sup>

Chapter 4, section 1a of the *Penal Code* defines trafficking in human beings as recruiting, transporting, harbouring, receiving or taking other similar actions towards a person, using unlawful coercion or deceit, for the purpose of exploitation, including sexual exploitation.<sup>98</sup> If the victim is a child, the acts mentioned above are deemed trafficking regardless of the use of coercion, deceit or exploitation of the child’s vulnerability. This provision is consistent with article 3 of the *Trafficking Protocol*.<sup>99</sup>

Those who are found guilty of the crime of trafficking in human beings are sentenced to jail for a minimum term of at least two years and at most 10 years. However, it should be highlighted that there is still no harsher penalty applicable for those who are involved in trafficking children.

Attempted human trafficking and preparations for and conspiracy to engage in human trafficking, as well as failure to expose such crimes, are punishable. Incitement and

complicity are punishable in accordance with the provisions of chapter 23, section 4, of the *Penal Code*.<sup>100</sup>

## CHILD PORNOGRAPHY

According to Sweden's reservation to article 2c of the Optional Protocol, child pornography should be limited to visual representations. Audio or written material depicting children being engaged in erotic or sexual activities are not covered. This restrictive approach in defining child pornography is reflected in the domestic law.

Following a 2007 report of the Swedish Committee of Inquiry into Child Pornography, the Government proposed, in November 2009, a new legal framework prohibiting the viewing of child pornography. Likewise, the Government proposed the introduction of a strict age limit into the legal definition of child pornography. Once passed, the Government's proposal will be sent to the Council on Legislation for approval before the bill is put to a parliamentary vote. Currently, possession of pornographic material featuring children is illegal in Sweden as well as knowingly accessing child pornography using ICT which was criminalised in 2010.

Under chapter 16, section 10a of the Penal Code, anyone who portrays a child in a pornographic picture; disseminates; transfers; grants use; exhibits or in any other way makes such a picture of a child available to another person; acquires or offers such a picture; brings about contact between a buyer and a seller of such pictures or takes any other similar step to facilitate dealing in such pictures; or possesses or knowingly obtains access to such a picture, shall be sentenced to imprisonment for at most two years or, if the crime is petty, to a fine or imprisonment for at most six months. The law focuses on visual representations of children and thus fails to cover audio and written child pornographic material.<sup>101</sup>

When the offence is considered "gross," offenders may be imprisoned for up to six years. In assessing whether the crime is gross, special consideration shall be given to whether it was committed in the course of business or otherwise for profit, was part of a criminal activity that was systematically practised or practised on a larger scale, or concerned a particularly large number of pictures or pictures in which children are exposed to especially ruthless treatment.<sup>102</sup> Negligent acts of dissemination are also

punishable if they occur in the course of commercial operations or if they otherwise are committed for profit.<sup>103</sup>

The prohibition against production of child pornography is not comprehensive as it does not apply to a person who draws, paints or produces child pornography pictures when such pictures are intended for this person's own personal use.<sup>104</sup>

In addition, the Penal Code contains a provision criminalising "exploitation of a child for sexual posing."<sup>105</sup> It is an offence for anyone to promote or exploit the performance or participation in sexual posing of a child under the age of 15, or a child between the ages of 15 and 18 "if the posing is by its nature likely to damage the child's health or development."<sup>106</sup> Punishment includes a fine or imprisonment, for at most two years.<sup>107</sup> These acts can include sexual posing that occurs in sex clubs, in private circles or for the production of pornographic pictures.<sup>108</sup> 'Sexual posing' means to participate in or perform a sexual act or to openly expose the body to one or more people or in front of a camera.<sup>109</sup> Punishment for a gross crime is imprisonment from six months to six years.<sup>110</sup>

## Law against grooming adopted in 2009

In 2009, legislation was adopted that contained a new offence of “contact with children for sexual purposes.” It aimed to strengthen the protection of children from sexual abuse under the criminal law. It applies to anyone who, with the aim of committing certain sexual offenses against a child under the age of 15, arranges a meeting with a child and subsequently takes any action to make such a meeting possible. This includes online ‘grooming.’ The punishment for the offense is a fine or imprisonment for a maximum of one year. However, six months after its entry into force, the law had not led to any convictions.<sup>111</sup> The Swedish legislation on grooming targets adults who contact children for sexual purposes. The legislation came into force on July 1, 2009 and has so far resulted in one verdict despite the fact that a report by National Council for Crime Prevention (Brå) in 2007 showed that 30% of the Swedish teenagers had been sexually contacted by an adult.<sup>112</sup> The legislation is weak and ineffective. Instead of criminalising the mere fact that an adult contact a child for sexual purposes, the construction of the legislation requires that the adult make an arrangement to meet a child and take appropriate measures to do so. Because of the low penalty, fine or imprisonment for at most a year, police are not able to use appropriate tools when investigating (e.g. track IP addresses).

## EXTRADITION LAW

According to Article 4 of the *Optional Protocol*, State parties should establish their jurisdiction over all child sexual exploitation related offences (territorial principle), which means that cases involving child exploitation should be investigated and prosecuted in the country where they are committed, irrespective of the nationality of the child victim and of the perpetrator.

The rationale behind this provision is that States where sexual exploitation against children has been committed by foreign travelling sexual offenders appears to be the best place for investigating and prosecuting sex crimes against children as child victims, witnesses and evidence are based on its territory. However, in some cases, travelling sex offenders have fled the country where they have committed their crime in order to escape prosecution and have, for instance, returned to their country of origin. As the best option is for offenders to be tried in the country where the offence was committed, offenders should be extradited back to the country where they committed sexual crimes

against children to face trial when feasible. However, under *Extradition for Criminal Offences Act* (1957:668), Swedish authorities cannot extradite their nationals. Therefore, extradition procedures are applicable only to foreign fugitives, including travelling child sex offenders, staying in the Swedish territory. Article 4 of the *Optional Protocol* makes it mandatory for State parties to prosecute child sex offenders if they do not extradite them.

Formerly, under the Penal code (Chapter 2, Section 2), crimes committed outside the Realm shall be prosecuted in Sweden (extraterritorial legislation) if it is criminalised both under the legislation of the country where it was committed as well as under Swedish laws (double criminality principle). The crime must also have been committed by a Swedish citizen or alien who resides in Sweden, including when the author acquired Swedish nationality or domicile after committing the crime; a Danish, Finnish, Icelandic, or Norwegian citizen who is present in the Realm; or an

alien present within Sweden and accused of a crime that, under Swedish law, can result in imprisonment for more than six months, which is the case for all CSEC offenses.

With the reform of sexual crimes in 2005, there is no longer a requirement of double criminality to convict an offender in Sweden for certain serious sexual crimes committed abroad against children under the age of 18. These serious sexual crimes include only several offences related to CSEC: rape of a child, procuring and gross exploitation of a child for sexual posing; purchase of a sexual act from a child (chapter 6, section 8, of the Penal Code); exploitation of a child for sexual posing (chapter 6, section 10a); grooming (chapter 16, section 10 a, of the Penal Code); sexual molestation of a

child (chapter 6, section 10); and offences of child pornography (except grave forms of possession and producing) are still not exempt from the double criminality clause.<sup>113</sup> Unfortunately, there are currently no proposals for the removal of the requirement of double criminality on grooming and the remaining offences of child pornography and sexual molestation.

At the initiative of ECPAT Sweden, Professor Christian Diesen and Researcher Eva Diesen at Stockholm University, conducted a study which highlighted the number of sexual crimes against children committed abroad between 2004 and 2007. According to the study, two cases involving child sex tourism were investigated but they did not lead to prosecution.<sup>114</sup>

## Child protection units

Since 1995, the Swedish National Investigation Department has included a Child Abuse Team within its Special Objects Unit. This Team was founded at the initiative of a Parliamentary Commission organised in response to two of the first large child pornography cases in 1992. The Commission found that accumulating experience and knowledge focused on the abuse and exploitation of children was important to avoid duplication of efforts, both domestically and internationally. Thus, the Child Abuse Team was founded to serve as a centralised focal point for domestic and international cooperative efforts, including Interpol.<sup>115</sup> The National Criminal

Investigation Department has issued an *Action Plan for international police work on child sex offences and child pornography*.

The National C.I.D.'s child pornography group consists of nine police officers, of which four police officers are dedicated to child sex tourism. For a number of years the group consisted of only two police officers. Following a public campaign in 2006/2007 by ECPAT Sweden, the group received more resources; however, cases are still sometimes unsuccessfully addressed because of lack of resources, despite the new organisation introduced in 2006 in which local police also investigate child pornography cases.<sup>116</sup>

## Support services for children

In April 2008, new provisions were included in the *Social Services Act* and the *Care of Young Persons (Special Provisions) Act* to further strengthen protection of children.

The Swedish Government has not yet implemented the European Commission's 2007 decision to reserve 116000 as the standard "missing and sexually exploited

children telephone hotline” in every EU country,<sup>117</sup> and there is currently no other available helpline providing specialised assistance to child victims of trafficking in Sweden. During the hearing on the OPSC in Geneva in October 2011, the Swedish delegation stated that there is a plan to begin implementation of the 116000 helpline. A general NGO-helpline for children exists on violence against children etc. (BRIS, Children’s Rights in Society), but not specific to CSEC. Since the end of 2010 there is also a state-operated, general helpline for victims of trafficking (<http://safetrip.se/en/>), however targeting women rather than children. However ECPAT Sweden has run a web-based hotline since 2005, at [www.ecpathotline.se](http://www.ecpathotline.se), where the general public can anonymously report cases of CSEC.

The “Barnahus” is a reception and advocacy centre for child victims of sexual abuse and exploitation. The initiative is a cooperative composed of police, public prosecutors, forensic doctors, social workers and child psychologists who aim to provide child victims one place to go for legal and other support services.<sup>118</sup> Barnahus process facilitates taped testimony with investigators, which can later be used in court to avoid re-victimising child witnesses.<sup>119</sup> However, it’s unclear to what extent support extends beyond the investigation process.

In June 2009, the faculty of Law at Stockholm University conducted an evaluation on the “Barnahus.”<sup>120</sup> The evaluation points out that the preliminary investigations done at the Barnahus have the same deficiencies as the regular police and prosecution investigations and that the prosecution rate in fact was lower at the Barnahus. However the evaluation also points out that inter-agency cooperation is higher in places with Barnahus. Also, more children tend to receive crisis support and the participation of child medical experts in the consultations leads to more medical examinations.

The Swedish government provides a special representative for child victims under 18 in cases where the parents are accused or may not pursue the child’s best interests because of a relationship with the accused.<sup>121</sup>

There are no specific shelters in Sweden for child victims of trafficking. The police usually send them to shelters that care for adult women.<sup>122</sup> However, according to the Vice Mayor of Social Affairs Division in Stockholm, Anna König Jerlmyr, the city of Stockholm will be offering shelters for trafficked children shortly.<sup>123</sup>

Access to appropriate recovery and reintegration services for child victims of trafficking is reportedly hampered by the lack of cooperation and coordination, knowledge and clear division of responsibilities between the various organisations working on the issue.<sup>124</sup> The County Administrative Board in Stockholm is commissioned by the Government, to develop and improve the efficiency of national level cooperation in the work against human trafficking and prostitution, primarily between different authorities. They are also responsible for the coordination of safe return of victims of trafficking and for developing support programs for the rehabilitation of victims of trafficking.

The Committee on the Rights of the Child expressed concern that a large number of unaccompanied children seeking asylum disappear from the reception centres.<sup>125</sup> These children are particularly at risk of further sexual exploitation.<sup>126</sup> Some improvements on the protection of unaccompanied children have been made. However there are also other groups of children such as unaccompanied asylum-seeking minors, who are at risk of commercial sexual exploitation in the migration system. These may be children arriving with adults falsely acting as legal custodians, undocumented children, children of irregular immigrants, children entering Sweden with the use of

look-alike-passports etc. There are still no permanent actions to ensure foreign children the same protection as Swedish children. Although the work being done by different authorities is of value, discrimination still occurs, as for example the lack of focus on all groups of children at risk of exploitation, the investigation of placement of asylum seeking children by the social services not being as extensive as the placement of Swedish children in need of protection.<sup>127</sup>

This is also a concern of the Committee on the Rights of the Child, who in the concluding observations of 2009 on Sweden's implementation of the OPSC expressed "concern that foreign children are not receiving assistance and protection service with the same quality standards as for children from the State party. The Committee is further concerned that both the rehabilitation programmes and the safe return project are limited to the Stockholm area."<sup>128</sup>

Additionally, the County Administrative Board in Stockholm and NMT has also produced National Guidelines for the work against trafficking in Sweden. In regard to safe return, the guidelines state that support depends on expenses and varies from case to case. In addition, there is no authority responsible for updating the contact list in victims' countries of origin.<sup>129</sup>

According to the *Aliens Act*, foreign child victims of trafficking are granted a 30-day temporary residence permit, which provides a 'reflection period' during which they have to decide whether to cooperate with Swedish authorities with regard to the investigation and prosecution of traffickers. If they cooperate with the authorities, they can be provided with a renewable six-month residence permit. Otherwise, they will have to leave the country. During their stay,

children are entitled to receive healthcare and medical services under the same conditions as children who legally reside in Sweden. There is also free access to psychological counselling for children, as well as a mobile asylum team for children. However, these services have long waiting lists. In addition, undocumented children and children who are avoiding enforcement of a refusal of entry or deportation order ('children in hiding') only have a right to urgent medical care.<sup>130</sup>

Sweden has also made some progress in providing specialised assistance to victims of child abuse images. Therapeutic approaches assisting child and adolescent victims of offline and online exploitation are currently being analysed at BUP Elefanten, which is a Child and Adolescent Psychiatric Unit that treats sexually and physically abused children in Sweden. The project has been running since 2005 and has involved over 100 interviews with young people, therapists, police, prosecutors and social workers, as of 2008. The young people assisted have been subjected to a variety of abuses, including sexual harassment, engagement in webcam sex, having their images uploaded onto the Internet, online engagement leading to offline abuse, and children selling sex online. Based on the data, the young people were divided into three descriptive groups: "the fooled, who were lured into something unexpected; the risk-takers, who take risks to meet emotional needs and secure attention, and the self-destructive, who, for example, sell sex or knowingly engage in abusive relationships." The latter group were reluctant to consider themselves 'victims', instead believing they were in control. The results of this research suggest that many of these children reject offers of help. Practitioners were advised to attempt to maintain contact with these young people until they feel ready to engage.<sup>131</sup>

## Training law enforcement personnel

Prosecutor training courses include sections on child abuse and child pornography. The Prosecution Authority has created an additional instruction manual for prosecutors investigating cases involving child abuse. A course focused on child pornography has also been added to prosecutorial training on IT crimes and evidence collection in an IT context. This is an advanced course available, but apparently not required, for all prosecutors.<sup>132</sup>

Within the NPA on trafficking, the Government has tasked the Crime Victim Compensation and Support Authority with arranging a training program for police, the Prosecution Authority, the Swedish Courts Administration and the Swedish Migration Board on matters related to prostitution and human trafficking for sexual purposes. The training programme is intended to improve knowledge about the underlying mechanisms that affect the incidence of prostitution and human trafficking for sexual purposes and to improve treatment of victims.<sup>133</sup>

Europol holds an annual training course on Combating the Sexual Exploitation of Children on the Internet, for law

enforcement officers and the judiciary from EU member states, as well as from other countries. The training aims to share experiences and good practises and develop the participants' knowledge and investigation skills and present to them the latest investigation methods and techniques. Following the 11th annual training in October 2010, approximately 490 law enforcement officials and 45 members of the judiciary from the EU and other countries had attended these training sessions.<sup>134</sup>

Compulsory, regular training with a clear child focus is still lacking. The Children's Welfare Foundation noted in its 2009 report to the Government that "*the knowledge of professionals on sexual exploitation is still relatively low in parts of Sweden.*" According to the Children's Welfare Foundation, representatives from, for instance, the police, the social services and schools have drawn attention to difficulties in dealing with sexual exploitation with existing resources. As a consequence of lack of knowledge and training, there are no structures or routines or protocols on how to prevent the problem and protect children from commercial sexual exploitation.<sup>135</sup>

## CHILD AND YOUTH PARTICIPATION

The Swedish Government funded the participation of 100 children from around the world at the World Congress III in Brasil.

The 2010 World Summit on Media for Children and Youth was held in Karlstad, Sweden in June 2010. The conference,

which was attended by delegates from 100 countries, helped prepare children and young people for a new media world. It

offered opportunities for networking and participating in debates and workshops.<sup>136</sup> Save the Children Sweden has operated a child and youth participation initiative since 2003 called “SCS Youth,” which includes youth members between the ages of 7 and 26. Save the Children facilitates its youth members’ efforts to join and participate in community groups.

**Prominent initiatives from this group include:**

- the website “Effekt” ([www.oeffekt.rb.se](http://www.oeffekt.rb.se)), which provides a forum for children to discuss and debate important issues. Feedback is later compiled and forwarded to adults in power in Sweden;
- “Voices of 100 children,” a project designed to empower children living in institutions or foster care. The project organised a forum allowing these children to share their views and submitted them to a parliamentary committee charged with revising the national plan for institutional and family care of children;
- “Article 12,” a project serving to enable children, especially those with disabilities

and from immigrant backgrounds, to influence local-level decision making in Sweden.<sup>137</sup>

Another innovative recent initiative paired immigrant children separated from their families with two drama teachers to create a film called “The New Home Country” to be distributed to schools, care providers, and policymakers.<sup>138</sup>

The Network for the CRC consists of about 50 NGOs that together examine Sweden’s implementation of the UN Convention on the Rights of the Child. The network’s goal is to ensure that children themselves should be able to demand their rights. During the last 10 years the network has had hearings with the Government and children from each NGO. The children attending the hearings are the ones who ask the questions to the ministers. Each hearing is recorded and compiled into an annual report distributed to participants and politicians and also provides the base for the network’s joint reports to the Committee on the Rights of the Child.<sup>139</sup>



## STOP Sex Trafficking of Children & Young People Campaign

An important advocacy component of The Body Shop and ECPAT ‘Stop Sex Trafficking of Children and Young People Campaign’ is the country progress card system, which ECPAT and The Body Shop have created to assess the progress of state action on specific commitments and promises to uphold the rights of the child to protection from sex trafficking and all forms of commercial sexual exploitation. In line with the 2008 Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children from the World Congress III against Sexual Exploitation of Children and Adolescents, this innovative tool provides readers with information on states’ action to combat child trafficking, specifically with regard to the three goals of the campaign:

1. Community-based prevention programmes to stop child trafficking are reaching at-risk populations;
2. International legal standards for protecting children from trafficking have been incorporated into the national legal framework; and
3. Specialised government services for child victims of trafficking are integrated into national policies.

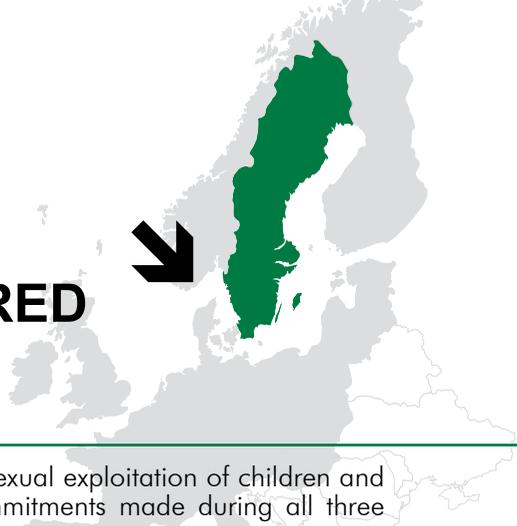
Sweden: Summary of Progress Card <sup>II</sup>			
Goal 1: community-based prevention programmes			
Prevention	Collaboration	Awareness raising	Teacher training
Yellow	Green	Yellow	Yellow
Goal 2: legal framework			
Optional Protocol	Trafficking Protocol	National legislation	Special police units
Green	Green	Yellow	Yellow
Goal 3: specialised services for child victims			
Helpline	Shelters	Medical services	Psychological counselling
Yellow	Yellow	Yellow	Yellow

Green = significant action taken by state; Yellow = partial action taken by state;  
Red = inadequate level of state action; Star = work undertaken by NGOs

Based on a global assessment of the progress cards, Sweden is among the 26% of territories reviewed that have taken limited measures to stop sex trafficking of children and young people. While Sweden has a comprehensive National Plan of Action on the issue of human trafficking, there has been limited progress on initiatives against child trafficking in its prevention, protection and ensuring adequate assistance and services.

<sup>II</sup>The Sweden Progress Card is available at [www.ecpat.net](http://www.ecpat.net)

# PRIORITY ACTIONS REQUIRED



## National plan of action

- Sweden must urgently update its Action Plan against sexual exploitation of children and ensure that it is comprehensive and reflects the commitments made during all three World Congresses against sexual exploitation of children.
- The Action plan should further include actions to tackle the demand side of the problem:
  - more research on offenders,
  - not excluding female and young offenders,
  - awareness-campaigns,
  - evaluation of preventive measures and proposals for new preventive measures,
  - police liaison officers to be posted at the most frequent tourism destinations for Swedish residents and citizens and the prohibition for any individual convicted for sexual offences against children to undertake work involving children.

## Coordination and cooperation

- Sweden should improve the collection of disaggregated data on children and CSEC, including by strengthening its efforts to establish a coordinated approach among all entities collecting relevant data; establish a coordinated approach between all entities collecting data on children and introduce a comprehensive system of data collection for victims of sexual exploitation, as recommended by the CRC in Concluding Observations, article 10, in 2005.
- Sweden should improve the coordination among authorities and have a long term approach to combat commercial sexual exploitation of children.
- Sweden should provide the Children's Ombudsman the mandate to investigate individual complaints. The Ombudsman should have sufficient human and financial resources to exercise its mandate effectively and independently.
- Sweden should negotiate bilateral and multilateral agreements with countries concerned, including neighbouring countries, to prevent the sale, trafficking and abduction of children, and develop joint plans of action between and among the countries involved. Mutual legal assistance agreements for international legal assistance should also be concluded with countries of destination for travelling Swedish child sex offenders.
- Establish contacts with the Prosecutor-General in those countries that are considered to be particularly adversely affected by child sex tourism, with the aim of establishing cooperation agreements, routines and action plans covering the reporting of child sex tourism.

- Establish action plans at the Foreign affairs administration on how to respond to cases of suspected child sex tourism.

## Prevention

- Sweden should conduct national campaigns focused on reducing demand, the driving force behind CSEC, such as the 2003 campaign, "Time to flush the johns out of the Baltic." Information campaigns to deter child sex tourism should be prominent at all airports, ferry and ship terminals and vacation centres in Sweden.
- Sweden should mandate and deliver training on child sex tourism and corporate social responsibility to personnel within the tourism, hotel and travel industries.
- Sweden should include compulsory sensitisation and awareness modules on child trafficking and all forms of CSEC, including child pornography and child sex tourism, in the training programmes of teachers and students' curricula. Sweden should also make education about commercial sexual exploitation of children compulsory for all other professionals working with and for children.
- Sweden should foster alliances with influential actors in the private sector to ensure effective CSEC prevention, particularly with regard to child pornography, which is best combated by preventing its profitability.
- Sweden should launch awareness raising campaigns towards the general public regarding sexual exploitation of children in general and in particular child sex tourism and the importance to report offences under the Optional Protocol.
- Sweden should increase and make available treatment for offenders, for men, women and children who have committed or run a risk on committing sexual offences, in all parts of Sweden.
- Sweden should prohibit individuals, who have been convicted for a CSEC offence from working with children, regardless if the employment is in the public, private or non-profit sector. Sweden should require the screening of the criminal record in regards to CSEC offenses.

## Protection

- Sweden must ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse;
- Sweden should comprehensively implement the Convention of the Rights of the Child and its protocols into Swedish law
- Sweden should review and amend trafficking legislation to increase the punishment for trafficking offenses involving children and also facilitate victims of trafficking receiving a permanent residency in Sweden.

- Sweden should remove the requirement of double criminality for the remaining offences under the Optional Protocol: chapter 6, section 9, of the Penal Code (purchase of a sexual act from a child), chapter 6, section 8, of the Penal Code (exploitation of a child for sexual posing), chapter 6, section 10a (grooming) chapter 16, section 10 a, of the Penal Code (child pornography - except for grave forms of possession and the production), Sexual molestation of a child chapter 6, section 10.
- Sweden should apply a strict age definition of 18 years old to all acts (only production as per today).
- Sweden should place child pornography with the rest of the sexual offences in chapter 6.
- Sweden should exclude fines from the sanction for CSEC crimes and remove the requirement of double jeopardy from all acts of the offence.
- Sweden should revise the grooming legislation to criminalise the mere fact that an adult contact a child for sexual purposes.
- Sweden should make it compulsory for Internet Service Providers, site owners, web hotels, domain name registries, and photo shops to report child pornography to the police.
- Sweden should review the possibilities to introduce special courts or specially trained judges for CSEC crimes.
- Sweden should exclude financial penalty from the punishment of the CSEC offences. Instead, Sweden should include more severe criminal punishments reflecting the gravity of the offences as well as extend the possibilities to receive treatment for the offenders, in according with the OPSC art. 3.
- Sweden should conduct an inquiry of child sex tourism abroad by Swedes; increase the number of liaison officers outside of Europe, especially at popular destinations for Swedish child sex tourists; mandate training on child sex tourism for law enforcement and travel industry personnel; and enforce its extraterritorial legislation.
- Sweden should increase the presence of special police units dealing with child trafficking cases outside of Stockholm by establishing specialised units of national and local authorities in other cities.
- Sweden should establish a government helpline that adequately addresses the specific needs of child victims of CSEC;
- Sweden should establish and equip specific shelters for child victims of CSEC to systematically provide adequate assistance and protection services, including medical assistance, psychological support and counselling, legal assistance and access to education). Sweden must ensure access for all child victims, including undocumented children and children in hiding who are at high-risk of being trafficked or re-trafficked.

## Child and youth participation

- Sweden should enhance youth participation in combating human trafficking and other forms of CSEC, such as child pornography, child prostitution and child sex tourism.
- Sweden should strengthen children's capacities for effective participation and sensitise professionals and parents to the benefits of children's participation rights.
- Sweden should institutionalise the entitlement to participation and establish participatory policies and practice in all settings/institutions involving children (e.g. schools, health centres, juvenile justice, care homes and shelters, local and national government etc.).

# ANNEX

## The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents\*

*Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.*

### C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

#### I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

#### II – Forms of Sexual Exploitation and its New Scenarios

*Child pornography/child abuse images*

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

\* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: [http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII\\_Outcome\\_Document\\_Final.pdf](http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf)

images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.

- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
- (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
- (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
- (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and

implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.

- (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
- (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
- (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
- (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
- (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.

#### *Sexual exploitation of children and adolescents in prostitution*

- (14) Address the demand that leads to children being prostituted by making

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

*Sexual exploitation of children and adolescents in travel and tourism.*

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.

- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

*Trafficking and the sexual exploitation of children and adolescents*

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF

*Guidelines on the Protection of Child Victims of Trafficking and UNHCR Guidelines on Formal Determination of the Best Interests of the Child).*

- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.

### **III – Legal Frameworks and Enforcement of the Law**

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.
- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

#### **IV – Integrated Cross-Sectoral Policies and National Plans of Action General**

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

#### *Prevention*

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability

to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

#### *Protection of the child*

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psychosocial support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

## V – International Cooperation

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

## VI – Social Responsibility Initiatives

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and

new technologies for the grooming of children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

## VII – Monitoring

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and

in ensuring, where necessary, that child victims have effective remedies and redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

## C. Call for Action

(1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

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