

Report from
EMN Sweden
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Detection, identification and protection of third- country national victims of trafficking in human beings – National Report Sweden



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EMN Study 2021:

Detection, identification and protection of third-country
national victims of trafficking in human beings
- National Report Sweden

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Executive Summary

The aim of this EMN study is to provide an overview of the existing legal framework, policies and practices in Sweden with regard to the detection, identification and protection of victims of trafficking in human beings. The study also covers international cooperation in the field and discusses challenges and good practices. The study period is from 2015 to 2020.

Sweden is primarily a destination country for victims of human trafficking. Victims of human trafficking for sexual purposes continue to make up the largest group, and women and girls account for an overall majority. However, the number of victims of labour exploitation has increased in recent years. The major countries of origin of victims in 2015-2020 were Nigeria, Thailand and Morocco (third-country nationals).

A national referral mechanism (NRM) was established in 2016. It offers step-by-step guidance to professionals that encounter presumed victims of human trafficking and clarifies the roles and responsibilities of the government agencies involved. Since 2018, the Swedish Gender Equality Agency is responsible for the NRM and the National Task Force against Prostitution and Human Trafficking. The Swedish Police Authority (National Rapporteur on issues related to human trafficking), the Swedish Prosecution Agency and the Swedish Migration Agency are other important government actors involved in identifying and protecting victims. Furthermore, social services, healthcare providers and civil society organisations offer support and protection. Finally, regional coordinators play a key role, not least with regard to providing consultation to professionals.

There have been legal and policy developments in Sweden in the period. E.g., a position of Ambassador at large to combat trafficking in human beings was created in 2016. Furthermore, the legal framework was tightened in 2018 when "human exploitation" was enacted as an offence. This provision was introduced to reinforce criminal law protection against exploitation of persons subjected to forced labour, work under clearly unreasonable conditions or forced begging. With regard to the reflection period, an Inquiry Report has recently proposed, inter alia, that the right to apply for such a temporary residence permit should be extended to municipal social welfare committees. The inquiry proposals are currently being considered by the Government Offices. In the period, the government launched action plans to combat prostitution and trafficking of human beings (including of minors). Finally, there are, inter alia, concerted collaborative efforts by several government agencies to combat crime and irregularities in the working life, which include human trafficking.

Trafficking of human beings has been discussed in public discourse in the period, including any perceived effects from the COVID-19 pandemic. Human trafficking for sexual purposes remains the major topic, but labour exploitation has been increasingly debated, not least due to media coverage of recurring examples of exploitation in some business sectors, including in the construction and

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restaurant sectors. Primarily state or intergovernmental actors issued a number of publications in the period, but non-governmental organisations follow closely human trafficking too and report regularly. There are examples of awareness-raising campaigns by both state actors and non-governmental organisations.

Sweden's National Referral Mechanism enables several government agencies, and non-state actors to identify a presumed victim of human trafficking. There is no national procedure where an identified victim is assigned a formal status. A majority of Sweden's reported presumed victims of human trafficking in the period were identified by the Migration Agency. The Migration Agency has stepped up its ability to detect victims, e.g. by reinforced internal procedures and guidance, and trainings for staff. The Police Authority has a system for capacity building activities on trafficking in human beings for its personnel, which includes an annual conference.

Sweden has entered into intra-EU bilateral agreements with a view to, inter alia, combat human trafficking, and is involved in regional inter-governmental organisations that have the combat against human trafficking on their agendas. Finally, Sweden has made agreements with a number of third-countries where sexual exploitation and human trafficking is particularly rife.

Turning to challenges, some stakeholders argue that the identification of human trafficking victims as such is a challenge under the current system, which requires that a preliminary investigation be initiated in order for the victim to be granted a 30-day reflection period. Some civil society organisations report that a majority of victims have not been in contact with the authorities. The detection of victims of human trafficking for the purpose of forced labour is perceived as particularly difficult. E.g. it has been suggested that such victims are often unaware of their rights or fear reprisals if they come forward, which makes them less willing to cooperate with law enforcement agencies. The number of charges and convictions for trafficking in human beings in Sweden has been consistently low. However, it is clear that the 2018 provision on human exploitation has had a positive impact on the number of cases that are initiated. With regard to good practices, "Barnahus" are considered a successful model of inter-agency collaboration. These are facilities where law enforcement agencies, child protective services, and medical and mental health workers cooperate and assess together the situation of a child victim or child at risk and develop a plan for the follow-up in a child-friendly environment. The Platform Swedish Civil Society against Human Trafficking has been considered a successful example of a coalition of non-government actors that work closely together in providing support and protection to victims of human trafficking.

This EMN study was drafted by experts at EMN Sweden with contributions from experts at the Swedish Migration Agency (co-ordinator against human trafficking), The Swedish Police Authority (National Rapporteur) and the Swedish Gender Equality Agency. A draft version was circulated to the Ministry of Justice.

Sammanfattning på svenska

Syftet med denna EMN-studie är att ge en överblick över aktuell lagstiftning, åtgärder och praxis när det gäller att upptäcka, identifiera och skydda offer för människohandel. Studien täcker också in internationellt samarbete på området och diskuterar utmaningar och goda exempel. Studieperioden är från 2015 till 2020.

Sverige är huvudsakligen ett destinationsland för offer för människohandel. Offer för människohandel för sexuella ändamål är fortsatt den största gruppen och kvinnor och flickor utgör en majoritet. Antalet offer för människoexploatering eller människohandel för tvångsarbete har dock ökat under senare år. De största ursprungsländerna för offer för människohandel 2015-2020 var Nigeria, Thailand och Marocko (tredjelandsmedborgare).

En manual för misstanke om människohandel (MMM) fastställdes 2016. Den ger vägledning steg för steg till yrkesverksamma som kan komma i kontakt med offer för människohandel och tydliggör roller och ansvar för de myndigheter som är involverade. Jämställdhetsmyndigheten är sedan 2018 ansvarig för manualen och det nationella metodstödsteamet (NMT). Polismyndigheten (Sveriges nationella rapportör i frågor som rör människohandel), Åklagarmyndigheten och Migrationsverket är andra viktiga myndigheter i arbetet med att identifiera och skydda offer. Socialtjänsten, sjukvården och civilsamhället kan erbjuda stöd och skydd. Regionkoordinatorerna spelar också en nyckelroll, inte minst genom att ge vägledning till yrkesverksamma.

Under perioden har det skett förändringar av lagstiftning och policy. Till exempel inrättades en ambassadör mot människohandel 2016. Lagstiftningen skärptes vidare 2018 när "människoexploatering" infördes som ett brott. Förändringen gjordes för att stärka det rättsliga skyddet mot exploatering av personer utsatta för tvångsarbete, arbete under uppenbart orimliga villkor eller tiggeri. Gällande frågan om betänketid har en statlig utredning bland annat föreslagit att rätten att ansöka om ett sådant tidsbegränsat uppehållstillstånd även ska ges till socialnämnderna. Förslagen från utredningen bereds för närvarande inom regeringskansliet. Under perioden har regeringen presenterat handlingsplaner för att bekämpa prostitution och människohandel (inklusive mot barn). Slutligen finns det samordnade insatser från flera myndigheter att bekämpa brottslighet, fusk och regelöverträdelser i arbetslivet, vilka också omfattar människohandel.

Människohandel har diskuterats i den offentliga debatten under perioden, också i ljuset av möjlig påverkan från COVID-19 pandemin. Människohandel för sexuella ändamål får fortsatt störst uppmärksamhet, men arbetskraftsexploatering har debatterats mer och mer, inte minst efter avslöjanden om återkommande exempel på utnyttjande inom områden som bygg- och restaurangbranscherna. Ett antal studier och rapporter har getts ut under perioden, framför allt från myndighetshåll, men frivilligorganisationer följer frågan om människohandel och rapporterar regelbundet. Det finns också exempel på upplysningskampanjer både från myndighetshåll och från frivilligorganisationer.

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Enligt Sveriges manual för misstanke om människohandel är det möjligt för både myndigheter och icke-statliga aktörer att identifiera ett möjligt offer för människohandel. Det finns inget nationellt tillvägagångssätt där ett offer ges en formell status. Migrationsverket identifierar en majoritet av de förmodade offer för människohandel som rapporteras i Sverige. Migrationsverket har stärkt sin förmåga att upptäcka offer, till exempel genom förbättrade interna rutiner och vägledning och utbildning för personalen. Polismyndigheten har ett system för kapacitetsuppbyggnad för sin personal gällande människohandel, som omfattar en årlig konferens.

Sverige har ingått bilaterala avtal inom EU som bland annat syftar till att bekämpa människohandel och är involverat i regionala mellanstatliga organisationer som har kampen mot människohandel på dagordningen. Slutligen har Sverige gjort överenskommelser med ett antal tredje länder där sexuellt utnyttjande och människohandel är särskilt förekommande.

Angående utmaningar menar vissa aktörer att identifieringen som sådan av offer för människohandel försvåras av nuvarande regler som kräver att en förundersökning inletts för att ett offer ska beviljas en betänketid om 30 dagar. Från civilsamhället rapporteras att majoriteten av offer inte varit i kontakt med myndigheterna. Särskilt svårt anses det att upptäcka offer för människohandel för tvångsarbete. Det rapporteras till exempel att sådana offer ofta inte är medvetna om sina rättigheter eller fruktar repressalier om de träder fram, vilket gör dem mindre benägna att samarbeta med rättsvårdande myndigheter. Antalet åtal och lagföringar för människohandel i Sverige har under lång tid varit lågt. Det är dock tydligt att skärpningen av lagstiftningen 2018 genom införandet av brottet människoexploatering har haft en positiv inverkan på antalet inledda förundersökningar. Gällande goda exempel framhålls "Barnahus" som en lyckad modell för myndighetssamverkan. Dessa är lokaler där socialtjänsten, barn- och ungdomspsykiatri (BUP), polis, åklagare och barnläkare samlas för att tillsammans utreda och bedöma situationen för ett barn som är brottsoffer eller riskerar utsättas för våld, och tar fram en handlingsplan i en barnvänlig miljö. Plattformen civila Sverige mot människohandel har förts fram som ett framgångsrikt exempel på en sammanslutning av icke-statliga aktörer i nära samarbete som erbjuder stöd och skydd till offer för människohandel.

Denna EMN-studie har tagits fram av experter vid EMN Sverige med bidrag från experter vid Migrationsverket (samordnare mot människohandel), Polismyndigheten (nationell rapportör) och Jämställdhetsmyndigheten. Ett utkast cirkulerades till Justitiedepartementet.

1. Introduction

1.1 Background and rationale for the study

Trafficking in human beings is a crime against people that can take various forms such as sexual exploitation (including forced prostitution), forced labour or services, slavery and servitude related practices, as well as the removal of vital organs, all of which constitute a grave violation of victim's fundamental rights. Trafficking in human beings is prohibited in various international instruments such as in the Charter on Fundamental Rights of the European Union (EU), the Council of Europe (CoE) Conventions on Action against Trafficking in Human Beings¹ and on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), and several UN Conventions.

According to the latest available data, between 2017 and 2018, there were more than 14 000 registered victims within the EU.² Trends in the EU seem to mirror those at global level: for every 10 victims detected, five are adult women and two are girls, one in every three is a child.³ Trafficking in human beings is not only recognised as a highly profitable crime,⁴ it is also recognized as a crime with links to social development and security, migration, conflict- and climate-induced displacement. The impact and cost of human trafficking on individuals as well as on political, economic and social systems is compelling. Persistent demand for sexual services and for low-wage workers employed in manual jobs continue to ensure opportunities for traffickers to operate: in spite of the recent significant increase in the number of people convicted, many perpetrators remain undetected and unpunished.⁵ Given its clandestine nature, and the many factors that may deter a victim from reporting the crime, trafficking in human beings is believed to be significantly underreported.⁶

Third-country nationals account for more than half of the registered victims in EU Member States.⁷ Vulnerable migrants have been reported to be at persistent risk of becoming victims of trafficking along migration routes: in particular, unaccompanied minors and those in the asylum procedures might be at a higher risk of becoming victims of trafficking in human beings and other gender-based violence, such as rape or domestic violence.⁸ Reception centres for asylum applicants can be targeted by human traffickers for recruitment.⁹ Detection and

¹ Monitored by GRETA, the CoE Group of Experts on Action against Trafficking in Human Beings.

² European Commission, [Data collection on trafficking in human beings in the EU, 2020](#).

³ Ibid.

⁴ ILO, [Profits and Poverty: The Economics of Forced Labour](#), 2014.

⁵ UNODC, [Global Report on Trafficking in Persons](#), 2020.

⁶ EUROPOL, [European Union serious and organised crime threat assessment \(SOCTA\), 2021](#).

⁷ European Commission, [Data collection on trafficking in human beings in the EU, 2020](#).

⁸ European Commission, [Third report on the progress made in the fight against trafficking in human beings](#), 2020.

⁹ EUROPOL, [European Union serious and organised crime threat assessment \(SOCTA\), 2021](#).

identification in mixed migration flows remains a challenge¹⁰ in a number of Member States.¹¹ The full extent of the impact of the COVID-19 pandemic on trafficking in human beings is not yet known. However, a rise in poverty as a result of restrictions, an increase in vulnerabilities linked to migration statuses and ongoing travel restrictions may have, among other factors, resulted in higher levels of trafficking and placed third-country national migrants at greater risk of exploitation.¹² The risks of exploitation of minors in particular are thought to have increased.¹³ The pandemic has also made the identification of victims of trafficking more challenging for authorities and has resulted in delays in identification procedures.¹⁴

1.2 EU anti-trafficking legislation

The EU recognises trafficking in human beings as a violation of human rights: The EU Charter on Fundamental Rights prohibits trafficking in human beings outright. The EU's competence to act in relation to trafficking in human beings is set out in the EU Treaties, and in several legal documents. The Treaty on the Functioning of the EU (TFEU) recognises the EU's power to act on trafficking in relation to its nature as (i) a phenomenon with links to migration, and (ii) a cross-border crime.

The Anti-trafficking Directive 2011/36/EU¹⁵ was the first act at the EU level to address third-country national victims of trafficking in human beings in a comprehensive and integrated way. The instrument adopts a victim-centred 'human rights approach', providing for a common definition of the criminal offence of trafficking, and obliging Member States to "establish appropriate mechanisms aimed at the early identification of and assistance to victims, in cooperation with relevant support organisations".

Prior to the entry into force of the Anti-trafficking Directive, the Residence Permit Directive 2004/81/EC was the only piece of EU legislation providing for assistance to third-country national victims of trafficking.¹⁶ It sets out a framework for Member States to grant a temporary reflection period of unconditional stay and assistance and conditions for granting a residence permit to third-country national victims of trafficking in human beings, when these persons cooperate with the authorities competent to start pre-trial investigations and convict the perpetrator.

According to the Anti-trafficking Directive, "a person should be provided with assistance as soon as there is a reasonable-grounds indication for believing that

¹⁰ European Commission, Third report on the progress made in the fight against trafficking in human beings, 2020.

¹¹ European Commission, [Study on reviewing the functioning of Member States' National and Transnational Referral Mechanisms](#), 2020.

¹² Giammarinaro, Maria Grazia, COVID-19 Position paper: [The impact and consequences of the COVID-19 pandemic on trafficked and exploited persons](#), UN Human Rights Special Procedures, 2021.

¹³ EUROPOL, European Union serious and organised crime threat assessment (SOCTA), 2021.

¹⁴ CoE, [10th General Report GRETA Activities](#), 2021.

¹⁵ [Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims](#)

¹⁶ [Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities \(Residence Permit Directive\)](#)

he or she might have been trafficked and irrespective of his or her willingness to act as a witness". The Anti-trafficking Directive goes on to state that in cases where the victim does not already reside lawfully in the Member State the assistance should be provided unconditionally for at least the duration of the reflection period. However, it can be withdrawn if on completion of the identification process or expiry of the reflection period, the victim is not considered eligible to remain in the Member State. The Anti-trafficking Directive, however, recognises that in addition to residence based on cooperation, victims of trafficking may also be eligible for international protection.

It is also of note that potential victims of trafficking who have been issued a reflection period cannot be subject to any expulsion order against them for the duration of this period. Furthermore, victims of trafficking who have been granted a residence permit will not be subject to an entry ban, provided that there is no threat to public policy, public security or national security.

Finally, the Victims' Rights Directive, the Dublin III Regulation and several Directives within the migration acquis have implications for, third-country national victims of trafficking in human beings.

1.3 Study aims and specific questions

The study aims to explore the national practices of detection, identification and protection of third-country national victims of trafficking in human beings. The study covers detected, identified and protected as (presumed) victims of trafficking in human beings, who are asylum applicants; in an irregular situation and in possession of a valid authorisation to stay on the territory of a Member State (residence permit or short-term visa). It updates the 2013 EMN study "Identification of victims of trafficking in human beings in international protection and forced return procedures" and covers:

- Overview of national situations in relation to trafficking in human beings, in particular focusing on the national, latest available data, trends, patterns and trafficking purposes.
- National policy and legislative developments and measures to detect (presumed) third-country national victims of trafficking in human beings, including information on competent authorities, existing reporting mechanisms, possibilities to appeal decisions.
- National policy and legislative developments and measures to identify (presumed) third-country national victims of trafficking in human beings, including referral mechanisms (if existent) among national authorities and other relevant stakeholders.
- National policy and legislative developments and measures to protect (presumed) third-country national victims of trafficking in human beings, including the legal framework for granting the reflection period, residence permits and the provision of appropriate information and assistance.
- Cooperation mechanisms with other Member States, EU agencies (EASO, Europol, Frontex), international organisations and third countries of origin and of transit.
- Challenges and good practices in Member States, such as those concerning vulnerable persons, (presumed) cases falling under the scope of the Dublin III Regulation and the impact of COVID-19.

The following research questions will be addressed:

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1. What is the national situation with regard to (presumed) third-country national victims of trafficking in human beings in the Member States?
2. What are the national policies and procedures in place to detect (presumed) third-country national victims of trafficking in human beings (including targeted policies and strategies for vulnerable persons)?
3. What are the national policies and procedures in place to identify (presumed) third-country national victims of trafficking in human beings (including targeted policies and strategies for vulnerable persons)?
4. What are the national policies and procedures in place to protect and support (presumed) third-country national victims of trafficking in human beings and what is the role of national referral mechanisms?
5. To what extent and how do Member States cooperate internationally in detecting, identifying and protecting (presumed) third-country national victims of trafficking in human beings?
6. What are the key challenges and good practices in the Member States in the detection, identification and protection of (presumed) third-country national victims of trafficking in human beings?

1.4 Definitions

Term	Definition
Dublin procedure	The process of determining the EU Member State responsible for examining an application for international protection lodged in one of the EU Member States by a third-country national under Regulation (EU) No 604/2013 (Dublin III Regulation).
Dublin transfer	<ol style="list-style-type: none"> 1. The transfer of responsibility for the examination of the merits of an application for international protection from one Member State to another Member State. 2. The (physical) transfer of an applicant to the EU Member State who is considered to be responsible for examining the merits of an application following a Dublin procedure
Identification of a victim of trafficking in human beings	The process of confirming and characterising a situation of trafficking in human beings for further implementation of support.
Identified victim of trafficking in human beings	A person who has been formally identified as a victim of trafficking in human beings according to the relevant formal authority in Member States.

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Term	Definition
International protection	In the global context, the actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries. In the EU context, protection that encompasses refugee status and subsidiary protection status.
National referral/cooperation mechanisms	Mechanism aimed at identifying, protecting and assisting victims of trafficking in human beings, through referral, and involving relevant public authorities and civil society.
Potential victim of trafficking in human beings	A person vulnerable to trafficking in human beings.
Presumed victim of trafficking in human beings	A person who has met the criteria of EU regulations and international Conventions but has not been formally identified by the relevant authorities (e.g. police) as a trafficking victim or has declined to be formally or legally identified as victim of trafficking.
Protection of (presumed/identified) victims of trafficking in human beings	The action of national authorities aimed at protecting the fundamental rights of (presumed) victims of trafficking in human beings.
Reception centre	A location with facilities for receiving, processing and attending to the immediate needs of refugees or asylum applicants as they arrive in a country of asylum.
Reflection period	A period of time determined according to national law granted to third-country nationals officially identified as victims of trafficking in human beings allowing the victim to recover and escape the influence of the perpetrators of the offences so that they can take an informed decision as to whether (or not) to cooperate with the competent authorities.
Registered victim of trafficking in human beings	A person who is either an identified or a presumed victim of human trafficking and has been registered by authorities and/or other agencies and organisations.
Trafficking in human beings	The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.
Transfer of procedure	The process of changing from one migration procedure to another.
Victim(s) of crime	Anyone who has suffered physical, mental, emotional or economic harm caused by a criminal offence, as well as family members of someone whose death case caused by a criminal act. ¹⁷

¹⁷ Victims' Rights Directive, Article 2.

Term	Definition
Voluntary return	The assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.
Vulnerable person	Minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

2. National situation – main developments

2.1 Institutional developments

Several changes and developments with regard to detection, identification and protection of victims of trafficking in human beings took place in 2015-2020.

In 2016, the Swedish Government appointed an Ambassador at large to combat trafficking in human beings. In connection with creating the post, the government stressed that it was part of its efforts to “combat the exploitation of women, children and poor people in the world” as the world’s first feminist government. The role of the ambassador includes engaging in international efforts, for example to share and disseminate information and good examples in combating human trafficking, and to consult and cooperate with relevant international networks and UN bodies. The ambassador is also expected to be involved at national level.¹⁸

In 2009-2017, the Stockholm County Administrative Board held a national assignment on prostitution and human trafficking for sexual and other purposes. County Administrative Boards continue to be involved, albeit to a lesser extent. On 1 January 2018, the responsibility for co-ordinating national efforts to combat trafficking in human beings was transferred to the newly established Swedish Gender Equality Agency. It has also the responsibility for co-ordinating national measures to combat prostitution. The Gender Equality Agency addresses prostitution and human trafficking for sexual purposes as part of men’s violence against women, as per national policies.

¹⁸ Government Offices of Sweden: "[New Swedish Ambassador to combat trafficking in human beings](#)", published as an opinion article in Dagens Nyheter 4 May 2016, last accessed 4 October 2021.

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The Stockholm County Administrative Board originally developed Sweden's National Referral Mechanism (NRM) in 2016. It was revised in 2019. The NRM has the form of a manual, i.e. it is not an institution. The manual offers step-by-step guidance to professionals that encounter victims of human trafficking in their daily work. It clarifies the roles and responsibilities of stakeholders and the support available to victims from the Gender Equality Agency.¹⁹ The other main stakeholders involved in the identification of victims are regional coordinators, social services, the Police Authority, the Prosecution Agency, the Migration Agency, the Work Environment Agency, and health care providers. The Swedish Platform Civil Society against Human Trafficking and the Ministry for Foreign Affairs are involved as well. Furthermore, the co-ordination of the National Task Force against Prostitution and Human Trafficking (NMT) was transferred to the Gender Equality Agency in 2018. This mechanism serves as an operational and strategic resource in developing and supporting collaboration among stakeholders, and offers support to professionals in individual cases, e.g. via its national support line. Additionally, it organises trainings and co-funds the regional coordinators. The latter, which are placed at municipal social services, play a key role in the day-to-day work. The NMT has a comprehensive website with information and guidance, including for professionals.²⁰

In 2017, the government tasked a number of government agencies, including the Work Environment Authority (lead), the Police Authority, the Migration Agency and the Tax Agency to join in a collaborative effort to develop appropriate and effective procedures for inter-agency controls to counter fraud, irregularities and crime in working life. The government assignment stresses the importance to counter human trafficking and labour exploitation and the urgent need for identification of victims. The project will run through 2021, but is expected to become permanent on 1 January 2022.²¹

2.2 Parliamentary debates and policy reforms

A search in parliamentary records for 2015-2020 indicates that trafficking in human beings was discussed regularly.²² In addition to debates on policy changes and government bills, human trafficking was often discussed in relation to prostitution, migration and the conditions of migrant workers, and unaccompanied minors in Sweden. Additionally, the subject was touched upon in MP's questions to ministers and in legislative proposals from the opposition parties, including MP's private motions. A recurring motion has called for extending the right to apply for a recovery period to other actors than chief investigators. The motion made reference to GRETA's²³ urges to Sweden and

¹⁹ The Swedish Gender Equality Agency: [National Referral Mechanism - A support and protection process for victims of trafficking in human beings in Sweden, Second version](#) (English version, November 2019) and [Manual vid misstanke om människohandel - en stöd- och skyddsprocess för offer för människohandel i Sverige, andra omarbetade upplagan](#) (Swedish version, September 2019), last accessed 1 October 2021.

²⁰ The website of [Nationellt Metodstöd mot Prostitution och Människohandel](#).

²¹ The Swedish Work Environment Authority: [Myndighetssamverkan om arbetslivskriminalitet](#), last accessed 27 October 2021. This webpage collects reporting from the projects and includes status reports in English.

²² The website of [Riksdagen](#), Sweden's parliament, has a search tool that enables users to search all possible outputs from parliament. The debates mentioned are merely examples.

²³ Group of Experts on Action against Trafficking in Human Beings (GRETA) is the monitoring mechanism on Human Trafficking established by the Council of Europe Convention on Action against Trafficking in Human Beings.

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argued that victims' rights to protection should not be dependent on the initiation of a preliminary investigation. The most recent motion argued that regional coordinators, psychologists and medical doctors should be given the right to apply.²⁴ Finally, human trafficking was highlighted in a number of diverse contexts by private members motions, e.g. with regard to begging, seasonal workers and migrant minors that are child brides (child marriages and forced marriages).

In 2016, the government presented a national strategy with the purpose to combat men's violence against women as part of its broader feminist policy on equal rights.²⁵ The strategy, which covers the 2017-2026 period, includes policy objectives and details on implementation and follow-up with regard to combating the trafficking of human beings, and particularly women and girls that are (presumed) victims of trafficking for sexual purposes. Also in 2016, the government launched an *Action plan to protect children from human trafficking, exploitation and sexual abuse*.²⁶ The plan, which was announced for the 2016-2018 period updated the previous plan. The most recent plan has not been updated, but its objectives are still valid and pursued in government policies. The action plan stresses initially that combating trafficking and exploitation of children is a matter of high priority for the government. Many of the tasks directed at various government agencies in the plan are described in more detail in the study. In addition, the plan also announced a bid from the government to launch roundtables with religious communities with a view to take advantage of their potential resources to contribute to efforts in combating trafficking. Finally, on 1 January 2020, the United Nations Convention on the Rights of the Child was incorporated in Swedish law.

As mentioned previously, municipal social services play an important role in the protection and support of (presumed) victims of human trafficking. In 2018, The National Board of Health and Welfare published guidelines (*Barn i internationell människohandel och exploatering*) for professionals in that sector. The aim of the guidelines was to raise awareness in social services about the trafficking of children, to offer hands on support and to clarify the responsibilities of social services for such cases.²⁷

Furthermore, in 2018 the government launched an *Action plan to combat prostitution and trafficking in human beings*.²⁸ The plan encompasses policy goals with regard to the combat of all forms of trafficking in human beings. Concerning the combat against human trafficking for sexual purposes, it

²⁴ Swedish Parliamentary Records: [Utökad rätt att bevilja reflektionsperiod gällande offer för människohandel, Motion 2021/22:3202](#)

²⁵ Government Offices of Sweden: [Makt, mål och myndighet - feministisk politik för en jämställd framtid, Skr. 2016/17:10](#), last accessed 5 October 2021.

²⁶ Government Offices of Sweden: [Regeringens skrivelse 2015/16: 192 Handlingsplan 2016-2018 till skydd för barn mot människohandel, exploatering och sexuella övergrepp](#). The action plan was also published in [a summary in English](#), last accessed 5 October 2021.

²⁷ The Swedish Board of Health and Social Welfare: [Barn i internationell människohandel - vägledning för socialtjänsten \(2018\)](#), last accessed 11 October 2021.

²⁸ Government Offices of Sweden: [Fact sheet: Action plan to combat prostitution and trafficking in human beings](#). This is a summary in English. The full version, [Handlingsplan mot prostitution och människohandel 2018](#), is available in Swedish only.

underlines that reducing demand is an important factor and that Sweden's ban on the purchase of sex is integral in that respect.

An inquiry with the purpose to consider and submit proposals on certain issues regarding the trafficking of human beings including for purposes of forced labour and human exploitation was appointed in 2014. The final report of the inquiry was published in 2016 and, inter alia, proposed amendments to the provision of human trafficking to ensure it was applied more appropriately. According to the report, an important reason behind this proposal was the fact there were very few convictions for human trafficking in Swedish courts.²⁹ A government bill was presented to parliament in 2018.³⁰ In addition to the aforementioned proposal by the inquiry, the government proposed that the minimum prison term for human trafficking should be increased to six months. Furthermore, a new provision for "human exploitation" was proposed with a view to strengthen the criminal-law protection against exploitation of persons subjected to forced labour, work under unreasonable conditions or forced begging and with particular safeguards for minors. The maximum prison term was set to four years, and for serious crimes at least two years and maximum ten years. The bill was adopted by parliament and entered into force 1 July 2018.

Moreover, on 30 April 2020, the government appointed an inquiry tasked to consider and submit proposals with regard to the regulatory system concerning expulsion because of criminal offences.³¹ The inquiry's remit included to examine the need to strengthen protection from expulsion for victims of criminal offences. Of special interest with regard to victims of human trafficking, the inquiry was tasked to look into the need to expand protection safeguards for these. In its final report to the government on 30 June 2021, the inquiry eventually proposed that municipal social welfare committees should be given the right to apply for a residence permit for a reflection period in cases where there is reason to presume that the alien has been subjected to human trafficking or human exploitation. The report stated that this amendment was proposed to ensure that the right to a reflection period would not be illusory when these crime victims are identified outside legal proceedings.³² Currently, it is only the chief investigator that is able to apply for this residence permit, which presupposes that a preliminary investigation has been initiated.

2.3 Media coverage

Trafficking in human beings is reported in all media outlets. There are both news articles and in-depth analyses. Overall, media coverage on trafficking in human beings for sexual purposes seems to be dominant.

E.g., targeted measures by the Police Authority like those that are co-ordinated with other Member States received attention in the media.³³ Debate articles are also featured, e.g. by non-governmental organisations. In one particular article,

²⁹ Official Swedish Government Reports: [Ett starkt straffrättsligt skydd mot människohandel och annat utnyttjande av utsatta personer, SOU 2016:70](#)

³⁰ Government Offices of Sweden: [Det straffrättsliga skyddet mot människohandel och människoexploatering, prop. 2017/18:123](#)

³¹ Government Offices of Sweden: [Skärpta regler för utvisning på grund av brott](#), last accessed 12 October 2021.

³² Official Swedish Government Reports: [Utvisning på grund av brott - ett skärpt regelverk, SOU 2021:61](#)

³³ "Tre barn omhändertagna i stor polisinsats mot människohandel", [Svt Nyheter, 21 July 2021](#), last accessed 30 September 2021.

The Platform Civil Society against Human Trafficking called on the government to take measures in the light of a rise in the number of presumed victims that sought help.³⁴ News reports on arrests, prosecutions, sentences, acquittals, and trends with regard to human trafficking appear to be common.³⁵ Reports by the Police Authority and the Migration Agency receive attention as well. E.g., one particular article discusses the annual statistics released by the Migration Agency in the light of the ongoing COVID-19 pandemic.³⁶ News items that deal with trafficking for the purpose for forced labour seem to have increased recently.³⁷

In the beginning of the period, there was a debate on introducing a ban on begging. Particularly those arguing in favour of a ban sometimes raised arguments that made the connection between begging and human trafficking.³⁸

Finally, the fact that prostitution often takes place in rented accommodation has been discussed. E.g., debaters have argued that the increasing digitalisation of transactions where personal contact between customers and accommodation suppliers often is reduced to a minimum has facilitated for prostitution rings and traffickers to operate discreetly. There are regional examples where camping sites and cabins are reported to have been increasingly used for these purposes. Some researchers say changes in the hospitality industry due to the COVID-19 pandemic is a contributing factor behind this development.³⁹

2.4 Awareness-raising campaigns

There are examples of campaigns organised by both state actors and non-governmental organisations, and mainly aimed at trafficking for sexual purposes. A campaign aimed at combating prostitution and human trafficking, "Du avgör!" (You decide), was re-launched in 2018 and continued through 2019. The campaign was aimed at potential and active sex buyers. The principal tool was a video, which was shown at cinemas across the country and in a number of supermarkets.⁴⁰ A dedicated website was set up for the campaign. As part of the campaign, caps and hats printed with the tag "Du avgör!" were given out.

In 2020, the Gender Equality Agency collaborated with the World Childhood Foundation and Ecpat Sweden in an ongoing project aimed at preventing sexual exploitation of children in connection with travelling and tourism named "Säg vad du såg" (Tell me what you saw). The project, which runs through 2021, has the aim to identify more Swedish perpetrators and bring them to justice. Focus countries are Thailand, Cambodia and the Philippines. As part of the project, targeted information efforts are performed. A dedicated website⁴¹ was set up for the project. An additional campaign entitled "Resekurage"⁴² (Travel courage)

³⁴ "[Människohandel ökar kraftigt i Sverige](#)", *Aftonbladet debatt*, 21 June 2021., last accessed 30 September 2021.

³⁵ "[Ledare för knarkliga frias för människohandel](#)", *Sydsvenskan* 29 June 2021., last accessed 30 September 2021.

³⁶ "[Omfattande människohandel trots stängda gränser](#)", *Sydsvenskan* 18 January 2021., last accessed 30 September 2021.

³⁷ "[Kvinna misstänks ha tvingat sin dotter att titta](#)", *Dagens Nyheter* 30 September 2021.

³⁸ "[Tiggeriet är ovärddigt och hör inte hemma i Sverige](#)", *Svt Opinion* 6 March 2020., last accessed 30 September 2021.

³⁹ "[Vem vill ha en bordell i sitt uthyrda fritidshus?](#)", *DT Debatt*, 2 March 2021, last accessed 4 October 2021.

⁴⁰ Nationellt Metodstödsteam (NMT): "[Du avgör](#)" is available on Youtube.

⁴¹ See <https://sagvaddusag.se/>

⁴² See <https://resekurage.se/>

aims as well at encouraging witnesses of potential victims of trafficking to report crimes, with a focus on human trafficking for sexual purposes. Its website provides a great deal of information including contact details for use of witnesses. The campaign website has a Q and A list of what crimes can be involved, including human trafficking, and includes a video.

With regard to measures to facilitate self-reporting, the municipality of Malmö and the County Administrative Board of Stockholm published a leaflet (*Help for victims of human trafficking*) in multiple languages in 2017. The brochure is in Swedish, Bulgarian, English, Romani, Romanian and Russian. The material has information on the role of regional coordinators and overall support structure, including reader friendly information on Swedish legislation on human trafficking and sex purchase. The brochure has information on the possibility of providing an interpreter for presumed victims in their contact with the authorities.⁴³

In the period the Swedish Salvation Army was active in a European campaign to raise awareness about labour exploitation/trafficking ("Billiga tjänster kan komma med ett högt pris"). The campaign called attention to the hidden human costs of cheap goods and services.⁴⁴

2.5 Relevant publications

As part of its assignment as National rapporteur, the Police Authority publishes annual progress reports on human trafficking for sexual and other purposes (*Människohandel för sexuella och andra ändamål*). These reports contain information on the crime situation, analyses and recommendations as well as data on police reports and court judgements. The Gender Equality Agency, the Migration Agency and other government agencies involved in prevention, detection and support of victims of human trafficking provide information on their assignments in their annual reports to the government.

According to several sources, unaccompanied minors are particularly at risk of becoming victims of human trafficking and many unaccompanied minors disappear after their arrival in Sweden.⁴⁵ This group became a particular concern in the wake of the very high numbers of unaccompanied minors that came to Sweden in 2015. Therefore, in 2016 the government tasked the Stockholm County Administrative Board to research what happens to unaccompanied minors that disappear.⁴⁶ The findings of the study (authored by Maria von Bredow) were published in 2018 in a report entitled "*They will always find me*" – A study of trafficking and the living conditions of vulnerable children. A brief summary of the study stated:

This is an in-depth study into particularly vulnerable groups of children. The focus is to identify groups of children that are at particular risk of human trafficking and exploitation and to highlight their living conditions. The study has shown that there are children in Sweden who live in various forms of vulnerability and who are being exploited. In some cases, these children do not have access to many of the rights that they have under Swedish law, the UN Convention on the Rights of the Child and other international

⁴³ [Malmö Stad and NMT: Help for victims of human trafficking](#)

⁴⁴ Swedish Salvation Army: [Frälsningsarmén bekämpar människohandel med europeisk kampanj](#), last accessed 23 November 2021.

⁴⁵ See e.g. The National Rapporteur on Trafficking in Human Beings: [Människohandel för sexuella och andra ändamål, lägesrapport 17](#) (2016).

⁴⁶ Swedish Government Decision 28 January 2016, S2016/00634/FST.

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agreements. The study also shows the support available in cases where child protection is successful; when professionals around a child perform their duties correctly and collaborate with each other; the child can then receive the necessary support they are entitled to.⁴⁷

Additionally, the government tasked the Ombudsman for Children in Sweden to collect information about unaccompanied minors that had absconded (*Ensamkommande barn som försvinner*).⁴⁸ This report has interviews with minors and young adults that absconded from care facilities, including those that had been subject to trafficking. The concluding chapters of the report have policy advice from the government agency in question and a separate chapter on suggestions and advice from the children and youths, based on their experiences.⁴⁹ Finally, the Gender Equality Agency was commissioned by the government to report on its new task to co-ordinate efforts to combat the trafficking of children. The ensuing report, which came out in 2019 (*Barn i människohandel - Slutredovisning av regeringsuppdraget att samordna arbetet mot människohandel och exploatering av barn*) offers a detailed account of the current situation in Sweden, as well as concluding observations/policy recommendations.⁵⁰

In 2020, The Council of the Baltic Sea States (CBSS) published a report on human trafficking and human exploitation (*Människohandel och människoexploatering på den svenska arbetsmarknaden*), authored by Märta Johansson. The report was the first more in-depth analysis of the provision of human exploitation that was introduced in the Swedish criminal code in 2018. Inter alia, the report highlights the few prosecutions for human trafficking for forced labour in cases involving other forms of forced labour than forced begging. The Swedish courts have often interpreted the term 'forced labour' in a more restrictive manner that does not correspond to the international definition of forced labour, the report says. By the time of the writing of the report, two cases under the new law on human exploitation had led to prosecution.⁵¹ In 2017, the Stockholm County Administrative Board published a study on trafficking for labour exploitation in Sweden (*Arbetskraftsexploatering och människohandel*).⁵² The publication was part of a project partnership with CBSS.

Whilst most of the publications mentioned above are by government or state actors tasked to combat human trafficking, a few other publications should be mentioned too that shed light on other sides of the topic. The Swedish National Audit Office released a report in 2020 that examined government actions to counter labour exploitation. The report (*Government initiatives to combat labour exploitation – regulations, inspections, information and support to victims*) was

⁴⁷ Summary of the study retrieved from The Gender Equality Agency's website, last accessed 29 September 2021. The Country Administrative Board of Stockholm: ["They will always find me" - A Study of trafficking and the living conditions of vulnerable children](#), last accessed 29 September 2021.

⁴⁸ Swedish Government Decision: S2016/04467/FST.

⁴⁹ The Ombudsman for Children in Sweden: [Ensamkommande barn som försvinner \(2017\)](#), last accessed 4 October 2021.

⁵⁰ The Swedish Gender Equality Agency: [Barn i människohandel - Slutredovisning av regeringsuppdraget att samordna arbetet mot människohandel och exploatering av barn \(2019\)](#), last accessed 4 October 2021.

⁵¹ The Council of Baltic Sea States: [Människohandel och människoexploatering på den svenska arbetsmarknaden \(2020\)](#), last accessed 29 September 2021.

⁵² The County Administrative Board of Stockholm: [Människohandel och människoexploatering på den svenska arbetsmarknaden \(2017\)](#), last accessed 1 October 2021.

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critical towards the government and concluded there were major shortcomings. It stated that these were largely because the government had not mandated agencies to take measures. Government agencies also lacked knowledge of the phenomenon and regulations were inadequate, the report stated.⁵³

Due to the limitations of this report, it is not possible to provide an overview of research publications. However, there are some ongoing research projects. E.g., “No Room for Trafficking” is a project being conducted at Dalarna University that examines the strategies of hotel staff that have to deal with prostitution and human trafficking.⁵⁴

Sweden is a state party to The Council of Europe Convention on Action against Trafficking in Human Beings. Sweden’s first evaluation round was finalised in 2016 and the second in 2019. The third evaluation round is under way with the questionnaire due to be submitted in January 2022. Reports are available on the Council of Europe’s website.

Finally, it should be added that some social partners follow human trafficking and publish reports regularly. E.g., “Fair Play Bygg” is a joint effort by the Stockholm Builders Association and The Swedish Construction Workers' Union. This collaboration started in 2016 with the aim to provide authorities with information on suspected criminal activities in the construction business. The project has its own website, available at: <https://fairplaybygg.se/>. The most recent report lists that 19 cases of human trafficking/exploitation were reported to the authorities. Overall, a considerable number of suspected cases of labour exploitation since the project’s initiation involve human exploitation, the report says.⁵⁵

2.6 Characteristics of presumed victims of human trafficking

Sweden is mainly a country of destination for victims of human trafficking for different purposes. Trafficking in human beings is not a phenomenon limited to the big cities, but can occur across the country.⁵⁶ There is no designated state actor tasked with formally declaring a person to be a victim of human trafficking. Government agencies such as the Migration Agency and other stakeholders can identify victims in line with their internal procedures independently of the initiation of criminal proceedings. Hence, stakeholders often publish their own annual data. The National Referral Mechanism is “a process of detecting that a person can be presumed to have been exposed to human trafficking”.⁵⁷ Procedures to apply for a temporary residence permit for a reflection period or for cooperating in criminal proceedings are formalised, and arguably clarifies that an individual is a victim. However, it would be misleading to use this data

⁵³ The Swedish National Audit Office: [Government initiatives to combat labour exploitation - regulations, inspections, information and support to victims \(RiR 2020:27\)](#), last accessed 4 October 2021. The report is available in both Swedish and English.

⁵⁴ [Dalarna University: No Room for Trafficking - New Research Project, 26 September 2019](#), last accessed 5 October 2021.

⁵⁵ [Fair Play Bygg: Årsrapport 2020 \(2021\)](#), last accessed 4 October 2021.

⁵⁶ The National Rapporteur on Trafficking in Human Beings: [Lägesrapport 21](#) (2020).

⁵⁷ The Swedish Gender Equality Agency: National Referral Mechanism.

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as a measurement of the number of identified cases since this only account for individuals where a preliminary investigation was initiated.

The fact that several different stakeholders publish statistics means data may vary. In addition, there is normally not a breakdown of nationalities in statistics from the National Council for Crime Prevention, which makes it difficult to present data on third-country nationals only. However, the annual progress reports from the Police Authority (National Rapporteur on Trafficking in Human Beings) collates relevant data from the most important stakeholders.

The majority of detected and identified victims of human trafficking in Sweden were female victims of sexual exploitation, but the number of victims of forced labour has been increasing in the past several years. Some stakeholders argue human trafficking is an under-reported phenomenon in Sweden.⁵⁸

The Gender Equality Agency publishes annual data on human trafficking based on incoming cases from the national task force, hotline and regional coordinators. In 2018, there were 205 cases (163 women, 42 men) and in 2019 there were 249 (202 women and 46 men). The major countries of origin were Romania, Bulgaria and Nigeria (2018) and Romania, Nigeria and Bulgaria (2019).⁵⁹ Notably, forced marriage was listed as a purpose in data from both years.

The number of presumed cases reported by the Migration Agency increased from 180 in 2015 to 2017 when they reached 444. The Migration Agency has stated that capacity building (extensive trainings for staff in detection of victims of human trafficking) and the steep increase in the number of asylum seekers in 2015 explain the increase in the beginning of the period. A second spike came in 2019 when 481 reports were registered. Since 2017 when a breakdown by nationality was first available, cases from Nigeria have accounted for a majority. Thailand and Morocco were the second and third most common countries of origin. Afghanistan, Vietnam and Turkey were the other top countries in the period. The majority of cases reported to the Police Authority were often detected by the Migration Agency.⁶⁰

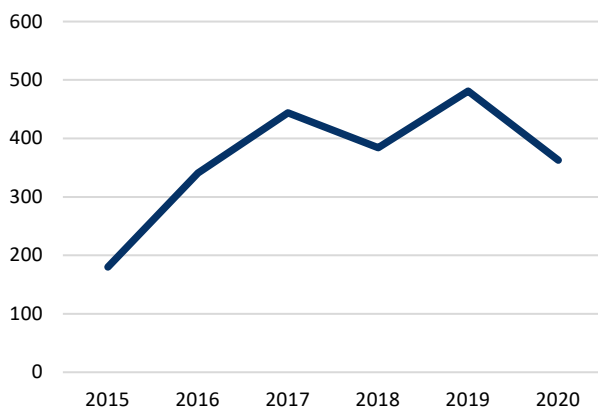
⁵⁸ Annual progress reports (Lägesrapport) from The National Rapporteur on Trafficking in Human Beings e.g. note that not all crimes are reported, which is believed to apply particularly with regard to human trafficking for forced labour, which are difficult to detect and where victims are unaware of their rights. According to the Platform Civil Society against Human Trafficking, the majority of victims were not in contact with or received support from the authorities.

⁵⁹ Data available from the [website of the Swedish Gender Equality Agency](#). Individuals may be listed in more than one category. At the time of writing this report, statistics for 2020 were not yet published.

⁶⁰ The Swedish Police Authority: Lägesrapport 21 (2020).

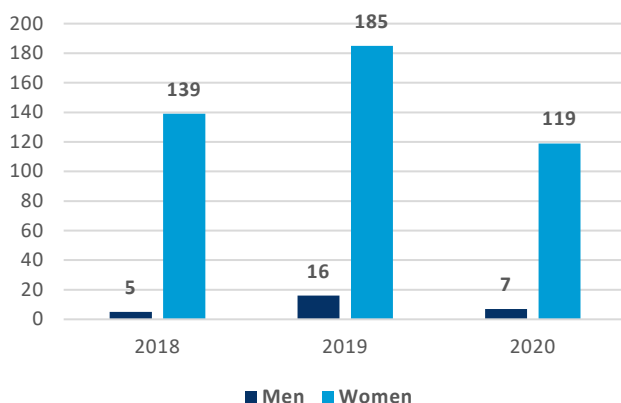
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Figure 1. Total number of third-country nationals reported to be victims of human trafficking 2015-2020⁶¹



A breakdown of data with regard to the purposes of human trafficking show that nearly all victims of trafficking for sexual purposes encountered by the Migration Agency were women (figure 2).

Figure 2. Number of reports on victims of trafficking for sexual purposes by gender 2018-2020, third-country nationals⁶²



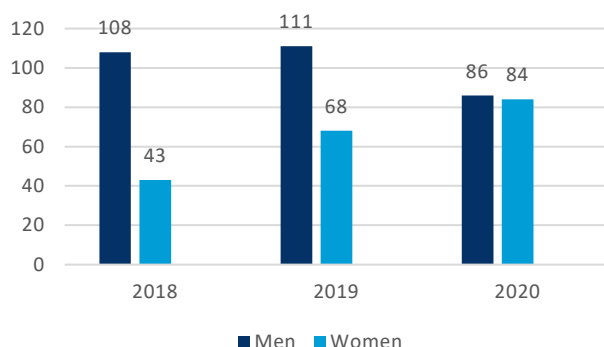
Meanwhile, data with regard to victims of trafficking for labour exploitation show a different picture. A majority of victims are male, but an increasing number of female victims have been identified in the period and by 2020, almost as many women as men were identified as presumed victims of labour exploitation (figure 3).

⁶¹ EMN Annual Report on Migration / Swedish Migration Agency Annual Reports 2015-2020. Data for one or more years may include reports that not only include third-country nationals.

⁶² EMN Annual Report on Migration / Swedish Migration Agency, statistics available on public website.

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Figure 3. Number of reports on victims of trafficking for labour exploitation by gender 2018-2020, third-country nationals⁶³



Turning to data on the number of residence permits issued for persons for cooperation in criminal proceedings and for reflection periods, statistics show a steady increase in numbers. In 2018-2020, the number increased from 54 to 86. Both types of permits hit their highest number in 2020, but the overall increase is primarily explained by an increase in the number of permits issued for cooperation in criminal proceedings. Overall, a large majority of permits were issued to women.

Table 1: Number of issued residence permits for cooperation in criminal proceedings and for recovery period – victims of human trafficking 2018-2020, all nationalities.⁶⁴

	Women	2018		2019		2020		Men	Total
		Men	Total	Men	Women	Total	Women		
Residence permit according to Chapter 5, section 15, 1, Aliens Act	17	19	36	26	12	38	49	11	60
Residence permit according to Chapter 5,	13	5	18	11	11	22	20	6	26

⁶³ Ibid.

⁶⁴ EMN Annual Report on Migration / Swedish Migration Agency Annual Reports 2018-2020. EMN Annual Reports are available on [EMN's website](#). Swedish Migration Agency Annual Reports are available on its [website](#). Data for 2015-2017 is unavailable. Data refer to the number of permits issued, not the number of individuals. E.g. in 2019, 40 individuals were issued a total number of 60 permits. Many of those that were issued permits for reflection period were later granted a residence permit for cooperation in criminal proceedings. Both permits can be issued to EU-nationals as well and data in the table therefore include all nationalities. It is challenging to extract data on issued permits for third-country nationals only. However, in 2019, 17 individuals were EU-nationals and in 2020, 20 were EU-nationals.

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section 15, 2 Aliens Act (Recovery period)									
Total	30	24	54	37	23	60	69	17	86

Court judgements are yet another relevant indicator with regard to developments in human trafficking. Stakeholders have warned and criticised the fact that the number of convictions for human trafficking in Sweden are too few.⁶⁵ Data for the period does not indicate discernible trends in either direction other than that the number was exceptionally high in 2018. As mentioned previously, the provision of human exploitation was entered in to the Criminal code in 2018. So far, County Courts have issued two judgements for human exploitation, but the Court of Appeal overturned both rulings. At the time of writing of this report, one of these cases was pending in the Supreme Court.⁶⁶

Table 2: Final judgements for trafficking in human beings issued by Swedish courts 2015-2020.⁶⁷

	2015	2016	2017	2018	2019	2020
Trafficking in human beings, Penal Code, Chapter 4, section 1a	2	6	5	15	2	7
Human exploitation, Penal code, Chapter 4, section 1b	-	-	-	0	0	0

As mentioned previously, reports from the Migration Agency constitute the basis for a large number of police reports. Increased capacity building at the Migration Agency to detect presumed victims is believed to be a probable explanation behind the increasing number of police reports, stakeholders say.⁶⁸ In addition, human trafficking is a crime that tends to be reported by state actors or non-governmental organisations. It is common that reports from the Migration Agency indicate that the crime was committed abroad. There is an upward trend in the number of police reports in the period. Sexual purposes remain the major grounds, followed by forced labour, which has increased over time. Reports concerning forced begging have decreased, however.⁶⁹

⁶⁵ See Government Offices of Sweden: [Det straffrättsliga skyddet mot människohandel och människoexploatering, prop. 2017/18:123](#), report from CBSS etc.

⁶⁶ Case no. B 1770-21

⁶⁷ The National Council for Crime Prevention. Data can be retrieved from its [website](#). Reportedly, data only include judgements in county courts. It appears, however, that judgements that were overturned by Courts of Appeal were subsequently deleted from the annual data.

⁶⁸ Swedish Migration Agency, Swedish Police Authority.

⁶⁹ The Police Authority (National Rapporteur on trafficking in Human Beings) annual progress reports.

3. Detection and identification of victims of trafficking in human beings

3.1 Overview of key agencies

Several government agencies and other actors can, in line with their normal operations, detect or identify a victim of human trafficking.⁷⁰ Government agencies and other actors that form part of the national task force, such as the Migration Agency and social services normally have internal procedures on how to act and react when staff detect a presumed victim of human trafficking. Furthermore, the Police Authority plays a central role in detection and identification. The chief investigator in a preliminary investigation (i.e. The Police Authority, or The Prosecution Agency) on crimes of human trafficking is the only officer that can apply for a temporary residence permit on behalf of a victim of human trafficking (for cooperating with the authorities in criminal proceedings or for a reflection period). Arguably, this is the only primary example of formal identification.

Sweden employs a number of measures to detect (presumed) third-country national victims of trafficking in human beings. Measures are generally aimed at all migrants (or applicants), not specifically third-country nationals.

The primary role of the Migration Agency in countering human trafficking is to detect and identify presumed victims and to ensure that law enforcement authorities and other stakeholders that provide support and protection are informed. Procedures at the Migration Agency primarily aim to enable (case) officers to identify presumed victims. However, manuals for personal interviews and guidance aim at asking open questions in a manner to facilitate for a presumed victim to self-report. E.g., case officers can inform the applicant about the Migration Agency's knowledge of human trafficking and exploitation and let them know there is concern about their situation. Procedures are largely indicator based and aim to enable all staff members to identify potential victims without necessarily being specialists. Lists of indicators were developed and adapted to migration procedures (asylum, legal migration etc.). Guidance for asylum procedures focus particularly on the identification of unaccompanied minors, women and other vulnerable groups. Guidance for personal interviews with unaccompanied minors includes questions aimed at identifying victims of human trafficking or vulnerability to become a victim. Meanwhile, guidance used in detention procedures is focused primarily on men in financially challenging circumstances that have been working illegally in Sweden.

⁷⁰ The National Referral Mechanism lists that victims of human trafficking may be detected by the following actors: Social services, The Police Authority, The Swedish Migration Agency, The border Police, Actors in civil society, The Customs Authority, The Embassy or Consulate, The healthcare sector, Trade unions, The Swedish Work Environment Authority, The Swedish Tax Agency, The travel and hotel industry, Family members or acquaintances, Youth organisations, Residences, School or student health services, Lawyers or legal representatives, and the general public.

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Table 3 describes the primary measures in place and provides further details.

Table 3: Detection and identification measures by competent authorities and other stakeholders

Measures in place to detect (presumed) third-country national victims of trafficking in human beings	Details
Self-reporting	Leaflets in multiple languages are available to inform presumed victims of their rights and contact details to seek help. Websites from stakeholders that have information on (presumed) victims' rights and contact numbers are often aimed at professionals, but may facilitate self-reporting too. However, human trafficking is commonly reported by government agencies and civil society organisations rather than by the presumed victims themselves.
Awareness raising campaigns	Awareness raising campaigns were performed in 2015-2020 by both state actors and civil society actors.
Collection of indicators	The Migration Agency's guidance lists a number of detailed indicators of presumed trafficking served to facilitate and support case officers in detecting victims. Indicators are developed based on professional/institutional experience and analyses of previous cases, intelligence analysis and consultations among stakeholders. In addition, the Migration Agency collects indications from external sources such as UNODC's (United Nations on Drugs and Crime) human trafficking indicators. Regional coordinators use indicators in their outreach work. These were collected and developed together with other stakeholders.
Intelligence gathering by investigative services (e.g. police, labour inspectorate)	In particular, the Police Authority follows these phenomena closely and gather information on a regular basis. The multi-agency collaboration effort to counter crime in the working life, coordinated by the Work Environment Agency has yielded information on e.g. forced labour and human exploitation.
Proactive screening in asylum procedures	There is no systematic obligatory screening. However, application units perform overall screenings of incoming cases where officers, inter alia, look for indicator-based information. In addition, the intra-agency network on trafficking performs targeted screenings and spot-checks in case of suspected cases.
Proactive screening in migration procedures	There is no systematic screening, but the procedures for identification are based on the use of indicators. Arguably, this constitutes a type of proactive screening.

Furthermore, in some instances there are specific measures in place, e.g. in some migration procedures or for certain groups of migrants. Table 4 below explains existing special measures and provides more details.

Table 4: Specific measures - Detection and identification measures by competent authorities and other stakeholders

Detection, identification and protection of third-country national victims of trafficking in human beings

Specific measure to detect (presumed) third-country national victims of trafficking in human beings:	Details
within asylum procedures	Focus on criteria (constituent elements) for human trafficking throughout procedures in interviews (both by asylum and reception centre officers) and other contacts with the applicant. Focus on travel route etc. to Sweden to facilitate for the applicant to tell about his/her vulnerability.
within other migration procedures (e.g. seasonal workers, domestic workers, au pairs, students)	More limited possibilities in these procedures and fewer measures in place to promote self-reporting, since oral interviews are less frequent. Officers can put questions to applicants in interviews at Swedish Diplomatic Missions or at Migration Agency offices in connection with applications for extension, but this would normally require that staff already observed indicators.
who are voluntary returnees	There are no specific measures. Cases identified in return procedures are often highlighted by civil society/non-governmental organisations (applications of impediment to enforcement).
who fall under other categories included in the definition of vulnerable persons adopted for this study (e.g. minors, unaccompanied minors, disabled people, elderly people, pregnant women)	The Migration Agency has developed a leaflet for representatives of unaccompanied minors that provides comprehensive information and lists indicators of human trafficking, and provides guidance. ⁷¹
who are in an irregular situation	The Migration Agency's guidelines are applicable to all individuals that staff meet on its premises (office, waiting hall). Irregular stay is listed among the indicators in the Migration Agency's manuals. E.g., case officers are to be vigilant if there is information that an individual has been in an irregular situation in Sweden or another country for a longer period. There are no specific measures, however. E.g., regional coordinators, the Police Authority and/or civil society and churches more often identify individuals in an irregular situation. There are specialised centres ("Evonhuset" and "Mikamottagning", part of municipal social services) in a number of cities, which perform outreach work where irregulars are encountered. These centres offer counselling etc. to presumed victims of trafficking for sexual purposes.

In Sweden, a large number of organisations are trained/competent to detect (presumed) third-country national victims of trafficking. Table 5 collects brief information on these organisations, their responsibilities and how the situation has evolved in the study period.

⁷¹ Swedish Migration Agency: [Människohandel - information till dig om är god man för ensamkommande barn](#), last accessed 13 November 2021.

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Table 5: Organisations and authorities trained and competent to detect victims of trafficking

Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
<p>Police</p> <p>The Police Authority is appointed as the National Rapporteur on Trafficking in Human Beings (NREM).⁷² Activities concerning human trafficking are performed at different units within its department for national operations, e.g. the intelligence and international units. The regional branches of the Police Authority have designated teams on human trafficking (Människohandelsgrupp). The Police Authority works strategically and in its operations to prevent and combat these crimes. It cooperates closely with other government agencies and other stakeholders, e.g. the regional coordinators of the Gender Equality Agency. The Police Authority is the lead of the interagency effort to combat organised crime, which was formalised in 2015.</p>	<p>Receives tips and notifications of crimes and draws up a written notification of crime.</p> <p>Initiates preliminary investigation.</p> <p>Identifies presumed victims of human trafficking in its surveillance and investigation activities.⁷³</p>	<p>Yes</p>	<p>Since 2010, all staff at the Police Authority are offered an internet based training in trafficking in human beings. Furthermore, a training in the same format in trafficking in human beings that are minors was initiated in 2017. These trainings deliver knowledge on the detection and investigation of trafficking.</p> <p>Officers in charge of investigations are offered an additional two-week training which is available up to twice a year.⁷⁴</p> <p>Finally, the Police Authority's regional branches perform targeted trainings, capacity building and collaborative efforts with other stakeholders etc. with regard to trafficking in human beings.</p>

⁷² The National Rapporteur on Trafficking in Human Beings investigates, monitors and analyses the character, scope and scale of prostitution and trafficking in human beings for all forms of exploitation to, within and from Sweden. The National Rapporteur publishes annual progress reports with comprehensive recommendations to the government on the prevention and combat of trafficking in human beings. The [22nd annual progress report](#) for the year 2020 was released in December 2021.

⁷³ The Swedish Gender Equality Agency: [National Referral Mechanism](#).

⁷⁴ The National Rapporteur on Trafficking in Human Beings: [Människohandel för sexuella och andra ändamål, lägesrapport 21](#) (2020).

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Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
<p>Migration services</p> <p>The Migration Agency appointed a central coordinator on human trafficking in 2014 and has adopted a framework to facilitate detection and reporting of presumed victims in migration procedures. In addition, there are regional coordinators that form an agency-wide network that includes specialised legal officers. There are guidance notes for case officers that work in e.g asylum procedures.</p>	<p>The Migration Agency has a uniform standard for measures to be taken when a presumed victim of human trafficking is detected. It applies in all instances where staff members (case officers) encounter a presumed victim. Officers can consult with regional coordinators in such cases. An internal report is always registered (identity, gender etc.), and a police report is filed if sufficient information is provided. The presumed victim is informed that a police report will be filed, but it can be made independently. Contact with municipal social services need consent from the presumed victim. In case the presumed victim is a minor, social services are always contacted.</p>	<p>Yes</p>	<p>The Migration Agency has taken a number of measures in 2015-2020 with a view to capacity building for the detection of victims of human trafficking. In 2015, information on human trafficking was introduced as part of the introductory programme for all new staff. An internet-based training available for all staff members was launched in 2017. Furthermore, the Migration Agency regularly participates in and organises or co-organises events and trainings, meetings etc. with other national stakeholders aimed at capacity building. E.g., a leaflet aimed at representatives (of unaccompanied minors) was developed. Finally, the Migration Agency is responsible for training of staff at Swedish diplomatic missions.</p>
<p>General practitioners</p>	<p>Doctors are among the professions obliged to report crimes they become</p>	<p>Yes</p>	<p>In 2017, the government decided to make the inclusion of</p>

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Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
	aware of if the crime is punishable with a certain severity (includes human trafficking).		knowledge of men's violence against women a compulsory part of the training for a number of professions, including that of medical doctors. The decision was part of the government's 2016 national strategy to prevent and combat men's violence against women. ⁷⁵
Other health workers	Yes	Yes	In addition, the government decision includes trainings to become a nurse, physiotherapist, dentist, lawyer, psychologist, social worker (2018). In 2019, dental hygienists were added to the list.
Employers	There are examples of employers and/or employer organisations that have participated in trainings to detect and report sexual exploitation/and or human trafficking (e.g. taxi businesses, hotel chains, the construction business). The Swedish Food Federation has developed guidelines/training for "berry buyers" that inter alia include indicators of		

⁷⁵ Government Offices of Sweden: [Kunskap om mäns våld mot kvinnor obligatoriskt i jurist- och läkarutbildningarna, 17 March 2017, last accessed 28 October 2021.](#)

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Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
	trafficking in human beings. ⁷⁶		
Trade unions	Some trade unions, particularly in sectors at risk for human trafficking, indicate they have seen examples of labour exploitation.	No information or examples of trainings etc. specifically about trafficking in human beings.	
Civil society organisations The most important example is The Platform Civil Society against Human Trafficking; a non-profit human rights based coalition of non-governmental organisations and experts. Partners are involved in all aspects of victims' rights and protection. ⁷⁷ "Thaiwise" is a project in Malmö for Thai women that work in massage parlours. It aims at strengthening awareness in the target group of their rights and improve government information with the purpose to counter labour exploitation. ⁷⁸	Yes	Yes Identifies presumed victims of human trafficking in its outreach activities and at the accommodations run by operators within the platform. ⁷⁹ The Platform Civil Society against Human Trafficking uses the term "informal identification" by a "certified party" or a party cooperating with the platform, as in its national support programme for victims of human trafficking.	
Hotel staff			The Police Authority is cooperating with hotels in order to combat prostitution and the purchase of sexual services. Hotel staff have also received

⁷⁶ The Swedish Food Federation: [Riktlinjer för ansvarsfulla bäruppköp \(2016\)](#), last accessed 29 October 2021.

⁷⁷ Website of the [The Swedish Platform Civil Society against Human Trafficking](#)

⁷⁸ Website of the [Thaiwise project](#), last accessed 29 October 2021.

⁷⁹ The Swedish Gender Equality Agency: National Referral Mechanism.

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Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
			training by the Police Authority. ⁸⁰
<p>Swedish diplomatic missions</p> <p>Staff at Swedish diplomatic missions that work in migration sections are employed by the Migration Agency since 1 January 2020. Prior to this date they were hired by the Ministry for Foreign Affairs.</p>	Yes	Yes	Trainings in the detection of victims of human trafficking organised by the Migration Agency with regular intervals, including in seminars and via video. An online training on prostitution and human trafficking for sexual and other purposes (prevention, identification) for Swedish diplomatic missions abroad was developed in 2019.
<p>The Prosecution Agency</p>	Initiates preliminary investigation. A prosecutor is as a rule the chief investigator in cases where the victim has identified a perpetrator.	Specialised prosecutors (or prosecutors with experience from such cases) normally handle cases involving human trafficking at specialised units, e.g. the National Unit Against International Organised Crime.	The Prosecution Agency offers an e-learning training for all staff. The training is primarily for general prosecutors and aims at providing a basic knowledge in human trafficking in order to be able to identify such crimes in the course of their work.
<p>Social Services</p>	Identify presumed victims of trafficking in human beings in its work. Assess whether a report shall be	Yes	

⁸⁰ The National Rapporteur on Trafficking in Human Beings: Lägesrapport 20 (2019).

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Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking?	Competent to detect (presumed) third-country national victims of trafficking?	Details
	made to the police if there is a suspicion that a child has been a victim of human trafficking. ⁸¹		
Regional coordinators (of the Gender Equality Agency)	Provide support/consultation to professionals in identifying presumed victims of human trafficking May identify presumed victims of human trafficking through conversation with the victim. ⁸²	Yes	
NMT National Support Line	Provides support and consultation for professionals in the area of identification. Refers to the relevant actor who can provide support in the individual case.		

4. Protection of (presumed) third-country national victims of trafficking in human beings

4.1 Overview of key agencies

Several different actors provide protection and assistance to victims of human trafficking. The type and level of assistance often depends on the status and/or situation of the individual.

⁸¹ The Swedish Gender Equality Agency: National Referral Mechanism.

⁸² Ibid.

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Municipal social services are the primary public organisations that offer assistance and protection. Some municipalities have experienced and/or specialised staff for such cases. E.g., social services can notify the police of a crime for adult victims of human trafficking. Social services also receive and examine applications for assistance for children and adults and receive notifications of concern for a child’s well-being.

The Police Authority plays a central role, since the chief investigator in a preliminary investigation on crimes of human trafficking is the only officer that can apply for a temporary residence permit on behalf of a victim of human trafficking (for the purpose of cooperating with the authorities in criminal proceedings or for a reflection period). Furthermore, protection and support to victims of crime is an integral part of basic police training and is continuously offered in further trainings for police officers. In addition, the Police Authority notifies social services of concern for the well-being of a child. Finally, the Police Authority informs social services in cases where a presumed adult of human trafficking wishes to apply for assistance

Civil society plays an integral role in providing support. The Platform Civil Society against Human Trafficking reported that it provided support to 140 individuals in 2019 that were presumed victims of human trafficking. In 2020, there was a steep increase reported, 253 individuals.⁸³ Support and protection (counselling) measures offered to victims of human trafficking include support to contact the authorities, temporary shelter, basic provisions (food, hygiene articles), support to contact family abroad, return to the country of origin, support to contact health and medical care, legal information including in relation to migration/asylum and translation of documents.⁸⁴ The Platform runs a National Support Programme (Nationellt Stödprogram, NSP) that was initiated in 2015 and is co-funded by the government. It offers additional and individually adapted support to victims, e.g. shelter and rehabilitation, including for children of victims. Assistance to presumed victims can be provided for up to 30 days without the need to report the case to the Police Authority, with the possibility of extending the assistance measures for another 90 days.⁸⁵

Table 6 below provides more details on what kind of assistance, support and protection (presumed) third-country national victims of trafficking in human beings are given access to. The table distinguishes between measures provided to individuals who are in the reflection period, in the Dublin III procedure, in the asylum procedure or who have a valid authorization to stay (residence permit, short-term visa or visa-free stay). The bulk of the information provided in the table below is taken verbatim from the National Referral Mechanism, unless specifically noted. It should be noted that the information entered in the table is applicable to adult victims of trafficking. Minors, in principle, enjoy the same rights as minors that are resident in Sweden (e.g. healthcare, dental care and schooling).

Table 6: Assistance, support and protection to (presumed) third-country national victims of trafficking in human beings

⁸³ Swedish Platform Civil Society against Human Trafficking: [Kraftig ökning av antalet stödsökande för människohandel under 2020](#), last accessed 29 October 2021.

⁸⁴ The National Rapporteur on Trafficking in Human Beings: [Lägesrapport 21 \(2020\)](#).

⁸⁵ Swedish Platform Civil Society against Human Trafficking: [Nationellt Stödprogram](#), last accessed 29 October 2021.

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Type of assistance	Reflection period	Dublin III procedure	Asylum procedure	Residence permit holders	Short term visa/visa-free stay
<p>Information on risks and protection mechanisms</p>	<p>The Police and social services each perform their own individual risk assessments and shall cooperate in these assessments as needed. The need for protection may need to be reviewed on more than one occasion, since the situation for a victim of human trafficking can change over time.</p> <p>At an early stage in the process, the victim shall receive information on his or her rights in the legal process, e.g. the possibility of obtaining a temporary residence permit, the right to damages and the right to free legal assistance from a counsel for an injured party.</p> <p>Information would be provided by regional coordinators the Police Authority in this situation.</p>	<p>The Migration Agency informs the applicant that there is reason to suspect he/she is a victim of crime. The Migration Agency obtains consent from the applicant to contact a regional coordinator. The Migration Agency then acts to ensure that contact is established between the two.</p> <p>A Dublin transfer is not carried out in case the applicant is granted a residence permit to cooperate with the authorities in criminal proceedings.</p>	<p>(See Dublin III procedure to the left about the Migration Agency's role). The Police and social services each perform their own individual risk assessments and shall cooperate in these assessments as needed. The need for protection may need to be reviewed on more than one occasion, since the situation for a victim of human trafficking can change over time.</p> <p>At an early stage in the process, the victim shall receive information on his or her rights in the legal process, e.g. the possibility of obtaining a temporary residence permit, the right to damages and the right to free legal assistance from a counsel for an injured party.</p>	<p>The Police and social services each perform their own individual risk assessments and shall cooperate in these assessments as needed. The need for protection may need to be reviewed on more than one occasion, since the situation for a victim of human trafficking can change over time.</p> <p>At an early stage in the process, the victim shall receive information on his or her rights in the legal process, e.g. the possibility of obtaining a temporary residence permit, the right to damages and the right to free legal assistance from a counsel for an injured party. The Migration Agency would normally only play a role if it concerns a person with a temporary residence permit. A person with a permanent residence</p>	<p>The Police and social services each perform their own individual risk assessments and shall cooperate in these assessments as needed. The need for protection may need to be reviewed on more than one occasion, since the situation for a victim of human trafficking can change over time.</p> <p>At an early stage in the process, the victim shall receive information on his or her rights in the legal process, e.g. the possibility of obtaining a temporary residence permit, the right to damages and the right to free legal assistance from a counsel for an injured party. The Migration Agency would not normally meet short-term visa holders or those who are exempt from visa requirements unless they present themselves. The Police Authority, regional coordinators, social services or civil society would be more likely.</p>

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				permit would normally be entered into the population registry and enjoy the rights that residents have.	
Appropriate and safe accommodation	Social services assume responsibility for accommodation for individuals that have been issued a permit for reflection period. The individual enjoys the same rights as other residents. Costs incurred by municipalities can be refunded by the Migration Agency.	All applicants in asylum procedures (including in Dublin III procedures) have a right to accommodation provided by the Migration Agency.	All asylum seekers that cannot (or choose not to) arrange their own accommodation are offered accommodation by the Migration Agency.	Accommodation can be provided by social services or civil society. Please see information entered under "reflection period. Persons that have permanent residence permits, and are entered into the population registry, enjoy the same rights as nationals.	Social services are responsible for all individuals that are present in a municipality. In these cases, support would be limited to an individual assessment in emergencies. Civil society may provide shelter/accommodation.
Necessary medical treatment	Can be provided by public healthcare or private healthcare providers (part of publicly funded general health and medical care).	Asylum seekers are entitled to emergency healthcare and dental care, and health care that cannot wait.	Asylum seekers are entitled to emergency healthcare and dental care, and health care that cannot wait.	Can be provided by public healthcare or private healthcare providers (part of publicly funded general health and medical care).	Individuals that have entered on a short-term visa or are exempt from visa requirements are obliged to have medical insurance, and hence would have to pay for medical treatment. Irregulars can access healthcare on same conditions as asylum seekers.
Counselling and information	Can be provided on same terms as for residents. The National Referral Mechanism states all presumed victims are entitled to information.	Please see above, top of column. The National Referral Mechanism states all presumed victims are entitled to information.	Please see above, top of column. The National Referral Mechanism states all presumed victims are entitled to information.	Can be provided on same terms as for residents. The National Referral Mechanism states all presumed victims are entitled to information.	The National Referral Mechanism states all presumed victims are entitled to information.

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Legal assistance	The Police Authority or the Prosecution Agency apply for a legal counsel for the injured party.	Individual assessment with regard to the application for asylum, but as a rule, applicants in Dublin procedures are not normally appointed with a legal counsel.	Individual assessment with regard to the application for asylum. If there is presumption of the application becoming rejected, a legal counsel is normally appointed.	The Police Authority or the Prosecution Agency applies for a legal counsel for the injured party, in case the temporary residence permit is for the purpose of cooperating in criminal procedures.	Not on behalf of government. Perhaps via civil society.
Translation and interpretation	Yes	Yes	Yes	Yes	Not on behalf of government. Perhaps via civil society.
Psychological assistance	Can be provided by public healthcare or private healthcare providers (part of publicly funded general health and medical care).	Asylum seekers are entitled to emergency healthcare and dental care, and health care that cannot wait.	Asylum seekers are entitled to emergency healthcare and dental care, and health care that cannot wait.	Can be provided by public healthcare or private healthcare providers (part of publicly funded general health and medical care).	Not on behalf by government. Perhaps via civil society.
Subsistence (material assistance)	Same rights as residents in the municipality.	Asylum seekers are entitled to a daily allowance unless they can support themselves.	Asylum seekers are entitled to a daily allowance unless they can support themselves.	Same rights as residents in the municipality.	Not on behalf by government. Perhaps via civil society.
Social and economic integration	Yes	Asylum seekers can be exempt from the work permit requirement if they fulfil certain requirements. However, this is rarely applicable in Dublin procedures.	Asylum seekers can be exempt from the work permit requirement if they fulfil certain requirements.	Yes	No
Protection against re-victimisation	Yes, and possibility to apply for return- and reintegration assistance via the Gender Equality Agency (IOM's Helsinki Office), and ERRIN Reintegration	Dublin transfer not performed in case applicant granted residence permit to co-operate with authorities in criminal proceedings.	Yes, the examination of the applicant's asylum claims would consider such claims.	Yes, and possibility to apply for return- and reintegration assistance via the Gender Equality Agency (IOM's Helsinki Office) and ERRIN Reintegration	Possibility to apply for return- and reintegration assistance via the Gender Equality Agency (IOM's Helsinki Office) and ERRIN Reintegration

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	Programme, via the Migration Agency.			Programme, via the Migration Agency.	Programme, via the Migration Agency.
Other	As a partner in the ERRIN Network, Sweden can participate in a return-and reintegration programme to Nigeria, specifically for victims of human trafficking, entitled "Prospect".				

5. International cooperation between Member States and with third countries

5.1 Within the scope of the Dublin III Regulation

There are no specific guidelines for Dublin procedures in Sweden with regard to human trafficking. Decisions in Dublin transfer cases normally highlight the vulnerability of a victim of human trafficking whilst at the same time making reference to the ability of the other Member State to offer protection. The Migration Agency does not specifically alert the receiving Member State about (potential) victims of human trafficking in the formal exchange of information (take back) preceding a transfer. Applicants that were granted a residence permit to co-operate with the authorities in criminal proceedings are not transferred since the issuing of the permit means Sweden shall assume the responsibility of the examination of the asylum claim. The application will then be examined in the regular asylum procedures.

All asylum seekers have a right to an oral personal interview. Potential victims shall be identified through the same means as in other procedures. If there are indications of human trafficking following a personal interview, a follow-up interview will be performed to enable case officers to collect more information. Presumed third-country national victims of trafficking in human beings identified during the Dublin procedure are entitled to a reflection period.

5.2 Other intra-EU and international cooperation

The Swedish Police Authority cooperates with Europol, and is active in Europol's EMPACT (European Multidisciplinary Platform against Criminal Threats) cooperation. In addition, the Police Authority participates in e.g. Joint Action Days coordinated by Europol.

Sweden and Romania entered a bilateral cooperation agreement in 2015.⁸⁶ This joint declaration covers cooperation, good practices and exchange of experience/knowledge regarding children's rights, gender equality and social welfare and social security. Sweden entered a similar agreement with Bulgaria in 2016 that specifically mentions gender based violence and sexual violence.⁸⁷

Furthermore, Sweden is a member state of the Council of Baltic Sea States (CBSS), which includes both EU and third countries. Cooperation in the CBSS has two priority areas that primarily deal with, or include, the combat against human trafficking. Firstly, there is a Task Force against Trafficking in Human

⁸⁶ [Government Offices of Sweden: Joint Declaration, Sweden-Romania, 5 June 2015](#), last accessed 26 October 2021.

⁸⁷ [Government Offices of Sweden: Letter of Intent, Sweden-Bulgaria, 5 February 2016](#), last accessed 26 October 2021.

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Beings (TF-THB). The task force serves as a bridge between local, regional and national actors in the region by e.g. analysing trends and needs, providing information and training to professionals in the field. A Transnational Referral Mechanism (TRM) of the Baltic Sea Region, Bulgaria, Romania and Ukraine was also developed.⁸⁸ Secondly, the CBSS has an Expert Group on Children at Risk. The expert group is engaged in regional dialogue and practical cooperation to strengthen national child protection systems, including legislative, administrative, social and educational measures to protect children from all forms of violence, including sexual exploitation and child trafficking.⁸⁹ The CBSS was instrumental in setting up the European Barnahus ("Children's Houses") Network. "Barnahus" are facilities where law enforcement, criminal justice, child protective services, and medical and mental health workers cooperate and assess together the situation of the child and decide upon the follow-up in a child-friendly environment⁹⁰.

In addition, Sweden is a member state of the Nordic Council of Ministers. This organisation includes Denmark, Finland, Sweden, Norway and Iceland. The Nordic Council of Ministers has engaged in a number of different efforts with regard to trafficking in human beings in the past decade. Collaboration in various forms such as exchanges of good practices and knowledge forums for practitioners have taken place at regular intervals. The mutual value of experiences and information between national law enforcement authorities has been stressed. Mutual efforts to combat crime in the construction business, including trafficking in human beings is a recent example. Additionally, trade unions in Sweden, Denmark and Norway have cooperated and revealed mistreatment of workers in the construction business, including cases of human trafficking.⁹¹

Sweden has entered bilateral agreements with a number of countries in the past few years, with a view to combat serious crimes, including human trafficking and sexual exploitation of children in connection with tourism and travel. Such agreements are in place with Thailand, Vietnam and Cambodia, where there are strong indications of such crimes taking place. The Ministry for Foreign Affairs and Swedish diplomatic missions are following-up progress concerning these agreements. Furthermore, Sweden have entered into similar agreements with Georgia, Serbia and Moldova (2017) with a view to strengthen cooperation with these countries in combating serious crime, including human trafficking.

Sweden participates actively in the Global Partnership to End Violence against Children, which forms part of the Agenda 2030 sustainable development goals. Sweden is a member of its End Violence Board and one of the "pathfinding" countries. These countries serve an important role in raising awareness and inspire countries across the world to establish standards for all forms of violence prevention against children across the world.

Finally, with regard to assisted voluntary return, Sweden has cooperation with IOM (International Organization for Migration). Returnees can receive support for up to two years after their return. Upon the return of the victim of human trafficking to their country of origin, IOM Helsinki (the TRM actor responsible)

⁸⁸ [Council of Baltic Sea States \(CBSS\): Transnational Referral Mechanism](#), last accessed 14 November 2021.

⁸⁹ See website of [The Council of Baltic Sea States](#), last accessed 26 October 2021.

⁹⁰ See website of [Promise - Barnahus Network](#), last accessed 26 October 2021.

⁹¹ See website of [Nordiska ministerrådet](#)

monitors the return process through visits to the countries of origin. Furthermore, Sweden is a partner in ERRIN (European Return and Reintegration Network), through which returnees to some countries can receive return and reintegration assistance.

6. Key challenges and good practices including in light of the COVID-19 pandemic

6.1 Challenges

Identification is one of the key challenges, stakeholders say. There are many difficulties in this regard, and these are largely linked to the vulnerability of the victim of crime. E.g. victims often suffer from physical and mental ill health and often do not consider themselves victims, which pose challenges for authorities to address. Arguably, there is a lack of knowledge among stakeholders, but it may also be a question about how the assignment to identify victims is perceived by management and staff. The identification of victims needs to have a certain status and be prioritised by all actors that encounter them. According to some stakeholders, e.g. health care providers need to work more systematically to identify victims. A related challenge is that no government agency in Sweden has a primary task to identify victims. Identification takes place as one of many tasks at different agencies or because of government assignments of a limited duration. Arguably, more government agencies than the Police Authority, the Gender Equality Agency and the Migration Agency should be formally tasked to combat trafficking in human beings.

Identification is considered a challenge for all involved parties (e.g. policy-makers, competent authorities, third-country nationals, other stakeholders). Stakeholders consider identification a challenge since victims that are not identified risk to remain being subject to exploitation. In addition, these challenges mean that human trafficking persists and sheds more victims. Arguably, the increase in action plans, inter-agency guidance has not corresponded in an equal increase in the number of identified victims.

Another challenge is that a preliminary investigation is required in order for a victim to receive (state-organised) protection. This is primarily a challenge for victims, but the fact that few applicants receive temporary residence permits makes it more difficult for the Migration Agency to perform personal interviews and collect information from the applicant. Arguably, when support and protection are provided, victims have more trust in authorities and feel more comfortable to cooperate. It is considered a challenge since few individuals receive a temporary residence permit and consequently often do not receive assistance/protection to which they are entitled. Many victims of trafficking do not seek support or protection from the authorities. This situation increases the

workload of civil society and arguably in practice shifts responsibilities to civil society.

Exploitation in work places (human trafficking for labour purposes) is another challenge. E.g., it is challenging for government agencies to exchange information and this renders the system more vulnerable for misuse. Furthermore, labour exploitation is difficult to detect and is less frequently reported to the Police Authority. This, in turn, may be explained by lack of public knowledge about victims' situations, victims' fear of reprisals and that victims sometimes express gratitude towards perpetrators since they still have received better pay in Sweden in spite of their difficult situation here. No government agency is specifically tasked to counter human trafficking for labour purposes, and there are as of yet no final convictions for human exploitation in Swedish courts. Stakeholders say this is a challenge for all competent authorities and third-country nationals alike. Exploitation in work places is considered a challenge since it is both difficult to detect and to address. Arguably, challenges with regard to secrecy legislation would require new legislation, and human traffickers and other criminals are aware of the current constraints to exchange information between government agencies.

The Migration Agency reports that the identification of women and child victims of human trafficking is challenging. Self-reporting is limited and the Migration Agency's indicator-based methodology is essential in identifying particularly vulnerable victims. However, the needs of this group often require specialised knowledge with regard to protection and support. Recent examples of vulnerable minors are young boys from North Africa, which have resulted in challenges for social services. It is considered a challenge since asylum seekers and minors risk becoming exploited e.g. on the labour market. In addition, challenges with regard to secrecy legislation can play in the hands of unscrupulous employers.

There are also specific challenges with regard to traffickers/criminal organisations involved in trafficking in human beings using asylum procedures for means other than intended. E.g., asylum seekers are exempt from the work permit requirement pending the examination of their application, if they cooperate in establishing their identity. Additionally, individuals whose asylum claims have failed can, if certain conditions are met, apply for a work permit without returning to their country of origin, if they have a job offer. Their desperation to find work, coupled with the limited possibilities to legalise their stay make these groups vulnerable to exploitation. The Migration Agency identifies cases on an annual basis where employers that are misusing the system exploit asylum seekers. E.g., in 2020, the Migration Agency actively worked to identify systematic misuse of asylum procedures following indications that Ukrainians were being misled by a recruitment agency to come to Sweden.

6.2 Consequences of the COVID-19 pandemic

Fewer potential victims were identified by the Migration Agency compared to before. At the same time, fewer asylum seekers and other migrants arrived in Sweden. Meanwhile, the Gender Equality Agency stressed that vulnerable groups must retain their right to support in case of lockdowns, and informed the Public Health Agency that victims might not be vaccinated. Finally, during the COVID-19 pandemic, the government has provided additional funding to civil society for the benefit of vulnerable groups such as children and women subjected to violence

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Efforts to prevent and combat human trafficking in 2020 were dominated by the COVID-19 pandemic. Perpetrators adapted their modus operandi and took advantage of the pandemic and its consequences to increase their revenues.

Europol concluded in a 2020 report that trafficking in human beings was likely to increase further as a consequence of the economic downturn and increased unemployment during the COVID-19 pandemic.

At the beginning of the pandemic, the number of advertisements on websites selling sexual services decreased dramatically and then increased again over the summer of 2020. Interviews with men purchasing sexual services in Sweden showed that the pandemic had no limiting effect on their willingness to buy sexual services. However, victims' vulnerability increased as a consequence of men, who purchase sexual services choosing to ignore the pandemic restrictions imposed. In addition, many women in the EU and in third countries lost their jobs and were forced to make a living through prostitution. In Sweden, more women from Ukraine and EU Member States were found to be exploited for sexual purposes in prostitution activities taking place in secondary residences.

Europol also noted in a 2020 report that the increase in cyber-related crime was the most noticeable effect of the COVID-19 pandemic compared to other criminal activities. The same trend occurred in Sweden in 2020. Criminal organised networks took advantage of the pandemic to increase their financial profits from trafficking in human beings. Social media, high-security messaging apps and the Darknet facilitated access to and demand for both cheap labour and sexual services during the pandemic, and their use increased. The platforms are easily accessible and can often be used without significant cost or technical expertise.

6.3 Good practices

The Platform Swedish Civil Society against Human Trafficking brings together approximately twenty different organisations and actors who operate within the framework of civil society. These actors encounter victims and/or work to help victims of THB and victims of similar forms of exploitation. The Platform also conducts a national support programme (NSP), which was started under the initiative of the County Administrative Board of Stockholm. The original purpose was to meet Sweden's commitments to presumed victims of human trafficking and ensure their right to protection and support even outside the legal process. The support programme serves as a supplement when an authority is unable to offer support and protection, e.g. for adult victims of trafficking who do not have the right to remain in the country. Support may entail offering sheltered housing, legal advice, interpretation and counselling, internship and a safe return to their home country.⁹²

In Sweden, a model for inter-agency collaboration for stakeholders tasked to investigate crime against minors was developed. The model is called "Barnahus" (Children's houses). Barnahus comprises government agencies such as the Police Authority, prosecutors, social services and healthcare officials (paediatric and adolescent medicine and psychiatry) in the same facilities. The purpose of the model is to employ a child perspective by creating a safe and child friendly

⁹² European Union: Study on reviewing the functioning of Member States' National and Transnational Referral Mechanisms, 2020.

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environment for children who are victims of crime. By organising government action in this way, the child is spared from having to be directed to the different authorities and repeat their statements to multiple authorities. Children in procedures at Barnahus are primarily victims of violence or sexual abuse. There are established Barnahus in around 30 cities and towns in Sweden.

