

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

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ABSTRACT

Seeking to explain the emergence of anti-trafficking initiatives, scholars have explored two sets of ideas – national security and gender equality – thought to shape policy. In this paper, we examine the extent to which these two ideas have been significant for the evolution of Swedish trafficking policy over the past decade. As powerful domestic ideas about gender inequality informed the adoption of an abolitionist prostitution policy in the 1990s, one would expect similar ideas to influence domestic responses to the related issue of cross-border trafficking.

However, our case study shows that the policy area of trafficking has largely followed a different ideational path. While gendered ideas, periodically nested in a human rights discourse, have been salient in the public debate on trafficking in human beings, especially during the campaign to boycott the 2006 FIFA World Cup, debate has focused less on gender equality ideas, although such ideas characterized Sweden's call to criminalize the purchase of sexual services (CPSS). We conclude that the two frames overlap, however, gender ideas have exerted substantially less influence on Swedish legislative initiatives to combat trafficking. We trace a limited evolution with security concerns still holding sway.

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INTRODUCTION

In recent years, international trafficking in human beings has become a highly politicized issue at national and international levels. Notably, several United Nations and European Union initiatives have resulted in a series of measures intended to combat trafficking in women and children for sexual purposes.¹ As the policy responses to trafficking have grown in number, so too have attempts by scholars to explain the content of anti-trafficking initiatives. In particular, much research has focused on the European Union (Askola 2007a, 2007b; Locher 2007). Much of this literature has addressed the emergence of anti-trafficking initiatives by emphasizing the depiction of trafficking as a security issue, resulting in policies tightening border controls, limiting migration, allowing for deportation of trafficked women, and facilitating law enforcement efforts to secure prosecution. In contrast to this securitization approach, other scholars (albeit fewer) have argued that EU anti-trafficking measures result from efforts by key political actors to mobilize increasingly powerful norms regarding gender equality and human rights.

1 The term trafficking itself is a matter of contention in political debates. Notably, when the United Nations adopted the Palermo Protocols in 2003, it defined trafficking as having the purpose of exploitation, including “the exploitation of the prostitution of others or other forms of sexual exploitation”. However, the term ‘sexual exploitation’ was left undefined, as parties could not agree on a definition. Since we are interested in precisely how policy agents construe and construct the phenomenon of trafficking, we stipulate no particular definition of the term. For the remainder of this paper, we use the term trafficking as shorthand for “trafficking in women and children for sexual purposes.” We do not focus on other forms of trafficking in human beings, such as for purposes of employment.

Yet, scholars have devoted comparatively little attention to the emergence of anti-trafficking initiatives within individual EU member states. If ideas regarding security and gender equality have been a crucial impetus at the EU level, to what extent have they also been of importance for the evolution of anti-trafficking policies at the state level? In this paper, we detail the evolving Swedish response to trafficking. Sweden constitutes a particularly interesting case for analyzing anti-trafficking initiatives. In 1999, Sweden became the first country to criminalize the purchase, albeit not the sale of sexual services. Scholars and analysts agree that this landmark policy resulted from the successful efforts of policy entrepreneurs to establish linkages between the proposed ban and ideas regarding gender relations that had become prevalent in Swedish society in the late 1980s and early 1990s (Svanström 1999; Ekberg 2004; Dodillet 2005; Gould 2001; Scoular 2004). Largely as a result of the writings of key Swedish feminists, such as the historian Yvonne Hirdman (1990), gender relations in Sweden were increasingly characterized as existing within a “gender system” of sharply unequal levels of power and privilege. On this view, prostitution was one of the more egregious forms of inequality between men and women, as well as male violence against women, and a symptom of the pathology of prevailing gender relations.

Hence, the Swedish case provides an opportunity to explore the degree to which a specific category of ideas holding sway in one policy area may exert comparable impact in related policy areas. Despite the comparatively small amount of trafficking with Sweden as a destination (SOU 2010:49:37), Sweden plays a highly visible role in the international debate over which strategies constitute the most appropriate response to trafficking. The prominent Swedish Social Democratic politician, Anita Gradin, assumed a leading role as EU Commissioner for Justice and Home Affairs in the late 1990s, championing efforts to combat trafficking. Moreover, Sweden remains highly visible in its international efforts to see the “Swedish Model” on prostitution and

trafficking exported, sponsoring study trips for foreign politicians, supporting foreign NGOs wishing to pursue a like-minded agenda, and seeking to mold opinion throughout Europe.

Thus, based on existing research on Sweden's prostitution policy, one would expect gender ideas to have played an equally important part in establishing and developing Sweden's anti-trafficking policy – especially so given that Swedish public discourse generally perceives of prostitution and trafficking as intertwined social problems and given that the Swedish parliament passed a number of bills on trafficking following closely on the heels of the sex purchase ban. Yet, as our analysis shows, the story of Sweden's anti-trafficking legislation cannot be told solely through reference to gender equality ideas, with initial policies primarily reflecting securitization concerns. Only recently have gender equality ideas exerted a more pronounced influence on Sweden's overall political response to trafficking. Notable examples of the increased importance of gender equality ideas include the Swedish protest of Germany's prostitution policy during the 2006 World Cup, as well as increased support among Swedish policymakers for granting permanent residency to victims of trafficking. Yet, on balance, concerns over the integrity of national borders and fighting transnational organized crime remain dominant in Sweden's response. A gendered perspective may have achieved inroads, but it still holds a weaker position in terms of overall influence on policy.

This paper proceeds by first addressing the two sets of ideas that scholars regard as having the greatest degree of impact on anti-trafficking initiatives, particularly at the international level: securitization and gender equality norms. At the same time, we note how state-level studies have been less explicit in their emphasis on ideas. Following that, we trace the evolution of Swedish trafficking legislation and initiatives, from the initial criminalization of trafficking in 2002 to ongoing debates regarding permanent residency. Our data consists chiefly of official documents

from the Swedish Parliament (*Riksdag*), organizational statements, and media accounts. We conclude by suggesting that securitization and gender equality ideas might each have a respective sphere in which they have received pride of position when it comes to Swedish policymakers and anti-trafficking campaigners.

SECURITIZATION AND GENDER EQUALITY IDEAS: INTERNATIONAL LEVEL AND DOMESTIC SETTING

What factors shape the political response to the trafficking? Unsurprisingly, trafficking scholars disagree as to what drives policy choices. However, we can divide the literature into two rough categories. First, for many scholars examining the international arena, there is an explicit focus on two types of ideas. The dominant approach has been an emphasis on the securitization of trafficking. For instance, many scholars studying EU responses have stressed the link between its policies and broader efforts to secure regional and national borders in the face of increased globalization, the collapse of the Soviet Union and the events of September 11, 2001. To that end, the content of anti-trafficking policies has chiefly been tighter immigration regimes, as well as measures to maintain secure borders and provide police and prosecutors with increased powers (Smith forthcoming). By contrast, some constructivists and feminist scholars emphasize how ideas regarding gender equality have played, or should play, a critical role in allowing for gender-sensitive trafficking policies to emerge (Iñiguez de Heredia 2008). A second cluster of literature examines national responses to trafficking, particularly those of EU member states. Here, many scholars identify the significance of what we can label, for lack of a better term, the domestic setting. As we will show, while not all of these studies are equally informed by theoretical considerations, they nonetheless call our attention to a broad variable that can be made more refined and explicit.

Securitization

The securitization approach to trafficking can be traced to the establishment of the Copenhagen School of international relations (Wæver & Buzan 1993). While traditional theories of international relations emphasize a limited range of high politics issues relevant for state and regional security, new security scholars stress how securitizing actors (both states and non-state actors) engage in discursive strategies resulting in a steady expansion of issues falling under the security umbrella. Indeed, whereas traditional IR scholarship rarely considered environmental degradation, migration or trafficking as significant, scholars influenced by the Copenhagen School have documented how actors recast these issues as relevant to state security (Barnett 2001; Dalby 2002; Huysmans 2002; Watson 2009).

The securitization approach has also made substantial inroads in analyzing the emergence of anti-trafficking initiatives, emphasizing how trafficking constitutes a challenge to state sovereignty. Berman (2003) argues that the discourse surrounding trafficking to the EU conflates different categories of migrants and sex workers, in order to serve the image of European states as being under threat from migration in an era of globalization and declining border control. Berman maintains that this construction is intentional, establishing a “a group of innocents in need of the protection of – but also deportation from – the state, (and wherein) these discourses work to affirm the place for the state in maintaining sovereign borders and quelling the anxiety created by European integration and globalization” (Berman 2003).

In more recent work surveying EU efforts to combat trafficking, Berman and Friesendorf (2008) argue that “security-focused” programs still dominate, with little room left for gender or migration approaches. As such, states are generally thought to respond to trafficking with harsh measures including increased border controls, criminalization of trafficking, police efforts against

“organized transnational crime networks”, and deportation of trafficked persons as illegal migrants (Lobasz 2009; Berman 2003; Wæever et al 2003). Askola’s work on EU anti-trafficking initiatives reaches a similar conclusion, underscoring a paradox: “while trafficking in women for sexual purposes has experienced an almost meteoric rise onto the EU agenda, it is still not framed as a phenomenon of gender” (Askola 2007b). Rather, she concludes that the core of EU efforts to combat trafficking consists of ensuring effective state control over national borders via the limitation of immigration, that is, “keeping the women home” (Askola 2007a). While much of the securitization scholarship analyzing trafficking is content to identify concerns over state security as an underlying rationale for policies, Friesendorf (2007) explores how securitization is implemented, arguing that a system of “security governance” exists across Europe, involving the collaboration of state and non-state actors to halt the flow of transnational crime and to ensure national borders can withstand efforts by criminal trafficking networks.

All told, this set of literature makes a powerful case for the argument that trafficking policies primarily reflect a set of inter-linked concerns having to do with state security, including cross-border crime, control of borders and domestic law and order. Before we assess the degree to which this scholarship can account for the evolution of the Swedish response, we turn our attention to literature that identifies a different ideational impetus for combating trafficking; one that examines how ideas about unequal gender relations can be central to the development of trafficking policy.

Gender Equality

In contrast to literature emphasizing how trafficking has become subsumed under the security heading, a smaller set of scholars have argued that anti-trafficking initiatives are, to a great extent, shaped by femocrats, “women who describe themselves as ‘feminists’ or are ‘strongly committed

to equal opportunities' and who enter organizations to further their aims" (Barry, Chandler & Berg 2007). Together with other allies, femocrats are argued to have mobilized increasingly salient ideas regarding gender equality, grafting them onto more established human rights norms in order to successfully influence policies on trafficking. Most prominent among these is Birgit Locher's (2007) social constructivist account of the emergence of EU anti-trafficking policies and programs during the mid-1990s. Emphasizing that ideas require actors in order to impact policy-making, Locher argues that a "velvet triangle" of femocrats, NGOs and academics joined forces against the backdrop of a favorable political opportunity structure to successfully mobilize support for a gendered response to trafficking. The cornerstone of their strategy was to assert that trafficking represented a violation of norms that were increasingly becoming institutionalized; specifically, ideas regarding the human rights of women as a distinct category in addition to established human rights norms. In contrast to securitizing actors preferring stricter measures to preserve the sanctity of state borders and to ensure that both trafficked women and the 'responsible' criminal networks are prosecuted or deported, the policy aims of femocrats and allies have generally involved: combating trafficking through ending demand (criminalizing male customers), providing trafficked women with the legal opportunity to remain in the destination country so as to sever dependency on criminal networks, and (to a lesser extent) developing policies targeted at sending countries, such as educational campaigns outlining the risks of certain employment opportunities abroad, as well as improving domestic economic conditions.

Whereas Locher focuses on gendered actors with largely similar values, Lobasz (2009) emphasizes the potential incompatibility between "new abolitionists" (those arguing that trafficking is largely demand-driven) and "competing feminists", stressing exploitation as the root problem, with the need to make distinctions between trafficking and the sex industry as a whole.

Yet, Lobasz notes the important contribution that these feminist analyses of trafficking make, via “expand(ing) the referent of security from states to people.” Doezema’s (2005) analysis of the discourse employed at the Vienna negotiations for the UN Trafficking Protocol also highlights the powerful ideational divide among competing groups of feminists each seeking to exert influence on the formation of anti-trafficking policy at the international level. Focusing on the discourse employed at the Vienna negotiations for the UN Trafficking Protocol, Doezema emphasizes the importance of coercion and consent as concepts for lobbyists from opposing camps. The abolitionist Coalition Against Trafficking in Women (CATW) insisted that any definition of trafficking exclude considerations of consent, reflecting a fundamental view that all forms of prostitution represent brutal forms of male violence against women and children.

The literature exploring the impact of gender equality ideas on trafficking policy offers a powerful challenge to international relations scholars who regard policy as chiefly embodying state security concerns. Acting as a corrective to state-centric analyses, this literature emphasizes the ideas held by non-state actors seeking to influence policy at the state and supra-national levels, thereby highlighting that concerns over gendered violence and unequal gender relations are crucial puzzle pieces in analyzing anti-trafficking initiatives. However, before we can consider the extent to which the emphasis in this literature is sufficient for understanding the evolution of Sweden’s anti-trafficking policies, it is necessary to briefly consider those scholars who argue for the causal influence of both sets of ideas.

Gender Equality and Securitization – Inseparable Frames?

While some scholars view trafficking policies as flowing from securitization ideas, and some as evidence of the successful deployment of gender equality ideas, other scholarship considers the degree to which both ideas may be crucial. Aradau (2004) argues that these two ideas are “in no

way mutually exclusive.” She suggests that the two “discursive regimes (are) entwined and feed upon each other”, as witnessed in EU policies:

“While promoting women as bearers of human rights was initially devised as an NGO counter-strategy to the EU security discourse, a coalition of NGOs and EU actors coupled the two discourses and endorsed them as logically related and mutually reinforcing – thus allowing the humanitarian discourse to be gradually taken up by the EU itself.” (Aradau 2004)

Despite Locher’s (2007) emphasis on gendered actors and ideas regarding gender, women’s rights and human rights, she too makes room for securitization, acknowledging that the Madrid and London bombings, as well as the September 11 attacks, led to a growth in the “old illegal immigration frame”. However, while the co-existence of security and gender equality ideas may strike many as a pragmatic middle ground position, broad assertions of ‘both ideas mattering’ leave important empirical questions unanswered. Quite simply, understanding the evolution of a state’s anti-trafficking initiatives requires tracing the comparative influence of these two set of ideas over time. One idea may hold exclusive sway throughout the course of the policy process, it may share center stage equally with another, or ideas may wax and wane in their relative influence. Yet, in order to build a compelling narrative of the policy process, scholars need to examine the degree to which different ideas can be linked to various components of a state’s overall policy response to trafficking over time. We now turn to the scholarly analysis of state level responses . While scholars examining anti-trafficking responses at the international level have explicitly considered the causal force of ideas, this has been comparatively lacking in national level studies, a shortcoming that we seek to correct with our analysis of the Swedish case.

The Domestic Setting

Studies of trafficking focusing on the international level have made an important contribution for their emphasis on how different ideational frameworks are utilized by entrepreneurs in support of preferred initiatives. However, scholarship asserting an explanatory role for a given idea at the international level often glosses over how such ideas might exhibit different salience at the national level, leading to variation in how policies are institutionalized cross-nationally. Neither the Palermo Protocols nor subsequent EU actions have mandated the precise manner for states to implement anti-trafficking measures. Indeed, while the EU Commissioner for Home Affairs, Cecilia Malmström (2010) announced that a chief priority during her tenure would be harmonization of how member states implement anti-trafficking initiatives, considerable discretion still exists for states. Since these studies do not detail state-level responses, they cannot be employed as a tool for explaining how and why alternative trafficking ideas inform trafficking policies in different contexts.

Contributions by Munro and Askola stand out for their broad comparative analysis regarding how states have constructed national trafficking policies. Munro (2006) has sought to explain why international anti-trafficking initiatives, in spite of being increasingly expressed in the universalist language of human rights, lead to divergent domestic responses. She highlights how ambiguity in internationally developed key concepts, resulting from compromises among parties negotiating protocols, allowing domestic legislatures considerable interpretive leeway in line with their own agendas. Similarly, Askola (2007a, 2007b) focuses on anti-trafficking responses in Sweden, the Netherlands, and Italy, highlight how three contrasting views underpin “attitudes to sexuality and its role in commercial sex in general and prostitution in particular”. In stressing the role that the abolitionist, regulatory and prohibitionist approaches play in each

respective case, Askola concludes that some strategies are nationally distinct, while others are in the process of becoming increasingly Europeanized.

In terms of single-nation case studies, Weitzer argues that U.S. policy is shaped by what began as a moral campaign against sex trafficking rather than prostitution in the mid 1990's, which during the past decade expanded its targets to all forms of commercial sex, resulting in the conflation of trafficking and prostitution. Thus, an unlikely alliance of Christian evangelicals and feminist abolitionist activists successfully influenced U.S. policy by constructing trafficking and all other forms of commercial sex as a question of gender equality, rather than state security (Weitzer 2010).

Our review of the Swedish case complements these domestic level studies by providing an explicit analysis of how ideas have been present in, and how they have shaped, the evolution of Swedish trafficking policy from the late 1990s to the present. A central component to successfully carrying out that analysis is detailing the definitions of key concepts and expectations that guide our study, a task to which we now turn.

Operationalizing Securitization and Gender Equality Ideas

Understanding the evolution of Sweden's anti-trafficking initiatives requires tracing the comparative influence of gender equality and securitization ideas at various moments of time. For the purposes of this paper, Swedish gender equality ideas are defined as derived from radical feminist thought, which from the mid-1990s have held a prominent position over other feminist orientations in Sweden (SOU 2005:66, p. 56). Specifically, gender equality ideas informing Swedish policy making derive from the notion of uneven power relations between women and men due to patriarchal structures, which in turn are expressed through various forms of male

violence against women. Consequently, the impact of this type of gender equality ideas can be observed when actors advancing gender equality in their policy aims make reference to improved protection and support for victims of violence, preventative efforts (often aimed at men), enhanced judicial quality and efficiency, and on aggregating awareness through education (Skr 2009/10:234). Thus, if proposals and policies targeting trafficking were largely the result of gender ideas, they would be likely to feature an emphasis on combating trafficking primarily through ending demand (criminalizing male customers), providing trafficked women with the legal opportunity to remain in the country, and (to a lesser extent) developing policies for implementation in the sending country, such as educational campaigns outlining the risks of taking certain labor opportunities abroad.

By contrast, ideas of securitization can be defined as based on the notion of the threat to societal security and sovereignty by referring to nation states under risk of lost border control due to the increase of illegal migration and international criminal networks, as a product of globalization (Berman 2003). From this perspective, the impact of securitization ideas on anti-trafficking responses are observable when actors advancing securitization in their policy aims narrate the problem of trafficking by placing the issue of organized crime and illegal migration together with trafficking (Aradau, 2008:37 & 50). Thus, if Swedish proposals and policies targeting trafficking were largely the result of securitization ideas, and our claims of the dominance of security ideas were to be upheld, they would be likely to feature an emphasis on counteracting trafficking with harsh measures such as increased border controls, criminalization of trafficking, police efforts against “organized transnational crime networks”, and deportation of trafficked persons as illegal migrants (Lobasz 2009; Berman 2003; Wæever et al 2003). While some might argue that granting temporary residency permits to trafficked women reflects the

power of gender equality ideas, given that it presents an opportunity to remain in the country, the claim is unconvincing, since these permits only allow for the person to stay as long as cooperation with legal authorities is agreed on and their primary goal is to prosecute traffickers, not to protect victims.

We acknowledge, of course, that multiple ideas could have been significant in the formation of a given anti-trafficking policy or initiative. However, our argument does not rest on a 'one idea, one policy' causal relationship. Rather, even when taking into account how multiple ideas may contribute to the formation of anti-trafficking policy proposals, we stress the importance of assessing the comparative presence of an idea in, and its influence over, the policy process as a whole (cf. Goldstein & Keohane 1993). There, we believe the data associated with the Swedish case is quite clear. On balance, even allowing for the degree to which gendered ideas were used to render trafficking a salient political issue, it is largely the language of securitization that has been most integral to the justification of final proposals and content of policies adopted. While we document how this pattern may be in the process of shifting to reflect a greater emphasis on gender equality, there has not yet been a dramatic shift.

THE EVOLUTION OF SWEDISH ANTI-TRAFFICKING INITIATIVES

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

While many proponents of the 1998 legislation banning the purchase of sexual services frequently assert that the law plays an important part in minimizing the degree to which Sweden is regarded as an attractive destination for traffickers, this was never considered the primary legislative intent (Winberg 2002; Leijonborg et al. 2005). Rather, as Leijonhufvud (2009) stresses, the legislation chiefly represented an effort to deter men from purchasing sexual

services: by focusing on and stigmatizing men's demand for commercial sex, prosecution would result in a loss of community social status. As such, it is perhaps no surprise that legislation targeting male demand did not simultaneously have an impact on trafficking. Roughly two years after the ban went into effect, the chief of Europol's anti-trafficking division stated that while the market for sexual services in continental Europe had reached saturation, trafficking to Sweden had begun to increase, with "sexual service wholesalers" setting their sights set on Nordic states (TT Nyhetsbanken 2000a). Reliable data has traditionally been difficult to come by in terms of precise numbers for trafficked individuals. However, the Swedish Police estimated that between 200 and 500 foreign women had been trafficking to Sweden in 2000, primarily from Baltic and other Eastern European states (Swedish Ministry of Justice 2001).

In 2000, initial press coverage of efforts by Swedish policymakers to introduce anti-trafficking legislation not only emphasized the degree to which gender equality were a prominent frame, but also how unfamiliar the term 'trafficking' was to the Swedish public. One article offered a pedagogical definition of the term as "meaning, in this context, the commercial trade of women and children for sexual purposes, a growing problem throughout the world." Indeed, Swedish law did not contain measures directly addressing trafficking, only pimping. In making the case for the immediate implementation of comprehensive anti-trafficking measures, Left Party MP Ulla Hoffman stressed, similar to radical feminist analyses of prostitution, that female sex workers lacked agency when calling for the Swedish effort to combat trafficking to begin with "the initial moment when the women are tricked (in to entering Sweden) under false pretenses." Social Democratic Foreign Aid Minister Maj-Inger Klingvall identified "patriarchy and poverty" as underlying causes of trafficking, noting that during the forthcoming Swedish presidency of the EU, a gender perspective would guide relevant development policies. Social Democratic Gender

Equality Minister Margareta Winberg was perhaps most direct and identified male customers of sexual services as the main culprit, noting that, “if there weren’t any buyers, then there wouldn’t be any trafficking in human beings” (*TT Nyhetsbanken* 2000b). Winberg also underscored the degree to which other EU member states were at odds with Sweden’s stance on trafficking, pointing out that she could not comprehend their claim to oppose trafficking while simultaneously supporting legalized prostitution (*TT Nyhetsbanken* 2001).

Unsurprisingly then, the parliamentary committee charged with establishing criminal penalties for trafficking contained language mirroring the claim that trafficking was intimately and chiefly linked to a male demand for sexual services and prostitution:

“The committee has...emphasized that trafficking in human beings is not simply a matter for criminal law. A precondition for this type of trade is that there is a demand for sexual services. As such, the committee has emphasized that trafficking for sexual purposes must not only be attacked through criminalization, but also through efforts to counteract prostitution and to ensure that men refrain from purchasing sexual services.” (Government of Sweden 2002)

Similarly, in surveying the response of other states to trafficking, the report noted that the response from states and NGOs to trafficking, ranging from law and order to migration to human rights or public health, was not always consistent with the specific needs of women and children:

For the states, human trafficking can be considered primarily an issues of criminal policy and /or an issue of illegal immigration. The organizations that work with those who have been the subject of trafficking may regard the problem as a matter of human rights or health policy... Depending on whether trafficking is seen as a problem from the moral, criminal or immigration law perspective, the measures advocated vary between that everyone involved – even victims – must be punished, that more severe penalties are one of the most important measures, primarily designed to prevent victims being transported across borders. The described approaches do not always coincide with the interests of women and children who

are the subject of trafficking; their primary interest is to obtain protection and support.”
(Swedish Ministry of Justice 2002)

Thus, the report was openly critical of responses not placing a premium on the specific needs of women and children, the type of emphasis that we regard as evidence of gender equality ideas. Despite this, the resulting legislation chiefly focused on establishing trafficking as criminal activity and determining a sentence to be applied by courts. From 1 July 2002, a trafficking conviction would become possible in instances where it could be shown that an individual had either induced, or allowed another person to be transported across international borders and subjected to “certain sexual crimes or...exploited for sexual purposes” (Swedish Ministry of Justice 2002). The broad range of actors involved in the trafficking process were made subject to prosecution, including those who received, transported or gave shelter to a trafficked individual. Criminal penalties were set at between two and ten years in prison. While welcoming the legislation as crucial for addressing the “cynical trade” in human beings, some feminist organizations were critical of the overall thrust of the new policy, maintaining that it represented an excessive emphasis on law and order at the expense of security for trafficked women. Carolina Wennerholm, of the feminist development group *Kvinnoforum* (Foundation of Women’s Forum), noted:

“There’s been a great deal of focus on the police and criminal (aspects of fighting trafficking), that are naturally also of great importance. A problem is that many of these women, these victims, are often in Sweden illegally. If they are caught, then the expectation is that they will be deported immediately. Then we won’t be able to help them. But currently, it’s being discussed as to whether victims will receive temporary residency and I think this will prove to be the case.” (*TT Nyhetsbanken* 2002)

Indeed, when the parliamentary committee issued its report in the summer of 2002, it strongly backed a revision of the Aliens Act to allow for females who had been trafficked to receive temporary residence permits, *doing so exclusively with reference to how this would assist police investigations into trafficking rings.*² Gender equality ideas, visible in the initial build-up to the committee's work, were no longer being mobilized. According to the committee, the need for temporary residence permits resulted from situations wherein:

“...police and the prosecutor investigating trafficking in humans have experienced problems because there are no legal grounds for a victim or other person who has evidence to remain in Sweden while the process of justice runs its course. This has resulted in women being refused entry to the country after just a preliminary interview with the police. Later in the proceedings this has made the situation regarding evidence more difficult. The lack of any means of temporarily retaining a foreigner in the country for further investigation has also meant that foreign women who are found to have prostituted themselves are immediately refused entry and sent home, since they lack sufficient funds for their sojourn or do not support themselves in an honest fashion (Section 4 subsection 2 of the Aliens Act). In such cases there is no further investigation with respect to the circumstances which prevailed when they came to Sweden and resided here. This means that a lot of information about, for example, the trafficking in humans can be lost.”
(Swedish Ministry of Justice 2002)

The committee argued directly that “serious transnational criminality” motivated its call for allowing “people whose evidence is required to remain in Sweden in order to assist the police and the prosecutor in their investigation” (Swedish Ministry of Justice 2002). Notably, the committee

2 These provisions were enacted in conjunction with the 2006 government bill ensuring that Sweden was in compliance with the European Community's 2004 directive on temporary residence permits for victims of trafficking for sexual purposes (Government of Sweden 2007).

did not advocate permanent residency permits, except in rare cases, as concerns existed that families of successful applicants might seek to enter Sweden on family reunification permits, thus putting the state under greater financial obligation than with temporary permits.

In November 2003, the government proposition was introduced, allowing for temporary residence permits of no fixed period (albeit assumed not to exceed one year) to be granted to trafficked women who cooperated with law enforcement officials, with the objective of allowing these individuals to remain in Sweden only until the legal process was concluded (Government of Sweden 2003). No specific provision was introduced allowing for victims of trafficking as a category to apply for permanent residency, though the government underscored that existing channels to apply for asylum were available to those wishing to lodge applications.

Though adopted in 2004, it was not until a year later that the Justice Department clarified the criteria under which they would be granted. This latter step was taken in order to ensure Swedish compliance with the 2004 EC directive on temporary residence permits for trafficked individuals in three areas: the importance of the victim to the criminal investigation, the willingness of the victim to cooperate with relevant authorities, and whether evidence existed that the victim had broken off all contact with traffickers. Without exception, the logic advanced by the Justice Department in 2005 underscores the degree to which decisions over granting temporary permits to trafficked women were to be based solely on factors strongly linked to a securitization agenda.

In addressing the importance of the victim to the criminal investigation, the Justice Department argued that this should be left to the leading official assigned to the investigation, as s/he was thought to be the only individual who could know whether the testimony could serve prosecution efforts. In terms of assessing the willingness of the victim to cooperate with relevant authorities, the Justice Department grappled with whether documentation ought to be drawn up in

which candidates for temporary permits would acknowledge their willingness to cooperate with law enforcement officials. However, here too, the Department chose to defer to the judgment of the leading investigator. In determining whether the individual had broken off all contact with traffickers, the Justice Department left no doubt that the underlying rationale was the state's ability to combat crime, noting that, "even this requirement is made on the basis of the state's interest in being able to investigate the crime. Through contacts being severed, there is a guarantee, to some extent, that no dependency relationship (on the part of the trafficking victim) will exist towards the abductors, that might persuade the foreigner not to follow through on any cooperation with authorities" (Government of Sweden 2005).

Taken jointly, the period 2002–2006 saw legislation that was chiefly influenced by securitization ideas. Intriguingly, despite the presence of gender equality ideas in initial statements advocating anti-trafficking measures, there is little evidence that such ideas were used either to justify concrete policies or that they found expression in their final content. Both the initial criminalization of trafficking in 2002, and the lengthy process to bring about temporary residence permits, resulted in policies that chiefly promoted the state's interest to prosecute cross-border traffickers. Particularly in the instance of temporary residence permits, granting women the temporary right to stay in Sweden during ongoing investigations was rarely promoted as a means for ensuring the physical and psychological security of trafficked women, but rather as an instrumental component in crime-fighting efforts.

In the following sections, we shift our focus to two more recent aspects of Sweden's evolving anti-trafficking initiatives. First, we examine rhetoric from the "Football – Yes, Prostitution – No!" campaign during the 2006 football World Cup in Germany, in which Swedish officials repeatedly stressed links between prostitution and trafficking – a clear indicator that gendered

ideas were at play. While no domestic policy reform was the focus of this effort, this campaign nonetheless shows how Swedish officials invoked gendered ideas regarding sex work in a highly visible campaign. Second, we examine ongoing discussions over whether victims of trafficking ought to receive permanent, as opposed to, temporary residency. The emerging consensus over this reform to Sweden's anti-trafficking policies suggests that securitization concerns are increasingly sharing center stage with ideas requiring an ever-greater focus on how policies can assist foreign women trafficked to Sweden. Yet, despite a pattern revealing a greater emphasis on gender equality ideas in the construction of Swedish trafficking policy, there is not yet sufficient evidence to suggest that securitization ideas have lost their prominence.

The 'Football – Yes, Prostitution – No!' Campaign (2006)

As Swedish football fans debated the prospects of victory for the fourteenth-ranked national squad in the 2006 World Cup to be held in Germany, an op-ed piece was published in the Swedish Social Democratic daily tabloid, *Aftonbladet*. The article, jointly authored by Social Democratic Ministers of Sports and Gender Equality, and the chair of the Swedish Football Association, called attention to how one of the largest scale international sporting events would be a magnet for traffickers, noting that, “Alarming reports indicate that women will be tricked into traveling to Germany in the belief that they are going to get to work, for example, as waitresses. In reality, they will be forced into prostitution.” Indeed, throughout the attempt to highlight a link between German prostitution policy and increased trafficking, it was frequently alleged in the media that upwards of 40,000 Eastern European “sex slaves” were being prepared for importation to Germany. Unlike legislative initiatives that had been adopted by Sweden, this article marked the starting point of a campaign that relying on abolitionist arguments towards sex work consistent with gender equality norms:

“We want to encourage all Swedish football lovers who are traveling to the World Cup to think about the importance of fair play both on and off the pitch. It’s simply not okay to buy sex. A precondition for the sex trade is that there’s a demand to buy sexual services. It’s our impression that Swedish men, because men are those chiefly responsible for buying sex, regardless of whether it’s in Sweden or abroad, should not support an industry that exploits, humiliates and harasses women. Trafficking is nothing more than a form of slave trade that is not worthy of our time, which we condemn in the most explicit terms...The government and the parliament believe that prostitution is a form of men’s violence against women...Human traffickers are well-organized and unscrupulous businessmen who earn enormous sums of money by exploiting women and children. The sporting movement and the government condemn human trafficking in all of its forms.” (Ringholm, Orback and Lagrell 2005)

At the EU level, Swedish MEPs supported calls from Austrian Social Democrats that “forced prostitution” should be condemned in conjunction with the World Cup. While the call met with overwhelming support from MEPs, one Swedish MEP expressed disappointment that prostitution had not been condemned more generally, stating that, “It’s very difficult to get others to understand that there is no such thing as voluntary prostitution. But, (the sponsors of the non-binding motion) are making a distinction between prostitution connected to trafficking and other prostitution” (TT Nyhetsbanken 2006a). Swedish Minister of Justice Bodström echoed this point when speaking at a meeting of EU member state Justice Ministers in February 2006, noting, “if Germany wants to do something about the problem of trafficking, then it would be a good idea to ban the purchase of sex” (TT Nyhetsbanken 2006b). As the campaign developed, an official t-shirt was unveiled for Swedish fans who made the trip to Germany, taking aim at German prostitution policy. In the national colors, gold and blue, the text on the t-shirt had the simple message, “Football – Yes, Prostitution – No!” Bodström attempted to place further pressure on Germany by proposing that Swedish police, who would attend the event in order to conduct

surveillance of Swedish football hooligans, could also partake in efforts to combat trafficking (Swedish Ministry of Justice 2006).

While the campaign was broadly supported at the outset, proposals by two prominent public figures that Sweden ought to boycott the World Cup to demonstrate its opposition to German prostitution policy showed the limits of gender equality ideas to influence Swedish behavior abroad. Gender Equality ombudsman Claes Borgström had proposed that it “would resonate across the globe if we were to withdraw from the World Cup to demonstrate that we have to use every means possible to stop this modern form of slavery.” Borgström maintained that his status as a football fan mattered, showing the need “for one interest to take the background in place of another, greater interest” (TT Nyhetsbanken 2006c). His call was backed by Sweden’s then representative in the European Council’s committee against torture, Christina Doctare:

“If a country’s government and authorities has decided to allow modern slavery via trafficking, in the form of legalized prostitution, then one has taken the stance that it’s okay to think that some people are worth less than others, and don’t have the same right to exist and human rights. As Sweden’s representative against torture in the European Council, I visited jails and police stations across Europe and could observe the flipside of the coin of all of this trafficking. If we go to Germany to watch football and wave our money around, then we are at the same time accepting the country’s laws that allow prostitution. It’s as simple as that!” (Doctare 2006)

The chair of the Swedish Football Association, Lars-Åke Lagrell, immediately rejected the call from Borgström, stating that the matter was a political question which Swedish football “could not change, even if we wish to do so” (Lagrell 2006). Jens Orback, then Minister of Equality, sought to cast the decision of not supporting the proposed boycott in more pragmatic terms, stating that he would rather shut down German brothels than shut down the World Cup:

“Our football stars are idols for hundreds of thousands of children. They can influence attitudes by saying that there should be fair play both on and off the football fields at the World Cup. Our national team’s players could get the players from other countries to participate in a demonstration against women and children being sold for sexual purposes. Of course there’s a connection between prostitution and human trafficking. The sex industry buys and sells women as slaves because there is a demand for sexual services. In crass terms, this is about supply and demand in a market where women and children are sold as sex slaves.” (Orback 2006)

No boycott was forthcoming and the campaign remained one chiefly of consciousness raising. Interestingly, in the autumn of 2006, the Swedish Development Agency (SIDA) and the International Organization of Migration (IOM) produced a post-mortem report showing that trafficking to Germany had not increased Germany during the World Cup. The report was particularly skeptical of the way that journalists accepted the number of 40,000 sex slaves without substantiation, and concluded that the debate over the issue had very little impact on suppressing incidents of trafficking. Similar points have been raised by scholars who question this kind of estimates, recognizing that broad statistical claims are problematic, particularly when aligned with the radical feminist abolitionist agenda (Doezema, 2000). Borgström expressed skepticism with the IOM/SIDA results, stating that “with all due respect” for those consulted, he still believed that Sweden managed to pressure Germany on the issue and that trafficking would be on the agenda of those planning future international sporting events (SIDA 2006).

The more recent framing of trafficking with gender equality ideas has not been limited to efforts to shape public opinion and export the Swedish stance on prostitution and trafficking. Since 2006, there have been ongoing discussions as to whether children and women who are considered trafficked by the Swedish state ought to be granted permanent residency if they agree

to cooperate with law enforcement officials. Here though, gender equality ideas have had to share center stage with securitization concerns that shaped initial policies.

An Emerging Consensus over Permanent Residency for Trafficked Women and Children (2006–)

Shortly after the four-party centre-right coalition came to power in 2006, Moderate Party Minister of Immigration Tobias Billström announced that the government would propose revisions to the Aliens Act, allowing for permanent residency to be granted in cases of trafficking, a process begun by the previous Social Democratic government (Swedish Ministry of Justice 2006). Billström's support for permanent residency rested partly on a critique of the insecurity associated with temporary permits, noting that "people need to feel secure in how they are being protected against their abductors." At the same time, Billström acknowledged that the stance reflected a desire to establish a reciprocal relationship – "we help them and they help us" – with permanent residency allowing trafficked individuals to avoid being deported to regions where the alleged abductions had taken place. Thus, he argued that "the possibility of getting (permanent) residency in Sweden is wholly decisive for whether or not (one) would choose to testify or not" (Sydsvenska Dagbladet 2006a).

Yet, despite Billström's explicit emphasis on permanent residency as a means for ensuring the safety of women and children deemed to have been trafficked, political opponents regarded the policy as placing the interests of law enforcement officials over that of women and children in need of protection. Left Party MP Kalle Larsson dismissed the idea as "cynical" saying that it would result in the state exploiting women simply to secure convictions (TT Nyhetsbanken 2006d). Similarly, Green Party MP Bodil Ceballos expressed skepticism on the grounds that testifying could place women in "mortal danger", requiring them to enter witness protection programs (Dagens Nyheter 2006). If the debate among politicians reflected competing claims of

who had the best interests of trafficked individuals at heart, law enforcement officials expressed concern that granting permanent residency would present challenges for prosecutorial efforts. On the one hand, Swedish Police trafficking expert Kajsa Wahlberg doubted that women would be enticed to stay if permanent residency was offered as an incentive, stating that, “The girls just want to go home. They don’t think that Sweden is at all as fantastic as we want to believe.” However, Wahlberg was primarily concerned that permanent residency could be exploited by counselors to alleged traffickers, who might successfully argue that testimony had been “bought” in exchange for permanent residency (Sydsvenska Dagbladet 2006b).

When the parliamentary committee released its report in late 2008, it was noteworthy for the degree to which gender equality ideas were present alongside securitization concerns. Indeed, in making the argument for permanent residency, the report authors afforded pride of position to promoting the physical and psychological well-beings of trafficked individuals:

“In order to discuss the need and formation of a new provision that would involve specific possibilities for foreigners who are victims of human trafficking to be granted permanent residency, one should first analyze which interests could justify these increased possibilities. According to our way of viewing this, there are two purposes that could lead to a change in the regulations. The first interest can be attributed to the foreigner and is intended to ensure that he or she, in the context of having been a victim of trafficking, can stay here to (for example) receive protection, go through rehabilitation or build up a new existence, while the other is attributable to the state’s interest in being able to investigate human trafficking crimes.” (Swedish Ministry of Justice 2008)

Shortly prior to the report’s release, parallel work was done by the Department of Integration and Gender Equality to combat prostitution and trafficking. Here too, the contrast with earlier government initiatives was striking. Rather than predominantly address the way in which police and prosecutors could be assisted by shifts in the legislation, the action plan spelled out a broad

array of measures intended to assist those individuals (chiefly women and girls, but also men and boys) who were involved in the sex trade. These measures, designated as actions to “protect and support” included providing minors involved in the sex trade with knowledge of their rights, providing education about the sex trade for those employed in social services, providing special protected residencies for trafficking individuals, rehabilitation opportunities, and (notably at odds with the parliamentary committee’s work) “safer repatriation” for trafficked individuals (Swedish Ministry of Integration and Gender Equality 2008). While security ideas are present in both documents, the shift in tone is undeniable: policy measures and initiatives forming the Swedish response to trafficking were now being increasingly debated – and justified – through language reflecting not only security concerns, but also those associated with gender equality ideas.

CONCLUSION

This paper has highlighted the way in which two sets of ideas – a concern for national security and a specific understanding of gender equality – have contributed to forming Sweden’s anti-trafficking policies and programs. As we have shown, securitization ideas have had the greatest impact, as witnessed in the development and implementation of policies ensuring that Swedish police and prosecutors will have the necessary tools at their disposal to combat trafficking.

Gender equality ideas may have been present at the outset of policy discussions, but they did not shape the content of initial anti-trafficking measures adopted by Sweden or the dominant logic used to justify these policies. By contrast, gender equality ideas have been more visible in the discourse of policymakers as initial anti-trafficking policies have been reformed: most notably in claims as to the sources of the international sex industry (male demand), the lack of a distinction between prostitution and trafficking, and measures to ensure the physical and psychological safety of trafficking victims (debates over permanent residency).

However, should legislative initiatives be treated as the equivalent of programs, the aims of which are to target public opinion, at home and abroad? Limited to the current data, the “Football – Yes, Prostitution – No!” campaign is distinct in terms of its ideational character from all other instances examined in this paper. Unlike earlier policy debates, it lacked an exclusively securitization frame, and unlike the later debate over permanent residency, gender equality ideas did not share equal billing with claims as to the importance of fighting transnational crime. Rather than write this campaign off as an outlier, we think that it may be beneficial to reconsider it as part of a broader bundle of initiatives in which the Swedish state sought to export its view regarding trafficking/prostitution. Indeed, other activities by the Swedish state to shape public opinion (and governmental policies) on trafficking lend initial support for such a strategy.

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

investigation, as scholars have pointed to how efforts to highlight the horrors of trafficking essentially mask policies intended to halt migration (Andrijasevic 2007).

As such, our paper raises further questions about the importance of ideas for shaping the anti-trafficking policies and initiatives of the Swedish state. However, our findings speak directly to the concerns of human rights scholars and activists, who note that national responses continue to embody a security approach (Lasocik 2010), and who emphasize a focus on domestic processes for understanding why states are reluctant to implement human rights approaches (Simmons 2009; Smith 2011). In the case of Sweden, it may be true that security concerns have been the driving force in shaping policy responses to date. Yet, the ideational terrain informing the Swedish response is not static. Securitization and gender equality increasingly co-exist in the discourse of those framing the need for new reforms. What remains to be seen is whether those who espouse a gender equality framing strategy will be able to re-shape the content of Swedish policies in line with their preferences and worldview.

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