

# **Child sex tourism - the sexual exploitation of children committed by Swedes abroad**

*Invisible large-scale criminality considered too complex to bother about*

Research report on the initiative of ECPAT Sweden  
prepared by Christian Diesen and Eva Diesen, Department of Law,  
Stockholm University, 2008.



**MOT BARNSEXHANDEL**

## **Contents**

1. Foreword by ECPAT Sweden
2. Research report “Sex offences abroad with a Swedish link” prepared by Christian Diesen and Eva Diesen, Department of Law, Stockholm University
3. Afterword by Christian and Eva Diesen
4. Conclusions by ECPAT Sweden
5. Recommendations by ECPAT Sweden

## Foreword

### A global market

The bodies of children are bought and sold on a global market where demand governs supply and price. For the right price, you can have special wishes regarding the qualities of the product, such as age, appearance and gender of the child. Special wishes regarding the handling of the body can also be accommodated, for example sadistic elements or unprotected intercourse. Supply is provided by people whose only interest is in earning money. Demand is from those persons who are in common parlance referred to as 'sex purchasers'; the persons who provide money in order to gain access to the bodies of children for sexual purposes. Regardless of the kind of trafficking of children for sexual purposes involved (documented abuse of children, legally termed 'child pornography'; 'human trafficking', children in exploited situations such as forced prostitution, legally termed 'child prostitution'; or 'child sex tourism'), market forces reign. The market is global and the bodies of children are bought and sold worldwide, even in Sweden.

### Invisible demand

Human trafficking in children has received an enormous amount of attention in the media and from governments in the last decade, not least in Europe. The pooling of efforts has transformed the area of crime '*trafficking*' into a term that is known by both the film sector and the man on the street. Perhaps the great attention surrounding this problem can be explained by the victims often arriving on the doorstep of the Swedish welfare state and shocking us through an attentive media. Broken girls and victims from vulnerable areas are portrayed in the evening press. The average Swede is appalled by the human traffickers' cruelty and insensitivity to the value of humans. Human traffickers are hated and regarded as the underlying cause of the trafficking. That is about as far as most people's analysis goes. Not even the legal services conduct a sufficiently deep analysis. Sex purchasers have conservative daily fines imposed for buying sex from their broken victims. Buying sex virtually seems to be regarded by the legal services as a 'moral infringement'; communication from the legal services can be sent to the sex purchasers' work addresses in order to avoid embarrassment on the home front. The fact that it is ordinary Swedish fathers, uncles, plumbers, attorneys, doctors, young and old persons, who with their wads of money comprise the driving force supporting the entire industry of the exploitation of children's bodies, passes virtually and conveniently unnoticed by society, including governments, legislators and legal services. In the same way, this fact appears to go unnoticed by the sex purchasers, who do not perceive themselves to be the necessary link in the chain that enables trafficking to exist at all. It is basically still the human traffickers who are considered to be the criminals, and few of them are Swedes.

Set against this background, it is not surprising that Swedes travelling abroad to commit the same sexual exploitation of children as of children who are victims of human trafficking in Sweden, neither attract attention, nor are reported or prosecuted, much less sentenced.

Child sex tourism constitutes the opposite of a transportation arrangement, compared with human trafficking; here the perpetrators go to their victims instead. Child sex tourism means: *a person resident in Sweden who travels to another country and has sex there with a foreign child who is resident abroad – who is often a stranger or without any link to the perpetrator – in return for some form of reward.* Child sex tourism is a phenomenon that is just as invisible as the demand for all trafficking of children for sexual purposes. Swedish authorities, in their work to combat organised criminality, fail to appreciate the fact that that Swedish-taxed

holiday money finances crime syndicates, which profit from human trafficking and children who are exploited in prostitution.

### **Sweden – a sanctuary for travelling sex offenders**

In 2008, Sweden constitutes a sanctuary for sex offenders who abuse children in other countries. Over the years, ECPAT Sweden has been the only organisation in Sweden that has drawn public attention to the issue and persistently lobbied the Government about this problem. This is done despite Sweden, in 1996, being the host of the First World Congress against the Commercial Sexual Exploitation of Children. In the three agendas for action that have been presented since then to counteract commercial sexual exploitation of children, there are no real initiatives (sometimes none at all) aimed at Swedes who commit sex offences against children abroad.

After ringing around to members of the *Riksdag* (Swedish Parliament) in the spring of 2006, it transpired that most MPs considered that Sweden should adopt a leading position within the EU to combat child sex tourism. Notwithstanding this position, it can be mentioned that the Swedish Government did not act when the French Minister of Tourism, Léon Bertrand, at an informal meeting of ministers in Malta in October 2005, presented an initiative for the EU to take action against child sex tourism. The ‘French initiative against child sex tourism’ was raised at a number of subsequent EU meetings, but was subsequently discontinued owing to the lack of support from any other EU country. Sweden had a prime opportunity to demonstrate its responsibility and commitment to this issue and contribute to child sex tourism being put on the European agenda. However, this was not done.

In the report of the Ministry of Enterprise, Energy and Communications to the EU, which was sent to France within the framework of the fact-gathering conducted in conjunction with the French initiative, the following was reported by the Swedish Government regarding its measures in the area of tourism:

*“We have no new national initiatives in Sweden in the fight against child sex tourism since The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (the Code) was initiated in April 1998 by ECPAT Sweden in cooperation with Scandinavian tour operators and the World Tourism Organization. As you certainly know you find all further information on [www.thecode.org](http://www.thecode.org).”*<sup>1</sup>

ECPAT Sweden, as indicated by the above quote, took the initiative in 1997 for a code of conduct for the travel sector, which is now being implemented by companies throughout the world and whose message has reached tens of millions of travellers. Our work with the ‘Code of Conduct’ is completely voluntary. The travel sector has worked with this over the last 10 years and the scope of this work extends far beyond the sector’s obligations according to law. However, the travel sector cannot take over the role and responsibility of the central government for this work. From an international comparison, it is not an exaggeration to assert that Sweden is at the bottom of the list as regards central government measures against child sex tourism. Perhaps this violation is the most forgotten of the serious violations of human rights that lack, on the part of the Swedish central government, recognition, preventive work, an effective sanctions system and actions to protect the rights of the child.

---

<sup>1</sup> E-mail from the Ministry of Enterprise, Energy and Communications received by ECPAT Sweden on 8 December 2006.

### **Time to act**

It is possibly simpler to donate money via assistance to children's homes for vulnerable girls in the developing world than to dare to see where Sweden's primary responsibility lies within global trafficking of children for sexual purposes. If Sweden wishes to retain its reputation of being the 'best in class' as regards child rights issues and its claim to the Committee on the Rights of the Child that Sweden lives up to the Convention on the Rights of the Child with its Optional Protocol on sale of children, Sweden must act immediately against child sex tourism and assume responsibility for sex offences committed by Swedes abroad. To systematically tolerate sexual exploitation by Swedes of children abroad constitutes an indirect approval of this criminality and is a violation of our international commitments regarding the rights of the child. The Swedish Government must open its eyes and accept responsibility for the rights of foreign children through not preserving the exemption from criminal liability that prevails for the sex offences and exploitation of children abroad committed by Swedes.

ECPAT Sweden only knows of a few legal cases of child sex tourism to date, although some 46 years have elapsed since the introduction of extraterritorial legislation which facilitates the prosecution of Swedes for sex offences committed abroad. Nor is there any other actor within Swedish society that has proposed any other figure. Set against this background, ECPAT Sweden commissioned Stockholm University to investigate this issue in more detail. There were two main aims. First to see how many reports of sexual exploitation in conjunction with travel were made in Sweden, and how many such reports resulted in prosecution and thereafter conviction. The results were to confirm or change ECPAT Sweden's awareness of the application of the extraterritorial legislation as regards this kind of offence. If the results revealed few reports and convictions in accordance with ECPAT Sweden's hypothesis, the second aim was to investigate in more detail the underlying reasons in order to be able to draw conclusions with the objective of making proposals for improvements.

You now hold in your hands the first research report ever (in Sweden) of its kind in this area. It demonstrates many inadequacies and illustrates what needs to be rectified immediately in order to protect the rights of the child, even beyond the borders of Sweden. It consequently offers a unique opportunity to rectify a horrible crime against children in the world.

Stockholm, October 2008

Helena Karlén  
Secretary-General  
ECPAT Sweden

**STOCKHOLM UNIVERSITY**  
**Department of Law**

**Preliminary report from the project  
'The legal processing of abuse of women and  
children' (2005-2008)**

# **SEX OFFENCES ABROAD**

**with a Swedish link**

**by Christian Diesen and Eva Diesen**

**October 2008**

# Contents

1. Introduction
2. Points of departure, method and material
3. Legal preconditions and reasons for reports in Sweden
4. Offences against adults
5. Offences against children
  - 5.1. Rape of children
  - 5.2. Other offences
  - 5.3. Child sex tourism in particular
6. Prosecution
7. What do Swedish police authorities do in the event of a report of a sex offence abroad?
8. Closing comments

Appendix: Schedule of cases

Afterword: Action to enhance the efficiency of work to combat child sex tourism

# 1. Introduction

This report has been produced within the project *The legal processing of abuse of women and children*, run by Stockholm University during 2005 to 2008 and funded by the Crime Victim Compensation and Support Authority. The aim of the project – which is multidisciplinary yet has an emphasis on law – is to survey the quality of crime investigations relating to sexual abuse and violence within the family. The analyses conducted by this project have focused primarily on the ‘filtering process’, that is to say, the examination of why so few matters reported within the area of abuse result in prosecution and convictions and why so many matters are discontinued. One component of the project work includes the evaluation of the 2005 Sex Offences Act<sup>2</sup> and another part involves participation in a comparative EU project (with 10 other countries) regarding rape and rape investigations (where 100 cases from each country are compared in order to identify differences in the propensity to make reports and the handling of the procedure). The Swedish project involved very extensive compilation of material and the documentation for the analyses include more than 10,000 preliminary investigations and over 1,000 judgments. The results of the project are presented in the form of different reports. One such report, relating to the differences between various police districts in the county of Stockholm and prepared by Eva Diesen was published in August 2008; the report from the EU project ‘Mapping attrition in rape cases across Europe’ is planned to be presented in Brussels in April 2009. At this juncture it is planned to also release a final report from the case analyses in Sweden (preliminary title ‘Abuse of women and children’), by Christian Diesen and Eva Diesen. In the behavioural science part of the project, which is being led by Associate Professor Frank Lindblad and where also Associate Professor Torun Lindholm is involved, a number of articles for international journals are planned. Moreover the project will result in two doctoral dissertations, one in law about children as evidential material (Katrin Lainpelto, Stockholm University) and one in public health science regarding violence against women in close relationships (Maria Scheffer Lindgren, Karlstad University). Furthermore, some 30 degree projects on the law programme at Stockholm University have emanated from the project.

On the initiative of ECPAT Sweden, the case material and analysis work of the project have been extended to include *sex offences committed abroad*. Although it has for many years been possible to prosecute individuals for offences committed outside Sweden, it is extremely seldom that this occurs. For instance, as regards child sex tourism, that is to say rape/sexual exploitation of children, ECPAT is only aware of a couple of cases prosecuted over the years. At the same time one can discern from criminal statistics that there are at least 100 cases reported per year to the Swedish police of sex offences that have occurred outside the borders of Sweden. The questions thus arise: What kind of offences are these? What proportion relates to sexual abuse of children? And why are there never – or extremely seldom – any prosecutions as regards this criminality?

No one has investigated this before as far as we know. *Thus we present here for the first time an analysis of sex crimes committed abroad against or by persons resident in Sweden.*

---

<sup>2</sup> The authors of this report have also participated in the work with Madeleine Leijonhufvud’s proposal for a new Rape Act: ‘The Consent Commission – legal protection of sexual integrity’, which was published in September 2008.



## 2. Points of departure, method and material

With the aim of finding an answer to the question of how many matters involving sex offences abroad are reported, lead to a preliminary investigation, prosecution and conviction, register extracts were obtained from the National Council for Crime Prevention (BRÅ) for the years 2004 to 2007 covering reports throughout Sweden for the offences referred to in Chapter 6 of the Swedish Penal Code (BrB) (that is to say rape, sexual exploitation, sexual molestation, purchase of sexual services, procurement, etc.) and also for trafficking for sexual purposes and also child pornography offences. This resulted in a list of some 400 reports. Thereafter the matters were requisitioned from Swedish police districts, sorted according to specific criteria, compiled and analysed.

It should be mentioned that the scope of the material that was obtained has varied: In some districts (among others in several Stockholm districts), we have had access to the entire file or received copies of the entire preliminary investigation, while in other cases this only involved a RAR extract<sup>3</sup> with, among other things, the report and first questioning with the aggrieved party. In some districts the name and age of the aggrieved party are withheld, but this has not had any impact on the statistics as we were able to at least see whether the victim was under or over the age of 15. In those cases where the investigation of the offence appeared to be particularly pertinent (primarily when it involved the exploitation of a foreign child), the initially limited material was supplemented through a subsequent order of the remaining parts. In quite a few matters, we have also had contact with the investigating police officer and/or public prosecutor.

It transpired upon an inventory that some matters were duplicate reports and that rather many were incorrectly coded (and by mistake had been designated as offences abroad although they had been committed in Sweden<sup>4</sup> or had been coded as sex offences by mistake), which means that the final figure for the number of reports of sex offences abroad between 2004 and 2007 was only 322 *matters*. These were distributed between the years of the study as follows:

*Table 1: Police reports of sex offences abroad broken down by year*

	<b>Number of matters</b>
<b>2004</b>	<b>60</b>
<b>2005</b>	<b>89</b>
<b>2006</b>	<b>77</b>
<b>2007</b>	<b>96</b>
<b>Total</b>	<b>322</b>

---

<sup>3</sup> A Swedish acronym for 'rational reporting routine', that is to say the police's data register for case management.

<sup>4</sup> Conversely one could assume that an equally large number of offences have been improperly coded as national offences although they were committed abroad, but this is probably – according to our experience – less often the case. However, one reservation must be made for offences committed via the Internet, which most police officers should register as offences abroad, but where it may be the case that they are instead coded as national offences. There may also be matters where access is restricted, mainly with the National Criminal Police, which were not available to us.

From these figures it can be seen that this number is rather constant across the period and that one would need to have a longer period of time in order to be able to express a view on trends. On purely general grounds it may be assumed that the increase is significant when looking further back in time, but then the increase would mainly relate to increased travelling<sup>5</sup> by Swedes and to immigration (first in the form of reports of what has happened before someone arrived in Sweden and second in the form of offences suffered upon on return). No trends as regards the development of sex offences in this area can be discerned from this material, even if it is possible to see a clear increase between 2004 and 2005. As there was a reduction in the following year, it is not possible to draw any conclusions, for example that the amendment of the Sex Offences Act (where among other things 'rape of children' became a new charge) had an impact on the frequency of reports (even if this, precisely as in the case of national offences, would probably explain the increase in 2005).

It is also possible to observe that the lack of cases relating to human trafficking for sexual purposes – there were only nine such matters although we know that there are significantly more cases reported<sup>6</sup> – shows that such reports are normally coded as offences committed in Sweden. The reason for this is that such offences normally come to light in the form of procurement that takes place in Sweden. The offence is therefore coded when the report is made as a national offence. The fact that it is eventually discovered that the criminality was initiated in another country does not result in any reclassification.<sup>7</sup> However, it appears to be the case that if anyone has committed several sex offences against a member of the family and some of these offences have occurred abroad, for example during a holiday abroad, this offence is registered separately (that is, as an offence committed abroad).

As regards *geographical distribution* in Sweden, the metropolitan areas of Stockholm and Gothenburg clearly represent more reports than other districts of Sweden in absolute and relative terms (152 and 46 matters respectively), corresponding to about 60% of all matters. One explanation may be a greater number of immigrants in the population (for instance as regards offences in the home country before displacement/move or upon return), but a clearer cause is that travel abroad often commences from the metropolitan areas (not least in the form of ferry traffic) and that the report is made upon return to these destinations. It is therefore surprising that there are so few reports in Skåne (total 13). Cross-border movement is also a primary explanation of, for example, the Värmland and Dalarna counties (with cases in Norway) having more matters than for instance the Kalmar or Västerbotten counties.<sup>8</sup> The only district that otherwise distinguishes itself, by having more cases than other counties of corresponding size, is Uppsala (with 18 matters). As regards the *place of the offence* the Nordic countries are the most common location. Thereafter, there are the usual tourist destinations and then the home countries of refugees.

---

<sup>5</sup> Nowadays Swedes undertake about 12 million journeys abroad per year.

<sup>6</sup> The six cases where the suspicion remained after some investigation are referred to in Part 4. A total of 21 reports were received and there were two prosecutions in 2004, 29 (no prosecution) in 2005, 44 (7) in 2006 and 37 (11) in 2007. Only the latter detail includes (after a statutory amendment) only human trafficking for sexual purposes. See also reference to the international public prosecution offices in Part 7.

<sup>7</sup> As will be shown later (see among other things Part 8), this is a correct legal-practical point of departure, as Sweden then assumes responsibility for investigating the matter, but as regards the statistical impact it would be useful if such 'mixed' cases were reported as foreign offences.

<sup>8</sup> For schedule of matters, see Appendix I.

**Table 2: Geographical distribution of reported sex offences abroad**

The category Asia also includes Turkey and Australia. Russia is however included as belonging to Europe.

**The Nordic countries besides Sweden 103**

<b>Rest of Europe</b>	<b>126</b>
<b>Africa</b>	<b>10</b>
<b>Asia</b>	<b>57</b>
<b>America</b>	<b>16</b>
<b>Unknown</b>	<b>10</b>
<b>Total</b>	<b>322</b>

Looking at the places of offences for all cases in the Nordic countries and the rest of the world, the overall picture is as follows: Of 322 matters, 103 (32%) relate to offences committed in the Nordic countries, and 215 (68%) to offences committed outside the Nordic countries.

Looking in more detail at the different groups it can be seen that Finland is most frequent in the Nordic countries, and with 61 matters represents 57% of the Nordic cases and 18% of the total. Among countries outside the Nordic countries it can be observed that rather many were committed in Turkey (24) and in Spain (15). Thailand also appears rather often (11 cases). On the other hand there are few cases from other parts of Eastern Europe, besides Russia, and there are also few cases from North America and North Africa. It can also be observed that there are only a few cases from Japan, China, India and Brazil, and none at all from, for instance, Argentina, Canada or Mexico. Nor are there any reports from, for instance, Cambodia<sup>9</sup> or the Dominican Republic, two countries that during the period were the destination of goal-oriented child sex tourists.

The definition of ‘sex offences committed abroad’ includes both offences committed *by* persons resident in Sweden and offences committed *against* persons who at the time of the report were resident in Sweden. There has not been any further investigation of the relationship of the residence situation, which means that the fact that an offence committed abroad has been *reported* in Sweden has alone been sufficient to satisfy this condition. This means that it is not only persons who are resident here (Swedish nationals, people with residence permits, asylum seekers, and others) who satisfy this condition, but also persons who are temporarily visiting (tourists, persons visiting relatives, and others). The latter category is small, but it can have some importance as regards the possibility of investigation, prosecution and compensation.

The distribution between victims and perpetrators is also very irregular: *in the vast majority of cases the reports relate to people in Sweden who have been the victims of an offence while staying in another country*, for example a Swedish woman having been raped by an unknown man during her holiday trip. In quite a lot of these cases the perpetrator is also resident in

---

<sup>9</sup> However, a case from Cambodia, which is not included in the statistics (as it was dealt with by the National Criminal Police), is nonetheless included in our study, see Section 5.3 (reference) and Part 7.

Sweden; for example when a family has travelled abroad together and a child has during that period abroad been victim of sexual abuse by her or his father or stepfather. Very few criminal reports cite a Swedish person regarding an offence committed abroad against a person who is not resident in Sweden, for example cases of child sex tourism.<sup>10</sup>

A breakdown of victims and perpetrators by their residence in Sweden during the four years of this study provides the following results. By ‘victim’ or ‘perpetrator’ it is meant that only the victim or alternatively only the suspect has a link to Sweden, while ‘victim and perpetrator’ indicates that they are both resident in Sweden:<sup>11</sup>

**Table 3: The personal link of the offence to Sweden**

This table does not include 23 matters of child pornography where the residence of the victim is unknown. The schedule states whether only the victim or the perpetrator – or both – are *resident* in Sweden. In the cases of victims, the perpetrator does not have a link with Swedish, see also Table 7.

	<b>Victim</b>	<b>Victim and perpetrator</b>	<b>Perpetrator</b>	<b>Total</b>
<b>2004</b>	<b>44</b>	<b>19</b>	<b>2</b>	<b>65</b>
<b>2005</b>	<b>52</b>	<b>27</b>	<b>1</b>	<b>80</b>
<b>2006</b>	<b>46</b>	<b>24</b>	<b>0</b>	<b>70</b>
<b>2007</b>	<b>55</b>	<b>27</b>	<b>2</b>	<b>84</b>
<b>Total</b>	<b>197</b>	<b>97</b>	<b>5</b>	<b>299</b>

A more detailed analysis of the proportional relationship between victims and perpetrators and the content of the reports will be provided later (see Parts 4 and 5). It will only be noted here that *of the two-thirds (66%) of the reports made between 2004 and 2007, it is only the victim who has a link with Sweden.* In one-third of the cases, both the victim and perpetrator are resident in Sweden and it is in only 5 (1.5%) of the matters where only the perpetrator is resident in Sweden. Conversely this means conversely that it is very unusual for a Swedish man to be reported for a sex offence that he committed abroad against a foreign person, for example in the form of purchase of sexual services from a minor during a holiday.

It is the category where both the victim and perpetrator are resident in Sweden that is of particular interest as regards the issue of being able to make progress with the investigation. This group includes 96 cases (32%) and it is particularly among these cases that the Swedish police have good opportunities to themselves take action that can advance the investigation.<sup>12</sup> Even if either party is resident in some other Nordic country there are reasonable possibilities to conduct an investigation. Of the reported sex offences abroad, 107 were committed within the Nordic countries; distributed between Finland with 61 cases, Norway with 29, Denmark with 15 and 1 case from Iceland.

<sup>10</sup> See also Section 5.3.

<sup>11</sup> In a number of cases with an unknown perpetrator, it is not known where the perpetrator is resident, but it has then been assumed that the perpetrator is linked to the place of the offence (and not to Sweden).

<sup>12</sup> It is also in these cases where one usually initiates a preliminary investigation, see also Part 7.

The primary interest underlying the present study is particularly to investigate whether Swedish men's exploitation of foreign children is the subject of reports, investigation, and prosecution in Sweden. The answer – which is explained in more detail below, see Parts 4 to 7 – is basically 'no'. There are thus very few cases – only 5 matters – where a man resident in Sweden has been reported for an offence that he is suspected of having committed abroad against a person who is not also resident here. Furthermore, there is, as indicated in the next table, only a small proportion of children in the reports and very few of these relate to child victims who are not resident in Sweden.

*In total, child cases comprise 93 matters, including child pornography, and the distribution between Swedish and foreign children is shown in the following table.*

**Table 4: Distribution between Swedish and foreign children in the reports**

In this table 'child' means persons *aged under 15*. In contrast to Tables 3 and 4, child pornography offences are included in the figures. 'Swedish child' means a person resident in Sweden *when the offence occurred* (which consequently means that children within the category 'foreign child' have been resident here at the time of the report).

	<b>Swedish child</b>	<b>Foreign child</b>	<b>Total no. of children</b>
<b>2004</b>	<b>14</b>	<b>7</b>	<b>21</b>
<b>2005</b>	<b>15</b>	<b>7</b>	<b>22</b>
<b>2006</b>	<b>11</b>	<b>14</b>	<b>25</b>
<b>2007</b>	<b>15</b>	<b>10</b>	<b>25</b>
<b>Total</b>	<b>55</b>	<b>38</b>	<b>93</b>

The proportion of victims aged under 15 in the reports of sex offences abroad between 2004 and 2007 is 29%. It can be noted here that the number of child victims is approximately the same throughout all four years of the study and that most of the cases relate to Swedish children. If one eliminates the total of 23 cases abroad involving child pornography, the distribution is even clearer. In the remaining cases involving foreign children who have been victim of abuse abroad (15 matters), these primarily involve abuse that has come to light after the children (and normally also the family, including the suspected perpetrator) came to Sweden as refugees. *It is only in three cases* (ignoring child pornography offences) *that the offences involved unknown foreign children* at a place abroad.

Conversely, this proportion means that about 71% of the matters relate to victims aged over 15. Offences against this category that still comprises children within the sense of the Convention on the Rights of the Child (CRC), that is to say the age group 15 to 17, amount to 37 cases, which means that the children (according to this definition) amount in total to 130 individuals.<sup>13</sup> In that case *the distribution between children and adults is 40% children (aged under 18) and 60% adults.*

---

<sup>13</sup> See also Parts 4 and 5 on the differences between the various age groups.

As regards *the character and nature of the offences* in the study, they span a very wide range of matters, from offers of child pornography via e-mail and anonymous text messages (SMS) with sexually vulgar content to group rapes of teenagers and repeated sexual abuse of infants over a long period. A schedule of the offences in various categories provides the following results:

**Table 5: Distribution of matters according to offence**

The table includes sexual coercion, attempted rape and sexual exploitation according to the Swedish Penal Code (BrB) before 2005 as rape.

<b>OFFENCE</b>	<b>Adults</b>	<b>Aged 15 to 17</b>	<b>Children aged under 15</b>	<b>Total</b>
<b>Rape/sexual exploitation of a minor</b>	<b>146</b>	<b>28</b>	<b>49</b>	<b>223</b>
<b>Sexual molestation</b>	<b>35</b>	<b>6</b>	<b>17</b>	<b>58</b>
<b>Child pornography offence</b>	<b>-</b>	<b>-</b>	<b>26</b>	<b>26</b>
<b>Other</b>	<b>11</b>	<b>3</b>	<b>1</b>	<b>15</b>
<b>Total</b>	<b>192</b>	<b>37</b>	<b>93</b>	<b>322</b>

The category ‘Other’ includes a number of cases involving human trafficking for sexual purposes (9 cases) and a number of cases (6) with more unusual charges (for example ‘putting a person in a distressful situation’ and ‘assault in the form of genital mutilation’). However, there are no procurement cases in the material. As can be seen here, most of the reports pertain to more serious offences, particularly rape. This is not particularly surprising. As explained in more detail below (see Part 3), it would normally be required that an offence has a certain level of gravity for a sex offence abroad to be reported. A feature that is particularly prominent in the figures shown in the table above is that the reports to such a high level, 223 out of 322, that is 70%, relate to rapes. The reasons for this – for less serious sex offences being reported less often – will be discussed later.

### 3. Legal preconditions and reasons for reports in Sweden

An offence should normally be investigated and prosecuted at the place where the offence was committed. This territorial principle and forum rule basically applies worldwide. As regards Sweden nationally, this means that an offence that was committed in a particular place is investigated by the police in the district to which the place belongs and the matter belongs to the local public prosecution office and the court that has the municipality of the offence in its catchment area. There are a number of exceptions to this main rule: The investigation may be transferred to a police district that is already involved in another investigation against the same person (Chapter 19, Section 1, second paragraph of the Swedish Code of Judicial Procedure – RB.), the accused may in some cases have the opportunity of having the case considered at his/her ‘home court’ (Chapter 19, Section 1, third paragraph, RB), etc.

*As regards offences committed abroad there is also an absolute main rule that the offence must be investigated and prosecuted where the offence was committed, regardless of the nationality or residence of the victim and perpetrator.* If a rape is committed in Turkey it should consequently be prosecuted there, even if both the victim and the perpetrator, or either of them, are resident in Sweden. However, there are a multitude of exceptions, of various kinds, to this rule and regarding different phases of the procedure. When an exemption comes into question and it is thus possible to have an offence committed abroad adjudicated upon in Sweden, it is Swedish criminal law and its sanctions that, subject to some exemptions, are to apply.

If an offence is to be adjudicated upon in another country than where it was committed, functioning international cooperation is required. It must be possible to rely on the foreign police force’s investigation, securing of evidence (for example by taking of evidence at a foreign court) and ensure that any suspect or aggrieved party in the country where the offence was committed is available. If the matter involves the transfer of a suspect to Sweden, this consequently normally involves an issue of extradition (or the application of the European arrest warrant), which is subject to special legal preconditions in the form of convention support and/or (multi- or bilateral) treaties between the countries.

The most extensive cooperation as regards Sweden is *within the Nordic countries*, where according to a cooperation agreement between the public prosecution authorities it is possible to prosecute an offence in Sweden that was committed in another Nordic country, provided the suspect is resident in Sweden and the offence is also punishable in Sweden. If the matter is transferred to Sweden, Swedish criminal law and law of procedure apply. The agreement is not only applicable to Nordic nationals, but may also be used for aliens resident in Sweden who have committed an offence in another Nordic country. This cooperation also applies to the enforcement of penalties within the Nordic countries, which means that if the offence is prosecuted in the country where it occurred and a sanction is imposed by a court in that country, the enforcement (for instance a sentence of imprisonment) may be executed in the country where the person sentenced is resident.

In *Europe* there is a corresponding agreement under the ‘Prosecution Convention’ (European Convention on the Transfer of Proceedings in Criminal Matters), according to which it should be possible to arrange a criminal case trial in the country that, considering all the circumstances, it appears to be most appropriate for the purpose. In such a case there will be a request by the State (which wishes to deal with the matter, probably because the suspect is resident there) to another State (where the offence was committed), for the transfer of proceedings. The Convention also means that a European State can request prosecution in

another State, for example in Sweden, for an offence committed in that country (in cases where the suspect is present there). The alternative, in the latter case, is extradition. In parallel with the Prosecution Convention there is also a Criminal Case Convention and the 'Transfer Convention' (applicable also in the USA and Canada) whereby a sanction imposed in a particular country may, following agreement between the countries, be served in the home country.

As regards the *possibility of prosecuting offences committed outside Sweden*, this is governed by Chapter 2 of the Swedish Penal Code (BrB). First of all the main rule is that the party to be prosecuted should be a Swedish national or be resident in Sweden, but that aliens who are present in Sweden may also be covered if the offence may result in a more stringent sanction than six months' imprisonment. It is normally required for prosecution that the act committed should also be punishable at the place of the offence and that one may not impose a sentence for a more stringent penalty than would have applied there (Chapter 2, Section 1, second and third paragraphs, BrB), but this restriction has not applied since 2005 for sex offences against children (persons aged under 18, Chapter 2, Section 1, fifth paragraph, BrB). If a person has already been prosecuted in the country where the suspected criminal act occurred, a new prosecution of him/her in Sweden is not allowed if he/she has been released or declared guilty without a sanction being imposed (Chapter 2, Section 5 a, BrB), unless the minimum penalty for the offence according to Swedish law is at least four years' imprisonment. A person who for example has been released in the country of the offence for grave rape of a Swede could thus, at least theoretically, be prosecuted once again in Sweden.

Taken overall these provisions mean that if a Swedish woman has been raped in Spain, it is the Spanish police that should investigate the offence. It is a Spanish prosecutor who should prosecute and a Spanish court that should adjudicate. If the woman needs to be present at the trial in order to give her testimony there, she must travel there, unless it is possible to deal with the questioning via link, telephone or taking of evidence via a court in Sweden. If the Spanish perpetrator however were to travel to Sweden it is possible to apprehend, arrest and detain him in order to thereafter bring him before a Swedish court and sentence him according to Swedish law.<sup>14</sup> If, to take a further example, a Swedish man commits sexual abuse of a child in the Philippines, it is the Philippine police, prosecutor and court that should deal with the investigation and prosecution. In the event that the Swedish perpetrator is not deprived of his liberty but is given an opportunity to travel home, the matter will either involve extraditing him back to the Philippines or possibly prosecuting him in Sweden instead. As Sweden does not extradite Swedish nationals,<sup>15</sup> the alternative remaining is prosecution in Sweden. But as Swedish police and prosecutors do not have access to the preliminary investigation, to aggrieved parties and witnesses, the prospects of being able to implement this alternative are at the present time very small. In the event that it were possible to secure evidence, for example through a confession or questioning of the aggrieved party by video (or questioning at the court in the Philippines), prosecution would be possible in a practicable sense, but this would require close and extensive cooperation at an international level.

In the only case involving child sex tourism that attracted media publicity in Sweden, the case of the '66-year-old' in Thailand in 1993, it was NGOs that ensured the attendance of the 14-year-old aggrieved party at the trial in Sweden. It was possible with the statements made by the boy, as the main evidence, to sentence the man to three months' imprisonment (1995).<sup>16</sup>

---

<sup>14</sup> Though not to a more severe penalty than applies for the offence in Spain.

<sup>15</sup> Act on Extradition of Offenders (1957:668).

<sup>16</sup> Stockholm City Court B 2553-93.



Consequently, as the absolute main rule is that an offence should be reported and investigated in the country where it was committed and as there is no mandatory link to the Swedish Ministry for Foreign Affairs (UD) (nor any statistics regarding the contacts that are made between apprehended/attacked Swedes and the UD), we do not know the extent to which people who are resident in Sweden are victims of or commit offences abroad. But this also means that offences committed abroad that are reported in Sweden probably only comprise a small proportion of the total number of crimes reported. However, there is no information about how many of these also reported the offence committed abroad, with a Swedish perpetrator or a Swedish victim, as other countries do not have any reporting obligation (or reporting routine) to Sweden.<sup>17</sup>

Furthermore, it may be assumed that the hidden statistics, that is to say the proportion of offences that are never reported, are substantial. For national criminality alone the hidden statistics for the more grave sex offences, such as for instance rape, are about 80% to 90%<sup>18</sup> and there is good reason – among other things suspicion that the local police and the short time of the stay – to assume that the propensity to report is much lower if the offence occurs abroad.

The question is why a report is made at all in Sweden, except in quite clear and exceptional cases. One could possibly consider that such reports are limited to cases where the perpetrator is present in Sweden (normally resident in Sweden) and that there is the concrete opportunity of apprehending and prosecuting him, which was decisive for making the report. This is also the case in about one-third (32%) of the reports made between 2004 and 2007.

**Table 6: Suspected perpetrators by residence**

	<b>Residence in Sweden</b>	<b>Residence abroad</b>	<b>Total</b>
<b>2004</b>	<b>21</b>	<b>49</b>	<b>60</b>
<b>2005</b>	<b>29</b>	<b>60</b>	<b>89</b>
<b>2006</b>	<b>23</b>	<b>54</b>	<b>77</b>
<b>2007</b>	<b>35</b>	<b>61</b>	<b>96</b>
<b>Total</b>	<b>108</b>	<b>214</b>	<b>322</b>

As indicated by the figures, a very large proportion (66%) of the reports relate to suspected perpetrators who were not present in Sweden but who probably remained where the crime occurred. In many cases this involved unknown and unidentified persons. In many cases a police report was also been made in the country of the offence (which thus means that the report is made twice). It is only in 108 cases where the Swedish police have had a realistic opportunity of investigating the suspected crime. The question one should thus ask is why the offence was reported in Sweden.

As far as can be discerned from the documents in a large number of matters (but far from all), the reasons for reporting it in Sweden, despite a report having been made or ought to have been made at the place of the offence, are the following:

<sup>17</sup> See also Part 7 (under UD).

<sup>18</sup> National Council for Crime Prevention (BRÅ Report 2008:13).

- a) In quite a number of cases the aggrieved party was *urged* by the local police to also report the offence upon return to their home country. Why this instruction was given is unclear, but one might consider that this is done to verify the seriousness of the report, or to establish official contact with the Swedish police during the ongoing investigation, possibly in the hope that the investigation will be taken over by Swedish authorities, or that the local police sought to alleviate the anxiety of the aggrieved party (or expectations) by giving the impression that there is international cooperation in the matter.
- b) In other cases it is the aggrieved party or a custodian of the child victim who wished to *pursue the matter*. One had not heard anything from the police or prosecutor at the place of the offence, did not get information about the investigation, did not know whether anyone was suspected or apprehended and wanted the Swedish authorities to become involved in the case. A further reason for these reports may be that there is some suspicion of the willingness or capacity of the local police to solve the case and that the aggrieved party believes and hopes that pressure from Sweden will influence the local investigators (or that the contacts will at least provide information about what is happening in the matter).
- c) A more important reason for making a report in Sweden (apart from a crime victim wishing to reinforce a report already made abroad) is that one has been *treated poorly by foreign police officers*. This applies particularly to the tourist areas in the Mediterranean and in South East Asia and primarily in the case of rape reports. Swedish police officers are often accused of having a certain doubting attitude towards women who report rapes. This ordinarily involves rapes without any visible injuries that are reported late and such doubt is often manifested in the form of a pronounced pessimism as regards the opportunity of proving any abuse. Among local police at a holiday resort abroad, rape victims must endure having to make their statements to male police officers, who openly state that she has herself to blame and clearly pointing out that nothing will be done to look for any suspect. The only interesting issue appears to be to get it confirmed that the woman was drunk. Here one should be fully aware that these reports often deal with assault and group rapes.

It happens at these places that a raped woman is compelled to stand in open premises, at a reception desk, and make her statement among other visitors at the police station and in front of a group of smoking and coffee-drinking police officers, who openly mock her statement and just as openly declare that she should have realised that she could have been raped if she was drunk or scantily dressed.

In several cases the police have quite simply refused to receive a report. Whether this involves a repulsion of the victims, for instance that one despises raped women, or whether there is a hesitation in 'making the offence official', that it may for instance blemish the reputation of the area, is difficult to know, but there is often a negative attitude towards the persons making a report.

A young woman who was raped in Spain tried to make a report at a police station, but was refused the opportunity of doing so. However, she did not give in and went to another police station where it transpired that they were willing to prepare a report and commence some investigation.

- d) A further reason for reports being made in Sweden may be that the aggrieved party has the opportunity (or believes that they have the opportunity) of obtaining *insurance compensation* (from, for instance, home or travel insurance). Preconditions for being able to obtain, for instance, compensation for assault is that a police report was made – and if such a report has not been made at the place of the offence abroad, the report must be made in Sweden.

The possibility of getting compensation for assaults committed abroad is obviously limited if a report was made at the place of the offence, as the Swedish police are seldom able to investigate the case (or even conclude that an offence has been committed). In some cases in our study women who were raped abroad were transported home at the expense of the insurance company and then upon their arrival home were examined at a rape clinic (in those cases a police report was also made at the place of the offence).

It is also possible for victims of crime abroad of getting *crime victim compensation* for personal injury and violation from the Crime Victim Compensation and Support Authority. One precondition is that the aggrieved party is resident in Sweden and that it may be deemed reasonable that the injury is compensated from Swedish public funds.<sup>19</sup> This is not considered to be the case if the offence and the injured party only have a weak link to Sweden.<sup>20</sup> A further precondition is that the injury cannot be paid by the perpetrator or through insurance. However, the above-mentioned condition means that a crime victim can get compensation even if no one has even been apprehended for the offence but instead remains unknown. In such cases it is the Crime Victim Compensation and Support Authority that considers whether an (indemnifiable) offence can be deemed to have occurred, which should normally presuppose that there was a crime investigation in the country where the crime was committed. Such an investigation can of course be initiated as a consequence of a Swedish police report, but in practice this is probably very unusual outside the Nordic countries.<sup>21</sup>

- e) In a large number of the cases it is not reasonable to achieve a meaningful police investigation and even less a realistic expectation that anyone will be sentenced for the crime underlying the report – one makes a report *for one's own sake* and in order to make the abuse a matter of public record (or at least a figure in the statistics). These cases primarily involve adult women who after a short or long period of time – sometimes after 10, 20 or 30 years – report that they, somewhere in the world, were victims of sexual abuse during their childhood or raped when young. The psychological background is not discussed further here, but this phenomenon shows the deep scars left by sexual abuse: Sooner or later in life many feel that they need to recognise, for themselves and others, what they were really subjected to and also that it has influenced them throughout their lives. The report is an important manifestation, even if it is too late to initiate a crime investigation, for practical reasons or owing to time bars.
- f) In the vast majority of cases, about 90% of the matters contained in the material, the aggrieved party him or herself (or the child's custodian) is the person who makes the report. In the remaining 10% of cases, the matter was initiated by *a report from a third*

---

<sup>19</sup>Since 2005 there has also been European crime victim compensation within the EU, whereby a compensation issue is then transferred to the corresponding authority in the country where the offence was committed and any compensation will be paid by that country. However, an application is made to the Swedish Crime Victim Compensation and Support Authority, Criminal Injuries Compensation Act, Sections 18 to 19.

<sup>20</sup>Criminal Injuries Compensation Act, Section 1. Regarding the practice of the Swedish Crime Victim Compensation and Support Authority it may be mentioned that victims of trafficking have also been awarded compensation (of between 75,000 and 125,000 kronor).

<sup>21</sup> See also Part 7.

*party*, normally an official or a relative/acquaintance of the victim.<sup>22</sup> As regards sexual abuse of children, it is primarily the social authorities that lie behind the report and normally this involves cases in connection with a social welfare investigation (regarding Care of Young Persons (Special Provisions) Act (LVU), placement at a foster home, custody disputes or the like) where details have emerged that give cause to suspect that the child was sexually exploited (normally by parents, step-parents or a relative) in the child's home country before his or her arrival in Sweden. As regards rapes of adults, outsiders' reports are not frequent, but when this does happen it is usually the parents or female friends of the victim that make the report. The common pattern of these reports made by someone other than the aggrieved parties themselves is that the offence was never reported when it was committed, that is to say at the place of the offence abroad, but only came to light or were disclosed in Sweden. It is then the natural course that the report is made in Sweden, not in the country where the offence occurred.

- g) Some twenty reports to the police districts were received through *transfer from a foreign policy authority*. When such a transfer takes place, for example under the Nordic prosecutor cooperation, a report is drawn up in Sweden after the file with the foreign report and the investigation commenced by the local police has been forwarded. Almost all of the matters transferred during the period come from Finland (and almost half of these from Åland). A characteristic feature of these matters is that they almost exclusively involve sex offences against adults on a ferry to Finland. The reason for the transfer may be that the offence could have been committed in Sweden (that is to say in Swedish waters), but the main reason is that both perpetrator and victim are resident in Sweden and it consequently being most practical to pursue the investigation here (even if the offence was committed in Finland). It should also be stated regarding these transfers that they deal with preliminary investigations commenced with a person subject to a reasonable suspicion (sometimes apprehended, arrested or detained) and that the investigation transferred often contains questioning of parties as well as witnesses and records of technical investigations/medical examinations (rape-kit examinations, blood samples, etc.). Apparently cases of vague reports or unknown perpetrators are not transferred. It is also this category of reports of sex offences abroad that *usually result in prosecution*.

*Summary:* Each year the Swedish police receive few hundred of reports of sex offences committed abroad. The majority of the offences reported cannot be investigated in Sweden as the crime scene is located in a foreign country and either the perpetrator or the victim is present abroad. Exemptions involve suspicion of abuse where both the perpetrator and victim are resident in Sweden. This is the case in about one-third of the matters, see Table 3 above. In order to proceed to prosecution in such cases, for example as regard abuse of children within a family or rape within a marriage, it is normally required to have a confession or good supporting evidence. Such supporting evidence may be difficult to establish when the offence was committed abroad and this means in practice that *in the majority of cases reported a Swedish police and prosecutors need the assistance of colleagues at the place of the offence abroad in order to be able to investigate and for any prosecution*.

There are instruments and good tools available for this cooperation, at least within Europe, but the question is whether and how they are utilised. We will revert to this

---

<sup>22</sup> In a few cases it is an acquaintance of the perpetrator that makes the report.

question (in Part 7) where the statistics on prosecution have been analysed (Part 6). However, we should first provide a more detailed picture of the criminality reported, both as regards offences against adults (Part 4) and as regards offences against children (Part 5).

## 4. Offences against adults

Sex offences against adults<sup>23</sup> committed abroad mainly comprise two offences, namely sexual molestation and rape. Some of the rape cases are attempts. Furthermore, there are some cases of sexual coercion. Besides these there are some reports of cases of human trafficking but, as mentioned previously, these offences are normally categorised as offences committed in Sweden (and are therefore not included, except in exceptional cases, in our material).

*Rape and attempted rape* are the most common offences against persons aged over 15 and comprise 174 cases, of which 54% of the total 229 matters involve victims aged 15 and above. In four of these matters men were raped by men, in the remainder of the cases women were raped by men. The age of the victims varies between 15 and 95 years<sup>24</sup> but the median age is as low as 20 years. In most cases the rape is linked to a holiday trip abroad and the perpetrator is unknown,<sup>25</sup> but there are also rather many rapes within a relationship.

**Table 8: The relation between known and unknown perpetrators in the case of rape of persons aged over 15 abroad**

	<b>Known</b>	<b>Unknown</b>	<b>Total</b>
<b>Nordic countries</b>	<b>18</b>	<b>28</b>	<b>46</b>
<b>Other</b>	<b>49</b>	<b>79</b>	<b>128</b>
<b>Total</b>	<b>67</b>	<b>107</b>	<b>174</b>

It can be discerned from the above table, as one might expect, that rape by an unknown person is more common than rape by a perpetrator known by name. This proportion is approximately the same both within and outside the Nordic countries. When the perpetrator is known, this either involves a person with whom a woman has or has had a relationship or someone in her circle of acquaintances. In a few cases it involves relatives. When the perpetrator is unknown this involves ‘date rape’ in some cases, but in the vast majority of cases, particularly outside the Nordic countries, they involve *rape attacks*. It should also be mentioned about these rapes that they assume a disproportionately large share of the reports. Among rapes reported in Sweden, about 10% to 13% are attacks<sup>26</sup> – here the proportion exceeds 40%. This high proportion suggests, first, that the hidden statistics for rapes abroad are larger than for rapes in Sweden. More drastically expressed, ‘rape attacks’ are what Swedish women report (unless the rape did not occur within a relationship that has a

---

<sup>23</sup> In this Part adults are defined as people aged over 15.

<sup>24</sup> Among the reports there is a case where a 95-year-old woman was subjected to attempted rape during a holiday in Rhodes.

<sup>25</sup> Unknown means in this context that the aggrieved party when making the report does not know the name of the perpetrator.

<sup>26</sup> BRÅ 2008:13 p. 53, the proportion has reduced in recent years.

Swedish link). Moreover, in the category of rape attacks there is a significant proportion of *group rapes*, a proportion that is greater than for rape criminality reported in Sweden.<sup>27</sup>

However, as regards date rape and pick-up rape (and the relative absence of such cases in our study) it may be assumed that the women themselves do not consider that there is any point in reporting (perhaps because they consider that they have themselves to blame or in any event that the police will consider that the prospects of conducting an investigation are probably small). In the second instance the high proportion of attacks suggest that there is a significant risk of young girls being attacked and raped when they are alone (and intoxicated) in a holiday resort. *A typical rape attack in the material occurs outside a discotheque or a bar, on the beach at night, and the woman is young, alone and intoxicated.* The perpetrator's description is often so vague that no real search is undertaken; it is only in exceptional cases that the police find the rapist. But so much can nonetheless be said about the question of his identity that it is actually rare that an effort should be made to find him among the local population; most perpetrators also appear to be tourists or temporary workers at a holiday resort (which also means that the perpetrator may be Swedish). The most dangerous holiday resorts as regards the risk of rape appear, from our material, to be Sunny Beach (Bulgaria), Antalya (Turkey) and Crete and Cos (Greece), but the prominence of these resorts in the statistics is quite simply linked to there being extensive Swedish teenage tourism going to these places.

If one examines the rape cases involving *perpetrators with whom the woman has recently met*, the ferries to Finland are the most common crime scenes. In the material there are 46 ferry-related rapes, comprising 26% of all rape cases (with victims aged over 15), and most of these involve cruises to Åland. The boat which occurs most frequently is MS Cinderella. If one adds to this some 10 cases of sexual molestation reported occurring on the ferries to Finland, one can without a doubt draw the conclusion that *these cruises represent a real risk environment for young women.*

If one considers the reported *rapes that occurred within a relationship* (or with a perpetrator who is an acquaintance), there are also certain patterns. One such pattern is that certain relationships had broken up during the holiday and resulted in a rape by the man. In several cases there were rapes when Swedish women travelled with their children in order to be able to meet their father in his home country. Another pattern (although to a more limited extent) is that some young girls were raped when they travelled abroad at the invitation of a man whom they met on the Internet (or in some other context without having a previous sexual contact).

Finally it should be noted that the rape material contains four cases involving people with mental development disabilities aged over 15, cases which should be designated as *sexual exploitation* according to Swedish criminal law. In two of these cases this involved a perpetrator having been entrusted with a protective role for the person with a mental development disability (special representative and carer respectively) and who grossly abused their position of trust during a holiday together.

The fact that the less serious offence of *sexual molestation* occurs so often in the reports (41 cases in the age category persons aged over 15) may appear to be rather surprising. As it may on good grounds be assumed that very few sexual molestations are reported to the police when both parties were intoxicated and particularly when this has occurred 'abroad',

---

<sup>27</sup> The term 'group rapes' also includes other cases with multiple perpetrators, for instance when several men exploit a very drunk girl at a party. However, there are no such cases included in our material. In 2006, group rapes in relation to total reported rapes (both national and foreign) amounted to about 18% (BRÅ Report 2008:13 p.55), but was somewhat higher in the foreign section.

it appears somewhat remarkable that there are so many reports (18) from the ferries to Finland. The explanation is probably that it is possible to go to the police/security staff onboard the ferry (and then complete a police report) and that some people then do so. These reports would probably be fewer if the police report had to be made at a police station following their return home. In a corresponding way it is hardly likely that a Swedish woman will make a report to the local police in a holiday resort if it only involves sexual molestation (and not attempted rape)<sup>28</sup> – and equally unlikely that she would do so on her return (particularly if the perpetrator is not Swedish). To the extent that such a report is nonetheless made, this normally involves the woman having been robbed and the perpetrator in conjunction with this robbery also having groped her.<sup>29</sup> For a report to be made in other cases when they involve groping, it is probably required that the action was considered to represent a serious violation.

This was for instance the case of the 24-year-old woman, on the way to Turkey on holiday, who owing to her very strong fear of flying was invited to sit in the cockpit. The pilot then took the opportunity of touching her breasts and the rest of her body while the second pilot sat and grinned while steering the plane.

A great deal of these reports of sexual molestation relate to verbal molestation that occurred via letter, e-mail, text message or telephone. These involve men, often anonymous (but sometimes former partners), who contact a Swedish woman from abroad while making gross sexual proposals or harassing her with sexual words of abuse.

The offences reported against adults that do not involve rape (or attempt), sexual coercion or sexual molestation have a link to *sex industry*. In some cases they involve women who have been recruited, abducted or sold to serve as sex slaves in another country (other than Sweden).<sup>30</sup> The reason for the offences being reported in Sweden is quite simply that the woman has now come here, as a refugee or as a tourist, and decided to reveal her background. In some cases the Swedish Migration Board made the report after the circumstances were revealed during an asylum investigation, in other cases the woman herself wanted to try to in this way seek vengeance on her pimp or her traffickers. And in one case (in Gothenburg) the matter was initiated as a procurement investigation, but when the suspicions were extended to include human trafficking a separate preliminary investigation was initiated (which is unusual) regarding the matter.

Therefore even if the information base is far from comprehensive for the criminality in question (but consequently only includes those cases coded as foreign offences), there is cause to briefly refer to these *cases of human trafficking for sexual purposes*:<sup>31</sup>

The first case relates to human trafficking for sexual purposes and is from Gothenburg in 2005, where a 22-year-old woman from Kosovo was found to be the victim of trafficking. The case resulted in prosecution and convictions against three Albanian leaders for human trafficking, procurement and rape. One of the men was a carrier and the other two pimps in Sweden. Furthermore, three Swedish men were sentenced for purchasing sexual services

---

<sup>28</sup> An illustration of this fact is that there was only one individual case of flashing contained in the entire study material (otherwise reports made against flashers constitute a rather large proportion of the reports for sexual molestation).

<sup>29</sup> As previously mentioned a police report is often a precondition for insurance compensation, see Part 3.

<sup>30</sup> If the prostitution occurred in Sweden, it is considered that the human trafficking/procurement is not an offence committed abroad, see Part 2 above.

<sup>31</sup> In two of the eight cases of human trafficking reported no sexual purpose could be shown.



from the woman.<sup>32</sup> In that respect the offences were coded as national offences, but during the investigation it transpired that two other men from Kosovo had also kept the woman incarcerated in an apartment in Pristina and compelled her to sell sexual services there before she was transported to Sweden. These two men, who it is assumed remained in Kosovo, were arrested in their absence for kidnapping and human trafficking. By taking this step the men were at least prevented from coming to Sweden, but it was considered that there was no prospect of having them extradited and the preliminary investigation was subsequently discontinued as regards the ‘Kosovo side’.<sup>33</sup>

The other case relates to a 19-year-old woman from an African country who reported that she had been compelled by a fellow countryman to go to London when she was 14 to sell sex and that it was only through a trip to Sweden that she could leave this operation. However, the pimp was named and the matter transferred to the International Public Prosecution Office, which, however, discontinued the investigation without further action. This appears to have been taken lightly considering that it should be possible to establish functional cooperation with the English police.

The third case relates to a woman from Armenia, who was compelled by her former husband to recruit young women for the sex industry in Moscow. The matter was also in this case transferred to the International Public Prosecution Office, which discontinued the matter after about two months on the reasons that “the investigation measures that had been implemented had not resulted in someone being reasonably suspected of an offence”. This reason appears strange. The man was actually known and the details from the aggrieved party (from several long questionings) are so concrete that they reasonably should be sufficient for reasonable suspicion. It subsequently transpired that as the man was still in Russia it was considered by the Swedish authorities that there was no possibility of advancing the investigation further.

The fourth case involves a 25-year-old woman, who was sold in Somalia by her parents to a man in his thirties, who took her to Hungary and compelled her to sell sexual services there. After one year she succeeded in fleeing to Sweden. It was considered that there was no possibility of investigating the case from Sweden.

The fifth case relates to a 22-year-old woman from Ulan Bator, Mongolia, who in conjunction with an asylum investigation explained that she had been taken to Sweden to sell sex but never started up with this, but ended up in a refugee facility in Norrland. The persons behind this arrangement – there was vague information about a group of Chinese people in Stockholm – were never established during the police investigation, which was discontinued after two months.

The sixth case relates to a 27-year-old woman from Albania who was found to be selling sexual services on the notorious Malmkillnadsgatan in Stockholm. She was picked up in order to check whether she had a residence permit, whereupon she explained that she had been invited to Sweden by an Albanian man who had taken her passport and compelled her

---

<sup>32</sup> Case B 2557-05, Court of Appeal for Western Sweden.

<sup>33</sup> The prosecutor in this case was Thomas Ahlstrand, known from a later trafficking case (with Russia as the base country, case B 3065-07 in the Court of Appeal for Western Sweden), having in this case sought imprisonment of sex purchasers and in two of these cases having got conditional sentences and high fines (that is to say a sanction that is more severe than normal) as the purchasers had exploited a woman who was obviously the victim of human trafficking.

to sell sex on the street. However, the suspected pimp could not be identified or traced and the identity of the aggrieved party is also unclear. The woman was kept in custody by the Swedish Migration Board for a couple of days pending an investigation into human trafficking for sexual purposes, but was released by them, whereupon the police once again found her on Malmkillnadsgatan. She then withdrew the allegations of a pimp and the matter was discontinued.

One case of a rather different nature, where in the course of the investigation there were actually no concrete findings leading to a suspicion of sexual exploitation, but where the circumstances nonetheless are insidious (and the investigation was made under the charge 'human trafficking'), relates to a married couple in central Sweden (Swedish man and Thai woman), who adopted a girl from Thailand. When the girl attained the age of 17 the family travelled to Thailand and returned her to her biological parents. A report was then made when the daughter did not return to her upper secondary school after the Christmas holiday and the staff at the school contacted the police as it was considered that the father's information about the girl having voluntarily remained in Thailand was strange. After having contact with the girl by telephone it transpired that she had been left against her will, but that her cousin (adopted by the mother's sister and Swedish husband) had encountered the same fate. In time the girls were returned to Sweden, the social welfare services were brought in and the police investigations were discontinued with reference to the Chapter 23, Section 4 a of the Code of Judicial Procedure, that is to say that the resources were not available to investigate this offence. As such a reason is based on the precondition that "it may be assumed that the offence in the event of prosecution would not result in any more severe sentence than fines" (or waiver of prosecution), this decision appears to be highly doubtful.

## 5. Offences against children

Of the 322 matters in our study, 93 (29%) relate to crimes against children aged under 15. In many cases this involves, precisely as in the corresponding national matters, repeated abuse over a long period. A feature that is also typical for grave sex offences against children within a relationship is that they normally come to light and are reported retrospectively (when the abuses have ceased, normally through the child being separated from the perpetrator). A further 27 matters (or 11% of the total material) refer to children aged between 15 and 17 and in this category the cases primarily involve individual rapes.

### 5.1. Rape of children

Even if we generally proceed on the basis of the definition of ‘child’ according to the Convention on the Rights of the Child (under the age of 18), there is upon analysis of the rape offence nonetheless reason to differentiate between children over and under the age of 15. The teenage group mostly involves sexual abuse by persons who are unknown or recent acquaintances, while the child group primarily involves sexual abuse committed by closely related persons.

Of the total of 130 cases involving offences against minors, 37 of the cases related to *people aged between 15 and 17 years* (involving a total of 42 children). Almost all cases (28 of 37) involve rape.<sup>34</sup> Thirteen of these rapes are *rape attacks*, committed by unknown men during holiday trips. Here the pattern is the same as for young women (18 to 25 years) and in many cases it involved the exploitation of a helpless condition owing to intoxication. Three of the cases occurred on a ferry between Sweden and another Nordic country while the other matters relate to attacks by unknown men during a holiday (in countries such as England, Spain, Greece, Thailand and the Philippines).

Nine of the rape offences against children in the category 15 to 17 years comprise *rapes by acquaintances or within relationships* and, in contrast to the adult group, these cases do not involve partners but in the cases members of the family and relatives. Rapes of family members or acquaintances normally occur in conjunction with holiday trips or, as regards immigrants, during return travel to the home country. In the family cases there are four cases of biological fathers who were identified as the perpetrator, and in the other two cases stepfathers. Casual acquaintances appear as perpetrators in three cases: The first is a case with a 17-year-old girl who was lured to make a trip to Norway by her female friend’s father, in the belief that her friend would accompany them, and then sexually exploited. The other case involves a 17-year-old boy who was raped by a 57-year-old male acquaintance who took him on a fishing trip; the investigation eventually resulted in prosecution. The last case relates to a 16-year-old girl who met an Albanian boy during a holiday in Greece. A half year thereafter she was invited home to him in Albania together with her mother. She was raped there.

---

<sup>34</sup> Other offences are reported in the next Part.

The three latter cases are the only ones within this age category, where remuneration – in the form of the perpetrator paying for a trip – occurs.<sup>35</sup>

As regards *children aged under 15* (93 cases), the cases mostly involve, just like in the previous category, grave sexual abuse, which is nowadays (after the statutory amendment of 2005) classified as ‘rape of a child’. Some of these matters, namely those with crime victims in the lower teens (10 cases), are of the same nature as those in the older teenage category. That is to say they relate to a separate event, an individual rape committed by an unknown or closely related person.

There is, for example, one case where a 13-year-old girl was raped by four young men during a stay in Thailand. The girl grew up in Sweden, but lived with her father in Thailand when she was subjected to this group rape. The men, all in their upper teens, were apprehended by the Thai police and sentenced for the offence. The girl continued to live in Thailand for a few more years but was so distressed about what had happened that she and her father subsequently moved home. After she had started therapy in Sweden, three years after the rape, a report was also made in Sweden. As this legal matter had already been concluded in Thailand, the reason for this report is unclear. It was probably related to the rehabilitation (psychologically or as regards insurance). No Swedish investigation measures were implemented.

Among the rape cases in the group young teenagers, there is also a bullied boy, aged 14, who was raped anally with a bottle by some other youngsters of the same age at a confirmation camp in France. Owing to the youth of the perpetrators – only one of the suspects appears to have been of criminal capacity – there were no criminal law consequences from this abuse.<sup>36</sup> Nor was there any prosecution in any of the other cases. In half of these other cases, where they involved rapes in conjunction with night-life during holidays, the perpetrator was unknown or unidentifiable. In the other half of the matters, where the rape occurred during a visit abroad to a relative (and where the perpetrator was the father, stepfather or uncle), the evidence-related problems were deemed to be too difficult for the police to be able to make any progress with the investigation.

Looking at the youngest age category, *children aged between 2 and 12*, this comprises in total 33 cases. These include quite a number of cases that were reported retrospectively, sometimes after a very long time. Some of these matters involve an individual abuse.

There is among others a case where a mother reported an offence against her now 23-year-old daughter, who was raped at the age of 3 by a Swedish male acquaintance during a stay in Holland. This report was made after the daughter had developed mental problems (which the mother apparently links with this abuse). Even if an offence was not time barred there is hardly any possibility of conducting an investigation 20 years after the event. A similar case involves a 14-year-old girl who attempted suicide. In conjunction with subsequent therapy it transpired that her father had abused her sexually when she was eight and away with him in China. There were also a couple of other matters where a report was made following therapy.

There is also one case with a seven-year-old girl who was raped by a 14-year-old Norwegian cousin and another where it was suspected that a ten-year-old girl was raped during a holiday trip that she and her family and two other families made to Denmark. The

---

<sup>35</sup> A common experience from reviews of preliminary investigations of the sex offence matters involving minor victims is that the investigating police officer often neglects to take up the issue of whether any remuneration has been provided.

<sup>36</sup> Despite the offence having occurred in 2005, the preliminary investigation was not concluded until 2008. The file does not show that any decision has been made by the prosecutor in this matter.

suspected perpetrator is a priest. Another shocking case involves the youngest child of all in the study, a little girl aged 2½, suspected – owing to damage to her genital area and other symptoms – of having been raped during a trip to her relatives in Syria. The investigation was immediately discontinued with the justification ‘no offence’.

The cases mentioned in above paragraphs differ however from the majority of cases of sexual abuse of young children (2 to 12 years). *In contrast with the fact of most matters involving older victims, the abuses of younger children often involve serial abuse by closely related persons*, which means that these abuses continued over a long period. In 20 of the matters relating to rape of children, it is suspected that they involved repeated abuse.

Even here it is a frequent occurrence that a police report is made a long time after the abuses have ceased. In one case a 33-year-old woman reported that she had been sexually exploited as a child when she was aged 8 to 10 and lived in Kuwait; in another case a 27-year-old woman reported that she as an eight-year-old was subjected to repeated anal rapes in Greece; and a third case there was a 36-year-old woman from Finland who reported that she was raped as a five-year-old, that is to say 31 years ago. There is also a 40-year-old man who came to the police in the company of his wife in order to report that he, when he was 16 to 17 years old and worked as an apprentice on a cargo boat running between harbours in Norrland and in Germany, was regularly raped by one of the crewmen. It is only now, over 20 years later when the man had become aware that these experiences had caused him a mental trauma, that a report is actually made – although there is no possibility of being able to convict any perpetrator.

In some cases, in conjunction with other investigations (with social welfare authorities, child and youth psychiatry outpatient care and health and medical care services), there were indications that a child had been subjected to repeated sexual abuse before their arrival in Sweden. This thus involves children who have arrived in Sweden as immigrants (with or without the entire family) or who are adopted. The report may, besides through the authorities, have been received by the police through one of the custodians. These include among others a case of an eight-year-old adopted girl from former Yugoslavia, where it was concluded that the girl was subjected to repeated rapes by older boys at the orphanage where she stayed before she was brought to Sweden. In this case there is some cooperation between the countries, which resulted in the children’s home being ‘sealed off’.<sup>37</sup>

In another case, the social welfare services reported that two small boys, now 5 and 6 years, were sexually exploited by both of their parents during the time the family lived in Gambia. There has not been any prosecution of the parents, owing to difficulties with evidence, but the boys were taken into care under the Care of Young Persons (Special Provisions) Act (LVU) and placed in a foster home.

In another case it was Astrid Lindgren’s paediatric hospital that reported a suspicion that a girl aged 5 was the victim of sexual abuse by a relative during a family visit to Saudi Arabia. The police obtained a good statement regarding the abuse, but the matter was discontinued as “there were no possibilities to get international legal assistance”.

---

<sup>37</sup> What this term means – if the home has been closed or if one has stopped adoptions from there – is not indicated by the investigation.

One case has an unusual background. In a Stockholm matter from 2007 (where the preliminary investigation is still in progress) the mother reported that her daughter, when she was aged 6, was the victim of sexual abuse (at least one rape) by her paternal uncle in Bolivia. This report was made several years later when the paternal uncle came to Sweden on a visit. When he was to be brought in for questioning he went underground, probably not owing to the suspicion of an offence but because he plans to stay in Sweden although his visa has expired. He was posted as sought with the border police, which has not yet yielded any result – and will probably not do so either as the man apparently intends to stay here. One can therefore ask why the police have not posted him as sought in the ordinary way.

Another pattern that occurs frequently within this age group is the suspicion that children have been sexually exploited by their father (Swedish or foreign) resident abroad, when the father exercises his right of access (visitation) following a divorce. Offences under such circumstances are reported from all parts of the world, but Norway and Finland predominate. In several of these cases, where the mother who is resident in Sweden makes the report, the police consider that the suspicions are so vague that they do not bother to question the child (even less do anything to establish contact with the suspect). These matters are more or less discontinued as a matter of course.

Another variant that is not unusual is that the child, following a visit or temporary stay in the former home country, is subjected to repeated abuse by a male relative, normally an uncle. Even here, Norway and Finland are the most common countries, but there are also several cases from the Middle East.

From the report above it is shown that most of the suspected perpetrators are closely related to the child, and it is rather unusual to have unknown perpetrators and in that case they often involve individual instances of abuse. However, there are some cases where the repeated rapes of children have been committed by an initially unknown man who cultivates a relationship with the child in order to subsequently exploit the child. These include among other things the high-profile case with the recreational leader in Norrtälje. He has over a long period exploited several young boys sexually. He was reported for 20 grave rapes of children and later sentenced to seven years of imprisonment. The fact that this case is included in our study results from the abuses against one of the boys having occurred in a summer cottage on Åland. Another case relates to a 14-year-old girl who for a long time had been a 'girlfriend' of the ten year older leader of a criminal youth gang in Norway. One more unusual case is the 22-year-old Swede, who after a long stay in his parent's home country Chile returned to Sweden with a 14-year-old girl, who shortly thereafter gives birth to their common child. Although the evidence is irrefutable, there is no prosecution, reference being made to the principle of exemption from criminal liability contained in Chapter 6, Section 14 of the Swedish Penal Code (BrB) (that it "is obvious that the act did not involve any abuse of the child").

If the results regarding rapes of children are summarised, the pattern becomes clearer:

**Table 8: Rapes of persons aged under 18 following a relationship to the perpetrator**

In this table figures are provided of the number of children, not number of cases (total of 77 in this category), that is to say, there is more than one child, usually siblings, in some matters (particularly in the younger age group). 'Repeated' means only suspicion of several offences against the same child as regards a closely related person.

	<b>Unknown/ acquaintance</b>	<b>closely related</b>	of which repeated	<b>Total</b>
<b>Victim aged 1 to 12</b>	<b>16</b>	<b>37</b>	30	<b>53</b>
<b>Victim aged 13 to 15</b>	<b>3</b>	<b>6</b>	2	<b>9</b>
<b>Victim aged 15 to 17</b>	<b>18</b>	<b>9</b>	6	<b>27</b>
<b>Total</b>	<b>37</b>	<b>52</b>	38	<b>89</b>

The older children (15 to 17 years) have mainly been victims of rape attacks or other rapes by unknown adults and do not differ in this respect from adult victims. However, as regards children in the lower teens (13 to 15 years), it is primarily closely related persons, mostly biological fathers, who are the perpetrators. On the basis of the investigations this involves an individual rape, normally committed during a holiday with the relative in question. As regards the youngest children these mainly involve repeated abuse committed by closely related persons. These abuses can in some cases have gone on for several years and started at a very young age. The youngest child in the investigation is 2½ years and there are in total 11 children of pre-school age. In seven of these cases the abuses occurred in the home country before the child came to Sweden as a refugee (often with the perpetrator still in the family) and came to light in conjunction with investigations in Sweden. In other cases the abuses have been commenced abroad and then continued in Sweden. There are also cases where the abuses have occurred during holiday trips and return visits to the former home country.

A feature which also differentiates child rapes from adult rapes is that the perpetrator is to a very large extent resident in Sweden. Of those suspected of rape of adults it was only 12% who were resident here,<sup>38</sup> while for those who are suspected of sex offences against children under the age of 18 abroad the figure is 35%. Therefore, it may in this context be more interesting to look at the suspect perpetrators' origins. After having observed that there are only three cases with the combination of Swedish perpetrator-child not resident in Sweden, one can produce a table to illustrate the extent to which these rapes of children resident in Sweden have been committed by perpetrators of Swedish origin.

---

<sup>38</sup> This proportion is probably significantly greater (at least approximately 20%) as a large part of the unknown perpetrators on the ferries are probably resident in Sweden.

**Table 9: The original of the suspected rape perpetrator in the case of rapes of persons aged under 18**

If residence is not known it has been assumed that it is the same as the place of the offence.

	<b>Sweden</b>	<b>Other Nordic countries</b>	<b>Rest of the world</b>	<b>Total</b>
<b>Victim 1 to 12 years</b>	<b>16</b>	<b>10</b>	<b>17</b>	<b>43</b>
<b>Victim 12 to 14 years</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>9</b>
<b>Victim 15 to 17 years</b>	<b>9</b>	<b>6</b>	<b>10</b>	<b>25</b>
<b>Total</b>	<b>27</b>	<b>19</b>	<b>31</b>	<b>77</b>

From the summary above one can discern, among other things, that Nordic perpetrators predominate, which also means that it is most common that it is fathers (or other relatives) resident in other Nordic countries (in the first instance Norway and in the second instance Finland) who commit the abuses. If the reports made against Swedish suspects are examined in more detail it can be seen that in ten of the cases the suspected abuses were committed by a Swedish man resident abroad. These abuses then normally occurred when the child was (more or less) temporarily visiting them. The same applies to a large extent to the cases with suspect perpetrators outside the Nordic countries: In approximately half of the cases with the youngest group, these involve the child being a victim during temporary visits to their father or other relatives in the father's home country. The other half involves abuse in the home country that has come to light after the family has come to Sweden. There are not in any of these rape cases any details of sexual services of persons aged under 18 being obtained for reward, though there is in a dozen cases information about the perpetrator paying for/organising the trip abroad.

## **5.2. Other offences**

Rapes of children comprise over half of the sex offences against children (aged under 18) abroad (77 of 130 cases). Among the other reported offences according to Chapter 6, BrB, *sexual molestation* is the most common and occurs in 23 matters. It is only in one case that this involves a child having been subjected to a flasher (here it involved a five-year-old Swedish girl during a trip to Spain) and in another case a father has allowed a 12-year-old boy to see him masturbate in a hotel room in Thailand. A couple of cases involved sexual molestation per telephone or computer communication.

In one such case a 17-year-old girl who acted sexually in front of her webcam apparently on the direction of her boyfriend, which whom she believed she had contact via her computer. However, it transpired that it was not her boyfriend but probably a foreign friend of his who was communicating with her.

The other cases of sexual molestation relate to various forms of physical contact, either on a ferry to Finland or by a relative resident abroad during a visit to the relative. In some of the



latter cases it is also possible that another, more serious offence occurred, but the charge in the report was 'sexual molestation'. None of these cases have proceeded to prosecution.

The cases under the charge 'sexual molestation' must also (during the period in question<sup>39</sup>) include one case where a ten-year-old girl was subjected to *grooming* by a 23-year-old man on the website kamrat.com. However it is rather unclear why the report was coded as a foreign offence.<sup>40</sup>

One thing that should be mentioned regarding molestation offences against children is that, as in the case of the corresponding offences against adults, it is very unusual – and only in special circumstances (for example that the child perceived the entire experience to be very unpleasant) – that a report will be made, particularly if the offence occurred abroad.

The hidden statistics are even greater as regards *child pornography*. This criminality really involves documented abuse of children, which in its turn should mean that every report about child pornographic pictures occurring on a particular website on the Internet should be treated as a crime report against the perpetrator seen in the picture and against the photographer. If the website is foreign, one can also assume that it involves an offence abroad. Such reports are normally targeted at the child pornography offence, that is to say the possession and dissemination pictures of abuse. If the details relate to the dissemination via a foreign website, it is also designated as an offence abroad. Normally no report is drawn up, but the information about the website is instead regarded as a 'tip'.<sup>41</sup> However, a report is drawn up if there is a sender, that is to say in cases where a Swedish recipient has been offered child pornography by e-mail from abroad. In our investigation there are 12 such cases.<sup>42</sup> Most of these offers come from Russia and the common feature of many of these reports (from 2005 and later) is that they are signed by the same person/alias urging the recipient to make contact. There are probably many Swedes who have received this e-mail (or the like) but only a few who have referred to the police to make a report. It is not possible to say what the common feature of these complainants may be (except that the average age is rather high), but one can assume that it involves people who feel that they are in particular violated by receiving such an invitation. This may for instance be assumed to be the case with the members of the local department of the Swedish Junior Doctors' Association, who in 2006 received this e-mail from Russia with an exclusive offer of child pornography, and made a collective complaint.

There are also other matters than e-mail offers referring to child pornography. One case relates to a nine-year-old girl who through innocent bathing photographs taken by her father ended up exposed on a Norwegian website with links to child pornography. In another case the Swedish police were informed by their colleagues in Spain about a Swedish citizen (with Spanish name), resident in central Sweden having presented child pornography on a Spanish website. And in a third case, a 43-year-old man was apprehended at Kastrop in Copenhagen in possession of child pornography.

---

<sup>39</sup> Statutory amendment investigated by the former Prosecutor-General Fredrik Wersäll, "Vuxnas kontakter med barn i sexuella syften" [*Adults' contacts with children for sexual purposes*], Ministry Publication Series - Ds 2007:13.

<sup>40</sup> The reason for this is probably that the offence only occurred via the Internet.

<sup>41</sup> ECPAT's hotline, where the public can report child pornography sites, resulted in 2007 to 6,474 tips to the Swedish National Police Board's (RPS) child pornography group.

<sup>42</sup> The other 11 cases are of a 'tip kind', but have nonetheless resulted in a report being drawn up (probably to satisfy the complainant).

Filmed sexual abuse of children also occurred in an exceptionally disturbing case, which is included in the above-mentioned rape cases. It transpired that one of the most remarkable sex offender cases in Latin America has a Swedish link. A married couple in Ecuador, Jorge and Concepcion Burdet,<sup>43</sup> both aged 43, enticed their child victims through a music school operation at their home. The children, aged between 2 and 14, both boys and girls, were invited to have pizza and juice spiked with marijuana and cocaine. Some of them were raped by the husband while his wife filmed the abuses. When the abuse films were reviewed the rape of a three-month old girl (who the police subsequently succeeded in identifying) was observed. When these offences were revealed in 2002, after a four-year-old girl started to tell, it transpired that nearly 50 children had narcotic residuals in their blood. In six cases that were documented, among others the abuse of the baby, there were two years later (2004) convictions for rape of children (and for aiding by the wife) with an aggregate term of sentence of 155 years for the man.

The consequences in Sweden comprise an Ecuadorian man reporting that his children, aged three and seven years, have been raped by Burdet. His cohabitee, the children's mother, was reunited with him in Sweden eighteen months earlier (but will now separate again), is the sister of Burdet's wife Concepcion. According to the man, his cohabitee knows that their children were among the victims and the abuses are filmed and may have been put out on the Internet. A preliminary investigation was commenced, but discontinued by the International Public Prosecution Office. The mother denies when questioned knowledge of the abuse and nor have the children said anything. The offence that the cohabitee/mother could possibly be sentenced for in Sweden is 'failure to reveal rape of child' (Chapter 6, Section 15, second paragraph, BrB), but it is extremely rare that this opportunity is used (least of all against custodians) and it is therefore not particularly surprising that the matter was discontinued.<sup>44</sup>

Finally, there are a couple of cases where the report involves girls who it is suspected were victims of abuse when visiting their home country, but where it is unclear what the abuse comprised. One case involved a 16-year-old girl from Congo, Kinshasa, who may have been subjected to genital mutilation during a summer stay in her home country, in the other case a 17-year-old girl who the family had left with relatives in Iran (charge: putting a person in a distressful situation).

### **5.3. Child sex tourism in particular**

*Child sex tourism* here means that a person travels to another country, usually a less developed country, to there have sex with a child who is usually not known to them in return for some kind of reward. The traveller does not need to be a tourist to satisfy the criterion, but might just as well be a business traveller. Nor is it clear that it involves a paedophile but is more often a man who buys sexual services from a person aged under 18.

As 8% of all Swedish men have at some time paid for sex<sup>45</sup> and the greater proportion, 71%, of these services are now bought outside Sweden, it may be estimated that Swedes

---

<sup>43</sup> We mention these as the case is so well-known in America, quite comparable with the Dutroux case in Europe.

<sup>44</sup> As this involves sex offences against children, double criminality is probably not required, but prosecution in Sweden would be conditional upon the omission having occurred here (as failure to report is not included in BrB Chapter 2, Section 2, fourth paragraph).

<sup>45</sup> J. Kuosmanen "Prostitutionen i Norden" [*Prostitution in the Nordic countries*], NIKK (the Nordic Council) ANP 2008:739, presented 17 October 2008.

buy sex abroad in 20,000 to 25,000 cases a year. As a significant part of the sellers of sex – in developing countries almost half – are aged under 18,<sup>46</sup> one can (on making the reasonable assumption that at least every fifth purchase is made within this age category), thereby also suspect that *Swedish men commit between 4,000 and 5,000 sex offences with minors each year*. Of these perhaps as much as one-tenth comprises rape of children, that is to say sexual intercourse or corresponding act with a person aged under 15. When one reflects on these figures one ought to bear in mind that only a small proportion of these offences are committed by paedophiles, by people who have a sexual inclination towards children. The vast majority are ‘offenders of opportunity’, that is to say men who – whether or not they are aware of the age of the seller – buy sexual services from persons aged under 18 and under 15 respectively.

It is very risky to estimate the annual frequency, but one should bear in mind *that* there are about 3.75 million men in Sweden aged over 15, *that* most of them travel abroad at least once per year (and that almost all have probably done so within a ten-year period), *that* even if a large proportion of the sex purchasers declared did not make their purchases within the last ten years, this elimination is compensated by the men who have bought sex abroad upon several occasions within this period<sup>47</sup>, *that* the Act prohibiting the Purchase of Sexual Services (and other measures to change attitudes) appears to have, on the one hand, reduced the number of total sex purchases on the part of Swedish men,<sup>48</sup> but on the other hand *that* a significantly greater proportion of those purchases of sexual services now being made by Swedish men occur at places abroad, where the average age among the sellers is low. In this context, one should be fully aware *that* the average age of a sex selling woman’s debut lies at about 14 years in the developed countries<sup>49</sup> and may be assumed to be even lower in the developing countries<sup>50</sup> and also that the average age among sex purchasers is also rather low.<sup>51</sup>

It may, however, owing to the lively debate in Sweden, be anticipated that Swedish men are more restrictive than many others with exploiting persons who are manifestly minors. There is no international testimony about Swedish men, in places offering an abundant supply of sexual services, differing from other people through refraining from buying sex.<sup>52</sup> What would speak *against* there being such a lower interest – and even an increased interest as regards children – is that nearly 50,000 attempts made every day by Swedes to reach child pornography sites are blocked (in cooperation between ECPAT, the National Criminal Police and the Internet providers). To this profile it may be added that, according to a TEMO survey in 2007, of about 1,000 Swedes who have been tourists outside Europe, 10% had observed suspected sexual exploitation

---

<sup>46</sup> The median age among populations of women working in prostitution in the western world, for example in the USA, lies according to various research reports between 25 and 30 years. We have not found any corresponding studies as regards developing countries, but there are good grounds to assume that the median age there is significantly lower. As one also knows that younger people in these countries are compelled to sell their services more frequently (and normally have 100 to 1500 customers per year, 2008 TIP Report) and that boys selling sex are normally under the age of 18, nearly half of these purchases of sexual services can relate to children aged under 18. Here, however, we assume that only 20% of the purchases of sexual services abroad are made within this age category.

<sup>47</sup> In a study from 1996 (S-A. Månsson in “Om sexuallivet i Sverige 1996” [*Sex life in Sweden 1996*], the Swedish National Institute of Public Health 1998:11) the median was two sex purchases per person; in the study from 2008 (Kuosmanen), 68% of the sex purchasers had bought sex 2 to 20 times and 12% more than 20 times. The total number of sex purchases may thus have increased even if sex purchasers reduced in number.

<sup>48</sup> Månsson’s study showed 13.6% and the Prostitution Inquiry 1981, estimated the proportion to be about 20% (“Prostitution – Beskrivning, analys, förslag och åtgärder” [*Description, analysis, proposed measures*] p. 482). However, according to Kuosmanen’s new study, it is only 20% of the persons asked who believe that the Act prohibiting the Purchase of Sexual Services has resulted in the purchase of sexual services by Swedish men having reduced overall, ANP 2008:739, p. 30, and it may indeed be the case that the prohibition means that fewer are prepared to reveal their conduct for a study when such conduct is actually a criminal offence.

<sup>49</sup> See Silbert-Pines (1981), Höigard&Finstad (1992) and Farley (2003).

<sup>50</sup> The number of children exploited sexually in the world each year is estimated, according to both ILO and UNICEF, to amount to almost 2 million per year. A large part of these are in South-East Asia. See also the American Government’s annual report Trafficking in Persons (TIP).

<sup>51</sup> See, for example, M. Hester & N. Westmarland (England 2004).

<sup>52</sup> However, one should bear in mind that the greatest proportion of sex purchasers in for example South-East Asia comprise local men, in Thailand 95% of the male population aged over 21 have visited a brothel, P. Handley “Catch if catch can”, Far East Econ. Rev 1992.

of children during their stay abroad.<sup>53</sup> That there is a demand for sexual services of children even in Sweden is also shown by the fact that 1.4% of 18-year-olds state that they have sold sex at some time.<sup>54</sup>

Finally, something should be said about the fact that complicates the estimation further, namely that it is not possible to make a normal criminological balance between prevalence and incidence, that is to say use reports as a basis for assessments of the hidden statistics.<sup>55</sup>

The estimate presented here of sex offences abroad, in the form of purchase of sexual services from people aged under 18, is made conservatively. Nonetheless, it is based on several components that are not absolutely reliable. If we assume that the prohibition on child pornography, the information activities of the travel industry and the lively debate about child sex, trafficking and prostitution has brought with it a very clear attitude change whereby Swedish men are more restrained than others with exploiting minors, the lower measure within the above-mentioned interval should be taken as a point of departure: Even if it were the case that one Swedish man out of a hundred when abroad buys sex from a person aged under 18, this would still mean about *3,000 to 4,000 purchases of sexual services from minors each year*. And even if any reduction were to be even greater, it would in any event be a very common offence, particularly as most people who buy sex do so more than once.

To commit this offence appears to be virtually without risk. It is extremely rare that any foreign sex tourist is apprehended by the local police and there is almost no one at risk of being reported following their return home.<sup>56</sup>

There are four cases of suspected *commercial sexual exploitation of children* – with suspected Swedish perpetrators and/or victims – contained in the reports made between 2004 and 2007.<sup>57</sup>

The first case is a ‘classic’ case of child sex tourism (2007) and relates to a Swedish man in his 60s who spends a large part of his time in Thailand and Cambodia. An NGO in Cambodia discovered that the man was trying to contact young boys and tipped the police liaison officer in Bangkok. A preliminary investigation was commenced and the liaison officer looked, together with a Cambodian police officer and a representative of the NGO, to get the suspected victims among the boys on the beach to speak about possible abuse. Two of these, aged 13 and 14, have according to a third boy said that the man invited them

---

<sup>53</sup> TEMO Synnove 2007.

<sup>54</sup> C.G. Svedin & G. Priebe “Selling Sex in a Population Based Study of High School Seniors in Sweden, *Arch Sex Behav* 36 (2007). See also the ECPAT Report “Kommersiell sexuellt exploatering av barn i Sverige” [*Commercial Sexual Exploitation of Children in Sweden*], (revised edition 2005). There are also some 50 police reports per year regarding purchases of sexual services from children in Sweden (2004 -39, 2005 -59, 2006 -49 and 2007 -67 reports).

<sup>55</sup> Regarding the difficulties in making estimates on another basis than field studies, see T. Steinfatt, S. Baker & A. Beesey “Measuring the Number of Trafficked Women in Cambodia: 2002”, Univ. of Hawaii 2002. Regarding the difficulties in comparing different studies on the scope of prostitution, see M-L Skilbrei “Hva er det med tall?” [*What about the figures*] in NIKK Magazine 2-2008.

<sup>56</sup> There is no information compiled regarding how often such apprehensions are made, only individual details from individual years and countries. Some profile of police intervention in South-East Asia can however be obtained through ASEAN Child-Sex Tourism Review, where the NGO Childwise reports the tips that their hotline (regarding suspected child sex tourism) in the respective country that resulted in apprehension; in Thailand 585 tips only led to apprehension in 2% of the cases, in Burma, however, all 10 tips resulted in arrests (2006). A well-known fact in certain tourist countries is that many who are apprehended are released for bribes, fines or on bail. In individual cases, see J. Seabrook “Ingen fristad” [*No sanctuary*] (ECPAT 2001). See also Part 6 on Prosecution.

<sup>57</sup> As mentioned previously there may be further matters with the National Criminal Police, which were not available to us owing to the secrecy rules.

into his room at a guest house and exploited them. This information is rather detailed: The man has played various sex games and showered with them, kissed their genitals, etc. The person providing this information, who is 12 years old, says that he has himself received a mobile telephone from the man, but that he has never gone up with the man to his room. When the 'investigation group' despatched subsequently contacted the other two boys they, despite rather soft attempts to convince them, did not want to explain or confirm anything.

Eighteen months later the preliminary investigation leader, a prosecutor at the International Public Prosecution Office, discontinued the case on the grounds of inadequate evidence. The suspected man was never questioned, even less given notice of suspicion of an offence. However, the NGO in Cambodia has apparently not lost interest in this man, particularly as it has transpired that he has made suggestions that he wishes to adopt a Cambodian boy.

The second case relates to a principal of an upper secondary school in Uppsala having by letter reported that three to four teachers are suspected of having purchased sexual services from Kenyans during a study trip (partly financed by Sida) with pupils in Mombasa, *Kenya* (2004). The principal received this information from pupils who participated in the trip and were upset over the teachers' behaviour: One of the teachers, a married man with five children and a member of Word of Life, has had a relationship with a Kenyan woman and lived with her for several days. The man says in his defence that this constituted a love affair and not the purchase of sex. The other teacher, a woman in her 60s, was seen by the pupils holding hands with a Kenyan youngster outside the hotel. She claims that she has been a friend of the boy and his family since earlier visits to the country. The third teacher, a man in his 50s, has taken a woman who sells sex to his hotel room one night and does not understand at all how this could ever be questioned. There are in particular two pupils who were anxious about pointing this behaviour out and it transpired during the police investigation that they also filmed the Kenyan woman's visit to the teacher's hotel room. Before the police had time to gain access to this evidence, the prosecutor discontinued the case stating as reasons that the evidence was not sufficient and that the preconditions to get international legal assistance did not apply. Instead the pictures are published (they are then masked) in the evening newspaper *Aftonbladet*.

It can be said about this matter that a 'purchase of sexual services' offence (according to Chapter 6, Section 11, BrB) requires double criminality. Consequently it cannot be punished if the offence occurred in Kenya, and neither can the purchase of sexual services from persons aged between 15 and 18 (Chapter 6, Section 9, BrB, purchase of sexual services from children under the age of 18, is not included among the exemptions from the requirement for double criminality contained in Chapter 2, Section 2, BrB). The prosecutor consequently, disturbing as it might be, acted correctly by not investigating the matter further. There was no clear suspicion that the sellers of sex were aged under 16 (even if the boy was probably aged under 18). This case clearly shows that a reform as regards legislation is essential, namely to revoke the requirement for double criminality as regards the purchase of sexual acts of children (Chapter 6, Section 9, BrB).

As regards the requirement for the act to be criminalised in the country where the offence was committed, one must take into account the 'age of consent': If sexual relations before a certain age are prohibited in that country, the requirement for double criminality is probably satisfied even if such a relationship is allowed in Sweden as long as it is not provided for payment. In Kenya – and similarly in Norway, England, Belgium, Switzerland and most of the states in the USA – the age of consent is 16.<sup>58</sup> This consequently means that

---

<sup>58</sup> In Bolivia and in Cyprus it is 17, in Egypt och Vietnam 18. On the other hand it is only 12 in Chile and in i Pakistan there is no age limit at all (2005, see also [www.ageofconsent.com](http://www.ageofconsent.com)).

sexual intercourse with a 15-year-old may not be deemed to be rape in a particular country, and even if this has occurred for payment it is not possible to prosecute in Sweden for the purchase of sexual acts of children.

The third case is based on an e-mail from a private person in Sweden whose daughter and former wife live in *Brazil*. The person making the report accused a friend who was a Swedish bar owner in Brazil, and named, for having exploited his nine-year-old daughter during a trip. He added that the suspected man, aged 46, had 'bragged' that he usually goes to Thailand to buy 'sex' from little girls. The matter was first at the National Criminal Police and then forwarded to the Västerort police in Stockholm, who contacted the complainant and subsequently the Brazilian police. It transpired that the offence had also been reported in Brazil and that they were considering the accusation seriously. An extensive investigation was made in Brazil, where the girl was questioned by the police and interviewed by a psychotherapist, while the Swedish police questioned the complainant/father. The Brazilian investigation (which was sent to Sweden in Portuguese), shows that the suspect had molested the girl sexually. The Brazilian police already had him under surveillance owing to his inclination for young girls – he is notorious for taking young girls to his restaurant – and he is also suspected of financial irregularities.

An interesting feature of this matter is not only that the Brazilian police are conducting an investigation that, as regards its quality, clearly exceeds what the Swedish police and prosecutor would normally achieve with the corresponding information. The cooperation between the police in Sweden and Brazil – as the exception that confirms the rule – also functions very well, despite the distance and despite the investigation being produced in Portuguese (and having to be translated).

The fourth case relates to a Thai girl who was exploited sexually as a 12-year-old in Sweden, where she lived with her Thai mother and Swedish stepfather. The girl suffers severe psychosocial problems owing to this and the social welfare committee decided that she should be taken into care under the LVU. In this situation the girl and the mother moved back to *Thailand* and shortly thereafter the now 14-year-old girl sent an e-mail to a male friend in Sweden and said that she is now 'working as a whore'. The social welfare office learned about this and reported the case to the police. A questioning with the mail recipient (who was told by the girl to destroy the e-mail) suggested that he got the impression that the girl's sexual services were arranged by a Swedish person, whereupon suspicion focused on the stepfather. Ten months later, without having had contact with the girl, the prosecutor at the International Public Prosecution Office discontinued the matter with the reason 'no offence'. This reason appears to be very strange, even if it is possible to understand to some extent the investigation difficulties owing to the girl being in Thailand. However, there was an address in Bangkok. It ought to have been an obvious task for the police liaison office in Thailand, both from the police and humanitarian perspective, to try to find the girl and help her – and ascertain whether she might possibly be prepared to participate in an investigation against her sex purchasers (if what she said in her e-mail was actually true). At the same time it must be understood that she would be extremely disappointed in Sweden.

There is a further case that was under investigation during the period, but where the report was probably made at the end of 2003 (as it is not included in our list of reports from BRÅ): This case represents an offshoot of an international crime investigation regarding a children's home in *Bolivia*, which was run by a Norwegian missionary. When it was discovered that the missionary had exploited the children at the home sexually, for which he had been sentenced, it also transpired that other men had also been invited there to exploit the children and that the children's home operation was effectively a cover for an exclusive brothel with young boys. One of those suspected for having used the sexual services of the children's home was an elderly Swedish missionary from southern Sweden. A preliminary investigation was initiated, the man was given

formal notice of suspicion and defence counsel appointed, but the accused died in the autumn of 2006 before the prosecution had been adjudicated upon. (Men were prosecuted and sentenced in Norway, Great Britain and the Netherlands in the same matter.)

Summarizing the five matters involving child sex tourism, it should initially be noted that only one of the reports was made by an outsider: In the Kenya case it is some involved and courageous upper secondary school pupils who do not want to conceal what they have experienced. Three of the cases involved NGOs or social authorities intervening and making reports. In the Brazilian case it was a custodian who 'added' a suspicion of child sex tourism in his report regarding abuse of his daughter. This shows that there is clearly a great reluctance on the part of private individuals to report suspected commercial sexual exploitation of children. This hesitation is understandable: Who wishes to spend part of their vacation days being questioned (with an interpreter) at a local police station and also expose themselves to risk of reprisals from a suspect identified – particularly if one does not have any concrete evidence of the sexual act? The absence of reports – on average only one report per year – and the absence of prosecution – not one single prosecution during the period – show that new strategies are required to combat this kind of grave criminality. The protection of the child demands greater commitment.

## 6. Prosecution

In the report of the matters above (Part 4 and 5 regarding adults and children as victims respectively), it may appear to be an inadequacy that we have not established what happened with the reports; whether or not the matter proceeded to prosecution and a conviction. The reason for such details only appearing in certain individual cases is simple: *In the vast majority of cases nothing happened of police significance*, at least not in Sweden.<sup>59</sup> There is seldom any feedback of information to the Swedish police or prosecutor regarding whether there was an investigation abroad. If a preliminary investigation were commenced in Sweden, which is mostly the case when both of the parties are resident here, the matter was discontinued after a short or long period and usually without any real investigation action (such as trying to question the suspect) having been implemented. The discontinuation normally takes place with the reason ‘offence cannot be proved’, which often means that it was considered that the evidential difficulties were too great. One particular factor that represents a clear sign of inadequate investigation quality is that the prosecutors discontinue preliminary investigations on improper grounds. Reasons are given such as: ‘no offence’ in cases where an offence has in all probability been committed; ‘no preconditions for international legal assistance’ without having investigated this; and ‘offence cannot be proved’ when sufficient action was not taken to be able to draw any conclusions about the evidence.

To discontinue too rapidly – not as regards time, but without having done enough to investigate the suspicion – is a ‘routine’ that applies to all sex offences, that is to say offences that are also committed in Sweden. But the *filtering out is – for partly explainable reasons – even more pronounced as regards offences committed abroad*. No crime scene investigation can of course be conducted from Sweden.

About 45,000 sex offences were reported in total between 2004 and 2007 (within the categories investigated). Of these there were about 400 or *approximately 1% of the offences were committed abroad*.<sup>60</sup> Looking at offences against children aged under 15, about 15,000 offences were reported during the period<sup>61</sup> and of these about 150 or – also for this category – about 1% abroad. It is consequently only a small fraction of sex offences against children that are committed abroad, at least according to the statistics. In actual fact, as indicated previously, the main reason for there being rather<sup>62</sup> few reports is basically that offences are to be prosecuted where they have been committed, which consequently means that offences committed abroad are to be reported there.

The frequency of *solving of sex offences* is low, owing to among other things the difficulties with evidence. Viewed overall, over the last 10 years, the national frequency of prosecution for sex offences against children lies between 10 and 15%. This means that 85% to 90% of

---

<sup>59</sup> The word ‘police’ actually prompts erroneous associations in this context: Many of the police officers who meet the victims are upset and committed, and would be pleased to try to investigate further – it is the prosecutors who stop it.

<sup>60</sup> This comparison is not completely congruous as the reports may relate to several offences, while our investigation counts the number of matters. We have thus 322 matters in our study, but as quite a number of the matters, primarily as regards younger children, deal with repeated abuse (i.e. several offences in one matter), it is estimated that the number of offences would be about 450.

<sup>61</sup> Statistics from BRÅ; it should be noted here that the real numbers are higher as certain forms of sexual molestation (among other things flashing) are not reported separately according to age.

<sup>62</sup> A general reason for low frequency of reports is low propensity to report (hidden statistics).



the cases never result in prosecution (or in a summary penal order/waiver of prosecution).<sup>63</sup> In many cases not even the first step towards prosecution is taken, namely to the point in the investigation when a person becomes ‘reasonably suspected’ of having committed the offence.<sup>64</sup> The reason for this is either that the perpetrator remains unknown or the complainant’s statement appears too vague, the evidence is too weak and/or that there are little opportunities to investigate. When investigating offences in Sweden we have observed in this connection that, as regards the police and prosecutor, they are surprisingly restrictive with summoning suspects for questioning unless there is reasonable cause to suspect the person.<sup>65</sup> The aggrieved party statement is undervalued and therefore does not achieve the level for suspicion required to summon someone to a questioning and serve him with a formal notice of suspicion of having committed an offence. There is all reason to believe that this restrictiveness – owing to the practical difficulties with investigation – is even greater as regards sex offences abroad.

However, there is currently no detailed investigation of the ‘filtering process’ in matters relating to sex offences against children,<sup>66</sup> but from BRÅ’s statistics it is at least possible to discern the level at which the matters have proceeded up to ‘reasonable suspicion’. From these figures it is shown that 3,799 people between 2004 and 2007 (broken down as 858, 979, 979 and 991 per year) were considered to be reasonably suspected of a sex offence against a child (including rape of a person aged under 18).<sup>67</sup> Of these there were only 24 who were suspected of such sex offences abroad. This consequently means that *only 0.6% of those ‘reasonably suspected’ had committed the offences abroad*. As sex offences against children abroad comprised 1% in the *reports*, this thus means that there are extremely few of these cases that even reach the first threshold of the investigation. In more concrete terms these figures mean that the vast majority of persons reported for offences against children abroad do not even get to learn that they may be suspected of the offence.

In approximately half of the matters where there was a person reasonably suspected, the suspected offence had been committed within the Nordic countries, and the other half in the rest of the world.<sup>68</sup> The most common offence was rape of a person aged under 18, and here the Nordic countries dominated. In this category of offences it could also be observed that there was a significant increase during 2006 and 2007 compared with the years before. Sexual exploitation and sexual molestation were the two other offences for which there were reasonable suspects. However there were no such cases in our material between 2004 and 2007 as regards human trafficking for sexual purposes and procurement. All suspects except one were men and their ages varied but the majority were in the category under 30 years.

For sex offences committed in Sweden it may be estimated that in slightly more than half of the cases that advanced to the stage of reasonable suspicion, the preliminary investigation will nonetheless not proceed but be discontinued, normally because the evidence is

---

<sup>63</sup> The relations figure relates to the relationship matters/prosecution (and not reported offences/charges, as the frequency is somewhat higher depending upon prosecution for sex offences against children often relate to repeated offences against the same child).

<sup>64</sup> It is at the time of the preliminary investigation that the prosecutor enters as the preliminary investigation leader, and when a suspect can get public defence counsel appointed.

<sup>65</sup> See Eva Diesen “Rapport om familjevåld och sexuella övergrepp – en jämförelse mellan polisdistrikten i Stockholms län” [*Report on family violence and sexual abuse – a comparison of police districts in the county of Stockholm*] (2008). One reason is that it is not wished to accuse anyone of a sex offence unless such person has a defence counsel to support them, another reason is that one assumes that the suspect will deny.

<sup>66</sup> However, such work is in progress within our project and will be reported among other things in a future doctoral dissertation by Katrin Lainpelto.

<sup>67</sup> During the period 2000 to 2003, the number was 22, which thus means that the proportion is rather constant. Nor does there appear to be any greater difference between the various years in the years from 2000 and later.

<sup>68</sup> The latter proportion increased during the end of the period (2006 to 2007).

insufficient. The same applies to sex offences committed abroad; slightly less than half of the matters, where there is a person reasonably suspected, proceed to prosecution. The rest of the cases are discontinued. This is normally done for the reason that the offence cannot be proved through some cases are discontinued owing to a time bar (and in some cases because the suspect has died or left Sweden). In total some 3,816 people were prosecuted for sex offences between 2004 and 2007 (on the basis of 46,840 offences in total), but of these there were only some 30 who committed the offence abroad. These *proportions, about 1%, for national/foreign offences and reports/prosecution*, are consequently approximately the same as for sex offences generally.<sup>69</sup> The general statistics consequently indicate that if one actually achieves a reasonable suspicion in a foreign matter the odds of prosecution are almost as good (approximately 8%) as for a national matter (approximately 11%).<sup>70</sup>

In some ways it is surprising that prosecution is in fact that high for foreign offences as prosecution is normally conducted abroad. The explanation is primarily attributable to the Nordic cooperation. Through this cooperation there are nonetheless a number of prosecutions for rapes committed in Finland or Norway.

However, as regards sex offences *against children* committed abroad, the statistics are not as equally positive when compared with domestic matters. Our material actually shows that the foreign cases that resulted in prosecution to a large extent comprise offences against adults. Of the 24 cases where there was a person reasonably suspected of an offence against a child (aged under 18), there were *only four matters prosecuted*.<sup>71</sup> This corresponds to a prosecution frequency of 3%, when comparing the number of reports (130) with the number of prosecutions. Looking more closely at those cases that resulted in prosecution, it can also be observed that these only involved offences in the neighbouring Nordic countries and that both victims and perpetrators were in Sweden during the investigation. Furthermore, it should be observed that of these four prosecutions, three related to sexual molestation and only one the rape of a child.

The first prosecution refers to the above-mentioned case with a recreational leader in Norrtälje. He was prosecuted (2006) for a number of abuses against young boys, and sentenced to seven years' imprisonment for these (of which thus one of the abuses, of a boy aged 12, occurred on Åland).

The second case (Stockholm 2006) relates to an 11-year-old girl who, on a ferry to Tallinn, shared a cabin with her father and his friend. Both men were drunk and, when the father had gone to sleep, the other man made sexual approaches towards the girl. The father woke up and witnessed this. The offence could possibly have been designated as attempted rape of a child, but the prosecution was for sexual molestation.

---

<sup>69</sup> Statistics details from BRÅ.

<sup>70</sup> However, see below note 59.

<sup>71</sup> As the information about prosecutions refers to 2007, some further prosecutions can have occurred during 2008 (for matters reported in 2007). In this context it must be emphasised that BRÅ's statistics as regards resolving crimes, in this case through prosecution, is disastrously unreliable – something of which we were already aware of following earlier investigations. According to the statistical details we have received from BRÅ, there should have been eight prosecutions regarding child victims aged under 18 during the period 2004 to 2007, but only three of these were 'correct'. The other five matters were wrongly coded and did not relate to sex offences or had not even been committed abroad. However, one prosecution had been missed. In total approximately 20% of the reports were wrongly coded or the entry duplicated. This erroneous population contained the main part of the prosecutions. (This also means that the above information about persons reasonably suspected should be viewed with some reservation; the figures are probably too high).

The third case is from Södermanland (2004) and relates to a ten-year-old girl who on one occasion, when she was staying at her grandmother's summer cottage in Finland, was the victim of sexual exploitation of a minor. This offence could possibly have been charged as 'rape of child' if it had occurred one year later (after the amendment of the Sex Offences Act), even if it did not involve sexual intercourse. The perpetrator was the child's 75-year-old maternal step-grandfather who, like the girl's family, is resident in Sweden.

The fourth prosecution (Stockholm 2006) relates to a 12-year-old girl who was sexually molested by a 40-year-old man on a ferry to Finland. Both the victim and perpetrator reside in Sweden.

Unfortunately we do not have any information about whether there have been further prosecutions abroad in the cases we have investigated, for instance following investigation in our neighbouring countries. It is though very clear that *it is very rare for there to be prosecution in Sweden for sex offences against children when the offence was committed abroad*. There is never a prosecution if the victim/child is located abroad. If the offence occurred in the Nordic countries and *both* the perpetrator and child are present in Sweden, there are individual cases where the offence is prosecuted (on average one matter per year). However, generally, *sex offences committed abroad are never resolved*.

*Taken overall* this means that as regards sex offences against children (aged under 18) committed abroad, the frequency of prosecution is very low. 97% of the matters are discontinued, which means that *resolution in the form of prosecution (and possible summary penal order) is even much lower than for the corresponding offence committed in Sweden*. This difference can be partly explained by the location of the crime scene abroad presenting greater investigation problems. Particularly as regards children's matters involving Swedish victims, the link to the foreign country rarely makes any difference to the preconditions for investigation (as both the victim and suspected perpetrator are normally available to the Swedish police). The investigation results for foreign offences in these cases are much worse, which is probably due to the location of the crime scene comprising a factor that complicates the matter even more. The propensity to discontinue therefore increases in proportion to how much extra difficulty this factor is expected to cause.

There are many examples of investigations in cases that should obviously have been pursued further.

On the children side there is, among other things, the case with a 14-year-old girl who was sexually molested several times by her father during a holiday trip to France and Spain (Stockholm 2005). The girl's comprehensive statement suggests that her father is mentally disturbed, but the matter was discontinued without him being questioned. The same applies to the case of a 15-year-old girl who (Stockholm 2006) reported that she had been raped in Crete by a somewhat older Swedish male acquaintance. He was never summoned to a questioning, although the statement is detailed and both the victim and suspect are in Sweden, and the matter was discontinued. Nor were any measures taken, for example by trying to bring about a questioning with the suspect, in the rather frequent cases where it was suspected that children were being subjected to abuse by their father in conjunction with holiday access. This applies regardless of whether the suspect lives in Sweden, the other Nordic countries or some other place in the world, and normally he will not even be made aware that he has been reported.

On the adult side there are also plenty of cases where one as an outsider is baffled as to why the discontinuation could occur without any real investigation action being taken. One case (from Stockholm) shows that it is possible to cooperate with foreign crime investigators if an effort is made. This case relates to two 18-year-old female friends who were raped by two Italian tourists during a holiday on the Canary Islands. After questioning with only one of the aggrieved parties, the prosecutor discontinued the case with the astounding reason that “the aggrieved party has not described any criminal act”. The parents of the girls, persons of high social status, in consultation with the City Police Office Family Violence Unit requested reconsideration of the decision to discontinue. They claimed that the reasons according to the police were erroneous and insulting to the girls. The prosecutors’ Development Centre (UC) in Gothenburg decided, owing to the inadequate investigation measures, that the preliminary investigation should be resumed. When this was done, the City Police contacted the police’s Nordic liaison officer in Las Palmas and some serious investigation action was taken. However, after a year, the matter had to be discontinued once again as there had been insurmountable problems with the crime scene being in one country, the victims in another and the suspects in a third.

However, the most scandalous case in our study relates to a man of Pakistani background who is a Swedish national and resident in Sweden. His Pakistani wife, who has remained in Pakistan, wrote via a Swedish acquaintance a letter to the National Criminal Police, department for ‘honour murders’. She described in her letter that she for some years had been subjected to violence and abuse by her husband. This occurred in Pakistan and she described in detail how these abuses occurred and attached photographs where one could see that she has extensive injuries to her face. This letter was forwarded to the County Criminal Investigation Office in Stockholm and a report of attempted murder, grave assault, grave rape, etc. was drawn up. Some of the cruel acts of violence that her narcotics-abusing husband had exposed her to are: pouring oil over her and trying to burn her alive, throwing acid in her face, trying to strangle her, locking her up and trying to starve her to death, breaking several of her bones and knocking out several of her teeth, raping her systematically, particularly anally, compelling her to watch when he raped a dog and thereafter raped her saying “you are not worth any more than a dog” (he then battered the poor dog to death afterwards) (as if this was not enough). The female victim pleaded for help from the Swedish authorities in her long letter. She explained that her husband is wealthy and influential in Pakistan, while she is “a poor woman in a fanatically male-dominated country where it is easier to kill a woman than to kill an insect”.

The County Criminal Investigation Office commenced a preliminary investigation in Sweden and the International Public Prosecution Office in Stockholm took over the investigation. After communications between the Ministry of Justice, the Ministry for Foreign Affairs and the Swedish Embassy in Islamabad, the Swedish consul ordered a legal investigation, through a local attorney in Pakistan, regarding Pakistani law and double criminality aspects of the various offences. The suspected husband, registered as resident at an address in one of Stockholm’s southern suburbs, was never brought in for questioning and the investigation was concluded without the husband ever even learning that he had been suspected in Sweden for an offence against his wife in Pakistan. The whole thing actually ended with the International Public Prosecution Office, amending the County Criminal Investigation Office’s decision, making the decision not to commence a preliminary investigation with the reasons: “It is obvious that the offence is impossible to investigate. The offence was committed abroad and evidence is not available here”. Besides the fact that this is probably formally erroneous (as a preliminary investigation had been in progress for almost two years), it is exceedingly shocking that this extremely vulnerable

woman is let down – the man’s identity and address are actually known. The question is whether the Swedish authorities’ omission to act constitutes a violation of this woman’s human rights. If she does not get any justice in Pakistan, she has no other way of getting redress than through a crime investigation in Sweden.<sup>72</sup>

---

<sup>72</sup> More about this case in the next Part.

## 7. What do Swedish police authorities do in the event of a report of a sex offence abroad?

When an offence has been reported to the police – and there is also ‘reason to assume’ that a crime was committed – a preliminary investigation will be commenced with the aim of investigating the offence and, if the evidence is sufficient, prosecuting the perpetrator. The objective of the preliminary investigation is thus to constitute a base for considering prosecution. If during the course of the investigation (which in practice may be at a very early stage if the suspected perpetrator is identified) it is considered that someone is ‘reasonably suspected’ of having committed the offence, the prosecutor steps in as the preliminary investigation leader and assumes responsibility for how the investigation is conducted. If during the course of the preliminary investigation it is concluded that an offence has not been committed, the perpetrator does not have criminal capacity, the offence is time barred or the evidence is insufficient to proceed, the preliminary investigation will be discontinued. This is not a final decision but only means that no further work is done with the investigation – in the event that new information emerges, the investigation may be resumed at any time whatsoever (as long as the offence is not time barred). However, if the investigation is concluded, a preliminary investigation record is drawn up and constitutes a basis for the prosecutor to consider prosecution. If the prosecutor considers, on objective grounds, that it is possible to expect a conviction, there is ‘sufficient reason’ for prosecution and the matter is taken to court (unless it can be concluded by a summary penal order or waiver of prosecution).

Precisely the same routines basically apply for reports of offences committed abroad. However, in practice the investigation is different in such cases. When such a report is received the first question is: Has the offence been reported, investigated and prosecuted in the country where the offence was committed? If not – why not? In order to get an answer to this question information is required from the complainant/aggrieved party and/or the legal authorities in the foreign state. The latter presupposes that there are adequate communications interfaces. Here one might expect that there would be well-developed interfaces between the Swedish police, the Ministry for Foreign Affairs (UD) and Europol or Interpol, but foreign matters are so unusual among the local police that there are hardly any such contact networks established. Instead communication is effected when necessary via the National Criminal Police or the International Public Prosecution Office, who will make contact at national level. There are also cases when the UD or the Ministry of Justice are contacted in order to get advice.

According to the correct routine for a normal case, after a police officer has become aware on receiving a report that a crime has occurred abroad and that the matter should therefore not be investigated in Sweden, what should happen is that a *report* is drawn up (or the aggrieved party is given assistance to draw up a report) and that the report is *sent to the country of the crime via Interpol*. No Swedish criminal investigation is commenced and nor do the Swedish police or prosecutor in the normal case usually follow up the matter. Exceptions from this ‘passivity’ apply first – though rather seldom – if the matter relates to a person resident in Sweden who is suspected of an offence against a person resident in the country where the offence was committed. In such cases the Swedish police (for example via the International Public Prosecution Office) may be given the assignment to perform

certain investigation measures, such as holding a questioning with the suspect. In other cases involving a Swedish suspect who is a Swedish national, and therefore cannot be extradited, the investigation must be conducted in Sweden with the assistance of a foreign authority. If the place of the offence is far away, outside Europe (and the USA), this task is often perceived to be impossible even if the offence is grave.

One example of such a case is the case described in the preceding Part with the husband from Pakistan. After the police had commenced the preliminary investigation an attorney was engaged in Pakistan, with the assistance of the consulate in Islamabad, to conduct a legal investigation of Pakistani laws as regards abuse of women. Having received this investigation a dispute arose between the International Public Prosecution Office and the Ministry of Justice about who should pay for the attorney's invoice of a nominal USD 400. These authorities ping pong the invoice to and fro and finally sent the invoice back to the County Criminal Investigation Office enquiring whether they were "willing to bear it as an investigation expense".

The other – significantly more frequent – exception involves the situation where *both the victim and perpetrator are resident in Sweden*. The fact that the offence occurred abroad is a 'coincidence'. It may have for instance occurred when the family was on holiday abroad. In such cases most police districts have as a routine to *commence a preliminary investigation* and try to investigate the offence. In many of these cases it may transpire that there is suspicion of a series of abuses, for example sexual exploitation of a child, and that some, perhaps most of the abuses, occurred in Sweden. One can then assume that focus will be put on the abuse that is easiest to prove (which will seldom be those committed abroad). As the link abroad involves special difficulties, several police districts will as a matter of routine refer the matter to regional level and let the county criminal investigation office deal with the investigations having a foreign element. Otherwise the county criminal investigation office's task is to bring in investigations that expand, affect several districts or prove to have an international link together with narcotics cases (regardless of size).

In some matters where the suspect or victim is located abroad, more qualified initiatives are required to be able to achieve functioning international cooperation. There is consequently cause to look a little closer at the organisations that can collaborate in conjunction with, or take over, the investigation:

**The National Criminal Police (RKP)**, a department of the National Police Board (RPS), becomes involved in crime investigations when the offences and investigations are particularly extensive and complicated. These involve serious criminality, often with international links. This means that the unit for international police cooperation also has close cooperation with Interpol and Europol. As regards sex offences this involves, among other things, investigating, coordinating and organising raids on international networks, for example those engaged in human trafficking for sexual purposes. Such international actions, for example 'Sleipner' in 2004, have resulted in a large number of persons in various countries being apprehended for possession of child pornography.<sup>73</sup> There is a 'Child Pornography Group' (group against sexual abuse of children) at RKP, within the group for IT offences. They have been given the task of supporting the county police districts' investigations regarding this kind of criminality and gathering information (pictures) from that part of the criminal activity that occurs via the Internet, with the aim of – through international cooperation – seeking to trace vulnerable children and the

---

<sup>73</sup> In Sweden 118 persons were apprehended through this raid. Although four years have elapsed since the operation, only a few judgments resulted. There are still some thirty preliminary investigations open.

perpetrators. Furthermore, information is provided to the Internet suppliers about which child pornography sites are to be blocked.<sup>74</sup>

The investigations on the basis of *tips* that were initiated by RKP (or by Interpol/Europol) are not contained in BRÅ's report statistics. However, there are five matters, which owing to their nature, have ended up with RKP initially and resulted in the commencement of preliminary investigations.<sup>75</sup> One of these cases is the case previously referred to concerning child sex tourism in Cambodia.<sup>76</sup> The first of the other cases relates to a man from Iraq, sentenced in Sweden for a sex offence, where in conjunction with a data run prior to his release it transpired that he is wanted by the FBI for sexual abuse of children in the USA. The second case relates to a man, known in the media as the 'dentist', who 'bombards' the police authority, ministry of justice, and others with postcards, demanding that sexual acts with children and child pornography should be decriminalised. The third case is of a similar nature and involves a police report against a website (with 'paedophile' in the name), where it appears that others are encouraged to commit sexual abuse of children. The matter was discontinued with the reason 'not an offence'. The fourth and last case is a report from the Internet site Pirate Bay, after someone had put child pornography on the site for file sharing.

**The International Public Prosecution Offices** is located at three places in Sweden – Stockholm, Gothenburg and Malmö – and deals with matters involving grave organised criminality, primarily international criminality. (In exceptional cases the offices also deal with such criminality where the operation is only conducted in Sweden). Whether a matter is interesting from the international perspective is considered in consultation with RKP, which is also that part of the police organisation with which the office normally cooperates. This assessment is made by the 'Operations Council', which is led from RPS.

The international public prosecution offices also deal with issues concerning international legal assistance (that is to say cooperation in criminal investigations) in EU countries outside the Nordic countries.<sup>77</sup> This part of the operation also deals with matters that may involve applying the European arrest order. This applies both when the Swedish authorities wish to have a person abroad brought to Sweden and when some EU country wishes to have a person who is located in Sweden arrested. As regards suspected sex offences this is primarily when it involves human trafficking for sexual purposes, with women who are brought to Sweden to sell sex or paedophile networks and international child pornography rings with which the offices become involved. Between 2004 and 2007 the office in Stockholm had 77 matters regarding sex offences.<sup>78</sup> Virtually all of these matters involved several suspects and several offences (usually procurement, human trafficking and purchase of sexual services). In total some 385 individual crimes were investigated and of these 169, that is to say 43%, resulted in prosecution, which must be deemed to be a very good result. At the same time it is worth noting that 23 of the reported offences involved children aged under 15 and *as regards these child cases there was not one single prosecution during a four-year period.*

---

<sup>74</sup> Nowadays there is also the task of supporting the counties' investigations regarding child sex tourism.

<sup>75</sup> These cases are not reported in the statistics of the 322 cases.

<sup>76</sup> See Section 5.3.

<sup>77</sup> If the international assistance relates to cooperation outside the Nordic countries and the EU, an application must be made to the Ministry of Justice.

<sup>78</sup> Some of these matters are not included in our material, but, as already explained above, most offences regarding human trafficking for sexual purposes are coded as national offences (and are thus not included in our information base).



One problem with the offices and their cooperation with RPS is that both of these organisations are not directed in the first instance at international criminality generally but *organised* international criminality. The ambition is thus to get at the international criminal syndicates and similar cross-border criminal activities. There is plenty of this in the area of sex offences as regards, for instance, human trafficking for sexual purposes, paedophile networks or child pornography via pay services on the Internet. The problem is those cases that do not have such dimensions: The risk is that 'individual' sexual abuses of children are eliminated through lower prioritisation. On the one hand the matters are sent to RPS or IÅK by the local police or public prosecution authority in the knowledge that they have the competence and the international contacts available, on the other hand these bodies choose to eliminate those cases that do not have the 'nature of a syndicate'. Instead of then directly sending the matter back, IÅK discontinues it (and blames difficulties with evidence although they have not even started to investigate the case properly). There are more than a dozen such examples in our study.

**Police liaison officers** are located at a number of places in the world, among other places in Thailand. The liaison office in Bangkok started 30 years ago and the office was initially manned by a Swedish police officer. Subsequently the office was extended by one further Swedish police officer and, since the mid-1990s, Denmark and Sweden share the work. That is to say, one Danish and one Swedish police officer are stationed there. This office forms part of the cooperation known as 'PTN' (Swedish acronym for Police/Customs/Nordic countries). These liaison officers consequently represent police and customs from all of the Nordic countries in relation to the country where they are stationed and may also have 'ancillary accreditation'. The Bangkok office has Laos, Cambodia, Vietnam and the Philippines, besides Thailand, in its area of responsibility. From the beginning this 'office' concentrated on narcotics criminality and the liaison officers were then specialised within this area of crime. But now travelling sex offenders also represent a prioritised area of operation and police officers with generally broad experience may come into question for the position. The role of the liaison officer is to collaborate with the national police so that initiatives to combat crime and for investigations can also be effected from the Swedish side. The liaison officer meets their cooperating partner and presents wishes concerning things to be done. A plan is produced in consultation regarding how the goal can be achieved, through exchange of information, etc. The active initiatives, surveillance or whatever other measure might be called for, are always performed by the national police, in the case of Thailand the Royal Thai Police (who have a special department for crimes against women and children). We do not have any information as to whether these initiatives are effective in preventing crime and in combating crimes such as narcotics smuggling, but it is astounding that this operation against sexual criminality in recent years *has not resulted in one single apprehension of a Swedish sex tourist*. This is the case despite the fact that we are aware that it does occur and where it occurs. One reason for this is probably that the sex selling operations are so well organised that the teenage victims will not participate in any investigation and it is difficult to succeed in catching customers red handed.

**The Ministry for Foreign Affairs (UD)** represents the interests of Sweden and Swedish nationals abroad. In this context it is worth devoting some attention to the action of the UD for Swedes who are adversely affected by crimes or apprehended for offences in other countries. There is no reporting obligation on the part of the national police to the Swedish

Embassy,<sup>79</sup> neither as regards victims nor perpetrators, but it is only when the Swedish national requests assistance of some kind – with home travel costs, defence counsel, interpreter, contacts, etc. – that the embassy (or consulate) learns about the offence. This in its turn means that neither are there any statistics regarding how many Swedes have been the victims of crime, for example sex offences, abroad nor any information about how many Swedes have been apprehended, detained, prosecuted and sentenced for sex offences abroad. Each year in total about 200 Swedes who have been apprehended for offences contact the Swedish embassy/consulate in order to get assistance, but only a few of these are apprehended for sex offences. This can, according to officers at the UD, suggest that, especially as regards suspected sex offences, those apprehended wish to avoid contact and any ensuing publicity. As regards victims of crime, there are also rather few who request consular assistance, but the matters that are received sometimes result in rather extensive measures (assistance with hospital visits, home travel, interpretation, support, etc.). In this context it should be observed that the rules of the Legal Aid Act, Sections 21 and 22, grant victims of sex offences abroad the right to such support at the expense of the central government<sup>80</sup> and that this support also covers costs and legal assistance in the event that the aggrieved party must travel back to the country of the crime to give testimony. Furthermore, the UD has issued special directives about giving priority to support Swedes who have been victims of crimes abroad.

Finally, the need for international cooperation in connection with a crime investigation may be a matter for the **Ministry of Justice**. If the international legal assistance is to be provided in a country outside the Nordic countries or the EU, the measure must be processed through the Ministry. The prosecutor (normally at the International Public Prosecution Office) who wishes to establish a link with foreign colleagues must consequently make an application to the ‘central agency’ (the Ministry). The Division for Criminal Cases and International Judicial Cooperation (BIRS) translates the documents in the matter and sends the application to the central agency in the state with which cooperation is sought. In certain exceptional cases the Government is to decide on cooperation, but in other cases the task of the Ministry is basically to be an intermediary link – there is normally not any review of the legal or practical preconditions for achieving cooperation. However, there is often consultation between the case workers at the Ministry and the prosecutors regarding the real opportunities of establishing cooperation and negative experience from previous attempts to make contacts often constitute a basis for not applying (or not pursuing the application). The foreign prosecutors’ (or courts) applications for assistance from Swedish crime investigators (in the crime investigation is in progress outside the Nordic countries and the EU) also goes via the central agency in Sweden. In these cases the Ministry assesses whether the preconditions for legal assistance are satisfied and, if this is the case, the task is allocated to the appropriate prosecutor (or court). A number of such applications occur in the area of sex offences, among other things regarding Swedish women who have been raped in Turkey.

---

<sup>79</sup> According to the Vienna Convention a person who is apprehended for an offence should be entitled to contact their embassy within 24 hours, but certain countries have bilateral treaties which provide that the embassy *must* be notified. For example, the USA has such a treaty with among others the UK, Russia and China, but also with countries such as Georgia, Kuwait and Sierra Leone.

<sup>80</sup> Unless these costs are covered by their own insurance.

*To summarise*, the main rule means that an offence should be investigated and prosecuted in the country where it was committed and that a preliminary investigation should not be initiated in Sweden. The Swedish police should instead – if the report has not already been made at the place of the offence – take up a report and send it (via Interpol) to that country in question. If an investigation is also required in Sweden, the Swedish police and prosecutor should assist the foreign crime investigating authority. The risk with this routine is that it leads to passivity, i.e. that officers wait to be prompted from abroad.

Exceptions apply if both the victim and perpetrator are resident in Sweden. It is then natural and correct to commence the preliminary investigation in Sweden. However, a precondition for the possibility of such investigation leading to prosecution – if the perpetrator does not confess or there is picture evidence – is that there is assistance available from the local police at the place of the offence abroad. But such cooperation is still undeveloped.

The conclusion is regularly drawn (especially among prosecutors) that it is too difficult to establish cooperation with foreign police, often on the basis of prejudice and fears about problems that do not necessarily exist. Indeed there are in many cases experience of inadequacies in communication, lack of response from the foreign authority or that it takes an unreasonably long time to get the information desired. But we see in our study examples of good rape investigations, not only in European countries but also for example in Turkey and Thailand; investigations that resulted in rapes of Swedish women leading to the conviction of national offenders. To assume that cooperation will be unfruitful in today's globalised world is a completely wrong attitude.

## 8. Closing comments

Very few offences committed abroad by or against Swedes are the subject of a crime investigation. This applies not least to sex offences. The primary reason for this is the substantial hidden statistics, that is to say, that the victim of the offence for one or another reason does not report the event. The generally low propensity to report is probably further suppressed by the fact that the offence was committed outside Sweden. However, an almost equally important factor is the fact that the absolute main rule is that an offence, as a generally and internationally accepted criminal law principle, must be reported, investigated and prosecuted in the country where the offence was committed. This consequently means that the offence abroad should not be reported in Sweden but instead at the place where the offence was committed. Nonetheless, some hundred sex offences come to the knowledge of the Swedish police every year by reports in Sweden. What the Swedish police then, also as a main rule, should do – and in fact normally do – is to draw up a report and send it via Interpol to the country where the offence was committed. Then that country takes over the investigation and in the best case the investigation is conducted in cooperation between both of these countries' police and prosecution authorities.

Unfortunately, apart from the Nordic countries, international cooperation is so undeveloped that this routine seldom functions. The perception of the police and prosecutor is that they do not have any realistic prospects of conducting a sensible investigation, neither here nor there, when the crime scene is at one place and the perpetrator at another. More cynically this means that a Swede who commits an offence abroad has greater opportunities of going free if he or she is not deprived of their liberty and detained at the place of the offence pending trial. However, this will only occur if the offence is of a certain gravity (in the opinion of the police in the country of the offence) and the evidence is already strong from the beginning.

In rare cases the evidence in sex offence matters, for example abuse of children involving documentation by pictures, may be so strong that it is possible from the Swedish side to pursue the matter to prosecution without further assistance by foreign authorities. However, there are extremely few examples of such matters. It is most remarkable that during this period there have only been four reports of suspected child sex tourism and not one single prosecution. The conclusion must be that people who learn of or suspect that abuse has occurred against a child abroad, for example when someone has purchased sexual services from a child in Thailand, do not consider it worthwhile to report. What the causes for this might be – not wanting to get involved, that there is no concrete evidence anyway, that it is not believed that the local police will do anything and that it appears meaningless to report in Sweden, etc. – is not something that will be discussed in this context. It should only be concluded here that it is a manifest problem that such a grave offence, which in Sweden is termed 'rape of child', is *de facto* exempted from criminal liability if the abuse occurs outside the Nordic countries.

The most important conclusion as regards sex offences against victims abroad is that *international cooperation must be developed and improved*. Without functioning police and prosecutor cooperation between various countries, sex tourism will continue to flourish. To the extent that vigorous efforts are made at certain places in the world, the problem will only move to others. In order to remedy this phenomenon, the coordination of international action is consequently required, so that the local police everywhere are compelled to combat and investigate this criminality. Nor should one believe that the blame for such

inadequate cooperation lies with the foreign party, and that we in Sweden have good preparedness and are well organised to investigate foreign offences but that the foreign police do not have the competence to provide assistance. It may be true that the problem lies with the prospective cooperating partner in cases involving the local police in a developing country, but in other cases it just as well may be the Swedish side that does not function. *If the matter involves a foreign matter comprising an individual case – and not organised criminality – there are no functioning routines and no functioning assistance bodies for the Swedish police.*

If the situation is such that both the victim and the suspected (known by name) perpetrator are present in Sweden, which was the situation in 32% of the matters investigated, the preliminary investigation should thus take place here in Sweden although the offence occurred abroad. This is also done in most cases reported. In exceptional cases it may also be that the foreign police, predominantly in the Nordic countries, hand a matter over to the Swedish police because the suspect is resident here.

The circumstance that the crime scene is located abroad is seldom of decisive importance for the possibilities regarding evidence, because the parties' statements often constitute the central evidence in sex offence cases. Here it thus involves the Swedish police having to implement a number of questionings with the parties involved and looking for possible evidence supporting the aggrieved party's statement. The same difficulties and inadequacies apply to these investigations as for sex offences committed in Sweden. As it is extremely rare to get confessions (unless the suspect is convinced there is overwhelming evidence), one often ends up in a word-against-word situation, which makes it difficult to bring the case to prosecution. Therefore, 85% to 90% of the sex offence matters are discontinued. This proportion of discontinuations is lower for sex offences committed abroad. To the extent that there is a prosecution, the cases mainly involve rapes of adults and are the result of good cooperation with one of the other Nordic countries. However, when the suspicion relates to sex offences against *children*, the prosecution frequency is four to five times lower than for the corresponding national offence. Despite the crime scene as such being of less relevance for the investigation of this offence, there are in practical terms virtually no prosecutions at all regarding children who are victims of abuse abroad, not even when the abuses occurred within the family and/or part of the abuses also occurred in Sweden.

*The inadequacies that apply generally as regards the investigation of sex offences also apply to the foreign cases and are even clearer as regards these.* Despite a report appearing to be of good substance and the suspect being traceable, the preliminary investigation is in many cases discontinued without questioning the suspect. The opportunities of achieving prosecution are considered to be far too few and it is assumed that no one is prepared to confess to a sex offence, least of all against a child. In the cases where the investigation nonetheless results in actual questionings, the investigation is often discontinued without further investigation measures, although the statement of the aggrieved party is credible and appears to be reliable. Many discontinuations are poorly or erroneously justified. In many cases the investigation is discontinued with the reason 'offence cannot be proved', although it appears that there is sufficient evidence. Other cases are discontinued with the justification 'to continue the investigation cannot be expected to result in anyone being reasonably suspected of the offence', although no very in-depth investigation measures have been implemented or despite the fact that there is a suspect. In some other cases, the reason stated is 'no offence' regarding reports that definitely satisfy the offence criterion.

There is also an absence of routines to resume preliminary investigations in those cases where it was found that the perpetrator is still in the country of the offence. In many cases, and this applies especially with relatives who are perpetrators, the suspect will in time come to Sweden on a visit. It will then be possible to bring him in for questioning, but the Swedish police are usually not aware that there is a suspicion; there is in far too few cases any (international) posting of such suspects as wanted and nor does there appear to be any functioning 'surveillance register' for foreign visitors.

The most important conclusion as regards sex offences that are possible to investigate in Sweden is that *the fact that the crime scene is located abroad should not be an impediment for investigation and prosecution*. In many cases it is possible to proceed to prosecution without a closer investigation of the actual crime scene. Should such investigation nonetheless be required, channels of communication must be established on the part of the Swedish investigators in order to improve the efficiency of the police and prosecutor cooperation available according to international agreements. In the event that the situation should be that the local police in a particular foreign district refuse to cooperate, it is appropriate to elevate the matter to a higher national level. This requires resources – which are not available today.

Then it is necessary, exactly as with national cases, to remedy the prevailing inadequacies as regards insufficient competence in relation to the problems of abuse; inadequate resources, pessimistic approach to investigation, prematurely discontinued preliminary investigations and prejudice associated with the evaluation of evidence.

## APPENDIX: SCHEDULE OF CASES

The cases in this schedule that are shown in bold have been referred to in the text.

### Stockholm

#### City

1. 49-year-old woman raped by an unknown man on the ferry to *Estonia* (2006)
2. 18-year-old woman raped and robbed by two men, probably Nordic tourists, during holiday trip to Alanya, *Turkey* (2006)
3. 23-year-old female asylum seeker raped in *Kurdistan*; the woman fled from her prospective husband as she was no longer a virgin. Police report made in Sweden in conjunction with an attempted suicide (2006, preliminary investigation was not commenced as offence occurred abroad)
4. 49-year-old woman raped by an unknown man on the ferry to *Finland* (2006)
5. 45-year-old woman raped in Lyon, *France* (2007, investigation being carried out there, but Swedish police advise that they can assist with the investigation; however, the matter was discontinued)
6. 53-year-old man raped and robbed by an unknown man during a holiday trip to Istanbul, *Turkey* (2006)
7. 16-year-old girl of Turkish origin exposed to indecent sexual behaviour by telephone by a man in *Turkey*, whom she had previously met there (2006, preliminary investigation not commenced)
8. 16-year-old girl sexually exploited by a Swedish male acquaintance during a holiday on Gran Canaria, *Spain* (2005, matter discontinued)
9. Middle-aged woman reports child pornography site on the Internet on which she ended up after using another search term (2005, matter transferred as a tip to the child pornography group at the National Criminal Police (RKP))
10. 37-year-old woman raped by two unknown men during a holiday in *Gambia* (2004)
11. 16-year-old girl raped by unknown man at Sunny Beach, *Bulgaria*, while two friends of the man kept a look out. (2006, report also made at the location in Bulgaria, forensic certificate obtained, but the matter, which was commenced (also in Sweden), was discontinued)
12. 66-year-old woman raped by an unknown man on the ferry to *Finland* (2006)
13. Two women, aged 20 and 44, report rape and attempted rape respectively on the ferry to *Finland* (2005, foreign perpetrator identified and the matter proceeded to prosecution)
14. 20-year-old woman reports rape on the ferry to Estonia; the suspect belongs to the same travelling party, but claims consent and the investigation was discontinued (2006)
15. Relative reports that a 22-year-old woman was the victim of grave rape in *Australia*, but the aggrieved party does not wish to assist in the investigation (2005, no preliminary investigation commenced)
16. 19-year-old woman sexually molested on a holiday trip to *Turkey*; attempt to report the offence there failed (2005)
17. 21-year-old woman sexually molested by Lithuanian man on the ferry to *Estonia* (2005, discontinued)
18. 45-year-old woman reports a Lithuanian man for attempted rape on the ferry to *Estonia*; witness intervenes and man apprehended (2005, matter proceeds to prosecution?)
19. 28-year-old woman reports that she had been drugged and raped on the ferry to *Finland*; drug test negative and matter discontinued (2005)
20. 27-year-old woman of Kurdish origin reports that she had been raped by a Swedish man on the ferry to *Finland*; man claims consent (2005)
21. 22-year-old woman victim of attempted rape by a Finnish man on the ferry to *Finland* (2005)
22. 37-year-old drunken woman wakes up, with her trousers pulled down, in a corridor on the ferry to *Finland* and suspects that she was raped; the National Laboratory of Forensic Science (SKL) finds no traces and the matter is discontinued (2005)
23. Two 15-year-old female companions sexually molested by a drunken Russian man on the ferry to *Finland* (2005, discontinued owing to lack of intent)
24. 38-year-old woman wakes up naked in a hotel room in *Thailand*; has been drugged, raped and robbed. Treated badly by the Thai police and also makes a report in Sweden, but the investigation was discontinued (2005)
25. 14-year-old girl sexually molested by her mentally disturbed father during a holiday in *Spain* (2005, discontinued)
26. Middle-aged man reports child pornography site from *Russia* on the Internet (2004)
27. 16-year-old boy sexually molested by homosexual waiter on the ferry to *Finland* (2004)
28. 44-year-old man sexually molested by a Russian man on the ferry to *Finland* (2005)

29. 31-year-old Finnish woman raped by an Indian man on the ferry to *Finland* (2004)
30. 18-year-old man sexually molested and robbed by two unknown German men during a school trip to Berlin, *Germany* (2007)
31. 22-year-old woman in helpless condition reports that she was raped by two unknown men on the ferry to *Finland*; however, SKL finds no traces (2007)
32. Suspicion of a 27-year-old woman from *Albania* operating as a prostitute on Malmkillnadsgatan was the victim of human trafficking for sexual purposes (2007, matter discontinued, woman taken into custody by the Swedish Migration Board for a period of time but subsequently released)
33. 34-year-old woman suspects that she was drugged and raped by two unknown men on the ferry to *Finland*; however, SKL finds no traces (2007, close points of similarity between this case and case 31)
34. 15-year-old girl raped in *Greece* by a friend of her Greek father; the police assist the aggrieved party in drawing up a report in Greece and declare that they will assist with any questioning in Sweden (2007)
35. 21-year-old woman raped on the ferry to *Finland*; traces found but perpetrator unknown (2007)
36. 25-year-old woman raped by an African man during a holiday on Mallorca, *Spain* (2007)
37. 18-year-old woman raped by two unknown men during a holiday in Alanya, *Turkey* (2007)
38. 22-year-old Swedish woman raped by a Turkish man during a visit to friends in *Turkey* (2007, discontinued as the aggrieved party no longer wishes to assist)
39. 21-year-old woman raped by two men on the ferry to *Finland*; the men were identified but deny the allegation; woman does not recollect everything and there is no supporting evidence (2007, discontinued)
40. 25-year-old woman sexually molested by an 'African man' on the ferry to *Finland* (2007)
41. 16-year-old girl on a language course in *England* raped by three unknown black men (2004, discontinued)
42. Elderly man reports child pornography from the *United States* received via an e-mail where he was encouraged to provide his bank card details (2004)
43. *Pakistani* woman reports her husband, a Swedish citizen of Pakistani origin and resident in Sweden, for gross violation of a woman's integrity, rapes and attempted murder (2005, preliminary investigation commenced by police, but decision revoked by prosecutor)
44. 29-year-old woman with some mental problems raped by two identified men on the ferry to *Finland*; the men claim consent (2006, discontinued)
45. 33-year-old woman reports unlawful deprivation of liberty (locked in a cabin) and attempted rape by a male relative on the ferry to *Finland* (2006)
46. 19-year-old woman raped on the ferry to *Finland* by a man with whom she had voluntary sex previously (2006, discontinued)
47. 15-year-old girl raped by a slightly older Swedish male acquaintance on Crete, *Greece* (2006, discontinued)
48. 11-year-old girl sexually molested (possibly attempted rape) by a drunken acquaintance of her father who was sharing a cabin with them on the ferry to *Estonia*. (2006, prosecution instituted)
49. 24-year-old heterosexual man in a helpless condition raped by a homosexual male acquaintance on the ferry to *Finland* (2007, prosecution instituted?)
50. Three 14-year-old female companions on the ferry to *Finland* were offered alcohol by three Swedish men in their thirties; the girls get drunk and neck with the men at the same time as they are filmed by one of the men, but no abuse occurs as guards intervene (2007, discontinued)
51. 16-year-old girl reports that she was the victim of sexual abuse by an acquaintance of her father in *Estonia* when she was nine years old, but that she was also later exploited by her maternal grandfather in Belgium; these statements emerged during a social welfare investigation (2007, discontinued)
52. 28-year-old woman in helpless condition raped on the ferry to *Finland*; man identified but claims consent (2007, discontinued)
53. 23-year-old woman reports that at the age of 17 she was raped by a male acquaintance when she was in the *United States* (offence occurred in 2001, but reported in 2007)
54. Two 18-year-old women raped by two Italian men during a holiday on Gran Canaria, *Spain* (2007, matter discontinued, but reopened after review, following which it was discontinued again after the Nordic police force's liaison officer in Spain considered that there was no possibility of pursuing the investigation any further in Spain)
55. 22-year-old woman in helpless condition raped on the ferry to *Finland*; forensic chemistry laboratory finds traces of drugs (2007, discontinued)
56. 20-year-old woman raped by identified Danish man during a holiday trip in *Gambia* (2007, matter was forwarded for investigation by the Danish National Police; Swedish contact police officer appointed)
57. A man, now aged 37, reports that between the ages of 10 and 15 he was sexually exploited by his father in *Norway* (and that the same had happened to his two brothers), (2007, contact was made with the Norwegian police although the case was probably time barred)
58. A man, now aged 20, of Indian origin reports that between the ages of 9 and 12 he was sexually exploited by his older brother when the family lived in *India* (2007)
59. 18-year-old woman sexually molested by three men of the same age on the ferry to *Estonia* (2007)



60. 56-year-old woman victim of attempted rape by an unknown man on the ferry to *Finland* (2006)
61. 21-year-old woman victim of attempted rape by two men on a Vespa scooter in Milan, *Italy*, where she worked as a model (2006, report also made in Italy)
62. Ten-year-old boy exposed to indecent sexual behaviour by telephone by a man from *Germany* (2004)
63. 20-year-old woman raped by a Finnish man who she met on the ferry to *Finland*; the man claims consent (2004, discontinued)
64. Woman reports child pornography of unknown origin that she received by e-mail at her place of work (2004)
65. 28-year-old woman raped by a Dutch man during a holiday in *Turkey*; man apprehended and remanded (2004, investigation continued in Turkey and may have resulted in a conviction)
66. 20-year-old woman raped in *Syria* during a visit to her maternal aunt; the elderly male suspect is an acquaintance of the family (2004)
67. 28-year-old woman sexually molested by telephone by an unknown man in Corsica, *France* (2004)

#### Southern district (Söderort)

68. 42-year-old woman sexually molested by letter by her former husband in *Turkey* (2004)
69. 28-year-old woman raped by an acquaintance when visiting him in Amsterdam, *the Netherlands* (2005)
70. 15-year-old girl sexually exploited by a family member during a stay in *Australia* (2005)
71. 37-year-old woman sexually molested on MS Cinderella, *Finland* (2005)
72. 20-year-old woman raped by two men during a visit to friends in Tel Aviv, *Israel* (2005)
73. 18-year-old woman raped on Åland, *Finland* (2005, matter transferred to Sweden)
74. Report of child pornography via the Linewire file-sharing program (2005)
75. 33-year-old woman reports that she was sexually exploited as a child when she lived in *Kuwait* (report 2006, the offence occurred during the period 1986 to 1988 when the woman was between the ages of 8 and 10)
76. 38-year-old woman, resident in London, reports that she was assaulted and raped by her cohabitee, *England* (2006)
77. 35-year-old woman victim of sexual coercion on MS Cinderella, *Finland* (2006, matter transferred to Sweden)
78. 36-year-old woman reports that she was sexually exploited by her maternal uncle in *Finland* when she was 5 years old (offence reported in 2006, but happened in 1975, that is, 31 years previously)
79. 32-year-old woman raped in a helpless condition on Crete, *Greece* (2006)
80. 21-year-old woman sexually molested and drugged on the ferry to Finland, *Finland* (2007)
81. 26-year-old woman raped by her cohabitee in *Northern Ireland* (2007)
82. 12-year-old girl victim of sexual molestation by a 40-year-old man on MS Cinderella, *Finland*; two other girls (aged 10 and 18) are also victims of the same man (2006, matter transferred to Sweden)
83. During an investigation into the gross violation of a woman's integrity, it transpired that the man had also raped the 43-year-old woman during a holiday in *Bulgaria* (2007)

#### Western District (Västerort)

84. Astrid Lindgren Children's Hospital reports a suspicion that a ten-year-old girl was the victim of to sexual abuse by her paternal uncle during a stay in *Saudi Arabia* (2007, special representative appointed for the child)
85. Suspicion of a 14-year-old girl having been the victim of rape by her paternal uncle when she was 6 and lived in *Bolivia* (reported 2007).
86. 24-year-old woman sexually molested on Silja Line, *Finland* (2004)
87. 21-year-old woman sexually molested on Cinderella, *Finland* (2004)
88. 23-year-old woman sexually molested on Silja Line, *Finland* (2004)
89. A transport company reports that a package from *Japan* without an address had been opened, where pictures were found of a naked woman with a man standing over her with a knife and fork (2004)
90. 20-year-old woman raped by a hotel guest during a holiday in Agia Napa, *Cyprus* (2004)
91. 24-year-old woman reports that she was sexually molested by the pilot of a charter trip to *Turkey*, owing to the fact that she got to sit in the cockpit as she was frightened of flying whereupon the pilot started to grope her (2004)
92. 16-year-old girl sexually exploited during a visit to her family in *Congo-Kinshasa* (2004, there is possibly a suspicion of female circumcision)
93. 17-year-old girl sexually molested on Silja Line, *Finland* (2005)
94. 21-year-old woman raped by unknown Spaniard aged around 35 during a trip to the Canary Islands, *Spain* (2005)
95. 23-year-old woman raped by two unknown Russian men during a holiday in Alicante, *Spain* (2005)
96. 25-year-old woman raped in Turkey; man apprehended and sentenced in *Turkey* (2005, unclear why report was also made in Sweden)

97. 13-year-old girl raped by four young men in *Thailand*; the men were apprehended and sentenced. The girl, who grew up in Sweden, had been living with her father in Thailand but returned to Sweden after the rape (reported in 2006 after the girl, now 16 years old, started to have therapy. The rape occurred in 2003)
98. 26-year-old woman raped by her husband during a holiday in *the Netherlands* (2006)
99. A male acquaintance reports a Swedish 55-year-old for having exploited his ten-year-old daughter sexually during a trip to *Brazil* and to prove that he travels to *Thailand* to sexually exploit young girls (2007, report was originally received by the National Police Board (RPS), but transferred to Western District)
100. 25-year-old woman reports that a Somali man had bought her from her parents and taken her to Hungary, where she was used as a prostitute for a period of 9 to 10 months in 2005 (reported 2006)
101. 35-year-old woman raped on Cinderella, *Finland* (2006, two suspects questioned on Åland)
102. 28-year-old woman raped and robbed while threatened at gunpoint by an unknown man in Rio Caribe, *Venezuela* (2007)
103. 20-year-old woman raped by an unknown man in Larnaca on *Cyprus* (2007)
104. 23-year-old woman sexually molested on Cinderella, *Finland* (2007)
105. 21-year-old woman sexually molested/raped by a person on the same course at the Swedish National Police Academy during a trip to *Finland* (2007, preliminary investigation discontinued as offence cannot be proved, despite witnesses).
106. 20-year-old woman raped by her fiancé during a trip to Istanbul, *Turkey* (2007)

#### Northern District (Norrort)

107. Mother reports that her daughter, now aged 23, was victim of sexual abuse 20 years ago by a Swedish man in *the Netherlands* (offence occurred in 1984, but reported in 2004)
108. 19-year-old woman raped by an unknown man on the beach on Kos, *Greece* (2003, reported 2004)
109. 16-year-old girl left in *Iran* against her will following a visit to members of her family; suspicion that she may have been sexually exploited (charge: putting a person in a distressful situation, 2004)
110. 36-year-old man robbed and sexually exploited in conjunction with kidnapping in *Iran* (2005)
111. 17-year-old girl raped by an unknown man in Manila, *the Philippines* (2005)
112. 20-year-old woman victim of attempted rape by an unknown man in Barcelona, *Spain* (2005)
113. 21-year-old woman victim of sexual coercion and blackmailed to appear in grave pornographic pictures at a hotel on Åland, *Finland*, by a photographer who had fooled her with the promise of a trial photo session for a modelling job. (2006)
114. 39-year-old woman raped by an acquaintance in Maidstone, *England* (2007)
115. 24-year-old woman victim of attempted rape on Silja Line, *Finland* (2007)
116. Mentally disturbed 23-year-old woman raped by her special representative on trip on Cinderella, *Finland* (2007)
117. 13-year-old girl victim of assault and possible sexual molestation by her father during a visit to his house in *Spain* (2007)

#### Nacka

118. 17-year-old girl raped by a person of the same age on a cruise to the Åland Islands with Cinderella, *Finland* (2006)
119. Report of child pornography in e-mail from Arkansas, *the United States* (2005)
120. Woman in her thirties raped by a man armed with a knife at a disco in *Tunisia* (2005)
121. Woman in her twenties raped by two Swedish men during a holiday on Zakynthos, *Greece* (2006)
122. Woman in her twenties raped by an unknown person during a holiday on Rhodes, *Greece* (2006)
123. Report of an offer of child pornography from liljeber@delphi.com (2005)
124. Woman in her thirties raped by an acquaintance during honeymoon trip in *Jordan* (2005)
125. Woman in her twenties raped during a stay as an au pair in North Carolina, *the United States* (2006)
- (This district has withheld the ages of victims aged 18 and over)

#### Roslagen

126. 15-year-old girl raped by an unknown man in his thirties on a bus trip with her mother in *Scotland* (2004)
127. 19-year-old woman raped by her 57-year-old teacher (folk high-school) on the Vana Tallinn ferry, *Estonia* (2005)
128. The disability service reports that a disabled 47-year-old man was sexually exploited by a 54-year-old man, first at his home and then during a trip to Rhodes, *Greece* (2005)
129. 30-year-old woman sexually molested on the Cinderella ferry, *Finland* (2005)
130. 19-year-old woman studying in California, *the United States*, was raped by two Swedish men (2005)

131. 20-year-old girl sexually molested/raped on the Silja Festival, *Finland* (2005)
132. 40-year-old woman reports that a man from *Egypt*, with whom she had chat contact, sent her pornographic pictures with pictures of her face pasted in (2005)
133. 47-year-old man who is suspected of a large number of rapes of young boys is suspected to have carried out one of these at a summer cottage on Åland, *Finland* (2006, the man was prosecuted and convicted)
134. 23-year-old woman sexually molested on the ferry to Åland *Finland* (2006, man apprehended on the boat and subsequently prosecuted)
135. 36-year-old woman drugged and raped at a hotel in Rhodes, *Greece* (2007)
136. 65-year-old woman reports that she was raped at a conference in Rome, *Italy* in 1986 (reported in 2007, that is, 31 [*sic* 21] years after the event)

#### Södertörn

137. 31-year-old woman raped by her husband during a visit that they made together in *Lebanon* (2006)
138. 35-year-old woman sexually molested on a ferry to *Estonia* (2005)
139. 20-year-old woman raped in *Thailand* when she hitchhiked on a moped to a beauty spot; perpetrator identified and wanted by the Thai police, but not apprehended; aggrieved party repatriated to Sweden via SOS Alarm (2006)
140. 53-year-old man reports that he received child pornography via an e-mail from *Russia* (2005)
141. 20-year-old girl sexually molested on Silja Festival to *Finland* (2007)
142. 23-year-old woman sexually molested on Åland cruise with Birka Princess, *Finland* (2006)
143. It emerged in conjunction with another investigation that, during a visit to his home country, a Swedish man of *Chilean* origin had a child with a 14-year-old girl who he brought to Sweden (2005)
144. 34-year-old woman raped and robbed in Marmaris, *Turkey* (2005)
145. 38-year-old man from *Kenya* raped and robbed when visiting his home country; the assault was carried out by unknown men at a zoo and they also pulled out his gold tooth (2004)
146. In conjunction with a 14-year-old girl's attempted suicide, it emerged that her father had abused her sexually during a trip to *China* when she was eight-years old (this offence occurred in 2001, but was reported in 2007)
147. Social welfare services report suspicion of two small brothers, aged 5 and 6, having been sexually exploited by their parents when the family lived in *Gambia* (2004, the brothers are now in care under the Care of Young Persons (Special Provisions) Act (LVU) and have been placed in a foster home)

#### Södertälje

148. 30-year-old woman assaulted, sexually molested and possibly raped by her neighbour/boyfriend during a holiday together to Alicante, *Spain*; report was made when the couple argued at the airport on their return home (2004)
149. The police authority in the Åland Islands transfers a matter commenced regarding the attempted rape of a woman in her twenties on MS Cinderella, *Finland* (2004)
150. 13-year-old girl sexually molested on MS Cinderella, *Finland* (2005)

#### **Västra Götaland**

151. 13-year-old girl raped by her paternal uncle during a visit to *Norway* (2007)
152. 29-year-old woman raped by a work colleague during a business trip to *Denmark* (2007)
153. 19-year-old woman raped during a holiday in Alanya, *Turkey* (2007)
154. Five-year-old girl victim of sexual abuse during a visit to her father in *Norway* (2003; the suspect is at the same time being prosecuted for the sexual molestation of minor boys in Norway)
155. Two Albanian men suspected of having brought a 22-year-old woman to Sweden from *Kosovo* and facilitating the sale of her sexual services here (2005)
156. 15-year-old girl raped by older Swedish boy on ferry between Gothenburg and Kristiansand, *Norway* (2004)
157. 23-year-old woman sexually exploited as an au pair in *the United States* (2004, offence occurred two years previously)
158. 22-year-old woman victim of attempted rape in Aix-en-Provence, *France* (2001, reported 2004)
159. 21-year-old woman raped during a holiday in Alanya, *Turkey* (2004)
160. 13-year-old girl anally raped by her maternal uncle in Copenhagen, *Denmark* (2003, reported 2004)
161. 25-year-old woman victim of sexual molestation on ferry to Fredrikshamn, *Denmark* (2004)
162. 22-year-old woman raped in Las Palmas, *Spain* (2004, woman did not provide detailed explanation, but report made by the tour operator, which meant that the police met her on arrival at Landvetter)
163. 43-year-old woman raped at her home in Trevoux, *France*, by a man who lives in Sweden (2004)
164. Swedish woman resident in England suspects that her former cohabitee subjected her 11-year-old daughter to sexual abuse in Northampton, *England*, (2004)

165. 31-year-old woman raped by two men in Copenhagen, *Denmark* (2005)
166. 19-year-old woman, now resident in Sweden, reports that she was forced (by identified pimp) to sell sex from when she was 14 years old in *England* (matter transferred to the International Public Prosecution Office, 2005)
167. Suspicion that an eight-year-old girl was victim of sexual abuse when staying with her father in *the United States* (2005)
168. 16-year-old girl victim of sexual abuse by her father during a visit to Beirut, *Lebanon* (2005, girl now living in protected housing)
169. 19-year-old girl with mental disability sexually exploited at a camp site in *Italy* (2005)
170. 27-year-old woman victim of attempted rape in Alanya, *Turkey* (2005)
171. Two boys, aged 5 and 8, suspected by social welfare services of having been sexually exploited by a relative in *Finland* (2005)
172. Report concerning child pornography received by e-mail from *Russia* (2005)
173. Two brothers, now aged 9 and 10, repeatedly subjected to oral rape by known perpetrators (no further details provided) in *Norway* (2005)
174. 21-year-old woman raped on ferry to Kiel, *Germany* (2005)
175. 7-year-old girl raped by a 14-year-old boy in her circle of acquaintances when staying in *Norway* (2005)
176. 18-year-old woman sexually molested on oil tanker, *Norway* (2005)
177. Social welfare services report suspicion that a 15-year-old girl had been sexually exploited by her father who lives in *Spain* (2006)
178. Ten-year-old girl victim of child rape during a trip to *Denmark* with two friends and their parents (2006, the suspect is a priest)
179. Following therapy, a 27-year-old woman reports that she was subjected to several anal rapes in 1987 when she lived in *Greece* (2006)
180. 15-year-old girl raped by her father who lives in *Italy* (2005, reported one year later)
181. Brothers, aged 9 and 10, victim of anal rapes by a teenage acquaintance (son of father's cohabitee) in *Norway* (2005)
182. Social welfare services report that a five-year-old girl may have been sexually abused when staying in *Norway* (2004)
183. 45-year-old woman raped by an unknown person during a holiday to Sunny Beach, *Bulgaria* (2006)
184. 21-year-old woman reports a man in *Norway* for having started to talk about sex with children during MSN chats (2006)
185. 23-year-old woman victim of sexual molestation at a hotel in Frederikshavn, *Denmark* (2006)
186. 19-year-old woman raped in Copenhagen, *Denmark* (2007)
187. 19-year-old woman reports that she was sexually exploited by her father as a child, during the period 1993 to 1996, when the family lived in *Ireland* (2007)
188. 13-year-old girl exposed to indecent sexual behaviour via mobile calls (in Swedish and English) from *Turkey* (2007)
189. 27-year-old woman raped by a man in her travelling party at a mountain cottage in *Norway* (2007)
190. 58-year-old woman reports that she was raped twenty times during her marriage in *Norway* (2007)
191. 43-year-old woman victim of attempted rape by an unknown person in Barcelona, *Spain* (2007)
192. 17-year-old woman raped in a helpless condition by a Danish man in Crete, *Greece* (2007)
193. 22-year-old woman raped by a 'healer' at a festival outside Hamburg, *Germany* (2007)
194. 18-year-old woman raped by a Swedish man in a stairway in Mallorca, *Spain* (2007)
195. 95-year-old woman (!) victim of attempted rape in Rhodes, *Greece* (2007)

## Skåne

196. Suspicion of two-year-old girl having been the victim of sexual abuse when the family were on holiday in *Syria* (2007)
197. 43-year-old man apprehended at Kastrup airport, *Denmark*, in possession of child pornography (2007)
198. Pictures of a 17-year-old girl put onto the Internet; she believed that this was done by her boyfriend with whom she had contact via MSA [sic MSN] (2007, reported as foreign case owing to the Internet)
199. 14-year-old girl is reported as having been raped by her stepfather 3 years ago in *Spain* (2007, discontinued as "offence cannot be proved")
200. 12-year-old boy victim of sexual molestation when his father masturbated in his presence during a stay in *Thailand* (2007)
201. Five-year-old girl exposed to a flasher in *Spain* (2005)
202. Father reports that his 14-year-old daughter had been raped as a seven-year-old by a relative (who now also lives in Sweden) in their former home country of *Lebanon* (2006)

- 203. Municipality reports that during therapy it had emerged that a girl, now 18-years old, was anally raped by her stepfather during a holiday in *Spain* when she was eight-years old (2006)
- 204. Three siblings, two girls aged 7 and 10 and a boy aged 7, state during therapy that they had been sexually exploited by their father during a stay in *Austria* (2005)
- 205. 16-year-old girl raped at the ferry terminal in Elsinore, *Denmark* (2005)
- 206. 17-year-old girl raped by an unknown man during a stay in *Croatia* (2005)
- 207. 12-year-old girl sexually molested by boys at the Tivoli Gardens fair ground in Copenhagen, *Denmark* (2005)
- 208. 15-year-old boy victim of sexual exploitation/rape (anally with a bottle) by persons of the same age during a confirmation trip to Taizé, *France* (2005)

### **Halland County**

- 209. 36-year-old woman raped while being threatened with a knife by a Thai man in Phuket, *Thailand* (2005)
- 210. 26-year-old man raped by another man in Valla Nassi, *India* (1998, reported 2005)
- 211. 43-year-old woman raped by her former husband (Argentinean) during a visit to *Bolivia* to pick up their (common) daughter (2005)
- 212. Man, now aged 37, sexually exploited by his foster father during the period 1985 to 1988; started during a holiday to *Spain* (reported 2007)
- 213. 25-year-old woman raped during a holiday in Palma Nova, *Spain* (2007, an identified suspect was apprehended by the Spanish police, but was released after one day).

### **Jönköping County**

- 214. Social welfare services report that a man, now aged 20, was victim of sexual abuse four years earlier by his father in *Spain* (2004)
- 215. Two 23-year-old women were raped during a holiday in Marmaris, *Turkey* (2005)
- 216. Report concerning child pornography offers by e-mail from *Russia* (2005)
- 217. Report concerning child pornography offers by e-mail from *Russia* (2005)
- 218. Report concerning child pornography offers by e-mail from *Russia* (2006)
- 219. Report concerning child pornography offers by e-mail from *Russia* (2006, a common denominator of these reports is that they are signed by the same alias).
- 220. Former live-apart partner in *Spain* reported for rape in conjunction with the woman visiting the man with their common children (2006)
- 221. 19-year-old woman raped in hotel room by two men in Florence, *Italy* (2006)
- 222. 30-year-old man reports that during his childhood, between the ages of 3 and 11, he was sexually exploited by his father in *Iran* (2007)
- 223. 58-year-old woman reports that she was raped in *Denmark* in 1981 (2007)

### **Kalmar County**

- 224. 47-year-old Armenian woman was forced to serve her husband's friends sexually and to recruit young women to prostitution before fleeing to Sweden from *Russia* (2006, transferred to the International Public Prosecution Office which discontinued the matter)
- 225. Report concerning child pornography received by an e-mail originating from *Russia* (2006)

### **Kronoberg County**

- 226. 47-year-old man reports his former cohabitee in *Finland* for false accusations of the sexual abuse of his daughter, asserting that the daughter's maternal uncle is the culprit (2004)
- 227. 16-year-old boy suspected of raping his 14-year-old cousin (girl) during a family visit to *Denmark* (2007) (There are a further seven cases with victims who are over the age of 18 in the district, but have not been disclosed).

### **Örebro County**

- 228. Brother of a 20-year-old woman from Kosovo states that she was raped by her husband (also from Kosovo) during a stay in *Germany*.
- 229. 26-year-old woman with disability sexually exploited by a dance band musician in *Norway* (2000, reported 2004)
- 230. Ten-year-old girl subjected to grooming by a 23-year-old man at kamrat.com (2004, coded as a foreign offence owing to a foreign server)

- 231. Ten-year-old girl sexually exploited by her father in *Germany* (2005)
- 232. 21-year-old woman raped during a holiday trip in *Laos* (2005)
- 233. Nine-year-old girl raped in *Kurdistan* (2006, no further details, for example, concerning suspect)
- 234. 16-year-old girl victim of sexual exploitation by her father during a holiday in *Greece* (2006)
- 235. 40-year-old woman raped by a tourist at the same hotel during a holiday in *Egypt* (2007)
- 236. 13-year-old boy sexually molested by his 21-year-old cousin during a trip in *Norway* (2007)

### Östergötland

- 237. Social welfare services in Linköping report a Swedish man for procuring with a 14-year-old Thai girl in Bangkok, *Thailand* (2006, matter referred to the International Public Prosecution Office which discontinued the matter).
- 238. Father reports that his cohabitee (both from Ecuador) was aware that his children, aged 3 and 7, had been raped by his cohabitee's brother-in-law, while her sister filmed the rape, in *Ecuador* (2002, reported 2004, discontinued).
- 239. Report concerning child pornography on a domain from *Austria* (2004)
- 240. 30-year-old woman raped during a holiday trip in *Australia* (2004, matter being investigated by the police in Australia)
- 241. 18-year-old woman raped by a Swedish man in conjunction with a beach party on *Cyprus* (2005)
- 242. 24-year-old woman drugged and raped by an unknown man in Barcelona, *Spain* (2005)
- 243. Report concerning child pornography by e-mail from *Russia* (2006)
- 244. 23-year-old woman raped by several men on a beach promenade in Puerto del Polensa in *Spain* (2006)
- 245. 19-year-old woman raped by a hotel employee during a holiday in Alanya, *Turkey* (2006)

### Gotland

- 246. Child pornography by e-mail from a sender in *England* (2004)

### Södermanland County

- 247. Five-year-old girl victim of sexual molestation by her maternal step-grandfather in *Finland* (2003)
- 248. 24-year-old woman raped on Viking Line, *Finland* (2005)
- 249. 25-year-old man raped on Viking Line, *Finland* (2005)
- 250. 29-year-old man victim of indecent sexual behaviour by e-mail from *Yugoslavia* (2005)
- 251. 47-year-old woman sexually molested on a Ryan Air flight to *England* (2006)
- 252. Girl, now aged 14, victim of sexual abuse from the age of 7 by her father in *Norway* (reported 2006)
- 253. 18-year-old woman raped outside a dance restaurant in *Bulgaria* (2006)
- 254. 34-year-old woman victim of attempted rape behind a bar in Sunny Beach, *Bulgaria* (2007).

### Uppsala County

- 255. 19-year-old woman raped by an Albanian man on a beach on Kos, *Greece* (2000, reported 2004)
- 256. 42-year-old woman sexually molested by a colleague during a conference trip to Crete, *Greece* (2004)
- 257. 51-year-old woman victim of attempted rape and robbery on Lanzarote, *Spain* (2005)
- 258. 14-year-old girl victim of sexual molestation by her maternal grandfather in *Finland* (2005)
- 259. 18-year-old girl from *Thailand* returned to her biological parents by her Swedish adoptive parents (Swedish father and Thai mother) (2006, no suspicion of any sex offences in report)
- 260. 16-year-old girl victim of attempted rape by several men on the island of Lesbos in *Greece* (2005)
- 261. 19-year-old woman raped when visiting an acquaintance in Leeds, *England* (2005)
- 262. 28-year-old woman raped outside a restaurant by an unknown man during a holiday in Alanya, *Turkey* (2006)
- 263. 19-year-old woman raped by an unknown man in a nightclub toilet during a holiday in Alanya, *Turkey* (2006)
- 264. Report concerning child pornography by e-mail from *Russia* (2006)
- 265. 38-year-old (manic-depressive) woman raped by a male Internet acquaintance in Barcelona, *Spain* (2006)
- 266. 24-year-old woman raped by a named Icelandic man when visiting *Iceland* (2007)
- 267. 16-year-old girl raped by an Albanian man who she met on a holiday trip to Greece when visiting him (together with her mother) in *Albania* (2007)
- 268. 29-year-old woman victim of sexual molestation by her landlord in London, *England* (2007)
- 269. 47-year-old woman raped in conjunction with a job interview in *Austria* (2006)
- 270. Ten-year-old Russian boy victim of sexual molestation by his father during a boat trip to *Finland* (2004)
- 271. Man from *Bosnia*, whose asylum application was rejected, reported three persons for human smuggling prior to being deported (2004, no sexual purposes).

272. Upper secondary school reports that a teacher may have purchased sexual services during a study trip to Mombasa, Kenya (2004)

### Värmland County

273. 20-year-old woman sexually molested and had her handbag stolen in Paris, *France* (2004)  
274. 50-year-old woman was victim of indecent sexual behaviour by telephone call from *Bosnia* (2004)  
275. 17-year-old girl sexually exploited by the father of a friend with whom she had travelled to *Norway* in the belief that her friend would come along (2006)  
276. 27-year-old woman raped during a holiday on *Puerto Rico* (2007)  
277. 31-year-old woman raped at a hotel in *Norway* (2002, reported 2005 after the suspect had contacted her again)  
278. 20-year-old woman sexually exploited by her British father during a visit to him in *England* (2006)  
279. 56-year-old woman raped in a goldsmiths shop in Varna, *Bulgaria* (2007)  
280. 16-year-old girl raped (helpless condition owing to intoxication) at a party in *Norway* (2005)  
281. 6-year-old girl sexually molested/exploited by her Norwegian father during access following divorce (1999, reported 2006).  
282. Nine-year-old girl exposed on Norwegian website with links to child pornography, *Norway*

### Västmanland County

283. 44-year-old woman reported that she received child pornography via an e-mail from *England* (2005)  
284. Spanish police observed that a Swede (with a Spanish name) residing in Köping had put child pornography onto a website in *Spain*. (Police in Västerås receive a report from RKP) (2004).  
285. Suspicion that an eight-year-old adopted girl from the former *Yugoslavia* was the victim of sexual abuse (grave rape) by older boys at the children's home from which she was taken. According to information received from the mother of the aggrieved party, the children's home has been 'sealed off' and a police investigation is underway there (2006).  
286. 33-year-old woman raped by her former (English) husband in *England* (2007)

### Gävleborg County

287. 44-year-old woman raped by her partner on holiday in *Bosnia* (2004)  
288. 13-year-old girl was sexually molested/exploited over a period of four years by her stepfather in *Norway* (2004)  
289. 18-year-old woman raped by two men when visiting a tattoo studio in Alanya, *Turkey* (2004)  
290. The Swedish Migration Board reports that a 22-year-old woman from *Mongolia* appears to have been the victim of suspected human trafficking for sexual purposes (2004, matter discontinued after two months).  
291. 20-year-old man victim of sexual molestation by a man on the Silja Line, *Finland* (2005)  
292. The Swedish Migration Board reports that a 35-year-old woman from Africa was forced to sell sex during her time as a refugee in *Italy* (2005).  
293. 31-year-old woman sexually molested by a physician in *Germany* (2005)  
294. Report of child pornography on the Pirate Bay Internet site (2007)

### Dalarna

295. 14-year-old girl raped on the ferry to Finland, *Finland* (2004, man apprehended on ferry)  
296. 22-year-old woman raped during a holiday on *Malta* (2006)  
297. 19-year-old woman raped on Viking Line, *Finland* (2007)  
298. 36-year-old woman raped by a Swedish man in her travelling party during a trip in *Argentina* (2005)  
299. During the investigation of the fourth case (298), suspicions also arose regarding a rape of a 41-year-old woman in Malaga, *Spain* in 2001 (2005)  
300. 31-year-old man reports that during the period 1981 to 1984, between the ages of 5 and 9, he was sexually exploited by a relative in *Norway* (2007)  
301. 27-year-old woman raped on the ferry to Finland, *Finland* (2007)  
302. 19-year-old woman raped by three men during a visit to relatives in *Turkey* (2007)  
303. 20-year-old woman reports that she was sexually exploited by her stepfather in *Finland* when she was 10 years old (2007)

### Jämtland County

304. 53-year-old woman raped by an unknown man during a holiday in *Tunisia* (2007)

305. Social welfare services report that a nine-year-old girl had been sexually exploited by her father in *Norway* (2006, the man had previously been prosecuted for the same type of offence against his daughter, but was released by the District Court. The girl was taken into care under the LVU; the crime investigation was discontinued)
306. Suspicion that a 12-year-old girl was the victim of sexual abuse by a man in his twenties during a visit in *Norway* and this abuse is said to have been filmed; during questioning, she changed her statement to the perpetrator being 14 years old (2006)
307. 17-year-old boy victim of sexual abuse by a 53-year-old man during a fishing trip to *Norway* (2004)

#### **Västernorrland County**

308. 15-year-old girl raped by an African hotel employee around the age of 25 in conjunction with visit that they made together to a disco on Tenerife, *Spain* (2004; reported after six months by the girl's father)
309. 40-year-old man reports that he was the victim of repeated sexual abuse by a crew member when he was a 17-year-old apprentice on a boat travelling between Norrlandshamn and Lübeck, *Germany* (2005, these events occurred in 1982, that is, 23 years previously)
310. Two sisters, aged 21 and 23, report their stepfather for assault and sexual molestation during a period in the 1990s when they lived together in *Norway* (2006, the sexual molestation occurred prior to 2003)
311. The Social Welfare Committee reports that a 14-year-old girl was raped by the leader of a criminal gang that she associated with in *Norway* (2006)
312. 15-year-old girl of Thai origin states in conjunction with a police visit to the school that she was raped at the age of 4 when she lived in *Thailand*; unclear who the perpetrator was (2006, incident happened in 1995)
313. 20-year-old woman raped by an unknown person at the Roskilde Festival in *Denmark* (2006, incident occurred one year previously)
314. 58-year-old woman, Swedish citizen of South-Asian origin, suspected of human smuggling; however, investigation shows no sexual purposes (2007)

#### **Västerbotten County**

315. Members of the Swedish Junior Doctors' Association received an e-mail with an 'exclusive' offer concerning child pornography from *Russia* (2006)
316. Young woman raped by a named English man on Koh Phangan, *Thailand* (2007)
317. Boy raped twice and sexually exploited throughout the time he was growing up by his stepfather and assaulted by his mother in *Colombia* prior to the family moving to Sweden (2004, reported 2007 by social welfare services, which moved the boy to a foster family)

#### **Norrbottn County**

318. 19-year-old woman sexually molested in Torneå, *Finland* (2006)
319. 21-year-old woman raped by an unknown man during a holiday in Marmaris, *Turkey* (2006)
320. 20-year-old woman sexually molested by a Swedish man during a trip to Vail, *the United States* (2004, reported 2007)
321. 21-year-old woman forced to take part in a Norwegian porn film, enticed to Oslo with a promise of a modelling job and subjected to extortion by threat of having to pay disbursements of SEK 11 000 and her travel home if she did not cooperate, *Norway* (2007)
322. 14-year-old girl victim of sexual molestation by her stepfather on a visit in *Germany* (2007)



## **AFTERWORD: Action to enhance the efficiency of work to combat child sex tourism**

The NGO ECPAT Sweden is the client for this subproject within “Den rättsliga hanteringen av övergrepp mot kvinnor och barn” [*The legal management of abuse of women and children*]. ECPAT’s main objective is to help ascertain whether the profile and perception it has of the situation regarding Swedes who travel abroad and buy sex from children is correct – namely, that it is an unnoticed issue and an area of crime that is given low priority. ECPAT also has the objective of seeking to establish whether the organisation’s work to combat child sex tourism has yielded any results at all in the form of police reports and prosecution of Swedes who committed abuse of children abroad, for example purchased sexual services from children during a holiday. As it was already known that there were few prosecutions for such offences, one might suspect that there were a large number of reports each year that did not lead anywhere owing to difficulties relating to evidence and cooperation. The study now shows that there are hardly any reports made at all against Swedish child sex tourists. This does not result from no such offences being committed by Swedes; on the contrary such offences occur on an alarming scale (even though it is difficult to more precisely estimate the frequency). Yet, in fact virtually no one gets caught. *The sexual exploitation of minors is in practice exempted from criminal liability, provided it has occurred abroad.*

In this context, it is appropriate to emphasise that sex offences *are* very difficult to prove, particularly where they involve the purchases of sexual services within the framework of an organised operation. The victims, the exploited children, can rarely be induced to participate, and the trafficking of young people for sexual purposes is organised in such forms that it is difficult to catch anyone red-handed. Not least, it is difficult to determine the age of the victims. It is really only when the perpetrator documents the abuses – which as such is not unusual – and the victim is found that there may be good evidential opportunities. Even if the local police have laws, resources and ambitions to combat sex crimes against children – which is far from always the case – this work entails enormous difficulties as regards securing evidence. In addition to these difficulties with evidence, there is then the difficulty of investigating the offence when one of the parties, the victim, is in one country and the suspected perpetrator is in another, that is to say, has returned to their home country. If there is no deprivation of liberty at the location, it is very probable that the perpetrator will get away. Even if the national legislation provides a theoretical opportunity to also prosecute the foreign offence here in Sweden, it thus appears very difficult to apply this in practice. *The legislation that makes it possible to prosecute in Sweden a sex offence committed abroad against a child may possibly have a deterrent effect, but is today not a functional weapon against child sex tourism.*<sup>81</sup>

But it does not need to be as difficult as the Swedish statistics imply, that is to say that it appears to be impossible to prosecute Swedes who commit sex offences against foreign children. Other countries, such as the USA,<sup>82</sup> Australia,<sup>83</sup> the Netherlands, Switzerland,

---

<sup>81</sup> The same conclusion has been drawn in England, see “The end of the line for child exploitation”, ECPAT UK (2006).

<sup>82</sup> During the period 2000 to 2003, 12 Americans were prosecuted for child sex tourism offences and (after a statutory amendment where double criminality is no longer required) between 2004 and 2007 there were 38 such prosecutions. In half of the total of 50 cases, there were sentences of imprisonment of 2 to 10 years and in 34% of the cases even more stringent penalties; M. Mattar (comments to the US Government TIP Report 2008). It is interesting in this context that Mattar, an associate professor at Johns Hopkins University, praises the Swedish Act

Germany, Belgium and Norway, have been more successful. Even if it has only been possible to prosecute a fraction of the perpetrators in these countries, international police cooperation has apparently functioned better there than it has done for Swedish authorities. Why this is the case should be the subject of *inquiry*, and similarly the associated question of whether Swedish tourists differ from others (in attitudes and demand) as regards the purchase of sexual services abroad. Even police routines and legal practice in the other Nordic countries should be investigated and a comparison made regarding how the extraterritorial legislation functions in the other areas of law, for example narcotics offences.

As regards the tools available in Sweden to combat this type of criminality, it is not in the first instance the laws that are defective. On the *legislation side* the largest inadequacy today is that the purchase of sexual services abroad is not punishable in Sweden, not even when the seller is aged between 15 and 18 (but only when he or she is aged under 15). There is a loophole here that must be closed up.<sup>84</sup> Otherwise, the issue involves how the laws are applied. Outside the Nordic countries there is as yet no functional cooperation as regards individual sex crimes committed abroad. If there is a suspicion of organised criminality, the National Police Board (RPS) and the international public prosecution offices can pursue the investigation, but if the matter relates to an individual abuse, there is no Swedish body that can effectively assist the local police and public prosecution authorities with the international cooperation. When such a matter without a 'syndicate profile' is today taken over by RPS or an international public prosecution office, this almost always means that the matter will die – there is no interest (or mandate) in pursuing individual cases to prosecution. There does not appear to be any willingness to interpret their power so far as to realise that trafficking of children for sexual purposes at a tourist resort usually comprises organised criminality which is also cross border in nature, even if it is only conducted locally, in so far as most of the customers come from abroad. Furthermore, it is not unusual that children within the sex industry are collected from other places in order to satisfy demand from travellers for sex with children. Thailand is one such example. Many children are trafficked from neighbouring countries to popular tourist resorts in order to satisfy travelling sex tourists, and also of course the local demand. Not being able to trace and prosecute persons who buy sex from children, and consequently afford exemption from criminal liability in practice, is a form of indirect support for globally organised criminality. To only interpret organised criminality through a 'syndicate perspective' is an exceptionally narrow interpretation of this global problem.<sup>85</sup>

The tasks of the international public prosecution offices, besides combating international criminality, also involve dealing with *international legal assistance*, that is to say establishing cooperation with foreign parties when Swedish crime investigating authorities need assistance abroad (or when other countries need assistance from Sweden). However, in cases involving individual victims or with a crime scene far from Sweden, the conclusion is often drawn that the 'preconditions for international legal assistance are lacking'. It is unclear whether it is the legal or practical and resource-related preconditions that are being referred to; the reasons

---

prohibiting the Purchase of Sexual Services but at the same time criticises Swedish laws on child sex tourism for being ineffective.

<sup>83</sup> Australia has had at least 25 national prosecutions for child sex tourism offences since 2000.

<sup>84</sup> Cf. the proposal for a Sex Purchases Act in Norway, currently undergoing the consultation process, which contains such a provision. As it may often be difficult to prove a sex seller's age (over or under the age of 18), one must deliberate on whether it is necessary to remove the requirement for double criminality for all purchases of sexual services.

<sup>85</sup> The same narrow perspective of the problem is demonstrated by the fact that it is the Ministry of Health and Social Affairs that deals with the issue of child sex tourism. In 2008, the Government presented an agenda for action against sexual exploitation of children (S2008.002). However, the measures that were promised in this agenda for action do not refer to increased prosecution of child sex tourists.

probably vary. But it appears to be quite clear that resources are insufficient. Consequently, there is a need for a new central body (with police, prosecutor and UD staff) who could assist the local police and public prosecution authorities as regards individual sex offences abroad. The focus would lie on cooperation with local police achieving the securing of evidence. To establish more liaison officers, and possibly more liaison officers on the prosecutor side, could also serve as an alternative or complement. Or the public prosecution offices must be given better opportunities to perform their legal assistance function, through earmarked funding and also directives on broader work tasks. The resources do not only involve reinforcements of staff but also a budget to cover travel to the country of the offence for investigators and travel to Sweden for victims (if this should prove to be necessary), translations, legal investigations of foreign laws and the preparation of databases with complete information about legislation, treaties, general practice and contact persons, etc. in other countries.

*Education and training initiatives* are also required in order to be able to effectively combat child sex tourism. Above all else, such initiatives should be oriented towards the officers who are operating or can potentially operate within this area (at the UD, within the police and the public prosecution authority). But to create a better basis for work in the long term it is at least as important for mandatory elements regarding this kind of offence to be included in the basic education and training for these professions, that is to say on the UD's trainee courses, at the Police Academy, etc. One precondition for more specialised operational knowledge being of real practical benefit is probably that there is some basic knowledge about the problems. This issue should therefore be given special attention, particularly in the basic education for lawyers and sociologists and on tourism programmes.

Coordination is required in *international cooperation* to combat child sex tourism as regards legislation, strict application of the Convention on the Rights of the Child's definition of a child as a person aged under 18, extraterritorial legislation in all countries (combined with bilateral extradition treaties), extended use of the European arrest warrant as regards offences in Europe and more advanced international databases for identifying victims and perpetrators.<sup>86</sup> Furthermore, Sweden should consider bilateral treaties for the reporting of offences to embassies. A joint view is also needed as regards adequate surveillance and investigation measures. As regards securing evidence of sex offences abroad in situations where the victim/child remains in the country of the offence while the perpetrator has returned to their home country, it is important to attempt to utilise all conceivable technical aids for the investigation. The child should, for example, not need to travel to Sweden to be a witness at a trial; instead it should be quite sufficient to record a questioning on video (or better yet, via a video link). Furthermore, even if the suspicion is vague, the perpetrator should always be questioned as a consequence of a report and, in the event of reasonable suspicion, subjected to the compulsory measures of house search and seizure. The possibility of confession or to find documented abuse in mobile cameras or in computers should not be underestimated. Here in Sweden, a practical impediment is the fact that it can take up to two years in a non-priority matter to get a hard drive examined – and therefore this close investigation is omitted.

In general, it is impossible to avoid the impression that sex offences against children – despite 'everyone' considering that this involves horrible offences – *are not a kind of offence given any priority in Sweden*. The position of the crime investigation authorities is often that it is too difficult to achieve results in these cases. If they also involve children abroad, the investigation situation normally appears to be quite hopeless and they give up before they have started. In some respects this pessimism involves investigators considering that they do not have the

---

<sup>86</sup> For even more conclusions regarding the need and proposals for international cooperation in this field, see V. Muntarbhorn, "Extraterritorial Criminal Laws against Child Sexual Exploitation", UNICEF 1998.

resources to enable any meaningful investigation, and that investigations that are to be conducted in international cooperation are too cumbersome and protracted. The remedy for this is to increase their resources. This should be done in combination with increased knowledge, changes to the system and routines to ensure that knowledge is safeguarded, and that this knowledge is also passed on to international cooperating partners at the same time as foreign experience is utilised. Sweden has much to contribute internationally as regards protection of the child in legal proceedings (with aggrieved party counsel, a special representative for children, rapid and considerate proceedings, etc.), but is inefficient and dysfunctional as regards investigations relating to child victims of sex offences, whether within their home country or abroad.

In order to curtail the commercial sexual exploitation of children, it is of extreme importance that we can in various ways prevent access to *child pornography on the Internet* – something which without doubt is a breeding ground for demand – but also to demonstrate that Swedish men’s exploitation of children abroad can *de facto* be punished, either at the place of the offence or in Sweden. From the prevention perspective, it is extraordinarily important that Swedish authorities succeed in showing that Swedish child sex tourism cannot be practised without punishment, and that examples constituting a deterrent can be demonstrated. Great efforts should therefore be made in the course of the next few years to produce reports and prosecutions within the area; this can best be implemented through initiatives being taken with substantial resources in cooperation locally with police and prosecutors in certain countries that comprise destinations for child sex tourists. At the same time it is important from a strategic perspective to keep a focus on the demand and not to become convinced that the solution lies in the ‘man-to-man marking’ of a number of men with paedophile tendencies when they travel abroad, but that the most common form of sexual exploitation of children occurring is ‘impulse purchases’ of the sexual services of minors. The fact that during the last four years there have hardly been any reports at all as regards sex offences against foreign children does not result from Swedes not committing such offences, but that there is no real risk of discovery. The consequence is exemption from criminal liability for all forms of offence that are covered by the designation ‘child sex tourism’, which is in discord with Sweden’s commitments according to the Convention on the Rights of the Child.

*In summary*, the Swedish Government (and/or when appropriate the relevant authorities themselves) should

1. appoint an inquiry regarding the purchase of sexual services abroad by Swedes, particularly in the form of child sex tourism, where the effects of initiatives made to date in the area in order to counteract such exploitation are also reviewed;
2. substantially reinforce the international public prosecution offices’ opportunities to perform their function as a provider of international legal assistance, so that initiatives can also be made in such cases where the offence does not form part of organised criminality;
3. devote earmarked funds to combat Swedish child sex tourism through increasing cooperation with local police and prosecutors in countries outside the EU, in the first instance at certain tourist resorts;
4. eliminate the requirement for double criminality for the purchase of sexual acts of children, so that the purchase of sexual services performed by 15- to 17-year-olds can be punished in Sweden;
5. work to enhance international cooperation to combat commercial sexual exploitation of children (in the form of trafficking, child sex tourism and child pornography) and in

that connection focus particularly on technical aids (databases, video conferences, blocking of websites on the Internet, stopping payment flows, etc.) as tools for both investigating and combating crime.

## Conclusions

The background to the initiative taken by ECPAT Sweden, which resulted in the commissioning of Stockholm University, was our interest in conducting a thorough search of information regarding how many reports, prosecutions and convictions there have been relating to the sexual exploitation of children abroad by Swedes and, moreover, to understand the reasons why there are so few convictions regarding this kind of criminality. We were primarily interested in cases relating to ‘child sex tourism’ (that is to say, a person resident in Sweden who travels to another country and has sex there with a foreign child who is resident abroad – who is often a stranger or without any link to the perpetrator – in return for some form of reward). In other words, cases that have a commercial element and where the perpetrator pays for sexual satisfaction with a child abroad, regardless of whether this involves a person with a pronounced sexual interest in children (often called ‘paedophiles’) or whether it involves a ‘perpetrator of opportunity’ (who comprise the vast majority of offenders within child sex tourism).

*“A real paedophile doesn’t sit by the swings on the playground, nor entice children with sweets or a lost cat. That’s too dangerous and can arouse suspicion. He rarely fucks in Sweden.”<sup>87</sup>*

The researchers Christian Diesen and Eva L. Diesen have gone through all police reports made between 2004 and 2007. During the period in question there were about 45,000 sex offences reported, of which 15,000 were referable to sex offences against children aged under 15. About one per cent of the reports related to sex offences committed abroad.<sup>88</sup> Of the 322<sup>89</sup> reports on sex offences abroad (the offences contained in Chapter 6 of the Swedish Penal Code (BrB), and human trafficking for sexual purposes and child pornography offences) that were analysed, it can be concluded that there were four cases of commercial sexual exploitation of children. Of these four cases, two cases involved reports of child sex tourism according to the definition given above. Set against the background of this study, it is estimated that between 4,000 and 5,000 purchases of sexual services from minors occur abroad every year. Unfortunately, this confirms the picture that ECPAT Sweden has held over the years: that Swedish offenders who travel abroad and exploit foreign children sexually are in practice exempted from criminal liability. It should be added that none of these four cases of commercial sexual exploitation resulted in prosecution.

Many times the suspect is not even questioned and never learns that they were a suspect, which further contributes to the prevailing opinion that it is without risk to exploit children sexually abroad. Furthermore, there is no information about how many reports have been made to the local police abroad regarding sex offences against children committed by Swedes, nor how many of these resulted in prosecution and convictions in the country where the act was committed.

---

<sup>87</sup> Quote from a letter sent to ECPAT Sweden’s chair during 2007.

<sup>88</sup> The same statistics apply to both children and adults.

<sup>89</sup> It transpired upon a review of the reports that some cases were wrongly coded and duplicates, for which reason the number of the reports does not correspond to 1%.

The probability of a report of an offence relating to child sex tourism being made by the victim themselves, that is to say by the exploited child, is extremely low for matters involving commercial sexual exploitation. The income from such sexual exploitation can be of decisive importance for the child or their family's livelihood, indeed survival. The child may also have been sold to a pimp and thereby basically have no opportunity of influencing their own situation.

In the majority of the cases covered by this research study, which mainly comprises Swedish children who have been exploited in conjunction with a stay abroad, the report has been made by social welfare authorities in Sweden. The conclusion can consequently be drawn from this survey that in order for a report of an offence relating to child sex tourism to be made, the report must be made by an NGO (as in the case in Cambodia) or in exceptional cases by a person who knows the victim or perpetrator (as in the case in Kenya). As regards the Kenyan case, it may be questioned whether the pupils would have acted in the same way if they had travelled privately, for example, if one of their friends were to have purchased the sexual services from a minor. It is most likely that the report was in fact made because it related to a situation where it was considered that a teacher should set a good example. It can otherwise be questioned why there are not more reports regarding child sex tourism received by the police or via, for example, the ECPAT Hotline. This applies not least set against the background of the estimate made in this survey of the number of purchases each year of sexual services from minors, which are in the thousands.

The cause for this total absence of reports by private individuals, for example by co-travellers, is not known. One explanation may be that they do not know that it is unlawful, that it is possible to make a report at the location and even less that it is possible to make a report in Sweden. It transpired from the TEMO survey commissioned by ECPAT Sweden in 2007, that six of ten Swedes believed that Swedes could be sentenced in Sweden for sex offences committed abroad against children. However, it transpired that nine out of ten persons who had seen signs of the involvement of Swedes in child sex tourism did not do anything, despite being aware that it was possible to prosecute in Sweden. The conclusion is probably that the man on the street quite simply does not want to get involved. Another theory may also be that the local police are not trusted or that people are not aware of the various channels available for making reports and that it appears futile to make a report in Sweden because the report will not lead anywhere, especially if it relates to an unknown victim and offender.

It transpired from the study that the frequency of prosecution is 3% for sex offences against children committed abroad. The cases in question on which this figure is based related to offences in the neighbouring Nordic countries, where both the victim and perpetrator were in Sweden during the investigation, and are thus not representative of child sex tourism.

Unless the persons who can report a crime actually do report it, the offence cannot be investigated regardless of whether such report is to be made in the country where the act was committed or in Sweden. However, if a report is drawn up in Sweden, new impediments arise. It has already been observed in other studies that the police and prosecutor are very restrictive with summoning suspects for questioning in the case of sex offences. The aggrieved party's statement is evaluated; it may be considered too vague, the evidence too weak and/or the possibilities of investigation too small, which means that the suspect will not even be summoned to a questioning. A crime scene that is also located abroad represents a further complicating factor in the matter, which means that the propensity to discontinue increases in proportion to how much extra trouble this situation may be expected to create.

It is shown by the study that the following factors are considered to limit the police and prosecutor's propensity to investigate sex offences against children committed abroad:

- *“On the part of the police and prosecutor, both in Sweden and abroad, no realistic opportunities of conducting a sensible investigation are seen when the crime scene is at one place and the perpetrator at another.”*
- *“The most usual conclusion (particularly among prosecutors), that it is too difficult to establish cooperation with foreign police, is often based on prejudice and the fear of problems that do not necessarily exist. There is experience in many cases of there being inadequacies in communication, of the failure of the foreign authority to respond or of it taking an unreasonably long time to get desired information. However, in our study we have observed examples of good rape investigations, not only in other European countries but also in, for instance, Turkey and Thailand; investigations that resulted in rapes of Swedish women leading to convictions of national offenders.”*

In summary, it can be concluded that child sex tourism so far has been a non-existent type of offence. Swedes wishing to exploit children sexually have been given the green light to travel abroad in the knowledge that the risk of getting caught at the place is very slight. Furthermore, the probability of the application of the extraterritorial legislation, which has existed in Sweden since 1962 regarding this type of offence, is virtually non-existent. If, despite all expectations, a report were to be made in Sweden, it is virtually 100% certain that the report will be discontinued if it relates to an offence committed outside the Nordic countries. This also applies outside the EU, where Sweden has not developed police and prosecutor cooperation and routines for this kind of offence, such as bilateral cooperation treaties and agreements for international legal assistance, which have many times in themselves constituted the grounds given for not investigating the report further. Furthermore, the same problems prevail regarding sex offences generally, that is to say that the matter is discontinued on grounds that are far too flimsy although the report has real substance and it is possible to question the suspect.

Set against the background of the results of this survey, ECPAT Sweden has drawn up a number of proposals for measures to counteract sexual exploitation of children by Swedes abroad. These measures focus primarily on improving operative work, which is clearly inadequate, but also include a number of proposals for both long and short-term preventive initiatives. It is extremely important that we do not content ourselves with concluding that a legal reform has taken place or a review of the legislation is in progress; active measures are required, as a matter of urgency and immediately, in order to realise the rights of the child to protection against commercial sexual exploitation.

It is high time that the Swedish Government accepts its responsibility and fulfils its commitments according to the Agenda for Action from the First World Congress against the Commercial Sexual Exploitation of Children (Stockholm, 1996), and also lives up to commitments under the Convention on the Rights of the Child and its Optional Protocol to protect all children throughout the world, in a way that does not involve treating children in other countries differently.

This report and the recommendations present an opportunity for the Government and Swedish legal services to implement concrete measures that can change the situation and enhance the protection of the child.

## **Proposals for further measures to counteract the sexual exploitation of children in other countries by Swedes**

1. Clear action against child sex tourism in the Government's work in Sweden and within the EU
2. Government inquiry to gather information and knowledge
3. Abolish the requirement for double criminality and re-evaluate commercial sex offences against children
4. Education, training and changes to routines within the legal services, foreign affairs administration and the Ministry of Enterprise, Energy and Communications
5. Information campaigns targeting the public about it being punishable to commit sex offences against children abroad
6. Mandatory courses on the law, sociology and tourism programmes, and for peace-keeping forces
7. Prominence for the offence in crime statistics and increased research
8. Extended responsibility within the travel sector
9. Extended care initiatives for potential and convicted sex offenders

### **1. Clear action against child sex tourism in the Government's work in Sweden and within the EU**

- ✓ Update the National Agenda for Action against Sexual Exploitation of Children with concrete forceful measures against child sex tourism, which address the issue as a violation of the rights of the child. Introduce a vision of zero-tolerance for child sex tourism as a goal.
- ✓ That Sweden becomes a member the World Tourism Organization (UNWTO) and the work group 'Group to Protect Children from Sexual Exploitation in Tourism'.
- ✓ That Sweden pursues the issue within the EU, and makes efforts to establish a framework-decision against child sex tourism and for the EU to adopt a zero-tolerance vision regarding demand. The EU should cooperate with other regional initiatives against child sex tourism.
- ✓ Annual meeting and report on work against child sex tourism in Europe, in a similar way as occurs within ASEAN and in Latin America.
- ✓ That the *Riksdag* (Swedish Parliament), the Government and other public authorities and government agencies adopt a policy against trafficking of children for sexual purposes.
- ✓ That all airlines and hotels with which the *Riksdag*, the Government and other public authorities and government agencies conclude contracts have accepted the Code of Conduct against Child Sex Tourism. The Code of Conduct should constitute a criterion when procuring services.
- ✓ That the Ministry of Justice prepares bilateral treaties with countries outside the EU as regards international legal assistance and international cooperation (Mutual Assistance Agreements).



## **2. Government inquiry to gather information and knowledge**

Appoint a government inquiry regarding sex offences committed against children abroad by Swedes, focussing on commercial sexual exploitation of children, that is to say sexual exploitation of children for reward, including purchase of sexual services from children.

This inquiry should aim to establish a comprehensive picture of the problems, with the goal of being able to present appropriate measures to counteract the sexual exploitation of children in other countries by Swedes, that is to say assume responsibility for Sweden being a forwarding country of child sex tourists/travellers who commit sexual exploitation of children. This inquiry should include but not be limited to:

- **Knowledge of the perpetrators:** investigate the scope, profile (nationality, age, gender, type of perpetrator, relapse into criminality), destination countries and resorts and routes typical for Swedish child sex tourists; propensity/habits/frequency of purchasing sexual services in Sweden and abroad from children and adults (including a comparison); the link between other commercial sexual offences such as child pornography offence and human trafficking, but also sex offences without a commercial element. Furthermore, how the Internet and new technologies influence exploitation (as channels of information, possibility of getting children on order, real time exposure via web cameras, etc.). Information about how and when the interest in children for sexual purposes was initiated (not limited to paedophilia), factors that have promoted the phenomenon and facilitated exploitation.
- **Comparative gathering of information** to compare experience and results of preventive work and prosecution in at least some ten countries (including practice: number of reports, prosecution and judgments) where various factors that may play a role for efficient prosecution should be taken into account. This should, for instance, include the various forms of extraterritorial legislation – a) general extraterritorial legislation, b) general extraterritorial legislation including the addition of sex offences and c) extraterritorial legislation specifically for sex offences against children committed abroad. The bail procedure should also be reviewed, as well as the opportunity for the issuance of a new passport and methods for resolving problems comprising impediments to prosecution.<sup>90</sup> Moreover, a comparison should be made with other cross-border criminality, in order to compare and investigate the differences and the factors that may be relevant to the application of the extraterritorial legislation. Conduct an inventory of preventive work being conducted in many recipient countries regarding child sex tourists at local, national and regional level, including the pursuit of report hotlines, information exchange within the legal services internationally (also between the police and prosecutor), annual regional meetings, regional information campaigns, etc. Information regarding the number of

---

<sup>90</sup> In the UN Child Rights Committee's latest report, Concluding Observations, concerning Sweden's implementation of the UN Child Convention, dated 30 March 2005, it is emphasised that Sweden must prohibit the issue of new passports for persons who have been released on bail: *44 (d) Strengthen the legislation allowing the prosecution of Swedish citizens involved in sexual exploitation of children abroad, including by prohibiting the reissuance of passports for persons freed after posting bail.*

reports, prosecution and convictions involving the sexual exploitation of children abroad by Swedes, should be gathered from all countries, preferably commencing with the countries where Swedes usually go on holiday and from countries that are considered to be particularly vulnerable to child sex tourism.

- **Knowledge about the organisers behind trafficking with the aim of being able to promote preventive measures:** survey the proportion of trafficking that is controlled by international, national, regional organised criminality and groups; involvement in other criminal operations and legal operations; links to other commercial sex offences such as child pornography and human trafficking; marketing; suspicion of corruption; patterns and resorts; and also evaluate effects of preventive work.

### **3. Abolish the requirement for double criminality and re-evaluate commercial sex offences against children**

In order to satisfy Sweden's commitments according to international instruments<sup>91</sup> to punish and prosecute all forms of sexual exploitation of children, all outstanding requirements for double criminality as regards sex offences against children and associated offences should be repealed immediately. The same applies to the Swedish Penal Code, Chapter 6, Section 9, 'purchase of sexual services from children'; Penal Code, Chapter 16, Section 10 a, 'child pornography offence'; Penal Code, Chapter 4, Section 1 a, 'human trafficking offence'; and also 'procuring' in Chapter 6, Section 12 of the Penal Code.

In conjunction with the review of the sex offence legislation, deliberations should also be conducted regarding the commercial sex offences as a *class* of offence, in order to emphasise their seriousness. As a consequence, these offences should have sanctions that are significantly more stringent than today, where the penalty of a fine is an extremely inappropriate sanction. It is proposed that, within the framework of a review of the Act prohibiting the Purchase of Sexual Services, that an effective sanction for the purchase of sexual services is considered, particularly as the Act prohibiting the Purchase of Sexual Services provides the sanctions for the purchase of sexual services from victims of human trafficking who are minors.

### **4. Education, training and changes to routines within the legal services, foreign affairs administration and the Ministry of Enterprise, Energy and Communications**

#### **The police**

##### Police liaison officers

- ✓ Mandatory regular training for all liaison officers about commercial sexual exploitation of children, with a special focus on child sex tourism.
- ✓ Increased number of liaison officers outside Europe, primarily at those tourist resorts that are popular destinations for Swedes.
- ✓ Explicit instructions to liaison officers that child sex tourism represents a priority crime.

---

<sup>91</sup> Convention on the Rights of the Child, Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography (Article 3.3. in particular), the Palermo Protocols, the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, etc.

- ✓ Establishment of more report hotlines (corresponding to the one in Bangkok) in those countries where a Swedish liaison officer is stationed.
- ✓ Determined effort for the above priorities to also apply to other Nordic liaison officers.
- ✓ Improved information exchange between liaison officers regarding child sex tourism and the Group against sexual abuse of children and child pornography.
- ✓ Improved information exchange with liaison officers from other countries.

#### The Group against sexual abuse of children and child pornography

- ✓ Express mandate as national coordinator for the crime area 'child sex tourism'.
- ✓ Clear instructions on the establishment of direct contacts with police authorities at tourist resorts that are popular destinations for Swedes and countries/resorts deemed to be particularly adversely affected by child sex tourism, with the aim of establishing cooperation agreements in order to establish routines for how child sex tourism (and related criminality) should be dealt with, and also work to establish a reporting obligation as regards all reports relating to Swedes who commit sex offences against children abroad.
- ✓ A national coordinator/recipient of reports of child sex tourism.
- ✓ Production of a training plan and cooperation concerning an action plan for liaison police officers and staff at embassies and consulates in the event of suspected child sex tourism.
- ✓ Mandatory information about child sex tourism at the annual conferences on child pornography, directed at police officers working with these crimes locally, and also with all training work relating to human trafficking.
- ✓ Participation in training of judges, prosecutors and police officers to clarify the work of the National Police Board against sexual abuse of children on the Internet, and similarly against sex offences against children abroad.
- ✓ Preparation of an annual national report on child sex tourism like the situation report on human trafficking, produced by the National Criminal Police.

#### **Public Prosecution Authority**

- ✓ Establishment of direct contacts with the Prosecutor-General in those countries where Swedes usually travel and countries that are considered to be particularly adversely affected by child sex tourism, with the aim of establishing cooperation agreements, establishing routines and action plans covering the reporting of this kind of crime.
- ✓ The Prosecutor-General shall work for the establishment of a reporting obligation to the Swedish International Public Prosecution Office covering all reports relating to Swedes who have committed sex offences against children abroad and also, to the greatest extent possible, work to ensure that all questioning concerning sex offences against children committed abroad at foreign locations are recorded on video, with the aim of securing evidence in case the matter should be considered again in Sweden.
- ✓ Training regarding child sex tourism shall be made mandatory for all prosecutors at the International Public Prosecution Office.
- ✓ Earmarking of funds to be able to pursue matters of this kind, which are very expensive owing to foreign travel, translation of documents, interpreters, etc.
- ✓ Appoint prosecutors with special skills regarding child sex tourism.
- ✓ Express mandate for the Development Centre in Gothenburg to actively monitor the type of offence 'child sex tourism'.

### **National Courts Administration**

- ✓ Knowledge about trafficking of children for sexual purposes should be mandatory for all judges.
- ✓ Experts should be appointed in child sex tourism cases.
- ✓ Through appropriate regulation (law or ethical code), ensure that judges, including lay judges, who have themselves at any time been sentenced for sex offences are not allowed to adjudicate in sex offences against children.

### **Foreign affairs administration**

- ✓ Mandatory information on the trainee course about trafficking of children for sexual purposes, with special focus on child sex tourism.
- ✓ Appointment of an 'ambassador' for child sex tourism issues.
- ✓ Clear communication on the UD's website about it being prohibited to exploit children sexually abroad and information about local/national tips hotlines and routines in the event of a suspicion of an offence.
- ✓ Establishment of action plans for routines in cases of suspected child sex tourism.
- ✓ Each embassy or consulate should have a hotline for the receipt of tips regarding suspected cases of child sex tourism, like that found in Thailand.
- ✓ The reporting obligation may also be extended to receive tips sent via mobile telephones, such as by text messages (SMS) and multi-media messages (MMS).
- ✓ A reporting obligation for all consulates and embassies regarding all Swedes who have been reported, prosecuted or convicted for this kind of offence. The same applies to Swedes who have been released on bail.
- ✓ When issuing new passports abroad, a check should be made as to whether or not there is a report.

### **Ministry of Enterprise, Energy and Communications (authority responsible for tourism issues)**

- ✓ Mandatory information about trafficking of children for sexual purposes with special focus on child sex tourism for officers responsible for tourism issues.
- ✓ Extend the definition of work with tourism issues to include outgoing tourism, including child sex tourism.
- ✓ Introduce statistics of outgoing tourism and also commence the compilation of information regarding what is to be deemed to be unsustainable (sustainable) travel and how alternatives for such travel can be supported.
- ✓ Prepare a strategy document for how the Government will achieve sustainable travel.
- ✓ Pursue the questions within the relevant bodies and work groups within the EU, OECD and UN.
- ✓ NUTEK is commissioned to gather facts regarding the impact of foreign travel by Swedes.

## **5. Information campaigns targeting the public about it being punishable to commit sex offences against children abroad**

- ✓ Information campaigns regarding the phenomenon and the damage that commercial sexual exploitation of children causes; that it is illegal to commit these offences abroad; that there can be prosecution in Sweden even if the act is not criminal in the country where the act was committed; and that sex offences that were committed abroad by Swedish nationals should be reported.
- ✓ The above-mentioned information should be prominent at all foreign airports, ferry/ship terminals and vaccination centres in Sweden.
- ✓ The Consumer Agency should have a list of the travel companies that work with ECPAT Sweden's Code of Conduct against child sex tourism.

## **6. Mandatory courses on the law, sociology and tourism programmes, and for peace-keeping forces**

- ✓ Introduce education regarding these offences on the basic course for police officers, prosecutors and judges.
- ✓ Include education regarding these offences on the law, tourism and sociology programmes.
- ✓ Include mandatory education for peace-keeping forces on trafficking of children for sexual purposes, as part of the preparatory training work before being posted abroad.
- ✓ Clear instructions regarding procedures and routines in the event that a person in a peace-keeping force has become aware of sexual exploitation, but not reported it, and also work to ensure zero tolerance of these forms of crime within the Swedish peace-keeping forces.

## **7. Prominence for the offence in crime statistics and increased research**

National Council for Crime Prevention (BRÅ)

- ✓ Crime statistics should be produced that facilitate:
  - Differentiated information about sex offences committed against children abroad by Swedes, which must be sufficiently detailed to be able to see patterns of exploitation and crime trends.
  - Offence coding to be produced which facilitates such information and statistical compilation as is required to monitor crime trends, and also to be able to show whether children have been exploited (for reward), primarily abroad but also in Sweden.
- ✓ A national survey as regards reports, prosecution and judgments for sex offences against children committed abroad, that is to say 'child sex tourism', should be conducted in conjunction with the appointment of a government inquiry.

## **8. Extended responsibility within the travel sector**

- ✓ Mandatory education for all persons who are trained within the tourism, hotel and travel sector about child sex tourism and CSR issues.
- ✓ Duty to provide information to travellers, and for people who work within tourism and the travel sector, that it is prohibited to exploit children for sexual purposes abroad.

## **9. Extended care initiatives for potential and convicted sex offenders**

- ✓ Adequate care should be offered with a preventive aim through increased opportunities to get help anonymously via hotlines and emergency telephones.
- ✓ Extended number of open permanent reception centres specialising in the perpetrators of sex offences, such as the Sexual-medical Centre, Huddinge Hospital.
- ✓ Long-term follow-up of time in prison through extended possibilities for follow-up care being provided within non-institutional care and open care services.
- ✓ Facilitate a follow-up through gathering information about how rehabilitation measures, etc. function in a long-term perspective.
- ✓ Allocate resources to extend the knowledge about sex offenders within care services.
- ✓ Investigate the possibility of all persons who are sentenced for sex offences against children being made subject to rules on care under the sentence.