## 

## Input to the Special Rapporteur on the linkage between prostitution and violence against women.

Submission by [The Swedish Women's Lobby](https://sverigeskvinnoorganisationer.se/), [Roks](https://www.roks.se/), [The Swedish Platform Civil Society against Human Trafficking](https://manniskohandel.se/) and [RealStars](https://realstars.eu/)

**Hidden forms of prostitution**

To “hide” and mask prostitution as something normal and legitimate is a clear strategy of traffickers and the sexindustry. Today prostitution is often marketed through online- and social media platforms, as well as through ads for sexual acts on other platforms. The prostitution industry uses increasingly aggressive marketing methods where prostitution is glorified and normalized. In “Escort”- ads prostitution is advertised as glamorous and empowering and thereby hiding the inherent violent conditions of prostitution. These sites are in reality online brothels, where many of the women are victims of trafficking. A form of “hidden” prostitution is *sugar dating*. Through the positive and “innocent” associations to “dating”, sugar dating lowers the threshold for men to become perpetrators and for women and girls to enter a situation of sexual abuse and the system of prostitution. All of these platforms can be considered as “hidden” for the public who do not visit these internet sites. In Sweden these forms of prostitution are recognized and known by the general public and authorities. The Police regularly do outreach work to trace victims and perpetrators. However there are shortcomings for national authorities to prosecute the criminal networks behind these sites due to shortcomings in the juridical instruments to prosecute platforms operating from abroad. It is also a problem that platforms operate from other (European) countries where pimping often is not criminalized and therefore can continue their activities unbothered in those countries. See [OSCE, 2023](https://www.osce.org/cthb/555441).

Other forms of hidden prostitution which have not received enough attention in Sweden are related to Thai-massage/massage parlors and so-called “pornographic cinemas”. The Swedish Police report that there are 2000 Thai massage parlors in Sweden and that 80 percent of these parlors are so-called hidden brothels. In these facilities migrant women, often from Thailand suffer multifaceted exploitation (sexual and labor exploitation). Porn cinemas including strip-clubs are legal in Sweden which has made it possible for perpetrators to hide prostitution behind a legal facade (just as with massage parlors). In a report from 2023 ([Sveland, 2023](https://sverigesradio.se/avsnitt/porrbiografen-ner-i-morkret-del-1-2)) women and girls testify of prostitution and sexual abuse in these places but the club owners are not being prosecuted - even though there is evidence of crimes that are being committed to women and girls in these clubs. [In Farley et al (2023)](https://prostitutionresearch.com/wp-content/uploads/2023/10/PornographyProduction-HarmSweden-1.pdf) exploited women testify of porn cinemas having brothel rooms that are being controlled by pimps/traffickers and how production of pornography is also taking place in these arenas.

**Profile of women and girls affected by prostitution in Sweden**

A majority of those who are exploited in prostitution in Sweden are women. Also trans people and people who do not identify as heterosexual are overrepresented. This is a picture that is confirmed by different studies and NGO:s that work with supporting the target group ([The Swedish National Council for Crime Prevention, 2022](https://bra.se/download/18.146acb6517fd55784012735/1655800831820/2022_3_Kop_av_sexuella_tjanster.pdf); [The Swedish Gender Equality Agency, 2021](https://jamstalldhetsmyndigheten.se/media/impbhoid/rapport-prostitution-och-manniskohandel-2021-23-pdf.pdf), [The Public Health Agency of Sweden, 2017)](https://www.folkhalsomyndigheten.se/publikationer-och-material/publikationsarkiv/s/sexuell-och-reproduktiv-halsa-och-rattigheter-i-sverige-2017/?pub=60999). The women and girls who are exploited in prostitution often come from the most marginalized groups and have different kinds of risk factors in their background. Migrant women and young women and girls are overrepresented. Almost all have previous experiences of sexual abuse or childhood trauma, and many have mental health problems, financial problems and or struggle with substance abuse.

**Profile of those who solicit women in prostitution**

Different studies over the years show that **men** constitute the overwhelming majority of those who buy sex in Sweden. Studies show that men who buy sex can be of all ages, from all classes, with different educational backgrounds and often in a relationship (Månsson, 1996; SIFO, 1999; [Kuosmanen, 2008](https://www.nikk.no/wp-content/uploads/NIKKpub2008_prostitution_Forskningsrapport.pdf); Priebe & Svedin, 2012; [Länsstyrelsen, 2014;](https://catalog.lansstyrelsen.se/store/29/resource/2015_6) The Public Health Agency of Sweden, 2017; [Guaje, 2023](https://sverigeskvinnoorganisationer.se/wp-content/uploads/2023/12/Sex-pruchase-in-Sweden-Germany-Fact-sheet.pdf)). The characteristics that do stand out for men who purchase sex is that they usually have more negative attitudes towards women and that they often are high consumers of porn ([Isaksson et al., 2021](https://goteborg.se/wps/wcm/connect/79b4b331-abc3-40fc-ad89-8f64d6030679/KAST+G%C3%B6teborg+med+loggor.pdf?MOD=AJPERES); [Farley et al.,2022](https://prostitutionresearch.com/wp-content/uploads/2022/11/Sex-buyersEnglish-11-8-2022pdf.pdf)).

**Forms of violence that prostituted women and girls are subjected to**

The make a person engage in sexual acts without physical desire, but because of financial need, inequality or because of a vulnerable position, is an act of sexual violence in and of itself. The use of money to achieve someone's consent to engage in, or tolerate, a sexual act, shows how money is a means of coercion and therefore how prostitution is an act of violence to the person who is bought.

Besides the experience of violence of being bought and sold, international research shows that women and girls who are prostituted are also exposed to a high degree of other forms of violence and often suffer psychological consequences, like PTSD, from being in prostitution (Farley et al., 2003). The violence range from verbal harassment and threats, to physical assault, sexual assault, kidnapping and deadly violence. Swedish studies have shown similar results with higher exposure to violence for persons in prostitution compared to the general population. A study showed that at least 80 percent had experienced some kind of violence whilst in prostitution (The Swedish Gender Equality Agency, 2021). There is though one exception, which is that Sweden, since the introduction of the sex purchase law, have not seen a single case of a women i prostitution experiencing violence with a deadly outcome.

Many of the women and girls in prostitution in Sweden do also suffer indirect violence when the support system fails them. Survivors of prostitution have testified that they sometimes do not receive the proper psychological care even when they have had extensive contact with the health care system. Some survivors have been denied help from their municipalities despite the fact that they are obliged to offer help. They have also been met in a stigmatizing or degrading way when dealing with professionals in the public sphere.

**Perpetrators of violence against women and girls in prostitution**

Perpetrators are the sex buyers and pimps. To purchase a woman's body is an act of violence in itself. They are also the ones who perpetrate all the other direct violence mentioned in the previous question. See previous answer.

**Prostitution is a violation of the human rights of women and girls**

Prostitution is a violation of:

* Article 6 of The 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which obliges States Parties to *“take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”*.
* The United Nations Convention of 2 December 1949, adopted by the General Assembly states in its preamble that *“Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person.*”
* Articles 1, 3 and 5 of the Universal Declaration of Human Rights. Prostitution is a violation of the human dignity, the right to life, liberty and security. It also violates the human right to not be subjected to torture or to cruel, inhuman or degrading treatment.

**Links between pornography and prostitution**

There is a very evident link between pornography and prostitution. NGO:s often meet women and girls who have been abused both through prostitution and pornography. The shelters' experiences are that pimps or boyfriends/husbands usually are the ones who decide if the exploitation will be filmed or not. The women and girls are often in a dependent position and in a power imbalance that makes her in no position to consent.

A study from 2023 shows that there is no major difference between the exploitation of women in prostitution and pornography (Farley et al., 2023). The difference is that the latter is filmed prostitution which is being spread and consumed by more than one sex buyer. Many of the women interviewed in the study have been filmed or photographed during prostitution. The pimps that organize these paid rapes can be boyfriends, club owners, sex buyers or pornographers. Farley et al (2023) also shows that a third of the women that were exploited in pornography have been in out-of-home placements as children, such as foster care. The study confirms many of the experiences and observations from the women’s shelter who regularly meet women and girls who have been sexually exploited.

In Sweden there is a lack of legislative measures to target pornography. Women and girls who are exploited through pornography are not protected and perpetrators are not held accountable. The criminal code that criminalizes the distribution of filmed violence such as pornographic films (BrB 16 kap §10c) is not being implemented. Neither by investigators at the Swedish police nor by prosecutors, even though several complaints to the police have been made. There is therefore a great need to review the legislation when it comes to the *distribution* of pornography, as well as the *production* of pornography (which today is not criminalized like the purchase of sex).

**Not possible to speak about meaningful consent for prostituted women and girls**

It is not possible to talk about any form of meaningful consent for prostituted women and girls. The use of money is a tool of coercion and abuse of power to achieve access to a person's body for one's own sexual gratification. To purchase the right to abuse a person for one own sexual pleasure is sexual violence. This perspective is also reflected in our legislation. In Sweden it is not possible to buy consent. Sex purchasing is listed under the section of sexual crimes under the criminal code act.

**Effectiveness of legislative frameworks and policies**

The implementation of the Swedish sex purchase act has reduced demand for prostitution. The proportion of men who have paid for sex are significantly lower in Sweden than in countries with a different legislative framework, like Germany. Different studies have shown that approximately 1 out of 10 men in Sweden have bought sex (Månsson, 1996; SIFO, 1999; Kuosmanen, 2008; Priebe & Svedin, 2012; [Kotsadam & Jakobsson, 2012](https://www.researchgate.net/publication/257557838_Shame_on_you_John_Laws_stigmatization_and_the_demand_for_sex); Länsstyrelsen, 2014; The Public Health Agency of Sweden, 2017; Guaje, 2023).In Germany on the other hand 1 out 4 men have bought sex (Guaje, 2023; [Döring et al., 2022](https://www.researchgate.net/publication/358857661_Men_who_Pay_for_Sex_Prevalence_and_Sexual_Health_-_Results_from_the_German_Health_and_Sexuality_Survey_GeSiD_Manner_die_fur_Sex_bezahlen_-_Pravalenz_und_sexuelle_Gesundheit_Ergebnisse_aus_der_Bevolker) [based on The German Health and Sexuality Survey]). Other effects of the law that have been observed is that street prostitution has significantly decreased since the implementation of the sex purchase law. The law has also had a deterrent effect for traffickers. The state evaluation of the law from 2010 also showed that even though online prostitution has increased since the introduction of the law in 1999 it has not done so to the same extent as in neighboring countries who did not have the same ban [(SOU 2010:49).](https://www.regeringen.se/contentassets/2ff955c847ed4278918f111ccca880dd/forbud-mot-kop-av-sexuell-tjanst-en-utvardering-1999-2008-sou-201049/)

The legislative framework has also been effective in changing society’s view on prostitution and acceptance towards buying sex. A majority of Swedish society finds it unacceptable to buy sex and several studies have shown that since its introduction, the Sex Purchase Act enjoys strong support among the Swedish public, especially amongst women. A recent poll shows 91 percent of Swedish women support the legalization ([See Guaje, 2023](https://sverigeskvinnoorganisationer.se/wp-content/uploads/2023/12/Sex-pruchase-in-Sweden-Germany-Fact-sheet.pdf)).

Survivors and NGO:s offering support testify that the sex purchase act also gives some level of power in the inherent power imbalance that that the person suffers whilst in prostitution. This was also the intention of the law, to give the prostituted person an increased level of agency and protection whilst at the same time distributing the market. One important aspect that needs to be noted as well is that since the introduction of the Swedish legislation there has not been a single murder of a person in prostitution, which stands in contrast to claims made by others that the law in Sweden has made it more dangerous for women in prostitution. The law has also made it possible for many to achieve some sort of rectification for the abuse they have suffered. The law makes it possible to see who the perpetrator is and who the victim is. It recognizes the violence and trauma that women in prostitution are subjected to. The law clarifies that sex purchasing is an act of violence and as such unacceptable by society. Survivors and NGO.s also testify how the law is an important tool for the healing process of the victims. since it alleviates the burden of shame and guilt and clearly states that the guilt and shame is on the perpetrator - the sex buyer.

**Measures are in place to collect and analyze data at the national level**

The Public Health Agency of Sweden regularly conducts a national health survey where questions about experiences of selling or purchasing sex are asked. Different kinds of studies and evaluations have also been conducted by public agencies throughout the years with aims to gather data about the prostitution market and the situation for persons in prostitution. We also have the national rapporteur against human trafficking. The Gender Equality Agency, the region coordinators, the police and The Swedish National Council for Crime Prevention are also agencies who have the task to coordinate and regularly gather information that is of importance for understanding the situation for people in prostitution.

**Assistance and support to women and girls who wish to leave prostitution**

Prostitution is part of the government's action plan to combat men's violence against womens and as such persons in prostitution are entitled to all available social support from society. In paper assistance and support therefore should be provided by public authorities, like social services, the health care system ect. But evidence shows that women and girls exploited in prostitution are not targeted enough in the scoop for these services and support systems. The best state-provided support is usually available in the bigger cities. The municipalities in the bigger cities have developed extensive and professionalized help through programs like [MIKA.](https://www.beroendecentrum.se/vara-mottagningar/mottagning-sex-mot-ersattning/mika-halsa/) Also, there is no explicit state-provided exit-program to support women and girls who are exploited in prostitution. Therefore there is a national discrepancy and local variations in what services, if any, that are accessible for survivors.

Shelter, psychosocial support and exit-services are mainly provided by NGO’s, in particular to non-Swedish citizens. Long-term protection and exit programs to leave exploitation are also mainly provided by NGO’s. The state does however contribute with funding to these support services. A big job is also done by police in their outreach work. The outreach work is often done through cooperation with NGO:s and social services. This is of course also a very important contribution in the state’s effort to identify and help women and girls exit prostitution.The Swedish government has also recently presented three different governmental inquiries with proposals on how to better protect and support women and girls who are exploited in prostitution and pornography.

**Inclusion of frontline organizations and survivors' organizations in policy making nationally and internationally**

At the national level frontline organizations are regularly consulted and invited to the policy making process. In recent years, since the creation of the only Swedish survivor organization [intedinhora](https://intedinhora.se/), survivors have been able to amplify their voices and their organization regularly consulted and invited as well. Even though survivors have not had their own organization before, policymakers have used different methods in efforts to include their experiences, for example through NGO:s, surveys and interviews. It is also worth noting that the Swedish sex purchase act was developed through the lived experiences of women in prostitution. The proposal for the law was developed and suggested after extensive and in-depth interviews with women in prostitution. We regret that the same thing can not be said about the inclusion at international level. Here the voices and experiences of survivors are not heard and taken into consideration in the same way. Way too often we see how the pimp-lobby is working their way into the international policymaking arenas and promoting their view of prostitution as “sex-work” and the decriminalization of sex buyers and pimps. This narrative of prostitution has nothing to do with the lived experience of those exploited and only serves to normalize and to protect the sex industry, their business and their money. Not the rights and safety of womens and girls, as they claim.

**Our recommendations**

In order to prevent and end violence associated with prostitution the main goal for every society must be to end the prostitution system! Prostitution in itself constitutes a form of sexual violence against women and girls. The normalization of prostitution fosters acts of violence against women by sending the social signal that women are commodities. Prostitution it is not about sex: it is about power and about the purchase of sex as a result of the denial of the other person’s desire. Equality between women and men and genuine sexual freedom can therefore never be achieved as long as prostitution exists.

The Equality Model as a legal framework is the only model that aims at ending this exploitative system that is prostitution. Prostitution and pornography are forms of violence. Therefore, like any other forms of violence, if we want to prevent and end this violence society needs to criminalize those who perpetuate the violence (profiteers and buyers) and decriminalize those who are subjected to the violence (the person who is prostituted). In order to achieve the normative effect of reducing demand for prostitution and changing attitudes towards sex purchasing, it is also crucial that law enforcement is given the task and resources to implement such legislation.

In order to help prostituted persons exit prostitution society must also offer support and exit programs. And this has to be done with adequate funding. In order to prevent women and girls to be subjected to the violence that is prostitution drivers and risk factors behind prostitution must also be tackled such as: domestic violence, childhood sexual abuse, female poverty, poor employment and education opportunities among women, and other form of disadvantage among women, particularly those most targeted by pimps and traffickers. Comprehensive sexuality education with an emphasis on consent, mutuality, respect and gender equality must also be taught in school.