

Poverty and Trafficking in Human Beings:

A strategy for combating trafficking in human beings
through Swedish international development cooperation

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Foreword

Increasing numbers of women and children are the victims of traffickers in human beings. Women and children are being reduced to commodities traded on an international market. They are marketed, transported and sold to be exploited in prostitution, pornography and forced labour. This is a modern form of slave trade that must be combated.

Trafficking in human beings is a complex problem rooted in poverty, marginalisation and ideas about the subordination of women and children as well as in inadequate protection of human rights.

Combating human trafficking is no simple task. A wide range of action is needed in several policy areas and sectors of society. The problem crosses national borders and therefore requires cooperation between countries.

Sweden is one of the countries that has paid attention to the problem of trafficking in human beings, and has taken active measures to combat it both at national level and in other parts of the world. The Government's intention is to use this strategy to strengthen the efforts Sweden is taking within the framework of its international development cooperation to combat human trafficking and also to provide these measures with a long-term focus and with a firm institutional setting.

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1 Background to the strategy

Although trafficking in human beings is not a new problem, it appears to have expanded in many parts of the world and assumed an increasingly global character. In recent years, the problem has attracted growing international attention. Trafficking in human beings is to a large extent a symptom of relative and absolute poverty. It is also a consequence of gender inequality and lack of respect for children's rights.

The overall goal of Swedish development cooperation is to raise the living standards of poor people. The overall objectives of cooperation in Central and Eastern Europe are to promote sustainable development and deeper integration and partnership in the Baltic Sea region and its environs. Enhancing democracy, reducing social injustice and promoting gender equality are all sub-goals of Swedish development cooperation. Progress in these areas can greatly advance efforts to eliminate poverty, further closer integration and promote sustainable development. More specific interim objectives are set out in the Millennium Declaration adopted by the United Nations General Assembly in 2000. The Swedish parliamentary committee, Globkom, has submitted its recommendations on the future scope and direction of Sweden's global development policies, and a government bill is expected in the spring of 2003. The committee's report addresses the question of global social justice and considers ways in which this can be promoted via different policy areas. It also seeks to show that social justice policies can be based on and integrate a poverty and human rights perspective. Trafficking in human beings is an increasingly global problem and must be seen in this development policy perspective. It illustrates the need for close accord between policy areas and cross-border measures.

The United Nations (UN) Convention against Transnational Organized Crime and its Protocol on Trafficking in Human Beings define human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." It is a serious crime that not only violates the dignity of the individual but also infringes a number of human rights. Under the terms of human rights instruments currently in force, governments are responsible for protecting people against human trafficking. The governments of the countries of origin, all transit countries and final destination countries respectively are directly responsible for implementing the necessary measures to prevent and fight human trafficking, protect the victims and provide adequate support.

Collaboration between countries is essential and the international community must assist. Here, Swedish development cooperation has a task to fulfil.

Sweden's commitment to combating human trafficking – at home in Sweden, in the European Union (EU) or elsewhere in the world – has grown rapidly in recent years. It is pursued in various policy areas and focuses primarily on transnational organised crime, poverty reduction, social security, economic development, migration, gender equality and child protection. A number of ministries, authorities and non-governmental organizations (NGOs) in Sweden are actively engaged in combating human trafficking and supporting its victims.

Sweden extends support for measures, projects and programmes to fight human trafficking in Central and Eastern Europe, the Western Balkans, South and Southeast Asia and West Africa. It has initiated joint measures against trafficking as part of EU regional cooperation with Asia. This initiative was served as a catalyst for the further development of Swedish foreign policy in this area. Regional cooperation has also been initiated in connection with the current dialogue between the EU and Africa.

Strengthening continued efforts by Sweden to combat human trafficking in the context of international development cooperation and ensuring a long-term focus on and institutional support for this task are predicated on the existence of a coherent strategy and effective guidelines. The present strategy is based on measures designed to fight all forms of human trafficking while focusing particularly on women and children, and on the most common and nefarious forms of exploitation, such as sexual exploitation, forced labour or services and hazardous child labour. It is based on a problem inventory, an analysis of causes and needs, previous experience and Sweden's own resources and capabilities. It is intended for use by the Government Offices, the Swedish International Development Cooperation Agency (Sida) and other authorities active in this area in connection with their development cooperation work.

2 Definitions and delimitations

The present strategy is based on the definition of human trafficking set out in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.¹ This has now been endorsed by the international community. A number of different definitions had previously been in use, preventing effective harmonisation and coordination. The Protocol states that:

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The Protocol also states that the consent of a victim of human trafficking to the intended exploitation shall be irrelevant where any of the means set out in the definition have been used. It further states that the recruitment, transportation, transfer, harbouring or receipt of a child (a person under 18 years of age) for the purpose of exploitation shall be regarded as trafficking in persons even if this does not involve any of the means set forth above.

Put simply, trafficking in human beings is an act involving the recruitment, transfer or harbouring of a person using force, threats, deception or other improper forms of pressure for the purpose of exploiting that person in some way. The definition in the Protocol rests on the assumption that adults and children of both sexes can become victims of human trafficking, and that every victim's free will has in some sense been undermined or constrained. It is not limited to sexual abuse but applies to all forms of exploitation. The broad terms of reference used make for wide applicability and allow room for interpretation. Although it deals with transnational trafficking – the crime is committed or organised in more than one state – it can be applied just as effectively to trafficking within countries.

Trafficking in human beings is a complex, multi-layered phenomenon. Viewed as a process, it falls into three separate phases: recruitment, transferral and exploitation in the country of destination. The crime can usually be broken down into a series of violations of someone's rights during this process. The victim can be subjected to deception and fraud, rape, assault or maltreatment,

¹ Protocol to the United Nations Convention against Transnational Organised Crime, adopted by the UN General Assembly in November 2000.

forced labour, the illegal dispossession of travel documents, etc. Several perpetrators may be involved and the violations committed in a number of locations over time. Human trafficking is thus an elastic concept, behind which lurks a complex reality.

It is a concept, which partially overlaps or coincides with a number of other issues and phenomena, such as people smuggling, migration, prostitution and child labour. Although the primary concern of the present strategy is trafficking in human beings, analyses and measures relating to these closely allied issues could also have a bearing on the former, and vice versa. A brief account of some of these is given below:

Smuggling of human beings may be defined as the transportation of people to countries for which they lack visas or the necessary entry permits in order to obtain a financial or other material benefit. The transaction normally takes place at the initiative of the smuggled person or with his/her consent. People smuggling is a crime, primarily against the state.

Migration of workers refers to the voluntary movement of people to other parts of the same country or other countries in search of work or a livelihood. Although it does not per se involve unwarranted use of pressure or influence, or the pursuit of financial or material benefit, the need or desire to migrate can encourage the proliferation of human trafficking activities and create a market for people smuggling. People not infrequently become the objects of smuggling operations while travelling in search of work.

Forced labour may be defined as work performed under compulsion and subject to a penalty. Victims of human trafficking are frequently forced against their will to perform various kinds of work, in households or in agriculture, where their rights and movement are circumscribed.

Child labour refers to the exploitation of minors in hazardous or harmful occupations, i.e. the work itself may be physically or mentally damaging or it may prevent the child from exercising his or her right to education or development in general.

Sexual exploitation, in particular prostitution, is among the predominant forms of exploitation for which human beings are trafficked. The demand for sexual services is thus one of the most important causes of this type of trafficking.

Although it is primarily in the legal – specifically penal – context that there is a need to define and delimit human trafficking in absolute terms, a common basis for information gathering, analysis and action is also needed. The *res gestae* – the three constituent components of the offence: attempt, participation and direction – set out in the UN Protocol may be used to establish whether an act of trafficking has been committed.

3 Nature, extent and repercussions

3.1 Human trafficking – what it involves

Trafficking in human beings is a ruthless, cynical form of exploitation; traffickers prey on and profit from the adversities, distress and vulnerability of other people. A typical case is that of a young woman of a poor family, brought up in the countryside and lured to the big city or to a prosperous neighbouring country by promises of well-paid work. The woman or her family are often approached initially by an acquaintance, on whom the victim – unable to speak the language of the country she is taken to, unfamiliar with her new surroundings and lacking an entry permit – will become wholly dependent. Having left her village behind, she may find herself, at her journey's end, in a completely different situation from the one described to her: her workplace turns out to be a brothel and the pay far less than promised. In fact she may be forced to reimburse her travel costs, her papers may be taken away from her and she will be sexually abused. In West Africa, it is common for children – usually boys – from poor families to leave their homes to work on cotton or cocoa plantations, where they end up labouring under conditions of or similar to slavery. People overtaken by war or natural disasters, who have been uprooted and displaced or find themselves in severe difficulty are of course even more exposed and marginalised. Their dependence and vulnerability is easily exploited for other people's gain.

3.2 Prevalence and trends

Trafficking in human beings takes place in most parts of the world. The majority of countries are involved or affected. It is a complex, mutable phenomenon: a chain of offences and violations committed across time and space. It is practised inside countries, across state borders, even between continents. As it is a criminal activity, the real extent of the problem is difficult to estimate. Information is scanty and what is available is often unreliable. Figures are often little better than gross assumptions. They may have been based on conflicting definitions or compiled for different purposes, and are therefore seldom comparable. Trafficking for purposes of sexual exploitation has attracted relatively widespread attention. Thanks to extensive documentation of the consequences of armed conflict in countries and regions like Vietnam, Sierra Leone, the Balkans and Algeria, we have a clearer picture of the significance of such conflicts for the spread of

human trafficking. The reports describe how the sex trade – involving women and children – gains a permanent foothold in response to the demand for sexual services in conflict situations, and is then perpetuated as soldiers are replaced by sex tourists and human traffickers. Reliable information on human trafficking for other purposes, such as forced labour in the building industry, the restaurant trade, agriculture and certain other industries is scantier. Hardly any data at all is available on trafficking for begging or organ removal. Nevertheless a number of patterns and trends can be discerned.

- *In Europe*, most trafficking begins in Eastern and Central Europe. From here, its victims are normally transported to Western Europe. The countries of the Western Balkans have not only become a centre and main transit route for trafficking of women and children from east to west, but are also countries of origin and destination. The victims are mainly sold into prostitution or subjected to other forms of sexual exploitation. Europe is also a principal destination for women and children from Southeast Asia, West Africa and South America. Young women from Europe, mainly Russia, are also reported to have been sold into prostitution in the USA, Southeast Asia and Japan. There are also reports of exploitation in the agricultural industry, the restaurant trade and private households, as well as data indicating that children are being trafficked for exploitation as beggars.
- Several countries in *East and Southeast Asia*, including Thailand and China, are countries of destination as well as origin. Apart from these, the principal sources of human trafficking victims are the Philippines, Burma/Myanmar, Vietnam and Cambodia, while the most common transit and destination countries are Malaysia and Japan. Women and girls are sold primarily for prostitution and sexual exploitation, but also as domestic servants and ‘mail order brides’. Girls and boys provide cheap labour on building sites, in restaurants, agriculture, factories and private households. Cases of children being sold for exploitation as beggars have also been reported.
- The main countries of origin in *South Asia* are Bangladesh and Nepal, while India and Pakistan are destination countries. Trafficking inside India is also extensive. Girls and young women from poor rural areas are sold into prostitution and marriage in the cities. Some boys are sold to Pakistan, where they are forced to work on building sites and in agriculture. Boys have also been sold to the Middle East as camel jockeys.
- Several countries of origin and transit countries are to be found in *Central Asia* and the *southern Caucasus*. Trafficking here mainly involves young women and girls, who are sold from Armenia, Georgia, Kazakhstan, Tadjikistan and other countries to Russia, Western Europe, Turkey, the United Arab Emirates and the USA, mainly for prostitution. Trafficking in the Middle East mainly involves the sale of people for child marriages, camel jockeying and domestic service.

- There is little data on the problem in Africa. What information is available mainly concerns trafficking in children for exploitation on plantations in *Central and West Africa*. Girls are also sold into domestic service, forced labour or marriages and prostitution. Countries of origin include Mali, Togo, Benin, Burkina Faso and Nigeria, while Ivory Coast, Ghana, Nigeria and Gabon are the principal recipient countries. Girls are also sold to Europe, where they are exploited as prostitutes or domestics.
- Although data for other areas in Africa are sparse in the extreme, there is evidence that trafficking does occur. Women and children are transported from different parts of Africa to the Arabian peninsula, Europe and other African countries. The victims are usually exploited for sexual purposes, domestic work or as cheap labour. For example, South Africa has now become a destination country, reflecting the rapidly expanding sex trade there. Crime syndicates from Central and Eastern Europe, South Asia and West Africa are thought to be involved in the trafficking.
- A significant proportion of human trafficking in *Latin America* takes place inside the countries involved and is closely linked to the sex trade. However, cross-border trafficking is reported and victims are sold as far away as the USA, Canada, Japan and Western Europe. The principal countries of origin are Bolivia, Brazil, Colombia, the Dominican Republic and Mexico, while Argentina, Venezuela and Costa Rica are the main destination countries. Data has been compiled on exploitation in the mining industry, agriculture, forestry, domestic service and the drug trade. There are also indications of trafficking in children for adoption, mainly from Guatemala and Bolivia.
- The USA and Canada are major destination countries for trafficking victims, primarily from Latin America but also from Central and Eastern Europe and Southeast Asia. The purposes are mainly prostitution, forced labour and mail order bride selling.

3.3 The repercussions

There can be no doubt that human trafficking can have devastating long- and short-term consequences for its victims' physical and mental health as well as their legal, social and financial situation. Apart from the individual suffering it causes, its repercussions for society as a whole are highly detrimental.

Trafficking can damage its victims' *health* – often severely – in a number of ways: She or he is usually subjected to cruel mental and physical abuse designed to break down initial resistance, including confinement, seclusion, threats, humiliation, beatings and sexual abuse. This treatment places the victim under severe stress, often leading to trauma and depression. The risk of

contracting sexually transmitted diseases – from chlamydia to HIV/AIDS – is very great. Physical injuries are common. Unwanted pregnancies among women and girls who are sexually exploited not infrequently lead to dangerous abortions. The physical, mental and social development of women and children is severely impaired and the victims are usually marked for life by the treatment and experiences they undergo.

The **social consequences** of trafficking are also extremely serious, not least for the young women and girls who are sold for purposes of sexual exploitation. Women who return to their homes are often rejected by their families and communities. They have difficulty starting families of their own and employment is hard to come by. More excluded than ever, they may once again become the victims of exploitation of various kinds, or be sold into prostitution for a second time. We know very little about the fate of boys but, here too, the risk of social exclusion and of being drawn into a life of criminality and abuse is evident.

One of the **deleterious social consequences of human trafficking** is the legitimising of patriarchal attitudes. In the most severely affected countries, moreover, the number of returning victims – many of them severely scarred, both physically and mentally – may prove an immediate burden on the community's resources. Trafficking provides the prostitution industry with ready victims; this in turn has repercussions for gender equality and views on male and female sexuality. It reinforces the notion that people and even sexuality can be bought and sold. Moreover, the sexual exploitation of women and children can contribute to the spread of HIV/AIDS, with its devastating effect on individual lives and adverse consequences for society as a whole in terms of loss of income, rising care costs, weakened families and social suffering.

Human trafficking, like the arms and drugs trades, is big business with a sizeable turnover. It contributes to a growing illegal market and rising criminality. The relatively high profit rate and comparatively low risk involved offer traffickers and other players the chance to earn quick, safe money. Large illegal markets involving criminal and quasi-criminal activities act to undermine healthy economies and hamper the establishment and maintenance of the rule of law. The proceeds are not only used to finance increasingly organised and sophisticated criminal activities; but, according to many indications, contribute to the financing of subversive activities and armed movements.

4 The causes of human trafficking

Trafficking in human beings is a complex, multi-layered problem. If we are to understand the reasons for its existence, we must identify and analyse both the more immediate, precipitating causes and its underlying, structural determinants. Political, economic, social and cultural factors and the interplay between them all play a part. Human trafficking can also be viewed from a supply and demand perspective, i.e. on the basis of the factors that lead people into the hands of traffickers on the one hand, and those that generate a demand for their victims on the other.

Global trafficking in human beings may be seen as a response to the demand for people for various forms of exploitation, a product of poverty – relative as well as absolute, and as a consequence of the subordinate position of women and children in society and the lack of respect for and protection of human rights. Clearly, people are also more vulnerable and exposed in extreme situations, e.g. in the wake of natural disasters or armed conflicts, where their lives have been severely disordered and social structures and support systems have collapsed. This applies particularly to women and children and especially those who already belong to marginalised groups.

4.1 Economic causes

People become the victims of human traffickers mainly due to inequitable resource allocation and the absence of viable sources of income. Families have no assets and incomes are inadequate. In the countryside, agriculture is less profitable than formerly and land has become increasingly scarce. Women and children are therefore compelled to contribute more towards the family's subsistence than in the past. Households become increasingly vulnerable as margins shrink. Social security schemes are either lacking or do not reach the poorest, most disadvantaged sections of the community.

There is a chronic shortage of paid work, particularly for unskilled labour. Youth unemployment is high in many places. The labour market for young women is often very restricted – invariably more so than for young men. Women are not as highly valued in terms of their labour as men in sectors such as agriculture and are therefore restricted to household work, and sales and service jobs in the informal sector. What jobs are available usually involve working for long hours and low pay under poor conditions. Domestic work and the service sector are often poorly regulated and workers are not unionised. Many young women start out as domestics in slavery-like conditions in the

hope of finding something better. Poor people have great difficulty obtaining credit on reasonable terms and there is still no access to micro-credits, in particular for young women without assets of their own.

There is growing pressure of migration while many borders are becoming more and more impermeable. Economic restructuring is driving people from the countryside into the cities and from poorer to richer countries. Workers are also moving into sectors such as tourism, the construction industry and agriculture, where there is a greater need for temporary labour. As a result of the rapid urbanisation fuelled by these trends, people from rural areas are being exposed to new income and consumption patterns. Immigration to many high-income countries is coming under increasingly strict regulation at a time when a growing proportion of guest workers and migrants are women.

The shortage of adequate, free schooling is particularly detrimental to young girls. Many children have still not received a basic education and are dependent on others who can read and write. Where education is available at all it is usually at a cost. It is often ill-adapted to the child's real circumstances and seldom leads to paid work.

In some countries and areas, among them Central and Eastern Europe, rapid, sweeping social upheavals or armed conflicts have led to severe economic problems and the collapse of social protection systems. For many – not least those employed in sectors traditionally reserved for women – these developments have meant fewer income opportunities and growing poverty. Many men have lost their traditional roles as family breadwinners and turned to different kinds of abuse, thus laying an even heavier burden on women. In many countries in Africa, the spread of HIV/AIDS places ever increasing responsibility for support on the surviving family members, themselves often children.

The principal economic causes on the demand side of the equation include the substantial profits to be made in the sex trade and the call for cheap labour. The demand for sexual services is also widespread and diversified. Rates of return in the prostitution industry are comparatively high and in many countries the sex-related tourist and entertainment industries account for a sizeable share of earnings. There is also a demand for cheap, compliant labour for criminal activities, or activities in the weakly regulated informal sector where profit margins are low. A typical example in the latter case would be a small company unable to move its production facilities elsewhere.

In some regions and industries there is a market for child labour, which is usually cheaper and easier to exploit than adult labour. It is especially common on cocoa and cotton plantations, in shrimp farming, mining for gems, domestic work and military activities. Children are also exploited as beggars and as accomplices in criminal activities. Economic globalisation combined with new communications technology and faster, cheaper transportation has spurred the growth of organised crime, which links local criminals and gangs into wider networks controlled by major crime syndicates.

4.2 Socio-cultural causes

The oppression of women and children within patriarchal family and social structures, in which women are subordinated to men, is of the main reasons why they fall prey to traffickers. It is also a major factor in the demand for sexual and other services, without which human trafficking could not prosper.

Not only do women and girls rarely enjoy the same opportunities as men and boys, they are the objects of discriminating attitudes and treatment. They are often regarded as a burden to the family and far less time and resources are invested in them. Girls are frequently prevented from going to school. Women have less say in family matters than men and in many cases cannot own or rent land. The oppression of women has recently acquired new forms, such as the sale of brides on the Internet. In South Asia, parents wishing to marry off their daughters are obliged to pay onerous, often economically crippling, dowries in the form of modern consumer goods.

Attitudes to male and female sexuality are a crucial factor. One aspect is a common desire among men to control women's and girls' sexuality and sexual activity. It is a widely endorsed notion in many cultures that men's sexual urges are part of the natural scheme of things, while women's sexuality is an aberration, tainted with guilt and shame. Women live under the constant threat of violence, stigmatisation and even murder. Women branded as 'bad' or 'immoral' may forfeit all legal rights and suffer total social ostracism.

The prevailing widespread acceptance of prostitution and the sex trade must of course be regarded as a symptom of this attitude.

In many places and cultures, 'going to a prostitute' is part of the rites of passage into manhood. It is also common practice among adults away on business trips, working far from home or as a way of sealing a business deal. Prostitution and certain forms of slavery-like work may still be found within traditional caste systems, hierarchical social structures or communities constituted along ethnic lines. Pornography has become far more pervasive thanks to satellite TV and the Internet, a development which also reinforces the idea that bodies may be bought for money, thereby further stimulating the demand for sexual services.

Children are wholly at the mercy of their parents and other adults. Many parents believe they have the right to decide over their children's lives. They can send them away to work or to be looked after by others. In parts of Africa, children are traditionally sent away to do seasonal work in neighbouring countries. Traditions such as child marriages and bride buying also increase the risk of children falling into the hands of traffickers.

Acts of violence committed by men against women and other social evils in the family are compelling factors in cases where women ask for a divorce or are forced to leave their homes and manage on their own. Many women are crushed and demoralised by the conditions they are compelled to live under and are thus more easily exploited by others. Children and young people run away from home either because they have been assaulted or mistreated or because they can no longer bear to live in an atmosphere of violence and abuse. Where there is no social or economic safety net, sickness and death can also leave women and children in dire straits.

Other factors that tend to make people dependent and vulnerable are ethnic or social discrimination.

In addition, many people do not know their rights, or do not believe they will be free to exercise them. In many countries, the rights of the poor and/or certain ethnic groups are de facto restricted by national legislation.

Poor people are seldom treated with respect by the police or other representatives of the powers that be. Widespread denigration of and attitudes of disparagement towards the poor in a society lay the ground for exploitation and abuse.

Western lifestyles and consumption patterns are paraded in the media and commodity markets. Satellite TV channels provide new role models and beguile people with images of exciting lives filled with glamour and variety. The demand for different consumer goods, and, above all, the desire of young people to earn money quickly in order to obtain these goods can place them at risk and make them easier prey to traffickers. Lack of faith in the future among young people in many developing countries is an additional factor. This also applies to a number of transitional economies, where the introduction of a democratic polity and a market economy has failed to deliver the improvements people had been expecting. As a result they are more disposed to take risks.

4.3 Legal and political causes

The lack of adequate legislation, properly functioning administrative machinery and an effective judiciary are the most obvious causes of human trafficking in this category.

Although most countries are signatories to the international instruments set up to deal with the problem, many have yet to translate the provisions laid down in the various conventions and protocols into national legislation. Many countries lack both relevant legislation and explicit policies on human trafficking. Where these do exist, they are often not applied or followed up. In some countries where human trafficking or similar activities are criminal offences, sentences on conviction may be relatively lenient. There is a general lack of respect for human rights, and social protection of vulnerable and/or low-income groups is weak. Public authorities provide little or no protection for women and children against violence and abuse.

The police services of many countries, and large sections of their public administration, such as customs departments, military border surveillance and immigration authorities are rife with corruption. Mechanisms for calling executive bodies and civil servants to account are often lacking. Moreover, coordination with the judicial authorities of adjoining countries is often poor, both as regards legislation and practical application.

Increasingly tight restrictions on legal immigration to other countries leave

people at the mercy of traffickers. Immigration laws are often stringent, forcing more and more people to resort to illegal means in order to cross borders now closed to them. Groups that are already vulnerable are especially likely to fall victim to traffickers.

As regards trafficking linked to various types of forced labour,² inadequate labour laws and regulations and poor enforcement create serious problems for the victims. This applies particularly to services in the informal sector closely related to the private sphere such as domestic work.

On the demand side, inadequate penalties for sex traffickers and those who profit from exploitation is the crucial factor. The risk of discovery is small and offences are usually difficult to prove. The chances of obtaining convictions are therefore slight.

4.4 Party perspective

Human trafficking can also be analysed from the standpoint of the three ‘parties’ involved: the victim, the exploiter and those who benefit financially from the activity. The typical victim – a young woman – has little or no means of support and/or parents who live in strained circumstances. She is likely to be the main potential breadwinner in the family. There may not be any work in the rural area where she lives, or what jobs are available are very badly paid. She is tempted by the thought of better opportunities in the towns or big cities. Neither she nor her family has adequate knowledge, or even a general idea, of what jobs are available outside their locality and are thus dependent on other people’s information and advice. An acquaintance assures them that he/she can get the woman a waitressing job in a certain city, and will even arrange and pay for the trip.

The exploiter typically has no interest in establishing whether the person whose services he is buying is a victim of human trafficking or not, although the former may be interested in the person’s age and ethnic or social background. Background checks are often perfunctory or lacking altogether. In most cases it is not illegal to buy a person’s services if the purchase is made in good faith. In many places and contexts, such practices are considered socially acceptable.

The profits for those who benefit financially from trafficking are generally high. Profit levels may depend on where the offender is in the trafficking chain. For some, trafficking is merely a source of income – a livelihood. For others it is a complex, extensive criminal activity. The latter are relatively safe; trafficking is difficult to detect and prove and sentences are comparatively mild. Profits can be laundered. Judicial authorities may even be involved or receive regular kick-backs. A poorly paid policeman with little or no education and untrained in legal matters may have even fewer scruples. He, himself, may have had to bribe someone to get his job, or be forced to pay someone to keep it.

² See Article 3, paragraph (a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons: “forced labour or services, slavery or practices similar to slavery” and “servitude”.

5 Measures to combat human trafficking

Trafficking in human beings attracted rapidly growing attention in the latter half of the 1990s and is now a major concern in a number of policy areas in Sweden and other countries. Today, human trafficking is regarded as a development issue as well as an expression of the absence of gender equality. It has found a place on the development policy agenda and has become the target of international development cooperation measures. Thus a growing number of governmental and non-governmental players have started to tackle this problem and a variety of actions are being taken in areas such as migration, organised crime and human rights. Despite the diversity of actions and points of departures, a common pattern is emerging of a strategy characterised by 3 main components: 1) preventive measures, 2) strengthened legislation and more vigorous investigation and prosecution of offenders, and 3) protection and support for victims. Initially, players – mainly governments and intergovernmental bodies – focused on [policies and more energetic prosecution of offenders, while the work of providing support and help to victims was left to NGOs. More recently, however, broader, multi-sectoral programmes of measures involving a diversity of players have been developed, primarily in Europe and Asia.

5.1 International and regional agreements

Normative provisions have been given greater prominence and further developed at an international level, through the United Nations and regionally. There is now an international regulatory framework in place. However, the norms have not yet found expression in national legislation or government policies. Policy implementation is often inadequate. Despite initiatives aimed at harmonising national legislation, particularly in the EU, a great deal remains to be done.

- The central document in force today is the *UN Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. The convention and its protocols were adopted and opened for signature in Palermo in December 2000. Over two thirds of UN member states have now signed the protocol on trafficking, thereby indicating their intention to ratify it.³ The protocol will enter into force when it has been ratified by 40 countries.⁴ The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is aimed at:

³ On 6 March 2003, the Convention had been signed by 147 and ratified by 30 states. On the same date, the Protocol had been signed by 117 states and ratified by 24 states.

⁴ See article 38 of the Convention and article 17 of the Protocol.

- preventing and combating human trafficking in persons, with special reference to women and children
- protecting and supporting victims of trafficking with full respect for their human rights, and
- promoting cooperation between states and governments with a view to achieving these aims.

A major contribution of the protocol is that it provides the first legally binding, comprehensive definition of trafficking in human beings to be agreed upon by the international community. The instrument contains provisions on a range of issues, including criminalisation, assistance to and protection for victims, the status of victims in the receiving states, repatriation of victims, preventive measures, actions to discourage the demand, exchange of information and training, and measures to strengthen the effectiveness of border controls. It stipulates that states parties must adopt or strengthen legislative or other measures to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking. The protocol has already played a significant part in bringing the international community together in a collective endeavour to combat trafficking. Efforts to set up reporting and follow-up mechanisms are under way.

- ***The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*** with its optional protocol on the right of individuals or groups of individuals to submit individual complaints to the Committee on the Elimination of Discrimination against Women, focuses on the human rights of women. The Convention – which dates from 1979 and has been ratified by three quarters of the world’s states – provides the basis for realising equality between women and men by ensuring women's equal access to and equal opportunities in political and public life. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms. The convention forbids all forms of discrimination against women and calls on states parties to identify and eliminate any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women of their human rights and fundamental freedoms. It also enjoins states parties to take appropriate measures against all forms of trafficking in and exploitation of women through prostitution. Observance of the convention is monitored by a committee of independent experts.
- ***The 1989 UN Convention on the Rights of the Child (CRC)*** has now been ratified by all the world’s states except the USA, Somalia and East Timor. The convention applies to all persons under 18 years of age and covers children’s civil, political, economic, social and cultural rights. It addresses the rights of children to have their basic needs met, to be protected against discrimination and exploitation, their right to express their views and to have them respect-

ed. All states parties are committed to protecting every child from all forms of sexual exploitation and to adopt such measures as are necessary to prevent the sale of or trafficking in children. Each state is responsible for ensuring that national legislation is in accord with the articles of the convention.

- In May 2000, the UN General Assembly adopted an *optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*, which extends the protection provided under the convention. The protocol has now entered into force and guidelines on reporting by states parties have been drawn up. States parties are required to prohibit and penalise the acts and activities set out in the optional protocol, which includes provisions on the extradition of persons charged with crimes under the convention, and on international cooperation aimed at preventing crimes.

The committee of independent experts set up to monitor observance of the convention is shortly expected to raise the issue of trafficking in children and require states parties to report developments in their respective countries and the measures adopted.

- In 1999, the International Labour Organization (ILO) adopted *Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*. Child prostitution and the sale of children come under the definition of “the worst forms of child labour”. All states parties to the convention, which has now been ratified by over 100 states, are committed to the immediate elimination of these extreme forms of child labour. The work of following up implementation of the convention includes the ILO-run International Programme on the Elimination of Child Labour (IPEC) aimed at strengthening national capacities to eliminate child labour.
- In its 2002 report to the United Nations Economic and Social Council (ECOSOC), the *UN High Commissioner for Human Rights* formulated a number of human rights principles and set out recommendations for combating human trafficking. These are based on the individuals right to protection.⁵

In addition to the international instruments referred to above, a number of *regional agreements* on cooperation to combat human trafficking have been adopted. These include proposals for framework legislation in the recommendation by the EU and the Council of Europe (R(2000)11) on human trafficking. In December 2002, a declaration on human trafficking was adopted at a ministerial meeting of the Organisation for Security and Co-operation in Europe (OSCE). The declaration is politically binding on the organisation’s members.

Agreements and instruments in Asia include the declaration against human trafficking in South Asia by the South Asian Association for Regional Co-operation (SAARC), the action plan against human trafficking⁶ adopted by the Asia-

⁵ These recommendations were submitted to UN ECOSOC on 20 May 2002 (E/2002/68/Add.1).

⁶ ASEM Action Plan to Combat Trafficking in Persons, Especially Women and Children.

Europe Meeting (ASEM), and the Asian Regional Initiative Against Trafficking in Women and Children (ARIAT) in Southeast Asia. Efforts in Africa include the action plan of the Economic Community of West African States (ECOWAS) and the Libreville Platform in Central and West Africa.⁷

5.2 Programmes

A number of UN and other intergovernmental bodies concerned with the promotion of human rights for women and children and the fight against organised crime have set up special programmes aimed at combating human trafficking. Several bilateral donors and aid organisations are also addressing the issues and extend support for a range of measures and programmes to combat human trafficking.

5.2.1 International organisations

Although at first programmes were largely aimed at enhancing awareness of the problem and supporting legislation and more vigorous prosecution of human traffickers and organised criminal networks, additional and more diversified programmes gradually have been developed. As most of these have only been in operation for a relatively short time, full evaluations are not yet available. The most prominent players and programmes include:

- **United Nations Development Programme (UNDP).** Its main task is to coordinate players and measures, including a group of UN bodies, bilateral donors and NGOs engaged in combating trafficking in women and children in the Mekong region.⁸
- **United Nations Children's Fund (UNICEF).** Has a well-developed field organisation. Active in countries such as the Balkans, South and Southeast Asia and West Africa. Programmes include enhancing awareness of trafficking and related issues, advising and training authorities and NGOs, combating trafficking in children and protecting and supporting victims. Preventive humanitarian activities include education and other measures aimed at countering sexual exploitation of children in conflict situations.
- **United Nations Development Fund for Women (UNIFEM).** Has long identified trafficking as an expression of violence and discrimination against women. The fund runs programmes in Africa, South and Southeast Asia to combat trafficking in women. It has also compiled a number of reports illustrating the connections between sexualised violence against women and children, war and human trafficking.

⁷ For a fuller account of the regional agreements, readers are referred to the background report on human trafficking published by the Swedish Ministry for Foreign Affairs: *Trafficking in Women and Children in Asia and Europe – A Background Presentation of the Problems Involved and the Initiatives Taken*, Ministry for Foreign Affairs, Stockholm, 2001

⁸ Includes Burma/Myanmar, Cambodia, Laos, Thailand, Vietnam and southern China.

- **United Nations Fund for Population Activities (UNFPA)**. Has brought human trafficking to wider public notice in recent years, partly by calling attention to the links with prostitution and sexual abuse, and partly through its work in the field of sexual and reproductive health and rights.
- **International Labour Organization (ILO)**. Responsible for a wide-ranging international programme aimed at the elimination of child labour (IPEC), an important component of which is the fight against human trafficking. Activities in several countries have been evaluated
- **United Nations Office for Drug Control and Crime Prevention (UNODC-CP)**. Responsible for a global programme aimed at identifying the involvement of organised criminal groups in human trafficking, and the development of effective legal measures to combat this problem. United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). Runs programmes in South and Southeast Asia aimed at enhancing awareness of human trafficking and its impact on children and young people.
- **International Organization for Migration (IOM)**. Administers programmes in the Western Balkans, the Baltic region, a number of other countries in Central and Eastern Europe, Southeast Asia and Central and West Africa. Surveys of human trafficking, bringing the existence of trafficking to public notice, criminalisation and prosecution of offenders, provision of legal and medical advice, programmes for returning victims and their re-integration into society are among the issues this organisation focuses on.
- **Organisation for Security and Co-operation in Europe (OSCE)**. Has adopted a code of conduct for its personnel as well as anti-trafficking guidelines.⁹ Measures include programmes and projects to enhance awareness of the problem, adapt and harmonise national legislation, train personnel in the judicial system and cooperate with NGOs on the rehabilitation and re-integration of victims. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) coordinates a number of projects and has set up a special project fund to finance undertakings in this area.
- **The Stability Pact for South Eastern Europe**. Has created a special task force against human trafficking to tackle the problem in the Balkans. The countries in the region have duly undertaken to harmonize their respective legislation and draw up national actions plans. To make it easier for victims to appear as witnesses in court trials involving alleged traffickers, the Stability Pact also advocates the granting of temporary residence permits and protection in the countries of destination.

⁹ The Charter for European Security adopted in Istanbul in 1999 included an undertaking by the OSCE member states to implement measures to eliminate all forms of human trafficking including promoting the adoption or strengthening of legislation. The eighth meeting of the OSCE Ministerial Council in Vienna in 2000, provided detailed guidance with the adoption of guidelines and a code of conduct: the OSCE Anti-Trafficking Guidelines and Code of Conduct. While the guidelines deal with the need to enhance awareness, provide education, and observe, report and coordinate activities, the code is addressed to OSCE operatives in the field. Many OSCE field missions have since undertaken – on their own initiative – to contribute to the fight against human trafficking in their own countries. In July 2001, the OSCE Permanent Council called on the organisation's international cooperation partners to adopt guidelines similar to its own. The commitment to combat human trafficking was reaffirmed at the Ministerial Meeting in Bucharest in 2001.

- **International Criminal Police Organization (INTERPOL)**. Supports international initiatives aimed at gathering information on and tracking down groups and networks involved in human trafficking.
- **European Law Enforcement Organisation (EUROPOL)**. Has taken part in a number of international inquiries into human trafficking networks and works to prevent and combat trafficking in children for sexual exploitation and the production and distribution of child pornography.

5.2.2 Bilateral donors

Increasing commitment to measures and programmes to combat human trafficking among multilateral organisations and NGOs has been accompanied by growing interest in the issue on the part of an expanding number of bilateral donors. In the past, support has often been extended for broadly based programmes in areas such as child rights, gender equality, human rights, health and rehabilitation and the strengthening of civil society. Donors have now begun to develop special, long-term strategies for dealing with the problem. The United States Agency for International Development (USAID) has extended support for preventive measures, the rehabilitation of victims and player coordination to multilateral organisations and local NGOs in several regions. The Australian Agency for International Development (AusAID) is involved in a major programme in Southeast Asia. The Canadian International Development Agency (CIDA/ACIDI) runs programmes aimed at combating trafficking in children in Africa and the Middle East. The Norwegian Agency for Development Co-operation (NORAD) has also contributed to various projects aimed at protecting and promoting child rights and measures to combat trafficking in women. The UK supports efforts to combat human trafficking in the Western Balkans through OSCE/ODIHR. The country has set up a cooperative network comprising the migration authorities in the region to aid in the detection and processing of trafficking cases. It also supports efforts by Anti-Slavery International to develop the capacity of NGOs working on the problem in West Africa. The work of the Department for International Development (DfID) against human trafficking focuses mainly on education projects for young people at risk, but also provides support for the rehabilitation and re-integration of victims. (For assistance provided by Sida and Sweden, see Section 6.)

5.3 Non-governmental organisations

5.3.1 International NGOs

Today, international development and human rights organisations are engaged in ever increasing numbers in the global struggle against human trafficking. They report on developments in the field and operate a wide range of preventative pro-

grams as well as rescue and support programmes for victims. They help to tie local projects in with policy work and lobbying activities at national, regional and international level. Some of the more prominent organisations are listed below:

Anti-Slavery International. Has long actively campaigned against forced labour and other forms of exploitative labour. Has focused increasingly in recent years on trafficking in human beings, hazardous or harmful domestic work and the worst forms of child labour. Main activities include studies, surveys and lobbying.

Cooperative for Assistance and Relief Everywhere (CARE). Supports and administers a number of projects aimed at combating human trafficking in several regions including West Africa, where it provides training and technical support to local committees against trafficking. CARE is also actively engaged in a number of projects aimed at improving working conditions for domestic workers and protecting them against exploitation.

End Child Prostitution, Child Pornography and the Trafficking in Children for Sexual Purposes (ECPAT). A network of organisations and individuals working together for the elimination of child prostitution, child pornography and trafficking of children for sexual purposes. Action to combat child-related sex tourism has been one of the main priorities of the ECPAT campaign since the organisation was founded. Has conducted studies on child prostitution and trafficking in children and actively promotes measures aimed at bringing offenders to justice.

Human Rights Watch. Has long focused on trafficking in human beings for the purposes of prostitution and forced labour of different types, primarily in Asia and Europe. Main activities include reporting, fact-finding investigations into human rights abuses, individual case documentation and studies, and raising awareness among politicians, community leaders and the general public through information sharing and information campaigns.

Plan International. Aimed at children. Puts in place preventive measures targeted at poor families in rural areas, involving micro-credits, health care, education, etc. Also contributes to the task of highlighting and combating problems relating to human trafficking and child labour and promotes respects for child rights. Active in Asia and West Africa.

Save the Children Alliance. Has long campaigned against the sexual exploitation and abuse of children and hazardous and harmful child labour. Has recently included action against human trafficking and is currently developing a decentralised programme in the Balkans, South and Southeast Asia and West Africa. Activities include preventive as well as curative programmes and lobbying.

World Vision. Activities include efforts to collect more data and information on human trafficking in different parts of the world and to provide health care, support for victims who wish to be reunited with their families, and jobs.

Other areas of activity include sexual exploitation of children and child-related sex tourism.

5.3.2 International networks

There are also a large number of international network organisations, both global and regional, for whom combating human trafficking is a primary concern. The most noteworthy are:

Coalition Against Trafficking in Women (CATW). A coalition of regional networks and affiliated groups and individuals which works internationally to promote greater awareness of and combat all forms of sexual exploitation, including prostitution, pornography, sex tourism and mail order bride selling, and to promote women's human rights. CATW emphasises the connection between human trafficking and prostitution and stresses that women do not practise prostitution out of choice but because their options are curtailed. It regards prostitution as a form of sexual exploitation and violence against women. In addition to lobbying and awareness promoting activities, it helps and supports victims of prostitution and trafficking in women through its many member organisations.

Global Alliance Against Trafficking in Women (GAATW). Another coalition of NGOs dedicated to combating human trafficking and promoting women's human rights with respect to freedom of movement and migration, the right to work and rights in the workplace. Specific activities include studies and surveys, education and training and lobbying and awarenessraising. GAATW defends the right of women to freely choose their occupation – including prostitution – believing that exposed and vulnerable groups are further stigmatised and restricted by moralising attitudes to prostitution.

La Strada. A collective project composed of several NGOs engaged in cross-border activities in many countries in Central and Eastern Europe aimed at disseminating information about and supporting and helping victims of human trafficking. The organisations exchange experience and information but design their own projects.

5.3.3 Local NGOs

Many local NGOs active in this field have been drawing attention to the issue, supporting victims and contributing to their rehabilitation for many years. They are usually familiar with the local causes and effects of trafficking. Though support efforts have often been limited in scope and small-scale isolated activities have given way to more coherent, coordinated measures involving local networks composed of several organisations.

6 Sweden's anti-trafficking measures

6.1 Action taken by Sweden in different policy areas

In Sweden, human trafficking has attracted growing attention within a number of policy areas in recent years. Several government ministries are actively concerned with different aspects of trafficking in human beings and a number of initiatives have been taken to combat the problem. Today, government action against human trafficking and prostitution is a high-priority area. The issue has also received extensive media coverage.

Combating human trafficking was also a priority issue for the Swedish government during the Swedish presidency of the EU Council of Ministers in the first half of 2001. EU member states agreed on a definition of the crime of human trafficking for sexual exploitation or forced labour and established new guarantees for trafficking victims. On 1 July 2002, new legislation on human trafficking came into force, which broadened the scope for criminal prosecution and introduced a new offence: trafficking in human beings for sexual purposes.

Some examples of measures taken by Sweden in a range of policy areas to combat human trafficking in the national context are set out below. Experience obtained in these areas will help strengthen efforts in the sphere of international development cooperation.

The Ministry of Justice is currently engaged in preparing the legislative measures needed for Sweden to comply with the terms of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The same process is under way in connection with the EU Framework Decision on Human Trafficking. The object of these efforts is to extend criminalisation to all forms of human trafficking including for forced labour, and, where it does not involve cross-border operations.

The parliamentary Committee on the Reception of Close Relatives recently published its report: *Smuggling of Human Beings and Victims of Human Trafficking* (SOU¹⁰ 2002:69). The government anticipates that a bill aimed at strengthening protection for victims and contributing to more effective prosecution of offenders will shortly be ready for submission to the Riksdag (the Swedish parliament). The proposal will also contain provisions on health, social and psychological support for victims.

A major purpose of human trafficking is the exploitation of people through prostitution. The recently introduced Act Prohibiting the Purchase of Sexual

¹⁰ Swedish Government Official Reports series (Statens Offentliga Utredningar).

Services (1998:408) is a clear, unequivocal indication of Sweden's position on this issue. The act criminalises the purchase of sexual services in Sweden while emphasising the right of and opportunities available to – prostituted persons to seek support and help from the authorities.

The National Criminal Investigation Department's (NCID) fifth status report on trafficking in women traces recent developments in Sweden and outlines ongoing international efforts in the field. The national report includes a study of the conduct of preliminary investigations and an evaluation of investigative methods and approaches. The NCID's reports contain proposed measures aimed at facilitating and improving these procedures.

The Ministry of Industry, Employment and Communications, Division for Gender Equality, seeks to ensure that women and men enjoy the same rights and opportunities in practice as well as theory as part of the government's policy on gender equality. Issues relating to male violence against women, prostitution and human trafficking in Sweden and its immediate vicinity have attracted widespread attention. At a conference entitled Women and Democracy held in Vilnius, Lithuania, in June 2001, Sweden's Minister for Gender Equality Affairs proposed a Nordic Baltic collaboration featuring joint and national campaigns against trafficking in women. The project, which was concluded in 2002, had the support of the countries' ministers of justice. The campaign committee is expected to submit recommendations on further cooperation at an upcoming ministerial meeting in the spring of 2003.

Action to combat prostitution and human trafficking in the Barents region is planned in connection with the forthcoming Swedish presidency of the Nordic Council of Ministers. Sweden has also emphasised the importance of combating prostitution and trafficking in human beings in European forums in pursuance of its policies on gender equality.

The Ministry of Health and Social Affairs coordinates the Swedish government work on the ratification of the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The government has drawn attention to the special problems arising in connection with the care of sexually exploited children in Sweden. A working group has been instructed to draw up an inventory of current data about the sexual exploitation of children in Sweden by 2004.

The Council of the Baltic Sea States has set up a special Office for Child Affairs with the task of further developing and supporting efforts against the sexual exploitation of children in the region.

A cooperative project with financial assistance from Sweden and Norway has, since 1998, been addressing issues relating to the sexual exploitation of children. The project was conceived at the first World Congress against the Commercial Sexual Exploitation of Children, held in Stockholm in 1996. The project website provides a platform for interactive cooperation between child specialists in the region.

In the foreign policy sphere, Sweden, Thailand and the Philippines took a joint initiative to intensify cooperation against trafficking in women and children between Asia and Europe. In May 2001, delegates at the ASEM ministerial meet-

ing in Peking welcomed the announcement of an Action Plan focusing on preventive measures, law enforcement and support for victims of human trafficking. Sweden is seeking to ensure implementation of the Action Plan by addressing different aspects of the problem. In October 2001, the Swedish Ministry for Foreign Affairs organised a seminar in collaboration with UNIFEM and ESCAP to highlight the need for a human rights approach and a gender equality perspective when analysing the causes of and designing preventive measures against trafficking in human beings. A corresponding project aimed at placing human trafficking on the political agenda was initiated as part of the Africa-EU dialogue. This endeavour, in which Sweden has played a proactive role, is expected to lead to the adoption of an action plan against human trafficking at the next Africa-Europe summit.

In February 2003, Sweden organised a conference on the responsibility of the Baltic Sea states for unaccompanied child refugees, including children who have been or risk becoming victims of human trafficking in the region. The declaration by the Barents Euro-Arctic Council in Kirkenes in 2003 contained an undertaking by the Prime Ministers of Denmark, Finland, Iceland, Norway, Russia and Sweden to join in a common endeavour to stop human trafficking in the Barents region.

The government bill, *Europe in Transition – Swedish development cooperation with Central and Eastern Europe* (prop.¹¹ 2000/01:119), also identifies women and children who have fallen victim to human trafficking as a group deserving of special attention, as do the follow-up to the government's strategy for Asia, *The Future with Asia* (Ds¹² 2002:24), and Sweden's country strategies for priority countries.

(For Sweden's role in the field of development and development assistance policy see paragraphs 6.3 and 6.4 below).

6.2 Swedish experiences and resources

Today, most human trafficking is for the purpose of sexual exploitation, and a key factor in the proliferation of this activity is the lack of gender equality. Swedish research and studies on issues of gender and equality, as well as many years of practical experience of gender equality work will be of great value to the international community. This applies to gender equality work in general as well as to the fight against prostitution and male violence against women. Support for gender equality is widespread in Sweden and finds expression in a comprehensive body of legislation including The Equal Opportunities Act (SFS 1991:433)¹³, Bills on legislative provisions and other measures that aim to counteract violence against women, as well as legislation prohibiting the purchase of sexual services and against procuring, pandering or otherwise acting as an intermediary. There has been concern in some quarters that criminalisation of the purchase of sexual

¹¹ Government bill.

¹² Ministry Publication Series (Departementsskrivelse).

¹³The purpose of this Act is to promote equal rights for women and men in matters relating to work, the terms and conditions of employment and other working conditions, and opportunities for development in work (equality in working life).

services may have resulted in prostitution “going underground” to some extent, thereby rendering it more difficult to control. However, according to inter alia the National Criminal Investigation Department (NCID), anti-prostitution groups and local police districts, these laws have made Sweden an unprofitable and risky market in the eyes of the traffickers, since significantly more complex organising is required than in other countries, rendering such activities more costly to operate. There are relatively few documented cases in Sweden; many other countries are regarded as more attractive to traffickers and pimps.¹⁴

In light of what appears to be an increase in human trafficking for forced labour or labour under slavery-like conditions – even in Europe – reference to Swedish know-how and experience in the field of occupational safety could also prove valuable. Sweden’s extensive labour laws governing minimum working ages, minimum wage, the employment standards legislation, and the organisation of workers in trade unions have protected the labour force from the more heinous forms of exploitation. Swedish experience of labour legislation and its practical application therefore merits consideration. Children are also relatively well protected in Sweden and the country has long been active in promoting child rights. These experiences – particularly with social security, public health and social work – should be also be used when drafting legislation as well as in policy implementation.

6.3 Development policy decisions with a bearing on trafficking

The overall objective of Swedish development cooperation with developing countries is **poverty reduction**. *The Rights of the Poor – Our Common Responsibility* (SKR¹⁵ 1996/97:169) a Swedish policy document that accords with the OECD/DAC view, describes poverty as a multi-faceted phenomenon. Poverty is not just a matter of income; to live in poverty is also to lack political influence, security, opportunities for social participation and access to health care, education and other social services. To live in poverty means to live in permanent uncertainty over what tomorrow may bring, to experience humiliation and degradation on a daily basis, and often to suffer the contempt of others. That poverty has numerous facets and is expressed in so many different ways is reflected in the human trafficking that flourishes in its wake. In 2002, Sida adopted a strategy for poverty reduction based on the above document, entitled *Perspectives on Poverty* (Sida, October 2002)..

Democracy and democratic social development is another Swedish development cooperation objective. Like other multilateral and bilateral donors, Sweden extended and strengthened its active, practical commitment to democracy and human rights in the 1990s. This objective is discussed and developed, and its rel-

¹⁴ Trafficking in Women: Status Report 5, 1 Jan–31 Dec 2002. National Criminal Investigation Department, Criminal Intelligence Service, Report 2003:1.

¹⁵ Government Communication (Regeringskrivelse).

evance to human rights issues affirmed, in the document, *Democracy and Human Rights in Swedish Development Cooperation* (SKR 1997/98:76). Swedish development cooperation, it concludes, must incorporate a democracy and human rights perspective. Poverty can be met through direct measures to promote democracy and respect for and protection of human rights. The document can also be used as an instrument during the preparation, implementation and follow up of development cooperation work. Sida is currently completing guidelines on democratic governance, also significant in the context of human trafficking

The promotion of gender equality is another objective of Swedish development cooperation. Sweden has been proactive in efforts to strengthen the role and status of women and girls and to put an end to their subordination. Sida and the Ministry for Foreign Affairs have been actively concerned to promote gender equality in all aspects of development cooperation work. In 1998, Sida adopted a Gender Equality Action Plan, entitled Women and Men.. In recent years, efforts have focused increasingly on the importance of changing men's roles and attitudes and the need to be aware of the relations of power between men and women. The impact of human trafficking and the attitudes that lie behind must [be regarded as major obstacles to development.

Children are an important target group for measures in the fields of health care, social security, education and culture. Historically, children have often gone unnoticed, hidden behind concepts such as 'households,' 'families' or 'women and children.' Since the ratification of the UN Convention on the Rights of the Child and the increased emphasis on human rights in development cooperation, Sweden has ensured the progressive adoption of a *child rights perspective* in development work. A child's right to the best possible health and education has been underlined. Greater attention has also been given to the issue of protection for children-at-risk. The right of children to express themselves and be heard, and their role in the social and economic development of their country has been highlighted recently, particularly after the special UN General Assembly session on children in May 2002. Guidelines on the integration of child rights in bilateral development cooperation, *Children's Rights in Swedish Development Cooperation*, were adopted by Sida in 1999. One of the chapters in the document deals with children-at-risk, a category that includes sexually exploited children, children at risk of HIV/AIDS and working children. The Swedish Ministry for Foreign Affairs conducted a review of child-related issues in the context of international development cooperation among the publications to emerge in the course of the review was the report *Children Subjected to Commercial Sexual Exploitation*. A government communication on a child perspective in the international development cooperation (SKR 2201/02:186), which discussed international efforts to prevent human trafficking, among other priority measures, was submitted to the Riksdag in May 2002.

6.4 Experiences of development cooperation

Swedish experiences of programmes directly aimed at combating human trafficking are limited. The problem only came to the surface a few years ago and it will be some time before evaluations can be made and instructive experience acquired through the implementation of programmes and other efforts.

Notable activities include multilateral assistance in support of UNICEF efforts to combat sexual exploitation and human trafficking. Also worth mentioning is the support extended to ESCAP in Southeast Asia for its regional study of sexual abuse of children and young people, and the training programme for those engaged in the rehabilitation of children who have been sexually abused.¹⁶ Sida is planning to continue the support in the form of technical assistance for countries covered by the ESCAP project, which is targeted at children vulnerable to sexual abuse and children sexually exploited in the prostitution industry. Sweden has also funded international training courses aimed at personnel who work with children in especially difficult circumstances in Africa and Asia. IOM projects in a number of countries in Central and Eastern Europe, Central Asia and the Western Balkans also receive Swedish financial support. In the Baltic countries, efforts have focused on mapping and highlighting the problem of human trafficking and on helping to promote closer cooperation between players engaged in combating human trafficking. In the Western Balkans, support is provided for the protection, rehabilitation, repatriation and re-adaptation of victims as well as for information campaigns. Moldova, Ukraine and Belarus are receiving assistance to develop and strengthen legislation, law enforcement, skills development, networking of judicial authorities and measures to support victims.

Many of the bilateral and multilateral projects supported by Sida – such as education and employment programmes and measures aimed at women, and vulnerable groups, as well as certain rural development programmes and administrative support – are also helping to reduce the risk of human trafficking.

Sweden also extends funding to NGOs engaged in combating human trafficking. At the international level, support has been allocated to the Anti-Slavery programme in West Africa. Swedish NGOs receiving assistance include *Rädda Barnen* (Save the Children), which supports a number of programmes and projects in Europe and Asia, and the *Kvinna till Kvinna* and Women's Forum Foundations (*Kvinnoforum*), which mainly operate in the Balkans and the Baltic countries. *Netzwerk i Nord*, set up to combat prostitution and trafficking in women in the northern part of Sweden, Norway, Finland and north-western Russia has received Sida funding for a major information project against trafficking in women in the region.

¹⁶ UNESCAP, Sida, Uppsala University, 2000, "Sexually abused and sexually exploited children and youth in the greater Mekong Sub region – A qualitative assessment of their health needs and available services" United Nations, New York

7 Combating human trafficking in the context of development cooperation – some underlying principles

Trafficking in persons is a cruel, ruthless, and cynical form of human exploitation, a serious crime and a gross violation of human dignity. The principles governing Swedish efforts to combat this harmful practice are based on the relevant UN conventions and their protocols, as well as on other international commitments. Of particular relevance is the UN Convention against Transnational Organized Crime and its Protocol on Trafficking in Human Beings, the UN Convention on the Rights of the Child (CRC) and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention 182) is also of strategic relevance. In addition to these legally binding documents, a number of others can also be mentioned such as the Beijing Declaration and Platform for Action adopted at the UN Fourth World Conference on Women in Beijing in 1995 and the Outcome Document from the follow-up to the conference five years later (Beijing+5)¹⁷, as well as the Programme of Action of the International Conference on Population and Development (ICPD), adopted in Cairo in 1994, and the Outcome Document drafted at the follow-up conference five years later.¹⁸ Note should also be taken of the outcome document adopted at the Special Session of the UN General Assembly on Children, held in May 2002, at which the international community re-affirmed their commitment to a range of goals to improve the situation of children and young people.

Combating trafficking in human beings shall be based on the collective normative cornerstones and experiences represented in Sweden's policies on prostitution, sexual exploitation, child rights issues and human trafficking.

The overall goal of Swedish development cooperation is poverty reduction. It is based on the view that poverty is a multidimensional concept with political, economic and social aspects and implications. To a large extent, human trafficking may be viewed as a symptom of absolute and relative poverty, particularly poverty among young people and women. It is also a response to the

¹⁷ Report of the Fourth World Conference on Women, 4-15 September 1995, A/CONF.177/20, (95/10/17)

¹⁸ Report of the International Conference on Population and Development, Cairo, 5-13 September 1994, A/CONF.171/13: Report of the ICPD(94/10/18)

demand for – mainly – women and children for various forms of exploitation. Thus, combating human trafficking also involves addressing the causes of poverty, among them lack of or inadequate economic growth, inequitable allocation of resources, lack of social security, and the absence of gender equality, democracy and respect for human rights. These causes and forces behind human trafficking also apply to the situation in Central and Eastern Europe.

The Swedish government's strategy adopts a human rights perspective: it is based on the principle of equal rights for all and the belief that governments are responsible for ensuring – to the best of their ability – that these rights are respected, protected, promoted and enforced. Human trafficking is a violation of the rights of the individual who is entitled to protection and support from the state. Everyone is entitled to the same protection and support, and no one may be discriminated against on the grounds of sex, race or any other distinction. Anyone who is a victim or potential victim or who has been a victim of human trafficking is entitled to be heard, and is also entitled to solutions to their situation that involve her or his active participation and informed decision. A rights perspective presupposes the willingness and ability to understand the often complex acts of cruelty, violence and oppression to which victims have been subjected in the context of their overall situation. The economic, political and social rights of women or children at risk are often not upheld, and women and children are not afforded the protection they are entitled to. Various dimensions of their vulnerability and violations of their rights reinforce one another, leading to intractable situations which can only be solved by applying holistic solutions.

Counteracting the demand for victims of trafficking – especially women and children – for exploitation of various kinds is a vital part of the strategy, which must be based on the principles embodied in Swedish legislation on gender equality, male violence against women, prostitution, child rights and occupational safety.

A further underlying premise is that human trafficking has implications for several policy areas. Efforts to coordinate these areas and increase their coherence can strengthen the impact of measures against human trafficking in Swedish foreign policy in general, and in international development cooperation policies in particular. Conversely, combating human trafficking within the integrated framework of the strategy presented in this document can help to improve the effectiveness of measures in other policy areas.

Although human trafficking is not a new phenomenon, it has increasingly come to the attention of the public and now has a given place on the political agenda, both nationally and internationally. Although an international body of normative provisions does exist, in many cases these have either not been translated into national legislation, or national enforcement is weak. The understanding of the nature and extent of the problem is still limited. Hence, here is a need to institutionalise the international regulatory framework, to design and assess programmes both nationally and locally, and to gather more information about the problem, its causes and effects.

The present strategy is based on previous development cooperation experi-

ences in the areas of the promotion of gender equality, democracy and popular participation, human rights, support for the protection and development of women and children, programmes to boost employment and measures to strengthen the judicial system and counteract corruption. It is also based on experiences acquired in South and Southeast Asia, Central and Eastern Europe and West Africa.

Some of the causes of human trafficking are structural in character and require long-term solutions. At the same time, the seriousness of the problem and its changing nature require immediate and rapid response, timely measures, and the flexibility to rethink and change direction where necessary. The present strategy has a medium-term time perspective of five to ten years.

8 Strategic considerations and priorities

8.1 Aims and principal components

The government strategy is aimed primarily at trafficking in women and children, the groups most at risk, but does not exclude adult men. While it does not preclude any of the purposes for which human trafficking is carried on, it focuses on *the most common or worst forms of exploitation such as sexual exploitation and labour exploitation, especially forced labour and hazardous or harmful child labour*.

Human trafficking is, to a very large extent, a symptom of poverty and must be tackled accordingly. Poverty manifests itself in different ways; it can be absolute or relative. All forms have in common that they leave people powerless and vulnerable. Many of the poverty reduction measures currently implemented by Sweden internationally are also relevant to the struggle against human trafficking. The first contribution of Sweden in developing countries will be to *strengthen and develop especially relevant parts of poverty reduction programmes* in connection with Swedish development cooperation. These programmes may subsequently be supplemented and reinforced by other, more specific measures against human trafficking. The emphasis must be on integrating into ongoing programme activities aimed at poverty reduction. In the cases of Central and Eastern Europe, integration must focus particularly on common security, measures aimed at deepening democracy, economic transition and social security. Human trafficking is best fought using a combination of preventive measures and follow-up assistance and support for its victims. The main objectives of preventive efforts must be to eliminate the risk being trafficked, while counteracting demand by tackling the underlying structural causes. Effective prosecution of offenders is also preventive in effect. Curative measures must consist partly in helping victims obtain judicial protection and redress by providing legal aid, and partly in offering rehabilitation and support to return to and find a place in the country and community they originally came from.

In the case of Sweden, the main emphasis must be on long-term preventive measures, such as the promotion and protection of human rights, countering discriminatory attitudes towards women and children, helping to ensure that children and young people at risk are given relevant information and education, and the creation of jobs and income opportunities for young women.

No two situations in a given country, region or context are exactly alike. Each situation requires its own specific combination of measures. An overview of measures to be considered by the Swedish government is set out in paragraphs 8.2 (prevention) and 8.3 (redress and rehabilitation) below.

Measures aimed at combating human trafficking in a development cooperation context must contribute to poverty reduction and sustainable development. The present strategy is therefore primarily concerned with measures that make a direct contribution to the protection and realisation of the needs and rights of people living in poverty. Less emphasis is placed on penal and policing measures.

There is now sufficient data and information on how to tackle human trafficking effectively. However, in order to understand the complex relationship between the phenomenon on the one hand and general globalisation and development trends on the other, *a broader and deeper understanding of the problem is needed*. Also needed is the development of more accurate and effective programmes against human trafficking than those in existence today. Although quantitative data are difficult to obtain, compilation and assessment of qualitative information can contribute to an understanding of the phenomenon and its various manifestations in different regions and over time. A better regional and global overview is a precondition for effective control of the situation.

Human trafficking is a transnational phenomenon and requires simultaneous measures in several policy areas if it is to be tackled effectively. This presupposes close collaboration and cooperation between large numbers of players. A multi-sectoral approach is often needed. *Efforts to promote coordination and cooperation must therefore form a part of any strategy for combating human trafficking*. Regarding the need to assess the relative benefits of the various instruments and channels available, paragraph 8.5 below emphasises the vital role of multilateral development cooperation in the fight against human trafficking. It also stresses the need to combine supplementary channels and instruments.

8.2 Preventive measures

8.2.1 Increasing employment opportunities for young people and improving working conditions

Overshadowing the whole situation is the fact that young people, particularly young women, have no employment and therefore no income. Today, more and more young women need *incomes of their own to support themselves* and their families. As income-generating opportunities are often limited locally, they move to other areas in search of employment. Despite the growing demand for women in the formal sector, mainly in production, the informal sector is where they tend to find jobs. Micro-credits used to help women start up and run their own enterprises are a well-tried solution. They are particularly effective when combined with literacy programmes and product marketing support. Sweden will build on its experience of long-term financial and technical support in this area. One example is the Grameen Bank in Bangladesh which extends small

loans without collateral, mainly to poor women in rural areas. The only collateral required is a form of collective borrower responsibility. On the whole, this system has proved an effective instrument against poverty and can be a catalyst for social and economic development.

A new ILO project supported by Sweden and aimed at generating long-term employment for young people has provided an opportunity to draw particular attention to and influence the situation of young girls. In addition to the elimination of child labour, the ILO's International Programme on the Elimination of Child Labour, IPEC, has for the past few years been actively concerned with implementing measures against human trafficking. This project is a valuable source of experiences for organisations and authorities working to generate employment.

Efforts must also be made to improve working conditions in existing workplaces and to *facilitate the provision of employment offering acceptable conditions through jobcentres and employment offices*. Industries where employees are especially vulnerable should be regulated in accordance with international standards, and workers' rights under the law strengthened. The informal sector, especially types of work that are linked to the private domain such as domestic work are poorly regulated and offer employees little protection.

To ensure that women-at-risk are better informed about job opportunities, jobcentres and employment offices should try out new approaches incorporating certain safety guarantees. Other possible measures include licensing and control systems for companies that employ foreign labour. Sweden has supported the establishment of jobcentres in Central and Eastern Europe through the National Labour Market Board (AMS). The feasibility of support for the development of existing jobcentres in developing countries, possibly via the trade union movement and NGOs as well as through the government, should be further investigated. It should be noted that a distinction must be made between human trafficking for the purpose of prostitution and trafficking for other purposes, as prostitution cannot be regarded as a legitimate occupation under Swedish law, but rather as a form of male sexualised violence.

8.2.2 Ensuring free movement

How can Sweden contribute to a world in which *people can move freely and safely*? While capital can move unhindered and rapidly from place to place in today's globalised world, labour migration, especially from poorer countries is more restricted. The freedom of people to migrate for work, within and across national frontiers, has a direct bearing on smuggling of human beings and human trafficking. The growth of these activities in response to stiffer labour immigration regulations creates a conflict of interest between the need to restrict labour immigration to protect the recipient country's own population and preserve its welfare system on the one hand, and the desire to allow people living in poverty to earn a livelihood on the other.

As more and more women and children leave their home regions to find work elsewhere in their native countries or as guest workers in other countries,

measures should be taken to make their journeys easier and safer. They often lack the necessary documents and/or have little or no knowledge of the world beyond their homes. In many countries it is unacceptable for women to travel on their own and young women and girls are often entrusted to male escorts. Consequently there are grounds for supporting a range of measures designed to make it easier and safer for women and girls to move freely, and for tighter controls on agencies that hire guest workers.

8.2.3 Education for children at special risk

It is essential to continue to *focus on education, particularly for girls*. Sweden has a long tradition of funding education for girls as well as considerable experience developing and implementing education projects and programmes catering to children with disabilities, refugee children and children from minority groups. In addition to primary schooling, comprehensive education leading to employment and regular income is urgently needed. Education must also be made accessible and relevant to the needs and experiences of poor and socially marginalised children and young people at risk of becoming victims of trafficking. Projects must focus more closely on the knowledge children require in order to deal with the reality they live in. Examples include sex education and instruction in reproductive health and rights, health care and training in conflict resolution. Swedish support for informal education programmes for working children in Bangladesh is another example. Sweden will draw up measures aimed at reducing the risk of human trafficking as part of the *Education for All* programme.

8.2.4 Promoting gender equality

Gender equality is a key issue and measures to reduce *male oppression of females* are fundamental. Unequal power relations and sexual stereotypes must be counteracted. Respect for and protection of women's rights must be strengthened by – among other means – amending discriminatory legislation and working to change traditional discriminatory norms and attitudes. The right of women to live free of violence and sexual abuse must be supported. Women must also be encouraged to participate actively at all levels of social and political life. It is important to support efforts to establish comprehensive gender equality policies for the home, the workplace and in the political arena.

Women and children must be made familiar with their rights and taught how to assert them. This applies particularly to the prevailing views and attitudes concerning the right women to decide over their own bodies and sexuality. *Support for sex education and information, and better reproductive health among women and men* will, in the long, run help prevent human trafficking for sexual exploitation. Particularly crucial in the context of the fight against HIV/AIDS is the ability of women and children to protect themselves from sexual exploitation and the need to encourage responsible, considerate and respectful behaviour in men.

8.2.5 Promoting children's rights

Helping to ensure that the best interest of the child remains a guiding principle is fundamental to prevention. This applies to family life as well as to all areas of government activity. Girls are especially vulnerable and particular attention should be given to their situation. In the spirit of the UN Convention, efforts should be made to promote a child rights' perspective — ensuring that children are respected and taken seriously. While emphasis must be put on the family as the entity with primary responsibility for care, protection and guidance of children, the state is ultimately responsible for supporting families and acting in the best interest of the child if the parents cannot do so. Swedish efforts to give prominence to children and their needs in the context of development cooperation have also proved to be effective weapons against human trafficking as many of its victims are children who always suffer the most. In recent years, a number of measures have been developed to protect children from abuse and exploitation, particularly by UNICEF and NGOs working on children's issues.

8.2.6 Strengthening the social safety net

Sweden will actively seek to *strengthen social support* for families with social problems as a way of diminishing the vulnerability of women and children. Male violence and abuse, drug abuse and other adverse conditions often drive women into the divorce courts and children away from home, where they are more likely to fall into the hands of traffickers. Violence in the home, at school and in institutions has attracted growing attention in international fora; e.g. a forthcoming UN study on children and violence is an expression of this concern. Sweden will continue its support in this area.

The social safety net and support in the event of sickness, sudden death or accident is important to the prevention of human trafficking. Help in developing social insurance schemes and care and support services for people in vulnerable situations must be considered. The need for assistance and support is especially crucial in times of disaster, civil conflicts and in refugee situations. The conditions leading to human trafficking should be given close attention in the context of humanitarian aid.

8.2.7 Discouraging the demand for sexual services

Sweden will continue to seek ways of reducing the demand for sexual services through awareness raising measures or by discouraging potential perpetrators and buyers of sexual services. Measures capable of *force buyers and perpetrators to change their behaviour* and thereby reducing direct demand are needed. However, it will take time to influence deeply engrained attitudes and notions, held by men as well as women. Issues arising in connection with sexual behaviour are often taboo. The first step must be to foster an open attitude to the

subject and create the necessary space to discuss sexuality in public. The next step is to find ways of reaching young boys and men in order to discuss the sensitive issues involved. Sida has supported different efforts to broaden and improve knowledge of and information about male sexuality in Africa, Asia and Latin America. Based in extensive practical experience of promoting awareness of male sexuality in its own society, Sweden can make a valuable contribution to the task of improving self-awareness and altering notions about gender and sexuality among boys and young men. To be most effective, this must take place in the context of reproductive health programmes and measures to prevent HIV/AIDS. Particular attention should be given to groups of men who work far from their families, including construction and transport workers, migrant workers and members of armed forces. One example of good practices is a Sida funded road-building project in Mozambique which incorporates special HIV/AIDS prevention measures. The project opened the way for discussions about male sexual abuse of women and children. Efforts to establish codes of conduct for government financed personnel stationed abroad – e.g. humanitarian aid workers, peace-keeping troops and development assistance personnel – must also be highlighted.

Another part of the strategy is concerned with *reducing the demand* generated by parties who profit financially from the sex trade. Bars and other entertainment spots should face up to their responsibility towards children and young women who are victims of trafficking. It must be noted that certain travel agencies, airlines and hotels have acknowledged their responsibility in response to pressures from NGOs, and have adopted their own codes of conduct and ethical rules prohibiting them from aiding, abetting or contributing to the prostitution industry. Police, customs officials and other public servants who might abuse their authority are also important target groups as regards protection and support of victims and the need to detect and report offenders.

8.2.8 Informing people at risk

Measures to inform and make potential victims, their families and their local community aware of the risks and consequences of human trafficking can be a more immediate way to prevent trafficking in human beings. Schools are important fora for this type of awareness raising and information. It is also important to provide opportunities for organisations to monitor social trends and follow up students who have stopped attending school. In its efforts to combat trafficking, the ILO has employed teachers as information providers and school security officers. Local radio stations have also been used to broadcast information about the risks of human trafficking. Information and follow-up work of this kind must be coordinated with efforts to promote greater awareness of the right of individuals to make decisions about their lives and to move about freely. Local NGOs have an important part to play in this regard, particularly in cooperation with local media.

Further measures are needed to support people in vulnerable situations such as during or after armed conflict or natural disasters. Individuals living in

refugee camps require special information and education measures to counter their vulnerability to human traffickers.

8.2.9 Relevant and harmonised legislation

Criminalisation of human trafficking can also function as a preventive measure, especially if the offence is treated as serious, and law enforcement and prosecution of offenders is effective. In many countries the judicial system is lacking, it is, therefore, not reasonable to expect rapid improvement. A first step to improve the situation is the ratification of all relevant international agreements and their harmonisation into national legislation; a process that can be hastened by closer international cooperation. Sweden will work to encourage implementation the necessary legislative changes and harmonisation via multi-lateral channels, the EU and bilateral policy dialogues. As long as there are legal loopholes and major international disparities in terms of penalties and enforcement, trafficking will remain a difficult crime to combat.

To underline the seriousness of the crime and improve chances of enforcement, it is necessary to review a number of legal matters, such as attempted human trafficking, collusion or complicity in trafficking, double criminal liability, extradition of suspects and trafficking within countries. There are also grounds for taking a closer look at related offences such as the purchase of sexual services, forced marriages, forced labour, debt slavery, torture and male violence against women, all of which have a bearing on human trafficking. Regarding trafficking for the purposes of prostitution, reference may be made to experience relating to the *Act Prohibiting the Purchase of Sexual Services* (see above).

8.2.10 Effective law enforcement and legal prosecution

Support extended by Sweden to the police, prosecution authorities, the courts and other relevant bodies in the public administration of partner countries in development cooperation should be reviewed to ensure more effective law enforcement. In practice, authorities often turn a blind eye to trafficking operations, which undermines public confidence in the will or ability of the government in question to take the crime seriously. Not until more perpetrators are brought to justice will it be possible to come to grips with organised crime. Sweden supports a number of programmes and projects aimed at strengthening law enforcement and legal measures to prosecute offenders in South Africa and in Central and Eastern Europe. Continued support for *international police cooperation* through UNODCCP, Interpol and Europol is vital.

Effective prosecution of offenders often requires the testimony of victims themselves. It is in the prosecuting authority's interests treat the victim as a potential witness in the event of a trial. This may, however, only be done with the consent of the victim. Importantly, she or he is entitled to financial support during her/his stay in the destination country.

Another important measure that is effective against trafficking in human beings is the support for the fight against *corruption*. Sida supports several projects of this kind, including the work of the organisation Transparency International.

If governments are to reduce the profitability of human trafficking operations, they need to understand its economic basis and how profitable it is in relation to other forms of crime. Trafficking in human beings is often linked to other cross-border crimes such as drug trafficking. Special studies of the extent and economic structure of the sex industry are needed.

8.3 Curative measures

8.3.1 Facilitating reporting of violations

Efforts should be made to *facilitate the reporting of crimes against women and children*. Victims of human trafficking and similar violations need secure and accessible procedures for reporting offenders and alerting the authorities to their situation, either through the police or via special telephone helplines. NGOs are particularly experienced in setting up reporting or advisory hotlines or women's shelters for victims and possible witnesses.

8.3.2 Immediate assistance and support for victims

Victims of human trafficking must receive *immediate assistance and support from the authorities when a case of human trafficking has been reported*. They must be protected from the perpetrators and receive such legal, economic, medical and psycho-social assistance as they may need. Special requirements apply in cases involving children. The victim must not be prosecuted under existing migration or prostitution laws. This requires protective legislation, a functioning police force, a judiciary staffed by competent officers and effective social services. Victims must be apprised of their rights and informed of any independent sources of support, e.g. non-institutional legal and psycho-social counselling. Such resources are vital; they offer an external viewpoint and reassure victims that they are getting the protection and support they are entitled to.

8.3.3 Reforming the police and judiciary

There is a need for *support to reform and train police services and the judicial system*. Knowledge of the victims' legal rights is often inadequate and the treatment of women and children unsatisfactory. Victims of trafficking are frequently in real danger of further sexual assaults or abusive treatment, sometimes from the authorities whose duty it is to protect them. Police forces in many

developing countries lack training and are under-paid. Corruption is widespread. Measures aimed at reforming and strengthening the police are therefore necessary if victims are to be treated with due respect for their legal rights and in a professional, and acceptable manner. The possibility of strengthening Swedish support for police training and organisational measures in developing countries should be examined. Short-term measures in critical areas as well as longer-term institution-building projects should be considered. Training should also be extended to judges, public prosecutors, lawyers and officers and staff employed by border authorities. For many years, Sweden and Swedish NGOs have sought to make public authorities more aware of their social responsibilities and change their attitudes to women and children, for example by employing more female police officers.

8.3.4 Development of social services

Psychosocial treatment and counselling is not always available in developing countries, particularly in the least developed countries. Further improvement of specialised rehabilitation and counselling services for women and children is predicated on the general development of social policy and the expansion of organised social services. Here, Sweden with its extensive experience in this field, can contribute by extending support for institution building, fund training appropriate to countries with expanding social services and give instruction in social work for health and medical care staff. Sida trains social workers in the West Bank and the Gaza Strip to treat children who have been sexually abused. Sida has also funded a course at Uppsala University on medical and psychosocial services for children in vulnerable situations. Swedish support for multilateral UN-sponsored projects continually enhances the experience and expertise in dealing with the physical, mental and social effects of male sexualised violence in conflict and other situations, which often can lead to women and children becoming victims of human trafficking.

Support for the work of local NGOs is essential. NGOs often play a major role in assisting and supporting victims of human trafficking, although the government's overall responsibility for providing these services should be underlined. However, NGOs will account for the bulk of social support for vulnerable groups and victims of human trafficking for a long time to come.

8.3.5 Repatriation and rehabilitation

The return of victims of trafficking to their countries of origin and their rehabilitation call for a range of curative measures; in the destination country as well as in the country of origin. Returnees are often left, without money, at their country's borders, where they may face exactly the same problems that left them vulnerable to traffickers in the first place. The return of a victim can raise legal and administrative issues as around citizenship and the need for residence and work permits. Before the repatriation process is set in motion,

efforts must be made to determine whether the victim can be assisted in finding work, accommodation and a meaningful social context. It is also important to ensure that she or he will be guaranteed protection and be free to lead a regular life. The journey to the country of origin must also be secure. The development of cooperation agreements and practical procedures between adjoining countries will be of assistance.

Repatriation programmes must aim to offer victims of human trafficking access to adult education programmes, income-generating activities and other forms of support, including protection against further abuse. The victim must be allowed to decide what measures are to be applied. Experience shows that it is less injurious to the victim to receive support from general employment or social programmes than to be made the object of special treatment and placed in institutions specifically designed for victims of human trafficking as a general rule, institutions should be regarded as provisional, transitional solutions; they should serve as temporary shelter and protection, with the aim to reinsert the victims into the community. –Effective social services and cooperation with NGOs and authorities with know-how and experience in working with vulnerable women and children are needed. To date, NGOs have initiated most of the measures implemented on behalf of returning victims. As regards children, reunification with their families should not be attempted until the child's own views are ascertained and her or his best interest has been carefully considered.

8.3.6 Coordination of government authorities

Coordination of government authorities within and between countries and between authorities and NGOs is crucial. Where local border cooperation exists, coordinated operations are vital to the success of efforts to detain traffickers and support victims. Sweden can learn from cases of successful cooperation, such as the cooperation agreement between Thailand and Cambodia, and cooperative efforts to support children at risk in the Baltic region. Sweden can make a substantial contribution in this area.

8.3.7 Support for critical observers

Human rights organisations, other NGOs and the media can play a vital role as critical observers. They can focus public attention on illicit phenomena such as illegal migration, human trafficking and child labour, and monitor the problems on an ongoing basis. Human trafficking is big business with a substantial turnover, and corruption in institutions and bodies with responsibility for combating it is often widespread. Sweden should therefore consider supporting organisations and media that scrutinise developments in this sphere.

8.4 Analysis, implementation and follow-up

8.4.1 Supplementary information

In view of the continuing, critical lack of adequate information on the extent, nature and tendencies of human trafficking, *Sweden should help promote a better understanding of the phenomenon*. This would entail the development of methods for systematic data collection at local, national and regional levels and efforts to piece together the fragmentary but growing body of information available in order to obtain a more coherent picture. Existing research results should be used wherever possible. Efforts should be made to strengthen research and evaluation capabilities in this area, particularly with regard to the complex interaction of causes – including the demand factor – behind this harmful crime.

8.4.2 Methods development

There is also a need for *more and better knowledge of effective ways of supporting individual victims* and contribute to their rehabilitation. We must listen to the victims themselves. Sweden can contribute to the spread of methodological know-how gained from the experience and observations of NGOs active in the field and from social and psychosocial work undertaken in Sweden.

8.4.3 Collaboration between players

Success in combating human trafficking is predicated on effective collaboration between important players in the various countries involved and between those who watch over the policy areas concerned. Cooperation must be developed between researchers and operatives in the field. Anti-trafficking work involves NGOs as well as authorities and institutions. Informal networks are needed here, in addition to formal partnerships for collaboration across borders and between players. More *consistent forms of collaboration* should be developed, especially at national and regional level. Donor coordination and joint initiatives should be encouraged.

In light of the rapidly growing number of players, there is a need to unite behind certain common objectives and processes at regional and national level. Networks and foras of this kind have been developed at a regional level, mainly in Asia and in the Baltic Sea region, and are now beginning to emerge in other places. Efforts must be made to avoid a tangle of competing players with no clear mechanisms for cooperation or allocation of responsibilities. Sweden commands a good overall view and has wide points of contact with many of the players in the field of international development cooperation active in the fight against human trafficking, and can thus make a valuable contribution to such alliances.

Existing information networks, such as the global Child Rights Information Network (CRIN), provide a marketplace for exchanging and updating experience and information. Q-web,¹⁹ a worldwide network for the exchange of knowledge, experience and ideas on women's health and gender issues is another good example. Success in combating human trafficking presupposes different types of partnership and cooperation with a variety of players. Sweden must gain an overview of the various players in the field and, above all, extend support to players with similar attitudes and approaches to human trafficking.

8.4.4 Follow-up and evaluation

Measures implemented by individual governments to combat human trafficking should be followed up, and evaluated. The evaluation and follow-up mechanisms now under preparation at UNODCCP for inclusion in the UN protocol on trafficking in human beings may be one approach. The international follow-up work on the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women respectively may be useful in this connection. The same applies to the Special Rapporteurs on different subjects, such as violence against women, extreme poverty and child sexual exploitation. Human rights organisations must also be allowed to continue their investigative and reporting work.

As more experience is gained through programmes and projects it is necessary to evaluate the effectiveness of past strategies. The experience and observations of bilateral development cooperation and special cooperation projects involving countries in Central and Eastern Europe may be of particular interest.

8.5 A combination of instruments and channels used by Sweden in international development cooperation work

Much of the policy work on human trafficking has now been completed, both in Sweden and internationally. The next step is to put the policies into practice. To do this, Sweden will use and combine a number of development cooperation instruments. It must continue to pursue political dialogue in contexts such as ASEM, while further extending dialogue and support for practical development assistance measures. *Multilateral assistance* is central to continued support for existing commitments and the harmonisation of norms, and for regional and multi-sectoral programmes. The work of the UNDP, UNICEF, UNIFEM, UNODCCP, UNFPA and UNHCR are central in this context. IOM and ILO

¹⁹ Q-web is an information network run by the Swedish foundation Kvinnoforum. Its purpose is to disseminate information in Sweden and internationally about gender equality issues and human trafficking.

also have important roles to play in combating the worst forms of child labour. Regional and inter-regional mechanisms can serve to promote harmonisation and closer coordination.

The issue of human trafficking may be raised in the dialogue in the context of *bilateral cooperation* if the aim is to draw attention to the problem, to highlight international commitments and legal implications or discuss national policies aimed at countering human trafficking. Issues relating to the demand for sexual services and the exploitation of cheap labour must also be included, as must measures to counter human trafficking such as job creation programmes for women, education for girls, minorities and working children, and HIV/AIDS prevention measures forming part of health programmes.

Combating human trafficking is particularly important in conflict or other situations and such measures, therefore belong in the category of *humanitarian assistance*. The same applies to conflict prevention measures and reconstruction work after conflicts.

NGOs play a major role in combating trafficking. They draw attention to the problem, chart its extent, progress and operation, and develop and implement support measures for the victims. Sweden must extend support directly to international and local NGOs or via Swedish organisations. It is essential to build on the experience, expertise and networking abilities of these organizations, particularly where issues such as gender equality, men's violence against women, trade union rights and child rights are concerned.

Support for research aimed at enhancing and extending existing knowledge and developing new methods may also be appropriate. As regards gender equality issues or areas where Sweden enjoys special expertise, opportunities for research cooperation with institutions in other countries should be explored.

9 Implications for Sweden

9.1 Harmonisation with other policy areas

As a problem that clearly involves a range of policy areas, the fight against human trafficking requires *inter-ministerial coordination*. Where appropriate, coordination with respect to poverty reduction and to the protection of human rights must be the primary concern here. In this connection, the forthcoming government bill on a new Swedish policy for global development will serve as a guide for action.

Sweden's development and gender equality policies must be coordinated, since special attention is to be focused on trafficking in women and children for the purpose of sexual exploitation. The policy for global development should contribute to the formulation of a common government action plan for combating trafficking in human beings that extends over all areas of policy and political decision-making. It must also be emphasised that Sweden has a prominent role to play in and through its international contacts, in terms of the norms- and value-based work involved in combating prostitution.

9.2 Active coordination, organisation and follow-up

Growing concern over the problem of trafficking in human beings among policy- and decision-makers in Sweden and globally may entail an increased amount of work. Increased interest in research and training in these and related issues may also be expected. Human trafficking concerns a number of different policy areas, sectors and geographically defined spheres of operation in Sweden's international development cooperation and its management. However, it does not yet have a firm administrative seat or coordinating function in any of them. In terms of instruments and opportunities for dialogue with partners in development, human trafficking must be given systematic attention in future country strategies for developing countries.

Active coordination is essential if Sweden is to provide coherent, systematic support for efforts to combat human trafficking within the context of development cooperation. Consistent, uniform follow-up of programmes and policies is necessary, partly to verify that the situation with regard to trafficking has been reviewed and taken into account, and partly to ensure that measures are harmonised. A department in the Ministry for Foreign Affairs will be given overall responsibility for ensuring that an action plan is drawn up, implemented

and followed up, and for the establishment of an interdepartmental working group.

Although to some extent the work to combat trafficking in human beings has its own initiated players and particular processes requiring specialised know-how and expertise, it is important that all concerned authorities and ministries incorporate attention to trafficking issues into their own areas of work. Additional personnel should therefore not be required in any significant numbers in the short term. Efficient collaboration between the various authorities concerned can help to offset the need for extra staff. It is also essential that full advantage be taken of the considerable expertise and experience that exists within public authorities, NGOs and other civil society organisations in Sweden, e.g. through the setting-up of a reference group.

9.3 Financial considerations

Extensive increases in terms of financial commitments will not be required. Rather than entirely new budget allocations, efforts will focus on strengthening ongoing programmes and policy dialogue with a view to promoting further refinement of procedures, forms of collaboration and methods development. To the extent that additional resources are needed, these can be secured by reviewing and re-prioritising within the existing development cooperation policy and economic framework.

10 Guidelines in brief

In pursuance of its efforts to combat trafficking in human beings in the context of its development cooperation commitments, Sweden must:

1. Approach and treat human trafficking largely as a *poverty and gender equality issue*, and base measures on existing programme activities aimed at poverty reduction, and, in Central and Eastern Europe, on programmes aimed at promoting common security, deeper democracy, economic change and social security.
2. Act on the assumption and emphasize that every person has the *right to be protected against human trafficking* and that women and children are entitled to special protection.
3. Prioritise the work against *the most common and worst forms of human trafficking*, at present mainly trafficking in women and children for sexual exploitation and labour exploitation, primarily forced labour and the worst forms of child labour.
4. Focus on *long-term, preventive measures* and actively seek to improve conditions for the rehabilitation and re-integration of trafficking victims into the community, where they can live in dignity.
5. Consider *preventive measures*: developing job creation programmes for young people, especially young women;
 - improving labour conditions and the laws governing them;
 - expanding and improving education for girls;
 - promoting gender equality;
 - promoting the sexual health of girls and boys;
 - giving greater prominence to children and young people and listening to their views;
 - contributing to the establishment and maintenance of social safety nets, particularly in times of disaster;
 - counteracting the demand for women and children for prostitution and other forms of exploitation;
 - supporting the harmonisation of national legislation with international norms, and
 - ensuring compliance with international agreements and treaties through support for independent monitoring bodies.

6. Consider *curative* measures such as:
 - making it easier to report instances of human trafficking;
 - helping to ensure that victims are treated with dignity and respect and that they receive immediate legal, medical, social and economic support;
 - promoting the long-term development of structures for the systematic delivery of social services;
 - heightening the respect of police and law enforcement officers for human rights and enhancing their social skills; and
 - helping to develop the social services provided by NGOs and promoting closer collaboration with the authorities.
7. Seek to persuade other countries to accede to existing *international instruments* and regional commitments on human trafficking.
8. Help to promote *global awareness of the problem*, particularly in areas or communities where it has not yet been highlighted or is controversial.
9. Contribute to the *expansion of knowledge and the systematic analysis* of human trafficking with a view to obtaining a greater understanding of the extent, nature and causes of the problem. Contribute to the exchange of experience and continuous assessment of strategies, programmes and projects.
10. *Emphasise support for multilateral cooperation* involving multi-sectoral programmes against human trafficking, *supplement this with bilateral measures* within the regular poverty reduction cooperation programmes, and focus on support for NGOs and implementing networks.
11. *Promote coordination of the various players* and donors involved at international and regional level, focusing on the operationalisation of approved international norms and policy decisions.
12. Evaluate the *role and significance of development cooperation in the global fight against human trafficking* in relation to contributions from other Swedish policy areas such as legal affairs, gender equality, social welfare and migration. Seek to *harmonise the various policy areas* involved by highlighting their common concerns, contributing to their coordination and exploiting opportunities for collaboration. Integrate the fight against human trafficking into all levels of the Ministry for Foreign Affairs, and establish an office responsible for initiatives, follow-up and coordination of activities.

List of abbreviations

AMS	Arbetsmarknadsstyrelsen (National Labour Market Board)
ARIAT	Asian Regional Initiative Against Trafficking (in Women and Children)
ASEM	Asia-Europe Meeting
CARE	Cooperative for Assistance and Relief Everywhere
CATW	Coalition Against Trafficking in Women
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CIDA/ACIDI	Canadian International Development Agency
CRC	Convention on the Rights of the Child
CRIN	Child Rights Information Network
DAC	Development Assistance Committee
DfID	Department for International Development
ECOSOC	Economic and Social Council
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes
ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
EUROPOL	European Law Enforcement Organisation
GATTW	Global Alliance Against Traffic in Women
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
ILO	International Labour Organization
INTERPOL	International Criminal Police Organization

IOM	International Organization for Migration
IPEC	International Programme on the Elimination of Child Labour
NCID	National Criminal Investigation Department
NORAD	Norwegian Agency for Development Co-operation
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Cooperation and Development
OSCE	Organization for Security and Co-operation in Europe
OSSE	Organisationen för säkerhet och samarbete i Europa (OSCE)
RKP	Rikskriminalpolisen (National Criminal Investigation Department)
SAARC	South Asian Association for Regional Cooperation
Sida	Swedish International Development Cooperation Agency
UD	Utrikesdepartementet (Ministry for Foreign Affairs)
UN	United Nations
UNDP	United Nations Development Programm
UNFPA	United Nations Fund for Population Activities
UNHCHR	United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNODCCP	United Nations Office for Drug Control and Crime Prevention
USAID	United States Agency for International Development
AusAID	Australian Agency for International Development
WGCCR	Working Group for Co-operation on Children at Risk

