

**Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**Recommendation CP/Rec(2023)11
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Sweden**

*adopted at the 33rd meeting of the Committee of the Parties
on 15 December 2023*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Sweden on 31 May 2010;

Recalling Committee of the Parties' Recommendation CP(2018)28 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Sweden and the report of the Swedish authorities on measures taken to comply with this recommendation, submitted on 8 November 2019;

Having examined the third report concerning the implementation of the Convention by Sweden, adopted by GRETA at its 48th meeting (26-30 June 2023), as well as the comments of the Swedish Government received on 15 September 2023;

Bearing in mind the focus of the third evaluation round of the Convention on access to justice and effective remedies for victims of trafficking;

Considering the conclusions and proposals contained in Appendix I of GRETA's third report on topics related to the third evaluation round and follow-up topics specific to Sweden;

Welcoming the measures taken and progress achieved by the Swedish authorities in implementing the Convention, and in particular:

- the further development of the legislative framework relevant to action against trafficking in human beings, including the amendments to the Aliens Act allowing municipal social services to apply for a recovery and reflection period on behalf of victims of trafficking;
- the increased number of prosecutors specialised in trafficking in human beings;
- the adoption of the Prosecutor General's guidelines on the non-punishment of victims of trafficking;
- the steps taken to prevent and combat trafficking for the purpose of labour exploitation, including the establishment of regional centres against labour criminality and the adoption of relevant legislative and policy changes;
- the increased number of victims of trafficking who have received state compensation;
- the efforts made in developing international co-operation in the fight against trafficking in human beings.

A. Recommends that the Government of Sweden take measures to address the following issues for immediate action¹ identified in GRETA's report:

1. take measures to ensure that THB offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions, in particular by:
 - ensuring that human trafficking offences for different forms of exploitation are proactively and promptly investigated, and continuing to make use of special investigation techniques in order to gather material, documentary, financial and digital evidence, so that there is less reliance on testimony by victims or witnesses;
 - ensuring that human trafficking offences are classified as such every time the circumstances of a case allow it, and that cases of trafficking for the purpose of labour exploitation are not qualified as "human exploitation", by taking into account all of the different means applicable, which are part of the international definition of human trafficking, including the concept of "abuse of a position of vulnerability";
 - allocating sufficient human and financial resources to the police and the prosecution services in order to be able to conduct proactive and effective investigations in trafficking cases and to prioritise cases of human trafficking and human exploitation;
 - ensuring that property used to commit THB, or which can reasonably be considered to constitute proceeds of this crime, is seized to the greatest extent possible;
 - continuing to improve the knowledge of investigators, prosecutors and judges about the seriousness of THB, the severe impact of exploitation on the victims and the need to respect their human rights (paragraph 92);
2. take further steps to ensure full compliance with Article 26 of the Convention, including by:
 - bringing the guidelines on the non-punishment of victims of trafficking issued by the Prosecutor General fully in line with Article 26 of the Convention by clarifying that the non-punishment provision is capable of being applied to all offences that victims of trafficking were compelled to commit;
 - ensuring that victims of THB are promptly identified as such, in any event before being convicted of offences they were compelled to commit;

¹ The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

- encouraging prosecutors to be proactive in establishing whether an accused person is a potential victim of trafficking, and to consider that, having been trafficked, the culpability of the victim may be diminished, or even removed entirely;
 - ensuring that all negative consequences faced by victims of THB, such as any form of detention, entry bans or delays in seeking legal residence in Sweden, are lifted for presumed victims of THB (paragraph 97);
3. take further steps to improve the identification of victims of trafficking, in particular by ensuring that:
- the formal identification of victims of THB is not made conditional on their co-operation in the investigation and criminal proceedings or the initiation of criminal proceedings;
 - regional co-ordinators against prostitution and human trafficking and the police are provided with sufficient human and material resources in order to be able to increase their efforts towards the identification of victims of trafficking;
 - the police and other relevant actors adopt a more proactive approach and increase their outreach work to identify potential victims of trafficking, and regional co-ordinators against prostitution and human trafficking are included in such activities whenever possible;
 - regular training on THB is provided to all relevant actors, including law enforcement officers, labour inspectors, immigration officials, and education and healthcare professionals (paragraph 163);
4. ensure more effective and timely identification of child victims of trafficking with a view to providing them with appropriate assistance, and in particular to:
- identify possible victims of trafficking among the children subjected to commercial sexual exploitation;
 - proactively identify unaccompanied and separated children at risk of being trafficked;
 - prevent violence or abuse at places of accommodation for unaccompanied asylum-seeking or irregular migrant children, including the homes for secure institutional care;
 - take measures to deal effectively with the problem of disappearance of presumed child victims of trafficking from accommodation centres, by providing them with secure accommodation and appropriate services and a sufficient number of appropriately trained supervisors (paragraph 193).

B. Recommends that the Swedish authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.

C. Requests the Government of Sweden to report to the Committee of the Parties on the measures taken to comply with this recommendation by **15 December 2025**.

D. Invites the Government of Sweden to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.