

Language and Terminology for EFN and its Partners

Introduction

The issue of terminology is complex and nuanced and as understanding increases, terminology evolves. EFN believes that the words we use matter. They matter in helping us to be clear on our position against all forms of exploitation of persons and in ensuring the dignity of the person.

The ongoing sanitisation of the sex trade has led to a great deal of confusion around the use of language. With this in mind we have provided a guide to language use for the most commonly used words and phrases which we recommend when using English. We hope you can find and promote the equivalent words in other languages.

A small note of caution, when using particular terms in your country, you will need to be mindful that definitions differ across countries and legal jurisdictions. This may mean that in order to attain specific support for someone who identifies as a victim of trafficking, you will need to ensure that you use the language as embedded in the legal and cultural context you are working within at the time¹.

A note on the use of the term prostitution vs sex work

This is a common challenge, the term 'sex work' is used by media and other agencies, but the term is a recent one, having been coined in the 1980's. EFN understands that prostitution is borne out of coercion and control and cannot legitimately be described as 'work' which should be free of exploitation.

When talking about those involved in prostitution, EFN prefers person first language such as 'person exploited through prostitution, as this places the emphasis upon the fact of their exploitation. Some people also use the term prostituted person. Similarly, we don't talk about selling sex, but rather

¹ There are a number of definitions used to describe human trafficking and a non-standardised understanding of the collective impact of human trafficking. The Palermo Protocol and TVPA are recognised internationally, Palermo by the United Nations (UN) and the United States Trafficking Victims' Protection Act (TVPA) (Dempsey, 2017). The Palermo Protocol definition (UN OHCHR, 2000) is:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) "Child" shall mean any person under eighteen years of age.

TVPA does not acknowledge economic and relational vulnerability as a factor, deferring only to violence, fraud and coercion. The presence of victim consent also has implications with TVPA considering consent and the Palermo Protocol considering it irrelevant (Dempsey, 2017).

All EU countries have agreed to this definition, though implantation and definitions may differ across countries legal systems.



The European Freedom Network (EFN) is a Christian community that exists to prevent and combat human trafficking and commercial exploitation in Europe and to seek the restoration of victims, in collaboration with strategic stakeholders.

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‘being sold into the sex trade.’ In a similar way we avoid the term ‘industry,’ as we feel this adds a false sense of legitimacy to the exploitation of prostituted persons.

A note on consent in prostitution

Consent must be freely given to be true consent. Within the context of prostitution payment amounts to coercion, consent cannot be purchased. Society rightly puts a high value on consent within the context of sexual relations. Within the context of prostitution consent can never be freely given because the payment is the coercion, whether that is in cash, drugs or a bed for the night. Survivors tell us that if they had had another way to meet their practical needs, they simply would not ‘choose’ prostitution, there is always coercion. It is a ‘choice’ out of no choice.

“Consent is a way in which freedom is actualised in personal choices, and authentic consent is essential if sexual activity is to be mutual and respectful of each person’s dignity and rights. In prostitution, the coercive force of money and the conditions in which women are enmeshed mean that what happens is not consent but in the testimony of one survivor-activist, capitulation. ‘In prostitution, men are well aware that the sex involved is unwanted, that it must be coerced with cash before the woman will capitulate to it. The “consent” here is not to have sex but to tolerate it.’² The Roman Catholic ethicist Hille Haker notes growing awareness that the impact of coercion is too complex to be countered by pointing to consent as a litmus test for the absence of force, coercion or exploitation, and that the particular conditions in each situation must be examined. Consent, she suggests, does not either undo or prevent violations of human rights.³ It is significant too that society regards sexual consent as sufficiently important that it is defined in law and those who fail to obtain it are subject to criminal penalties.⁴ For women trapped in prostitution, real sexual consent rarely, if ever exists in the prostitution exchange.⁵”

Some explanations of appropriate and inappropriate terminology

Terms to avoid	Why EFN doesn’t use them	Terms to use
Juvenile sex worker/child prostitute	Sanitises the reality and implies child has made a choice and consented when children cannot, by definition consent to such acts	Sexually exploited child/abused child
Business owner or other related terms	Sanitises the reality of the exploitation involved regardless of legal context	Pimp/brothel keeper/Madam/controller/trafficker
Girl/girls (when used in reference to adult women)	When used to refer to adults, this is a derogatory term that takes dignity and agency away from the woman	Woman/women/ladies (depending on cultural norms)

² Rachel Moran and Melissa Farley, ‘Consent, Coercion and Culpability: Is Prostitution Stigmatized Work or an Exploitative and Violent Practice Rooted in Sex, Race and Class Inequality?’ *Archives of Sexual Behaviour*, Feb 2019.

³ Hille Haker, ‘Catholic Feminist Ethics Re-considered: The Case of sex Trafficking’, *Journal of Religious Ethics*, 43.2 (2018) 218-243 pp.224

⁴ *The Limits of Consent* p.20.

⁵ Dr P. Jones ‘Invisible’ for publication in 2020

Terms to avoid	Why EFN doesn't use them	Terms to use
Sex industry	This term gives a legitimacy to something that cannot and should not be legitimised	Sex trade
Forced prostitution	Implies that in some instances of prostitution there is a free choice and consent when it is not possible to purchase consent in this context	Prostitution
Prostitute	This implies a judgement that is related to the criminal offence (where prostitution is illegal) and is often used as a derogatory term in society	Women/men/people involved in prostitution/prostituted person
Selling sex	Implies a degree of both agency and choice that is not actually present	Sold into sex/sold into the sex trade
Transactional sex	Sanitises and implies consent where it cannot be given freely	Exchanging, control, coercion by provision of 'needed' goods (e.g. accommodation, drugs etc.)
Choice	'Choice' implies some form of consent which is not present within prostitution and the sex trade	Avoid the use of language related to choice, it is preferable to frame conversation around lack of consent and agency

Some commonly used terms and definitions relating to sexual exploitation and violence:

- Coercion: persuading someone to do something by using force or threats
- Consent: to freely give permission for something to happen
- Childhood sexual exploitation: any form of sexualised interactions with those under the legal age of sexual consent, for EFN this is 18 years of age, but definitions do vary across legal jurisdictions
- Sugar daddy: an arrangement whereby someone controls some or all aspects of an individual's life, under the guise of providing 'care', for example providing accommodation, and gifts in exchange for sexual access
- Lover boy: a person who exploits individuals through the false offer of love
- Exchanging: When sexual access is acquired in return for goods such as drugs, accommodation or food.
- Rape: unlawful sexual intercourse or any other sexual penetration of the vagina, anus, or mouth of another person, with or without force, by a sex organ, other body part, or foreign object, without the consent of the victim. Please be aware that legal definitions may vary across jurisdictions.⁶
- Vulnerability: This is a broad term that includes the possibility of being exposed to attack or harm, either physically or emotionally. It is also used to refer to a state of being that puts an individual at increased risk in particular situations.
- Abolition/Nordic/Equality model: refers to an approach that supports and advocates for the decriminalisation of victims and survivors and supports the provision of specialist exiting services for

⁶ EFN believe that prostitution is a form of rape, however we are sensitive to those who are raped in other contexts, e.g. within marriage, when dating, or by strangers, so we avoid using this term in relation to all prostitution, though there are occasions when it is appropriate.

- people leaving the sex trade. The model also requires the criminalisation of those who control or benefit from any aspect of the sex trade, as well as those who purchase sexual access
- Neo- abolitionist: an individual, group, organisation or legislative body that supports the decriminalisation of victims and survivors and supports the provision of specialist exiting support for people leaving the sex trade, along with the criminalisation of those who control or benefit from the sex trade
 - Abolitionist: This term can be used within the context of prostitution and is defined the same way as neo-abolitionist (above). However, the term was used in the 19th century to refer to people who were against the transatlantic slave trade, so some feel it is not appropriate to use in the present-day struggle and prefer the term neo-abolitionist
 - Exiting: a process by which individuals gradually cease their involvement in the sex trade and who work to address the associated and multi-layered issues that arise as a result of their exploitation. There is no timeline associated with this process, indeed it can be a lifelong process
 - Victim: A legal term used to describe those who are still experiencing exploitation, and those who may not have yet found a way to exit and/or services and support
 - Survivor: term used to describe those who have exited form exploitation and/or are being supported by services. Individuals will typically use the terminology that feels right to them, as services we should consider the more general use of survivor as it implies a strength and resilience that gives dignity to their situation without placing any judgement upon them. It is important to note that the term victim is used in place of survivor in all legal and criminal systems
 - (Personal) Agency: this term is often used to reflect the abilities and strengths of people exploited in the sex trade
 - Precarity: term used to refer to the situations both of people involved in the sex trade and also to describe the situations that may lead people to enter the sex trade
 - Sex trade: term includes all aspects of the sex trade, including prostitution, pornography, strip clubs, sugar daddy relationships, escort services, 'massage' parlours, strip and 'dance' clubs
 - Transgender: refers to a person whose sense of personal gender identity does not relate to the sex with which they were born
 - Ritual Sexual Abuse: Ritual abuse usually involves repeated abuse over an extended period of time. The physical abuse is severe, sometimes including torture and killing. The sexual abuse is usually painful, humiliating, intended as a means of gaining dominance over the victim. The psychological abuse is devastating and involves the use of ritual indoctrination. It includes mind control techniques which convey to the victim a profound terror of the cult members...most victims are in a state of terror, mind control and dissociation⁷
 - Grooming Gangs: used to describe those who establish a relationship with victims with the intention of exposing them to some form of abuse or exploitation.

Some commonly used trafficking words and descriptions:

- Force: power, violence or constraint used against a person
- Forced labour: all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily
- Human trafficker: a person that profits from the exploitation of another individual and who is involved in the recruitment, transportation, sheltering, transferring or receipt of a person for the purpose of exploitation
- Labour exploitation: violation of labour law standards within a given country, though standards and protections differ across countries
- Labour trafficking: the recruitment, transportation, sheltering, transferring or receipt of a person for the purpose forcing them to perform a task they did not consent to or in conditions that are not acceptable to them

⁷ Los Angeles County Commission for Women, 1989

- Migrant worker: a person who travels and is paid to work in a different country or region of their country of origin
- Modern Slavery: an umbrella term for various forms of exploitation and enslavement including but not limited to: servitude, trafficking in persons, forced labour, prostitution, debt bondage, forced marriage, and sale of or sexual exploitation of children
- Smuggler: a person who receives payment for transporting people across international borders. It is important to note that this does not always constitute trafficking and depends on the control the individual who is being transported has of the situation
- Survivor (of human trafficking): the preferred term to identify a person who has experienced human trafficking or exploitation in a situation of modern day slavery and is beginning to rebuild their life, the term is considered to be respectful and empowering
- Trafficking for the purposes of sexual exploitation or trafficking into the sex trade: the recruitment, transportation, sheltering, transferring or receipt of a person for the purpose of commercial sexual acts
- Victim of (human) trafficking: A person who is being or has been exploited and meets the Palermo Protocol definition (see footnote 1) or other definition as defined by national legislation
- People smuggling: The smuggling of migrants, as defined in Article 3(a) of the Smuggling of Migrants Protocol, involves the facilitation of a person's illegal entry into a State, for a financial or other material benefit.⁸

⁸ UNHCR definition