

# Security, Equality and the Clash of Ideas: Sweden's Evolving Trafficking Policy

Gregg Bucken-Knapp\*, Johan Karlsson Schaffer<sup>□</sup> and Karin Persson Strömbäck<sup>°</sup>

Preprint version – published in Human Rights Review 13 (2), 167-185, 2012,

<https://doi.org/10.1007/s12142-011-0214-y>

## Abstract

Seeking to explain the emergence of anti-trafficking initiatives, scholars have explored two sets of ideas – national security and gender equality – thought to shape policy measures. In this paper, we examine whether such ideational influence can account for Sweden's trafficking policy as it has evolved over the past decade. As powerful domestic ideas about gender inequality informed the adoption of an abolitionist prostitution policy in the 1990s, one would expect similar ideas to influence domestic responses to cross-border trafficking.

However, our case-study shows that the two policy areas of trafficking and prostitution follow different ideational paths. While gendered ideas, periodically nested in a human rights discourse, have been salient in public debate on trafficking in human beings, especially during the campaign to boycott the FIFA World Cup in 2006, they have exerted subordinate influence on legislative initiatives to combat trafficking. Thus, we conclude, security concerns still hold sway.

---

\* Department of Politics, University of Stirling, Stirling, FK9 4LA, Scotland, UK.

gregg.bucken-knapp@stir.ac.uk

□ Norwegian Centre for Human Rights, University of Oslo, P.O. box 6706, St. Olavs plass 5, 0130 Oslo, Norway. j.k.schaffer@nchr.uio.no

°Department of Politics, University of Stirling. k.j.perssonstromback@stir.ac.uk

## Introduction

In recent years, international trafficking in human beings has become a highly politicized issue at both national and international levels. Notably, several United Nations and European Union initiatives have resulted in a series of measures intended to combat trafficking.<sup>1</sup> As the policy responses to trafficking have grown in number, so too have the attempts by scholars to explain the content of anti-trafficking initiatives. In particular, much research has focused on the European Union.<sup>2</sup> Much of this literature has addressed the emergence of anti-trafficking initiatives by emphasizing how actors depict trafficking as a security issue, resulting in policies that tighten border controls, limit migration, allow for deportation of trafficked women, and facilitate efforts by law enforcement to secure prosecution. In contrast to this securitization approach, other scholars (albeit far fewer) have argued that EU anti-trafficking measures result from successful efforts by key political actors to mobilize increasingly powerful norms regarding gender equality and human rights.

Yet, scholars have devoted comparatively little attention to the emergence of anti-trafficking initiatives within individual EU member states. If ideas regarding security and gender equality have been a crucial impetus at the EU level, can we locate a similar degree of ideational influence over anti-trafficking policies at the state level? In this paper, we detail the evolving Swedish response to the trafficking of women for sexual purposes. Sweden constitutes

---

<sup>1</sup> The term ‘trafficking in human beings’ itself is a matter of contention in political debates. Notably, when the United Nations adopted the Palermo Protocols in 2003, it defined trafficking as having the purpose of exploitation, including “the exploitation of the prostitution of others or other forms of sexual exploitation”. However, the term ‘sexual exploitation’ was left undefined, as parties could not agree on a definition. Since we are interested in precisely how policy agents construe and construct the phenomenon of trafficking, we stipulate no particular definition of the term.

<sup>2</sup> As contrasting examples, see H. Askola, ‘Violence against Women, Trafficking, and Migration in the European Union’ 13 *European Law Journal* (2007a) 204–17; *Legal Responses To Trafficking In Women For Sexual Exploitation In The European Union* (2007b) and B. Locher, *Trafficking in Women in the European Union: Norms, Advocacy-Networks and Policy Change* (2007).

a particularly interesting case for analyzing the development of anti-trafficking initiatives. In 1999, Sweden became the first country to criminalize the purchase, albeit not the sale of sexual services. Scholars and analysts agree that this landmark policy resulted from the successful efforts of policy entrepreneurs to establish linkages between the proposed ban and specific feminist ideas regarding gender relations that had become especially prevalent in Swedish society in the late 1980s and early 1990s.<sup>3</sup> Largely as a result of the writings of key Swedish feminists, such as the historian Yvonne Hirdman, gender relations in Sweden had increasingly come to be characterized as existing within a “genus system” of sharply unequal levels of power and privilege.<sup>4</sup> Under such a system, prostitution constituted both an example of one of the more egregious forms of inequality between men and women, and as male violence against women, a symptom of the pathology of prevailing gender relations.

Hence, the Swedish case provides us with an opportunity to explore the degree to which a specific category of ideas that held sway in one policy area may have exerted comparable impact in a related policy area. Despite the comparatively small amount of trafficking for sexual purposes that involves Sweden as a destination, even prior to the 1999 ban, Sweden plays a highly visible role in the international debate over which strategies constitute the most appropriate response to trafficking. Most notably, the prominent Swedish Social Democratic politician, Anita Gradin, assumed a leading role as EU Commissioner for Justice and Home Affairs in the late 1990s, championing efforts to combat the trafficking of women for sexual purposes. Moreover, Sweden remains highly visible in its international efforts to see the “Swedish Model” on

---

<sup>3</sup> Y. Svanström ‘Criminalising the John – A Swedish Gender Model?’ in *The Politics of Prostitution: Women’s Movements, Democratic States and the Globalisation of Sex Commerce*, ed. J. Outshoorn, (1999) 225-244; G. Ekberg ‘The Swedish Law That Prohibits the Purchase of Sexual Services,’ *Violence Against Women*, (2004) 1187-1218; S. Dodillet, ‘Cultural clash on prostitution: Debates on prostitution in Germany and Sweden in the 1990s.’ in *Genealogies of Identity. Interdisciplinary Readings on Sex and Sexuality*, eds. M. Sönser Breen & F. Peters (2005), 39–56; A. Gould, ‘The Criminalisation of Buying Sex’ (2001) 30 *J. of Social Policy* 437–56; J. Scoular, ‘Criminalising “Punters”: Evaluating the Swedish Position on Prostitution’ (2004) 26 *J. of Social Welfare and Family Law* 195-210.

<sup>4</sup> Y. Hirdman, *The Gender System: Theoretical Reflections on the Social Subordination of Women*. The Study of Power and Democracy in Sweden, English Series, Report no. 40 (1990), Mak-tutredningen, Uppsala.

prostitution and trafficking adopted elsewhere, sponsoring study trips for foreign politicians, supporting foreign NGOs that wish to pursue a like-minded policy agenda, and seeking to mold public opinion throughout Europe.<sup>5</sup>

Thus, one might expect to find the same ideas to have exerted substantial influence on both the initial evolution, as well as the subsequent development, of Sweden's anti-trafficking legislation. Yet, as our analysis shows, this is not the case. As will be seen, while a radical feminist discourse was prominent in the Swedish debate over trafficking, initial policies primarily reflected securitization concerns. The potential impact of a gendered ideational framework on policy and programs has only become apparent in the past few years, most notably in the case of protesting Germany's prostitution policy during the 2006 World Cup. However, while salient in public debate, the gendered framework has only had a limited influence on policy, such as in the proposed granting of permanent residency to victims of trafficking. Far from being a radical shift, we regard this aspect of Sweden's evolving anti-trafficking response as evidence that concerns over the integrity of national borders and fighting transnational organized crime remain dominant. A gendered perspective may have achieved inroads in terms of shaping public debate, but it thus far holds a weaker position in terms of overall influence on policy.

This paper now proceeds in the following manner. First, we address the two competing ideas that scholars regard as having the greatest degree of impact on the shape of anti-trafficking initiatives, particularly at the international level: securitization and gender equality norms. At the same time, we note how state-level studies have been less explicit in their emphasis of ideas on trafficking policy outcomes. Following that, we present the Swedish case, tracing the evolution of trafficking legislation and initiatives from the initial criminalization of trafficking in 2002 to ongoing debates regarding permanent residency. Our data consists chiefly of official

---

<sup>5</sup> At the same time, the committee drew upon abolitionist logic in discussing prostitution more generally, noting that prostitution can never be regarded as "a job just like any other" and that liberal approaches to prostitution not only prevented "the negative aspects such as incidents of violence, abuse, disease, isolation, denial, etc" from being highlighted, it also resulted in a larger market for traffickers. See Department of Justice, *Människosmuggling och offer för människohandel* (SOU 2002:69), pp. 235–236.

documents from the Swedish Parliament (*Riksdag*), organizational statements, and media accounts. We conclude by exploring the possibility that in addition to the evolution that we trace here in terms of domestic policies, securitization and gender equality ideas might each have a respective sphere in which they have received pride of position when it comes to Swedish policymakers and anti-trafficking campaigners.

### **Securitization and Gender Equality Ideas:**

#### **The International level and the Domestic Setting**

What ideas shape the response of actors to the trafficking of women for sexual purposes? Unsurprisingly, trafficking scholars disagree as to what drives policy choices. However, we can attempt to group their arguments by dividing the literature into two rough categories. First, in the literature that explicitly focuses on the ideas that are assumed to guide actors devising anti-trafficking policy responses, the dominant approach has been an emphasis on the securitization of trafficking. Since the mid-1990s, many scholars studying the efforts of the EU to stem trafficking argue that such measures are representative of broader efforts to ensure that regional and national borders remain secure in the face of various threats resulting from increased globalization, the collapse of the Soviet Union and most recently, the events of September 11, 2001. To that end, the content of anti-trafficking policies has generally tended towards efforts that are thought to reinforce state sovereignty and the maintenance of law and order: tighter immigration regimes, secure borders and an increased ability for police and prosecutors to arrest and secure convictions. By contrast, certain constructivists and feminists, exploring similar developments, have emphasized the way in which ideas regarding gender equality have played a critical role in allowing for gender-sensitive trafficking policies to emerge. Second, studies which examine national responses to trafficking, particularly when addressing EU member states, have pointed to the significance of, for lack of a better catch-all term, domestic setting. As we will see,

while these studies are not equally as informed by theoretical considerations, they nonetheless call our attention to a broad variable that can be made more refined and precise.

### *Securitization*

The securitization approach to trafficking can be traced back to the establishment of the Copenhagen School of international relations.<sup>6</sup> While traditional theories of international relations emphasised a limited range of “high politics” issues thought to be relevant for state and regional security, “new security” scholars have stressed the process by which specific “securitizing actors” (both states and non-state actors) have engaged in discursive strategies resulting in a steady expansion of issues that now fall under the security umbrella. Indeed, whereas traditional IR scholarship rarely considered environmental degradation, migration or human trafficking central to a state’s security concerns, scholars influenced by the Copenhagen School have documented how various actors have managed to achieve inclusion for these issues as being relevant to state security.<sup>7</sup>

When it comes to the trafficking of women for sexual purposes, the securitization approach has also made substantial inroads in the analysis of how anti-trafficking initiatives emerge, although not all of the work has a direct lineage back to the Copenhagen School. Rather, the broad literature linking anti-trafficking initiatives to security concerns characteristically emphasises how trafficking constitutes a challenge to state sovereignty.<sup>8</sup> Berman argues that the

---

<sup>6</sup> See O. Waever, B. Buzan, et. al., *Identity, Migration, and the New Security Agenda* (1993); B. Buzan, O. Waever, and J. de Wilde, *Security: A New Framework for Analysis* (1998).

<sup>7</sup> For examples pertaining to the environment and migration in general, see J. Barnett, *The Meaning of Environmental Security: Ecological Politics and Policy in the New Security Era*, (2001); S. Dalby, *Environmental Security* (2002); J. Huysmans, ‘The European Union and the Securitization of Migration,’ 38 *JCMS: Journal of Common Market Studies* (2002) 751–77; S. D. Watson, *The Securitization of Humanitarian Migration: Digging Moats and Sinking Boats* (2009).

<sup>8</sup> while not explicitly analysing trafficking from a securitization perspective, Gould and Kulick both similarly argue that the adoption of the Swedish sex purchase ban in the 1990s should not only be attributed to the successful lobbying of a powerful women’s movement. Rather, it should be understood as an effort to assert national identity and geopolitical boundaries, in response to fear and anxiety resulting from the end of the Cold War, the dismantling of the welfare state and Sweden’s entry into the European Union. Gould, A. ‘The Criminalisation of Buying

discourse surrounding trafficking to the EU conflates different categories of migrants and sex workers, and does so in order to serve the image of European nation states under threat from migration as the product of globalization and a loss of control over borders.<sup>9</sup> Indeed, Berman maintains that such a construction is intentional, as it establishes a “a group of innocents in need of the protection of – but also deportation from – the state, (and wherein) these discourses work to affirm the place for the state in maintaining sovereign borders and quelling the anxiety created by European integration and globalization”.<sup>10</sup>

In more recent work surveying overall EU efforts to combat human trafficking, Berman and Friesendorf argue that “security-focused” programs continue to dominate, with little overall room being left for a comprehensive approach that would seemingly take into account both gender and migration.<sup>11</sup> Accordingly, following the securitization of trafficking (and cross-border migration in general) states are generally thought to respond to trafficking with harsh measures such as increased border controls, criminalization of trafficking, police efforts against “organized transnational crime networks”, and deportation of trafficked persons as illegal migrants.<sup>12</sup> Askola’s work on EU anti-trafficking initiatives reaches a broadly similar conclusion, yet also underscores a certain paradox: “while trafficking in women for sexual purposes has experiences an almost meteoric rise onto the EU agenda, it is still not framed as a phenomenon of gender”.<sup>13</sup> Rather, she concludes that the core of the EU efforts to combat trafficking consist of ensuring effective state control over national borders via the limitation of immigration, that is,

---

Sex: the Politics of Prostitution in Sweden’, 30 *J of Social Policy* (2001) 437–456; Kulick, D. ‘Sex in the new Europe: The criminalization of clients and Swedish fear of penetration’, 3 *Anthropological Theory* (2003) 199–218.

<sup>9</sup> J. Berman, ‘(Un)Popular Strangers and Crises (Un)Bounded: Discourses of Sex-trafficking, the European Political Community and the Panicked State of the Modern State’, 9 *European Journal of International Relations* (2003), 37–86.

<sup>10</sup> Berman 2003.

<sup>11</sup> J. Berman & C. Friesendorf, ‘EU Foreign Policy and the Fight Against Human Trafficking Coercive Governance as Crime Control’, 13 *European Foreign Affairs Review*, (2008) 189–209.

<sup>12</sup> J. K. Lobasz, ‘Beyond Border Security: Feminist Approaches to Human Trafficking,’ 18 *Security Studies* (2009) 319–344; J. Berman (2003); Wæver et al, *Identity, Migration, and the New Security Agenda* (1993).

<sup>13</sup> H. Askola, (2007b).

“keeping the women home”.<sup>14</sup> While much of the scholarship that considers trafficking from a securitization perspective is content to identify concerns over state security as an underlying rationale for chosen policies, Friesendorf explores how securitization is implemented in practice, arguing that a system of “security governance” is in place across Europe, one that involves the collaboration of state and non-state actors to halt the flow of transnational crime and to ensure national borders can withstand efforts by criminal networks to traffic women.<sup>15</sup>

### *Gender Equality*

In contrast to the literature that has emphasized the way in which trafficking has become subsumed under the heading of security, a smaller set of scholars have argued that anti-trafficking initiatives are, to a great extent, shaped by femocrats, “women who describe themselves as ‘feminists’ or are ‘strongly committed to equal opportunities’ and who enter organizations to further their aims”.<sup>16</sup> Together with other allies, femocrats are argued to have mobilized increasingly salient ideas regarding the importance of gender equality and grafted them onto more established human rights norms in order to successfully influence policies on trafficking. Most prominent among these is Birgit Locher’s social constructivist account of the emergence of EU anti-trafficking policies and programs during the mid-1990s.<sup>17</sup> Emphasizing that ideas require actors in order to have an impact on policy-making, Locher argues that a “velvet triangle” of femocrats, NGOs and academics joined forces against the backdrop of a favorable political opportunity structure to successfully gather support for a gendered response to trafficking. The cornerstone of the actors’ strategy was to assert that trafficking represented a violation of established norms, including those pertaining to human rights, and opposition to slavery, as well as recent norms that were increasingly becoming institutionalized; specifically, ideas regarding

---

<sup>14</sup> H. Askola (2007a).

<sup>15</sup> C. Friesendorf, ‘Pathologies of Security Governance: Efforts Against Human Trafficking in Europe’, *Security Dialogue* (2007) 379-402.

<sup>16</sup> J. Barry, J. Chandler & E. Berg ‘The women's movement and new public management in higher education in Sweden and England’, 85 *Public Administration* (2007), 103-22

<sup>17</sup> Locher (2007).



the human rights of women as a distinct category. In contrast to securitizing actors who have sought stricter measures to preserve the sanctity of state borders and to ensure that both trafficked women and the ‘responsible’ criminal networks are either prosecuted or deported, the policy aims of femocrats and their allies have generally involved: combating trafficking primarily through ending demand (criminalizing male customers), providing trafficked women with the legal opportunity to remain in the destination country as a way to sever dependency with criminal networks, and (to a lesser extent) developing policies for implementation in the sending country, such as educational campaigns outlining the risks of taking certain labor opportunities abroad, as well as those intended to domestic economic prospects.

Whereas Locher focuses on a set of gendered actors with largely similar values, Lobasz emphasizes the potential incompatibility between the “new abolitionists” (those who argue that trafficking is largely a demand-driven phenomenon) and “competing feminists” who stress exploitation as the root cause of the problem and the need to make distinctions between trafficking and the sex industry as a whole.<sup>18</sup> Yet, Lobasz notes the important contribution that these feminist analyses of trafficking make, via “expand(ing) the referent of security from states to people.”<sup>19</sup>

While Locher’s and Lobasz’s analyses are largely presented in neutral terms, a host of other scholarship suggests that feminists have made substantial headway in framing the trafficking question through a strategy that relies on mobilizing ideas regarding gender, but also through the strategic misrepresentation of facts.<sup>20</sup> Weitzer, for instance, states that the “core claims (of anti-trafficking activists) regarding both trafficking and prostitution are generally quite dubious, yet activists have met with remarkable success in getting their views and demands incorporated

---

<sup>18</sup> Lobasz, ‘Beyond Border Security: Feminist Approaches to Human Trafficking,’ 18 *Security Studies* (2009), 319–44.

<sup>19</sup> Lobasz (2009) 322.

<sup>20</sup> Agustin, *Sex at the Margins: Migrations, Labour Markets and the Rescue Industry* (2007); Doezenia ‘Now You See Her, Now You Don’t: Sex Workers at the UN Trafficking Protocol Negotiation’, *Social Legal Studies* (2005) 61-89; Andrijasevic, ‘The Spectacle of Misery. Gender, Migration and Representation in Anti-Trafficking Campaigns’, 86 *Feminist Review*, (2007) 24-44; and MacDonald (2004).

in government policy, legislation and law enforcement practices.”<sup>21</sup> Weitzer argue that U.S. policy on commercial sex work is shaped by what began as a moral campaign against sex trafficking rather than prostitution in the mid 1990’s, which during the past decade expanded its targets to involve all other forms of commercial sex, resulting in the full conflation of trafficking and prostitution. Thus, an unlikely alliance of Christian evangelicals and feminist abolitionist activists have successfully influenced U.S. policy by constructing the societal problem of both trafficking and all other forms of commercial sex as a question of gender equality, rather than state security.<sup>22</sup>

While some scholars have regarded constructions of trafficking as a security threat, and others as one involving the successful deployment of ideas involving human rights and gender equality, Aradau argues that these depictions are “in no way mutually exclusive.”<sup>23</sup> She suggests that the two frames – or discursive regimes, in her terminology – are “entwined and feed upon each other”, as witnessed in EU policies for the prevention of trafficking:

“While promoting women as bearers of human rights was initially devised as an NGO counter-strategy to the EU security discourse, a coalition of NGOs and EU actors coupled the two discourses and endorsed them as logically related and mutually reinforcing – thus allowing the humanitarian discourse to be gradually taken up by the EU itself.”<sup>24</sup>

Despite Locher’s emphasis on gendered actors and ideas regarding gender, women’s rights and human rights, she too makes room for influence from competing frames, when acknowledging that the recent events of the Madrid and London bombings, as well as the September 11 attacks, have led to a growth in securitization discourse and the “old illegal immigration frame” within

---

<sup>21</sup> R. Weitzer, ‘The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade’, 35 *Politics & Society* (2007) 447–75.

<sup>22</sup> R. Weitzer, ‘The Movement to Criminalize Sex Work in the United States’, 37 *J of Law and Society* (2010) 61–84.

<sup>23</sup> C. Aradau ‘The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking’, 33 *Millennium – Journal of International Studies* (2004) 251–78.

<sup>24</sup> Aradau (2004) 253

the EU.<sup>25</sup> While “gendered agents” have been increasingly instrumental in mobilizing norms to generate support for specific policies targeting trafficking in women, the rise of a gendered approach to trafficking need not spell the demise of concerns over securitization — they might well co-exist in promoting anti-trafficking measures in the EU and its member states.

### *The Domestic Setting*

Studies of trafficking that focus on the international level have made an important contribution for their emphasis on how competing ideational frameworks have been utilized by entrepreneurs seeking to frame preferred initiatives. However, scholarship that asserts an explanatory role for a given discourse at the international level of the trafficking debate often tends to gloss over the fact that such discourses — whether they frame trafficking in terms of threat or pity — might have differing degrees of salience at the national level, leading to substantial variation in how policies are institutionalized across states. Neither the Palermo Protocols nor subsequent EU actions have mandated the precise manner in which states are to implement anti-trafficking measures. Indeed, while the new EU Commissioner for Home Affairs, Cecilia Malmström, has recently announced that one of her chief priorities in the early period of her tenure will be to harmonize some aspects of how member states implement anti-trafficking initiatives, member states still maintain considerable discretion when it comes to evolving anti-trafficking initiatives.<sup>26</sup> Since these studies do not register descriptively how states have responded to trafficking, they cannot be employed as a tool for explaining how and why alternative trafficking discourses inform trafficking policies and practices in different contexts.

In the trafficking literature, contributions by Munro and Askola stand out for their comparative analysis regarding how different states have constructed national policies in response to trafficking. Munro has sought to explain why international anti-trafficking initiatives, in spite of being increasingly expressed in the universalist language of human rights, lead to such different

---

<sup>25</sup> Locher (2007) 299

<sup>26</sup> C. Malmström, ‘Så ska jag rädda sexslavarna i EU,’ *Aftonbladet*, 18 March (2010).

and diverging responses at the domestic level.<sup>27</sup> She shows that because of the ambiguity in the international documents' key concepts, which results from the compromise among parties negotiating the protocols, domestic legislators have considerable leeway in interpreting the provisions. For instance, in recent years the international approach has asserted that trafficking should be seen as a human rights violation rather than as a question of illegal labor migration. But since conceptions of consent, sex work and exploitation vary across states, the human rights turn in trafficking policy has afforded national legislators the option to interpret the provisions in line with their own agendas. Moreover, Munro's fieldwork reasserts the classical insight that policy is one thing, implementation is another. In this context, while policy diverges sharply between her cases, practice – that is, the ways in which those policies are implemented – show signs of greater convergence. For instance, while Italy uniquely offers a broad program for assistance to victims of trafficking, in practice they must normally cooperate with crime investigators in order to get such help.<sup>28</sup>

Similarly, Askola focuses on anti-trafficking responses in Sweden, the Netherlands, and Italy, in order partially to highlight three contrasting views “underpinning attitudes to sexuality and its role in commercial sex in general and prostitution in particular”.<sup>29</sup> In stressing the role that the abolitionist, regulatory and prohibitionist approaches play in each respective case, Askola does not argue that the emergence of national-level anti-trafficking policies constitutes a case of policy converging on one model. Rather, her study demonstrates that the nesting of domestic national policies within broader European harmonization efforts on migration policy and law enforcement implies that anti-trafficking measures need to be evaluated more narrowly, con-

---

<sup>27</sup> V. Munro, ‘Stopping Traffic? A Comparative Study of Responses to the Trafficking in Women for Prostitution’, 46 *The British Journal of Criminology* (2006) 318–33; V. Munro, ‘Of Rights and Rhetoric: Discourses of Degradation and Exploitation in the Context of Sex Trafficking’, 35 *J. of Law and Society* (2008) 240–64.

<sup>28</sup> Jane Scoular likewise argues that Sweden and the Netherlands, for all their differences in official prostitution policy rhetoric, pursue strikingly similar legal strategies for the governance of sex work. J. Scoular, ‘What’s Law Got To Do With It? How and Why Law Matters in the Regulation of Sex Work’, 37 *J. of Law and Society* (2010) 12–39.

<sup>29</sup> H. Askola, ‘Violence against Women, Trafficking, and Migration in the European Union’, 13 *European Law Journal* (2007) 204–217; H. Askola *Legal Responses To Trafficking In Women For Sexual Exploitation In The European Union* (2007).

cluding that some strategies are nationally distinct, while others are in the process of becoming increasingly Europeanized.

Munro and Askola make a significant contribution to the trafficking literature by focusing our attention on intriguing instances of policy divergence, and to some extent, convergence. However, while focusing on specific state responses, both studies could benefit from a more explicitly theorized role that is afforded to ideas in the trafficking literature that is concerned with the international level. Many of the studies that focus on trafficking *discourses* often seem to collapse the distinction between theory and discourse, that is, between scholarly analyses of state responses to trafficking and, on the other hand, the ways in which policy makers and other important actors talk about and respond to these phenomena. This might be a deliberate choice on the part of these scholars, as academics often partake in the discursive struggles they study and thus, empirically the categories of “experts”, “activists” and “policy makers” tend to blend into each other. Indeed, such involvement on the part of academics is central to the behavior of epistemic communities.<sup>30</sup> However, collapsing the distinction between theoretical concepts and empirical discourses can result in uncertainty for how scholarly output should be received by policymakers. Is it an attempt to frame the debate for policy-specific ends, or is it an attempt to impose analytical order on an empirical phenomenon? Here, we think scholars should be explicit as to their intentions. In this paper, we focus exclusively on policy analysis and we leave it to others to engage in the heated debates over which anti-trafficking measures are most appropriate for achieving desired ends.

---

<sup>30</sup> P. M. Haas, ‘Introduction: Epistemic Communities and International Policy Coordination’ 46 *International Organization* (1992); U. Becker & C. Hendriks “‘As the Central Planning Bureau says’: The Dutch Wage Restraint Paradigm, Its Sustaining Epistemic Community and Its Relevance for Comparative Research’ 15 *Review of International Political Economy* (2008) 826–50.

## **The Evolution of Swedish Anti-Trafficking Initiatives**

In this section, we address the evolution of the various initiatives that currently comprise the Swedish response to the trafficking of women for sexual purposes. In doing so, we focus both on the proposals, legislation and specific efforts to export the official Swedish stance on prostitution/trafficking, and on the statements made by policymakers, pressure group representatives and scholars during key points in the policy debate. We document the way in which, despite the mobilization of a gender rights (and by extension, a human rights) frame by many actors partaking in the debate, initial policies reflected securitization concerns. However, there has been a modest shift from roughly 2006 onwards, with gender rights ideas becoming salient in two key instances: first, during the 2006 World Cup in Germany, Sweden's "Football – Yes, Prostitution – No!" campaign centered on a critique of German legislation that allowed for legalized prostitution. Drawing upon the abolitionist rhetoric common to radical feminist portrayals of sex work, the Swedish campaign collapsed the distinction between trafficking and prostitution, treating them as essentially identical phenomena. Second, proposals currently exist to grant trafficking victims permanent residency, if they cooperated with prosecutors. Previous policies had only allowed temporary residence permits in conjunction with prosecutorial efforts. This proposal has been justified on the basis of both securitization (prosecuting and convicting traffickers) and gender rights ideas (improving the conditions of women who fall prey to traffickers). In short, ideas of securitization, which largely resulted in trafficked women being treated as instruments for state prosecutorial efforts prior to their expulsion from Sweden, have not been sidestepped by gender rights ideas that underpin a more humanitarian stance towards trafficked persons. And there is little doubt that in the clash between ideas, securitization holds greater sway.

*Criminalizing Trafficking (2002) and Granting Temporary Residence Permits  
to Female/Child Victims of Trafficking for Sexual Purposes (2002–2005)*

While many proponents of the 1998 legislation banning the purchase of sexual services frequently assert that the law has played an important part in minimizing the degree to which Sweden has been regarded as an attractive destination for those seeking to traffic women for sexual purposes, this was never considered the primary intent behind the legislation.<sup>31</sup> Rather, as Leijonhufvud (2009) stresses, the legislation chiefly represents an effort to scare men away from the prospect of purchasing sexual services: by focusing on and stigmatizing men's demand for commercial sex, prosecution was thought to result in a loss of social status in the community. Indeed, approximately two years after the ban went into effect, the chief of Europol's anti-trafficking division stated that while the market for sexual services in continental Europe had reached saturation, trafficking to Sweden had begun to increase, with "sexual service wholesalers" having their sights set on the Nordic states.<sup>32</sup> Reliable data has traditionally been difficult to come by in terms of precise numbers for women trafficked to for sexual purposes. However, the Swedish Police estimated that between 200 and 500 foreign women had been victims of trafficking in 2000, primarily from Baltic and other Eastern European states.<sup>33</sup>

In 2000, the initial press coverage of the efforts by Swedish policymakers to introduce anti-trafficking legislation not only highlight the degree to which gender rights were a prominent frame, but also how unfamiliar the term 'trafficking' was initially deemed to have been to the Swedish public, with one article offering a pedagogical definition of the term as "meaning, in this context, the commercial trade of women and children for sexual purposes, a growing problem throughout the world." Indeed, Swedish law did not contain measures directly addressing

---

<sup>31</sup> Speech by Minister of Gender Equality Margareta Winberg during a seminar about prostitution and trafficking at Information Rosenbad, 15 May, 2002; L. Leijonborg et al., *Motion 2005/06:Ju383 Sexhandeln med kvinnor och barn*, 30 September 2005.

<sup>32</sup> 'Kvinnohandeln ökar – Men lagarna hänger inte med' *TT Nyhetsbanken* Stockholm, 8 October 2000

<sup>33</sup> Department of Justice, *Sexualbrotten – ett ökat skydd för den sexuella integriteten och angränsande frågor* (SOU 2001:14).

trafficking, only pimping. While the Swedish ban on the purchase of sexual services was considered to have some impact on incidents of trafficking to Sweden, Sweden's entry into the Schengen Agreement raised concerns that decreased border controls would result in increased cross-border trafficking for sexual purposes. In making the case for an immediate need to see comprehensive anti-trafficking measures implemented, Left Party MP Ulla Hoffman echoed the assumed lack of agency on the part of female sex workers common to the radical feminist analysis of prostitution, stating that the Swedish effort to combat trafficking would begin with "the initial moment when the women are tricked (in to entering Sweden) under false pretenses." Social Democratic Foreign Aid Minister Maj-Inger Klingvall identified "patriarchy and poverty" as the underlying causes of trafficking and noted that under the forthcoming Swedish presidency of the EU, a gender perspective would be introduced to guide the relevant development policies. Social Democratic Gender Equality Minister Margareta Winberg was perhaps most direct and identified male customers of sexual services as the main culprit, noting that, "if there weren't any buyers, then there wouldn't be any trafficking in human beings.<sup>34</sup>". Winberg also underscored the degree to which other EU member states were at odds with the Swedish government's stance on trafficking, pointing out that she could not comprehend their claim to oppose trafficking while simultaneously supporting legalized prostitution.<sup>35</sup>

Unsurprisingly then, the parliamentary committee charged with establishing criminal penalties for trafficking in sexual purposes (summarized in Prop. 2001/02:124) contained language mirroring the claim that trafficking was intimately and chiefly linked to a male demand for sexual services and prostitution:

"The committee has...emphasized that trafficking in human beings is not simply a matter for criminal law. A precondition for this type of trade is that there is a demand for sexual services. As such, the committee has emphasized that trafficking for sexual

---

<sup>34</sup> 'Alla led i kvinnohandeln ska kriminaliseras', *TT Nyhetsbanken*, Stockholm (TT) 9 November 2000

<sup>35</sup> 'Mansrollen viktig i arbetet med jämställdhet', *TT Nyhetsbanken* Stockholm (TT) 29 June 2001



purposes must not only be attacked through criminalization, but also through efforts to counteract prostitution and to ensure that men refrain from purchasing sexual services.”<sup>36</sup>

Despite this, the initial legislation exclusively focused on establishing trafficking for sexual purposes as a criminal activity and determining the sentence that could be applied by the courts. As of 1 July 2002, a conviction for trafficking in human beings for sexual purposes became possible in instances where it could be shown that an individual had either induced, or allowed another person to be transported across international borders and subjected to “certain sexual crimes or...exploited for sexual purposes”.<sup>37</sup> The broad range of actors involved in the trafficking process were made subject to prosecution, including those who received, transported or gave shelter to a trafficked individual. Criminal penalties were set at between two and ten years in prison. While welcoming the legislation as crucial for addressing the “cynical trade” in human beings, some feminist organizations were critical of the overall thrust of the new policy, maintaining that it represented an excessive emphasis on law and order at the expense of security for trafficked women. As Carolina Wennerholm of the feminist development group *Kvinnoforum* (Foundation of Women’s Forum) noted:

“There’s been a great deal of focus on the police and criminal (aspects of fighting trafficking), that are naturally also of great importance. A problem is that many of these women, these victims, are often in Sweden illegally. If they are caught, then the expectation is that they will be deported immediately. Then we won’t be able to help them. But currently, it’s being discussed as to whether victims will receive temporary residency and I think this will prove to be the case.”<sup>38</sup>

---

<sup>36</sup> Regeringens proposition 2001/02:124 ‘Straffansvaret för människohandel’, p. 48.

<sup>37</sup> ‘Betänkandet Människosmuggling och offer för människohandel’ in SOU 2002:69, p. 26, Justitiedepartementet, Stockholm, August 2002.

<sup>38</sup> ‘Winberg vill provocera de svenska männen’ *TT Nyhetsbanken*, Stockholm (TT), 27 June 2002.

Then Foreign Aid Minister Maj-Inger Klingwall had struck a similar tone two years earlier, upon announcing that an ongoing investigation into amending the Aliens Act would be expedited. However, while Klingwall acknowledged that the investigation should examine the “general situation” of trafficked women, she also stressed that foreign women should be allowed to remain in Sweden in order to assist with police investigations.<sup>39</sup> Indeed, when the parliamentary committee issued its report in the summer of 2002, it strongly backed a revision of the Aliens Act to allow for female victims of trafficking to receive temporary residence permits, and did so exclusively with reference to how this would assist police investigations into trafficking rings.<sup>40</sup> According to the committee, the need for temporary residence permits resulted from situations wherein:

“...police and the prosecutor investigating trafficking in humans have experienced problems because there are no legal grounds for a victim or other person who has evidence to remain in Sweden while the process of justice runs its course. This has resulted in women being refused entry to the country after just a preliminary interview with the police. Later in the proceedings this has made the situation regarding evidence more difficult. The lack of any means of temporarily retaining a foreigner in the country for further investigation has also meant that foreign women who are found to have prostituted themselves are immediately refused entry and sent home, since they lack sufficient funds for their sojourn or do not support themselves in an honest fashion (Section 4 subsection 2 of the Aliens Act). In such cases there is no further investigation with respect to the circumstances which prevailed when they

---

<sup>39</sup> 'Regeringen utreder skäl för asyl', *Sydsvenska Dagbladet*, 16 November 2000.

<sup>40</sup> These provisions were enacted in conjunction with the 2006 government bill ensuring that Sweden was in compliance with the European Community's 2004 directive on temporary residence permits for victims of trafficking for sexual purposes (Regeringens proposition 2006/07:53).

came to Sweden and resided here. This means that a lot of information about, for example, the trafficking in humans can be lost.”<sup>41</sup>

The committee argued directly that as part of the “importance of the work” associated with combating “serious transnational criminality, there is a need to allow people whose evidence is required to remain in Sweden in order to assist the police and the prosecutor in their investigation”.<sup>42</sup> As such, the committee proposed that temporary permits be granted to female trafficking victims who agree to partake in police investigations against accused traffickers. In certain cases, on humanitarian grounds, it would also be possible for women to apply for permanent residency. However, the committee chose not to propose a specific change to the Aliens Act that would allow for victims of trafficking to file an application for permanent residency, as there were concerns that families to successful applicants might then seek to enter Sweden under family reunification permits, thus putting the state under a greater financial obligation than would be the case with temporary permits.

In early 2003, five senior Social Democratic ministers announced that they would be introducing a government proposition later in the year that was consistent with the policy recommendations of the parliamentary committee. Speaking at a parliamentary debate, the new Social Democratic Foreign Aid minister, Jan O. Karlsson, declared the government’s support for temporary permits to help battle the “modern form of slavery”, that was trafficking. At the same time, Karlsson was clear that the government did not intend to make Sweden a permanent sanctuary for trafficking victims, noting that he was skeptical towards calls to provide women who testify with permanent residency.<sup>43</sup> Other Social Democratic ministers were more ambiguous as to the type of permits to be granted. In an op-ed piece published in the leading liberal daily *Dagens Nyheter* prior to a Baltic summit on human trafficking, Margareta Winberg and Justice Minister Thomas Bodström detailed a broad package of measures that they hoped to see states

---

<sup>41</sup> SOU 2002:69 ‘Människosmuggling och offer för människohandel’ p. 34

<sup>42</sup> Ibid. p. 30

<sup>43</sup> ‘Fler regler mot människohandel på väg’ *TT Nyhetsbanken*, Stockholm, 24 January 2003.

adopt, including “investigating the possibilities for victims to receive temporary or permanent residency in destination countries”.<sup>44</sup> For their part, law enforcement officials, in particular, were optimistic that temporary permits could make a substantial difference. Stockholm district prosecutor Hans Ihrman, one of the leading figures in Stockholm municipality’s anti-trafficking work, responded to the announcement enthusiastically:

“This is completely unbelievable! Fantastic! This means a great deal for our work. We won’t need to interview the women on the same day (that we take them into custody), rather we can let a relationship of trust emerge between prosecutors and the women. We can now conduct several interviews and treat the women in a better way. As it stands now, our point of departure has been that every interview may be the last one.”<sup>45</sup>

Organizations that chose to comment on the parliamentary committee’s report during the public hearing period were also largely supportive, though several counties and bureaucratic agencies expressed concern that the possibility for permanent residency was not being made automatic when the trafficked woman in question was not of legal age.

In November 2003, the government proposition was finally introduced, calling for a revision of the Aliens Act such that prosecutors could apply for temporary residency permits on behalf of foreigners who were regarded as necessary for pursuing trafficking investigations. The proposal chose not to specify the minimum and maximum periods that the permits could be granted for, instead arguing that case by case circumstances would dictate how long a given permit was valid for. It was assumed that an initial application might be for a short period of time or up to a few months, with the possibility of multiple extensions that could result in a combined time frame of “sometimes over one year”. Central to the argument for temporary resident permits with no fixed time frame was the logic that had been developed in the earlier par-

---

<sup>44</sup> M. Winberg & T. Bodström, ‘Ge offren fristad i Sverige’, *Dagens Nyheter*, April 9 2003.

<sup>45</sup> ‘Offer för trafficking ska få stanna under utredning’ *Svenska Dagbladet*, 24 January 2003.

liamentary committee report, namely that revising the Aliens Act simply aimed to allow the trafficked individual to remain in Sweden until the legal process had been brought to a close.<sup>46</sup> No specific provision was introduced allowing for victims of trafficking as a category to apply for permanent residency, though the government underscored that existing channels to apply for asylum were naturally available to those who wished to lodge an application. Indeed, then Minister of Migration Barbro Holmberg responded to critics seeking a specific provision enabling trafficking victims to apply for permanent residency that applications could be filed “if there is cause”.<sup>47</sup>

While the legislation took effect in October 2004, the decision by the government not to specify minimum and maximum lengths for temporary residence permits resulted in calls for clarification. The Justice Department published a report in late 2005, addressing both the matter of permit length, and also spelling out more precise conditions under which they were to be granted. In terms of the former, the Department proposed a minimum standard permit of six months, a shorter first permit when initial police investigations were being carried out, and for extensions to the six-month permit with no required minimum. However, the detailed conditions under which temporary permits would be granted are of greatest interest. In an effort to harmonize Swedish policy with the European Community’s 2004 directive on temporary residence permits for victims of trafficking for sexual purposes, the Department sought to operationalize the three criteria set out by the Community for granting temporary permits to third-country national victims of trafficking: the importance of the victim to the criminal investigation, the willingness of the victim to cooperate with relevant authorities, and whether evidence existed that the victim had broken off all contact with traffickers. In developing its’ reasoning, the Department explicitly framed the need to do so in order to ensure that state interests were protected, particularly with regards to the requirement of severed contact between victim and trafficker.

---

<sup>46</sup> ‘Människosmuggling och tidsbegränsat uppehållstillstånd för målsägande och vittnen m.m.’ Regeringens proposition 2003/04:35 72 p. 18

<sup>47</sup> ‘Holmberg vill ingripa hårdare mot trafficking’ *TT Nyhetsbanken*, Stockholm (TT) 18 November 2003

The first criterion was considered best dealt with by the leading official assigned to the investigation, as s/he was thought to be the only individual who could know whether the victim's testimony could serve the prosecution's efforts. In addressing the second criterion, the Department grappled with whether any sort of document ought to be drawn up, in which candidates for temporary permits would acknowledge their awareness of the prevailing guidelines and that they would offer their cooperation. However, here too, the Department chose to defer to the judgment of the leading official. In attempting to operationalize the third criterion, the Department left no doubt that the underlying rationale driving the exercise was that it contributed to the state's ability to combat crime, noting that, "even this requirement is made on the basis of the state's interest in being able to investigate the crime. Through contacts being severed, there is a guarantee, to some extent, that no dependency relationship (on the part of the trafficking victim) will exist towards the abductors, that might persuade the foreigner not to follow through on any cooperation with authorities".<sup>48</sup>

Taken jointly, the period 2002–2006 saw legislation that was chiefly influenced by securitization ideas. While policymakers seeking the enactment of specific anti-trafficking initiatives did invoke a gender rights frames, particularly in public comments, there is little evidence that these frames were then used to justify the specific policies or to shape their contents. Both the initial criminalization of trafficking in 2002, and the lengthy process to bring about temporary residence permits, resulted in policies that chiefly promoted the state's interest to prosecute cross-border traffickers. Particularly in the instance of temporary residence permits, granting women the temporary right to stay in Sweden during ongoing investigations was rarely promoted as a means for ensuring the physical and psychological security of trafficked women, but rather as an instrumental component in crime-fighting efforts.

In the following sections, we shift our focus to two more recent aspects of Sweden's evolving anti-trafficking initiatives. First, we examine some of the rhetoric regarding the "Foot-

---

<sup>48</sup> 'Tidsbegränsat uppehållstillstånd för offer för människohandel m.fl' in Departementsserien, Regeringens Proposition Ds 2005:24 Justitiedepartementet, Stockholm, October, 2005 p. 45-47

ball – Yes, Prostitution – No!” campaign during the 2006 football World Cup in Germany, in which Swedish officials repeatedly stressed that a link existed between prostitution and trafficking. While no domestic policy reform was the focus of this effort, this campaign nonetheless shows how Swedish officials invoked gendered ideas regarding sex work in a highly visible campaign. Second, we examine the ongoing discussions over whether victims of trafficking ought to receive permanent, as opposed to, temporary residency. The emerging consensus over this reform to Sweden’s anti-trafficking policies suggests that securitization concerns are increasingly sharing center stage with ideas that require a greater focus on how policies can assist foreign women who have been trafficked to Sweden.

*The ‘Football – Yes, Prostitution – No!’ Campaign (2006)*

As Swedish football fans debated the prospects of victory for the fourteenth-ranked national squad in the following summer’s World Cup that would be held in Germany, an op-ed piece was published in the Swedish Social Democratic daily tabloid, *Aftonbladet*. The article, jointly authored by the Social Democratic Ministers of Sports and Gender Equality, together with the chair of the Swedish Football Association, sought to call attention to how one of the largest scale international sporting events would be a magnet for those seeking to traffic women for sexual purposes, noting that, “Alarming reports indicate that women will be tricked into traveling to Germany in the belief that they are going to get to work, for example, as waitresses. In reality, they will be forced into prostitution.” Indeed, throughout the attempt to highlight the link between German prostitution policy and the prospects for increased trafficking, it was frequently alleged in the media that upwards of 40,000 Eastern European “sex slaves” were being prepared for import to Germany. Unlike the legislative initiatives that had already been adopted by Sweden against trafficking, this article marked the starting point of a campaign that relied on abolitionist arguments towards sex work that were consistent with gender equality norms:

“We want to encourage all Swedish football lovers who are traveling to the World Cup to think about the importance of fair play both on and off the pitch. It’s simply not okay to buy sex. A precondition for the sex trade is that there’s a demand to buy sexual services. It’s our impression that Swedish men, because men are those chiefly responsible for buying sex, regardless of whether it’s in Sweden or abroad, should not support an industry that exploits, humiliates and harasses women. Trafficking is nothing more than a form of slave trade that is not worthy of our time, which we condemn in the most explicit terms...The government and the parliament believe that prostitution is a form of men’s violence against women...Human traffickers are well-organized and unscrupulous businessmen who earn enormous sums of money by exploiting women and children. The sporting movement and the government condemn human trafficking in all of its forms.”<sup>49</sup>

At the EU, Swedish MEPs had supported the call from Austrian Social Democrats that “forced prostitution” should be condemned in conjunction with the upcoming World Cup. While the call met with overwhelming support from MEPs overall, one Swedish MEP expressed disappointment that prostitution had not been condemned as a whole, stating that, “It’s very difficult to get others to understand that there is no such thing as voluntary prostitution. But, (the sponsors of the non-binding motion) are making a distinction between prostitution connected to trafficking and other prostitution.”<sup>50</sup> Swedish Minister of Justice Bodström echoed this point when speaking at a meeting of EU Member State Justice Ministers in February 2006, noting that, “if Germany wants to do something about the problem of trafficking, then it would be a good idea to ban the purchase of sex”.<sup>51</sup> As the campaign developed, an official t-shirt was unveiled that could be worn by Swedish fans who made the trip to Germany. While the Swedish(-

---

<sup>49</sup> B. Ringholm, J. Orback and L.-Å. Lagrell, ‘Sexhandel är aldrig OK’ Swedish Football Association, *Aftonbladet*, 29 December 2005.

<sup>50</sup> ‘Tyskland uppmanas hindra tvångsprostitution vid Fotbolls-VM’ *TT Nyhetsbanken*, Stockholm 17 January 2006.

<sup>51</sup> ‘Bodström vill stoppa bordellbaracker vid Fotbolls-VM’ *TT Nyhetsbanken*, Stockholm 21 February 2006.



language) debate over the apparent dangers presented by the World Cup had chiefly focused on how traffickers would take advantage of the event to “trick” women into coming to Germany, the t-shirt took aim at German prostitution policy. In the national colors, gold and blue, the text on the t-shirt had the simple message, “Football – Yes, Prostitution – No!” Bodström attempted to place further pressure on Germany by proposing that Swedish police, who would attend the event in order to conduct surveillance of Swedish football hooligans, could also partake in efforts to combat trafficking.<sup>52</sup>

While the campaign was broadly supported at the outset, proposals by two prominent public figures that Sweden ought to boycott the World Cup in order to demonstrate its opposition to German prostitution policy suggested that there were limits to the ability of gender rights ideas to influence Swedish behavior abroad. First, Gender Equality ombudsman Claes Borgström argued that it “would resonate across the globe if we were to withdraw from the World Cup to demonstrate that we have to use every means possible to stop this modern form of slavery.” Borgström maintained that his status as a football fan mattered, showing the need “for one interest to take the background in place of another, greater interest”.<sup>53</sup> His call was backed up two days later by Sweden’s then representative in the European Council’s committee against torture, Christina Doctare:

“If a country’s government and authorities has decided to allow modern slavery via trafficking, in the form of legalized prostitution, then one has taken the stance that it’s okay to think that some people are worth less than others, and don’t have the same right to exist and human rights. As Sweden’s representative against torture in the European Council, I visited jails and police stations across Europe and could observe the flipside of the coin of all of this trafficking. If we go to Germany to watch

---

<sup>52</sup> Swedish Ministry of Justice, ‘EU:s justitieministrar överens om att bekämpa människohandel under fotbolls-VM,’ Press Release. 27 April 2006.

<sup>53</sup> ‘Krav på bojkott av Fotbolls-VM avvisas’ *TT Nyhetsbanken*, Stockholm (TT) 3 April, 2006.

football and wave our money around, then we are at the same time accepting the country's laws that allow prostitution. It's as simple as that!"<sup>54</sup>

The chair of the Swedish Football Association, Lars-Åke Lagrell, immediately rejected the call from Borgström, stating that it was ultimately a political question which Swedish football "could not change, even if we wish to do so".<sup>55</sup> Jens Orback, then Minister of Equality, sought to cast the decision not to support the proposed boycott in more pragmatic terms, stating that while he welcomed the debate over the most appropriate course of action, he would rather shut down German brothels than shut down the World Cup:

"Our football stars are idols for hundreds of thousands of children. They can influence attitudes by saying that there should be fair play both on and off the football fields at the World Cup. Our national team's players could get the players from other countries to participate in a demonstration against women and children being sold for sexual purposes. Of course there's a connection between prostitution and human trafficking. The sex industry buys and sells women as slaves because there is a demand for sexual services. In crass terms, this is about supply and demand in a market where women and children are sold as sex slaves."<sup>56</sup>

No boycott was forthcoming and the campaign remained one chiefly of consciousness raising. Interestingly, in the autumn of 2006, the Swedish Development Agency (SIDA) and the International Organization of Migration (IOM) produced a post-mortem report showing that trafficking in women for sexual purposes had not at all increased to Germany during that summer's World Cup. The report was particularly skeptical of the way that journalists accepted the number of 40,000 sex slaves without substantiation, and concluded that the debate over the issue had very little impact on suppressing incidents of trafficking. Borgström was present at the

---

<sup>54</sup> C. Doctare, 'Den som åker till VM godtar prostitution' *Dagens Industri*. 6 April, 2006.

<sup>55</sup> B. Ringholm, J. Orback and L.-Å. Lagrell, 'Sexhandel är aldrig OK' Swedish Football Association, *Aftonbladet*, 29 December 2005

<sup>56</sup> Ibid.

seminar in Gothenburg where the report was released and expressed skepticism with the results, stating that “with all due respect” for the experts that had been consulted, he still believed that Sweden managed to push the Germans on the issue and that it would likely be considered at the planning stages in conjunction with future international sporting events <sup>57</sup>

The more recent framing of trafficking with gender equality ideas has not been limited to efforts to shape public opinion and export the Swedish stance on prostitution and trafficking. Since 2006, there have been ongoing discussions as to whether children and women who are victims of trafficking ought to be granted permanent residency if they agree to partake in police investigations and criminal proceeding against alleged traffickers. Here though, gender equality ideas have had to share center stage with the securitization concerns that shaped initial policies.

*An Emerging Consensus over Permanent*

*Residency for Victims of Trafficking (2006–)*

Shortly after the four-party centre-right coalition came to power in the 2006 parliamentary elections, Moderate Party Minister of Immigration Tobias Billström announced that the government would soon be proposing a revision of the Aliens Act to allow for permanent residency to be granted to victims of trafficking. In fact, Billström’s announcement overstated the degree to which the governing bourgeois alliance was the agent of change in this process, as the previous Social Democratic government had instructed an ongoing parliamentary committee to investigate precisely that issue.<sup>58</sup> Regardless, Billström’s justification of the policy shift rested partly on a critique of the insecurity associated with only being in Sweden temporarily, noting that “people need to feel secure in how they are being protected against their abductors.” At the same time, Billström acknowledged that the shift was based on the desire to establish a reciprocal relationship – “we help them and they help us” – and that permanent residency would prevent trafficking victims from being deported back to the regions where they had allegedly been

---

<sup>57</sup> ‘Ingen ökad sexhandel’ at [omvarlden.nu](http://omvarlden.nu) (SIDA) 2006

<sup>58</sup> ‘Tilläggsdirektiv till utredningen om översyn av bestämmelsen om människohandelsbrott m.m.’ Kommittédirektiv 2006:78 Justitiedepartementet, Stockholm, 6 July 2006, Dir.

abducted in the first place. As such, he argued that “the possibility of getting (permanent) residency in Sweden is wholly decisive for whether or not (one) would choose to testify or not”.<sup>59</sup>

Interestingly, the criticism that followed Billström’s announcement partially reflected concerns over the impact of the proposal on the women being targeted. It was not “state interests” that formed the basis of much of this criticism, but the well-being of the women. Left Party MP Kalle Larsson dismissed the idea as “cynical” saying that it would result in the state exploiting women simply to ensure that convictions could be secured.<sup>60</sup> Similarly, Green Party MP Bodil Ceballos expressed skepticism on the grounds that testifying could be the equivalent of placing women in “mortal danger” requiring them to enter witness protection programs.<sup>61</sup> Only the Swedish Police sought to highlight the problems that granting permanent residency presented for prosecutorial efforts. On the one hand, Swedish Police trafficking expert Kajsa Wahlberg doubted that women would be enticed to stay if permanent residency was offered as an incentive, stating that, “The girls just want to go home. They don’t think that Sweden is at all as fantastic as we want to believe.” However, Wahlberg was primarily concerned that permanent residency could be exploited by the counsel to alleged traffickers, who might be able to successfully argue that testimony had been “bought” in exchange for the promise of permanent residency.<sup>62</sup>

Yet, when the parliamentary committee released its report in late 2008, it was noteworthy for the shift in tone compared to previously parliamentary committee documents pertaining to trafficking. Whereas earlier committee reports had emphasized residence permits as a device to ensure that police investigations would not be thwarted for lack of testimony, the current report explicitly emphasized both security and gender equality ideas. Even more importantly, in making the argument for permanent residency, the report authors afforded pride of position to promoting the physical and psychological well-being of the victim:

---

<sup>59</sup> ‘Traffickingoffer kan få vittna sig till asyl’ *Sydsvenskan*, 11 November 2006.

<sup>60</sup> ‘Vittnesmål mot hallickar skall ge uppehållstillstånd’ *TT Nyhetsbanken*, Stockholm (TT) 12 November 2006.

<sup>61</sup> ‘Migrationsministerns förslag kritiserar’ *Dagens Nyheter*, 12 November 2006.

<sup>62</sup> ‘Flickorna vill bara hem’ *Sydsvenskan*, 13 November 2006.

“In order to discuss the need and formation of a new provision that would involve specific possibilities for foreigners who are victims of human trafficking to be granted permanent residency, one should first analyze which interests could justify these increased possibilities. According to our way of viewing this, there are two purposes that could lead to a change in the regulations. The first interest can be attributed to the foreigner and is intended to ensure that he or she, in the context of having been a victim of trafficking, can stay here to (for example) receive protection, go through rehabilitation or build up a new existence, while the other is attributable to the state’s interest in being able to investigate human trafficking crimes.”<sup>63</sup>

Shortly prior to the release of this document, parallel work was being done by the Department of Integration and Gender Equality to establish an action plan that would detail measures that could be used to combat both prostitution and trafficking. Here too, the contrast with earlier government initiatives was striking. Rather than predominantly address the way in which police and prosecutors could be assisted by shifts in the legislation, the action plan spelled out a broad array of measures intended to assist those individuals (chiefly women and girls, but also men and boys) who were involved in the sex trade. These measures, designated as actions to “protect and support” included providing minors involved in the sex trade with knowledge of their rights, providing education about the sex trade for those employed in social services, providing special protected residencies for victims of trafficking, rehabilitation opportunities, and (notably at odds with the parliamentary committee’s work) “safer repatriation” for victims of trafficking.<sup>64</sup> While security ideas are thus present in both documents, the shift is clear: gender equality norms, periodically nested in human rights norms, are increasingly a component of the policy discussions over the legal rights and conditions that should be granted to victims of trafficking.

---

<sup>63</sup> Department of Justice, *Människohandel och barnäktenskap – ett förstärkt straffrättsligt skydd* (SOU 2008:41).

<sup>64</sup> ‘Handlingsplan mot prostitution och människohandel för sexuella ändamål’, Skr 2007/08:167 Integrations- och jämställdhetsdepartementet, Stockholm, July 16, 2008.

## Conclusion

This paper has highlighted the way in which two sets of ideas – those having to do with securitization and those having to do with gender equality – have contributed to the formation of Sweden’s anti-trafficking policies and programs. As we have shown, securitization ideas have chiefly had an impact in the emphasis that has been placed on developing and implementing policies ensuring that Swedish police and prosecutors will have the necessary tools at their disposal to combat trafficking in human beings for sexual purposes. Gender equality ideas have increasingly been visible in the discourse of policymakers as anti-trafficking policies have been reformed, most notably in claims as to the sources of the international sex industry (male demand), the lack of a distinction between prostitution and trafficking for sexual purposes, and measures to ensure the physical and psychological safety of trafficking victims, but domestic policies, we conclude, have been affected largely by securitization ideas throughout the period.

However, one might ask whether legislative initiatives should be treated as the equivalent of programs whose aims are to target public opinion, at home and abroad. Whereas the former is the authoritative expression of the state (codifying legally acceptable behavior within national borders), the latter chiefly involves exerting normative influence, even if a long-term ultimate aim is to see targeted policies reformed. The debate from 2006 to the present over granting permanent residency to trafficking victims has increasingly been influenced by a gender equality frame, but one might suspect that this frame is more salient in public debate, aimed at domestic and international audiences, than it is in public policy making.

Limited to the current data, the “Football – Yes, Prostitution – No!” campaign is distinct in terms of its ideational character from all other instances examined in this paper. Unlike earlier policy debates, it did not have an exclusively securitization frame, and unlike the later debate over permanent residency, gender equality ideas did not share equal billing with claims as to the importance of fighting transnational crime. Rather than write this campaign off as an outlier when compared to policies, we think that it may be beneficial to reconsider it as part of a broad-

er bundle of initiatives in which the Swedish state sought to export its view regarding trafficking/prostitution. Indeed, the nature of other activities by the Swedish state to shape public opinion (and governmental policies) on trafficking would seem to lend initial support for such a strategy.

Two very brief examples are in order: First, as a result of a Swedish initiative, a joint Nordic-Baltic action plan against trafficking was first established in 2001, and then later extended in 2003. The seven key priorities put forward by Sweden in 2003 emphasized, in no uncertain terms, the significance that gender equality ideas would have in structuring the continued direction of the campaign. Indeed, the two Social Democratic ministers who announced the revised plan stressed that “all efforts against trade in women and children are to have a gender perspective”.<sup>65</sup> Second, in the 2000s, the Swedish government financed a number of campaigns in which the movie *Lilja 4-ever* (a fictionalized account of a 16 year-old Lithuanian woman who was trafficked to Sweden in 2000), was shown across Eastern Europe. The horrors depicted in this movie meshed well with a portrayal of the international sex trade as a singular phenomenon, in which innocent young women were tricked into coming to Western Europe, where promises of employment turned out to be nothing more than a ruse, and where a reality of “sex slavery” waited. The *Lilja 4-ever* campaigns, in particular, warrant further investigation, as scholars have pointed to the way in which efforts to highlight the horrors of trafficking essentially mask policies intended to halt migration.<sup>66</sup>

---

<sup>65</sup> M. Winberg and T. Bodström, ‘Ge offren fristad i Sverige’, *Dagens Nyheter*, April 9 2003.

<sup>66</sup> R. Andrijasevic, ‘The Spectacle of Misery: Gender, Migration and Representation in Anti-Trafficking Campaigns’, 86 *Feminist Review* (2007), 24–44.