



# Finnish Model

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Preventing and combating trafficking in  
human beings: reducing prostitution and  
sexual exploitation

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# Pro-tukipiste (non governmental organisation)

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- Helsinki Unit and Tampere Unit
- Both for nationals and migrants;
  - 6000-7000 contacts per year
  - Approx. 1500 – 2000 different people
  - 70 – 80 % are migrants
- Drop-ins and outreach work
- Social work and health care; exit services; peer education and peer activity
- Housing project
- Special project for male sex workers
- Special project for the Thai women working in the massage parlours in Helsinki
- Training victim centered approach to authoratives and NGOs in trafficking cases

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# Legal framework, Finland

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- Penal Code:
  - 1) pandering (pimping) and aggravated pandering,
  - 2) trafficking, and aggravated trafficking,
  - 3) marketing of sexual services,
  - 4) buying sexual services from someone under age of 18,
  - 5) **exploitation of a person subjected to sex trade**
- Public Order Act: selling and buying sexual services in public places are prohibited
- Alien law:
  - 1) earning money by selling sexual services is ground for deportation (non EU citizens).
  - 2) Victim of trafficking can get permit to stay for a reflection period (from 1 month to 6 months) or temporal residence permit if (s)he is ready to co-operate with the law enforcement authority.
- Integration Act: Victims of trafficking are entitled to get protection and support from the state.



## ”Finnish Model”

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- **Exploitation of a person subjected to sex trade**
  - The purchase of sexual services from procured prostitutes or victims of trafficking
  - Fines – max 6 months imprisonment
- Came into force 1.10.2006



## Legal Affairs Committee, June 2006

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- Recommendation of limited version instead of the general ban because
  - General criminalisation restricts self-determination in cases when it is consensual agreement between two adults
  - In general ban the description of crime is too broad; it is not distinctive enough
  - Prostitution is partially linked to trafficking and the main purpose of Government Bill is to reduce trafficking and to reduce demand of the services of trafficked persons-> limited version is in balance with this target
  - The opinions of the results of Swedish model are debatable and controversial

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# General ban vs. limited version

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## Parliamentary voting in June 2006

### Three different proposals

- Voting between limited version against no criminalisation at all
  - 123 / 55
- Voting between limited version against general criminalisation
  - 143 / 33
- Voting for or against limited version
  - 158 / 15



## Critics and reactions

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- Evidentiary problems for the law enforcement authorities
- In practice it can be difficult to identify who is trafficked or procured; confusion of what is criminal and what is not
- Abolitionist critics: limited version watered down the Swedish Model by making a difference between trafficking and prostitution
- Debate is not over
- Evaluation before the end of 2009

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## Consequences on the prostitution scene; Mapping 2008

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Pro-tukipiste made a quick mapping in Spring 2008

- 47 sw's (43 women and 4 men)
- General knowledge about the law:
  - They knew that it exists
  - Concept is unclear; no idea what it is in practice and how it has been or should be implemented
  - Many respondents thought that it means general ban
- Everybody condemned pimping and trafficking; no one was for the criminalizing of buyers
- The number of the clients has not been decreased; no effects in numbers

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# Negative consequences (mapping)

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- Prostitution scene has been restructured:
  - so called "good clients" (businessmen with lots of money) have gone to internet.
  - in the public places good clients have been replaced by men who have less money to spend = women have to take more clients to keep up the same level of incomes
- Loss of earnings because clients may book an appointment by internet but they don't show up
- Risk of violence has increased
  - in the internet it is more difficult to estimate clients behaviour
  - misunderstandings, because women avoid to tell openly that it is a question of paid sex (different interpretation of the price and services)
  - on street area clients have also gone to internet and those who stayed in the streets are behaving aggressively



## Negative consequences (mapping)

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- Foreign sex workers have less clients nowadays
  - General belief, that the victims are always foreigners or all foreigners are victims
- Increased mobility, need to change working venues all the time
  - cannot work anymore at the same bar or on the same street regularly



## Positive or neutral (mapping)

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- Positive consequences
  - for some women it has been easier to get regular clients, because clients think that it is safer to go to someone you already know.
- All male sex workers said, that the law hasn't had any effect on their business. It has made market a little bit more nervous but nothing else.



## General message (mapping)

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All said that they are against the law because it makes their situation worse. Nobody said that their situation is better than before the law.

All of them condemned all kinds of force and exploitation, but they didn't understand how this law could protect them in any respect. However they said that it would be good if they could trust the police that it protects them from exploiters or from the people who are forcing or trying to force them to

- give their money away
- do something against their own will
- continue in the business against their will.

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## Some final remarks

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- Effectiveness of criminalization is often limited; consequences can be adverse
- Actions to reduce the demand should encourage people to report the (potential) cases to police; awareness
- We lack
  - Research and evidence based data
  - Analysis of the mobility (reasons, trends)
  - Analysis of the vulnerability
  - Consensual definition of trafficking