



# Terminology for Commercial Sex Trafficking

& COMMERCIAL SEXUAL EXPLOITATION

BY KAYLA K. BROCHU

COPY RIGHT 2021

# Precise, Trauma-Informed Terms Regarding: COMMERCIAL SEX TRAFFICKING

Best Term to Use When. . .	Rationale	Terms to Avoid
<b>Person Engaged in Commercial Sex</b> for situations in which when one is trying to describe the sale of sex without inserting judgment about whether such sale is voluntary or not	<ul style="list-style-type: none"> <li>“Engaged” can be construed as active or passive verb – “someone (like a trafficker) is engaging another person;” or a person is “engaged in” an activity of her own volition.</li> <li>Commercial Sex does not have any normative connotations that other terms like prostitution and sex work do.</li> </ul>	<ul style="list-style-type: none"> <li>Don’t use sex worker unless you are sure definition applies (see below)</li> </ul>
<b>Sex Work or Sex Worker</b> to describe the act of / a person who freely engages in commercial sex as a means of earning a living/ for economic gain, whether or not commercial sex is legal.	<ul style="list-style-type: none"> <li>The widespread connotation (associated meaning) is that the sex worker is doing so voluntarily – without force, fraud or coercion by another person or even from the worker’s circumstances (such as a lack of other opportunities) .</li> <li>Sex work is also usually associated with a defiant sense of economic empowerment.</li> <li>The press and, to a lesser extent, people in the field misuse this term.</li> </ul>	<ul style="list-style-type: none"> <li>Person engaged in sex worker is better than sex worker but either is acceptable at this point</li> </ul>
<b>Prostitute</b>	<ul style="list-style-type: none"> <li>Prostitute has a derogatory connotation – one who is called a prostitute might feel insulted</li> <li>Prostitution has developed a connotation in many countries as being a <i>victimless crime</i>; in many places it is legal, decriminalized (laws not enforced), or simply ignored.</li> <li>Historically no distinction was made between purportedly voluntary prostitution (commercial sex) and involuntary commercial sex (force, fraud, coercion, children, disabled people)).</li> <li>The only time one should use the term prostitute/ prostitution is when referring to laws that use that term. For example, one might say that “a person is charged with the crime of prostitution.”</li> <li>The press and many people in the field misuse this term.</li> </ul>	<ul style="list-style-type: none"> <li>(Only use this term when referring to a law that uses the term. i.e. “she was charged with prostitution; or “he was charged with soliciting a prostitute.”</li> <li>“Person engaged in prostitution or person working in prostitution is better than “prostitute,” which implies immutability</li> </ul>



# Precise, Trauma-Informed Terms Regarding: COMMERCIAL SEX TRAFFICKING

Page 2 of 3

Best Term to Use When...	Rationale	Terms to Avoid
Commercial Sex Trafficking	<ul style="list-style-type: none"><li>• The phenomena of commercial sex involving the use of force, fraud, and/or coercion or that involves a child (or an adult with a developmental disability) who is legally incapable of providing consent.</li><li>• Note that a child may be doubly victimized as a person against whom force, fraud and /or coercion is exerted. This is a common situation in fact.</li><li>• Nonetheless, children engaged in commercial sex are automatically categorized as sex trafficking victims regardless of whether force, fraud , and/ or coercion is evident. The logic is that children as too immature to offer informed, voluntary consent.</li><li>• Under federal law, children are defined as people under 18 years of age. When state trafficking laws are being used, those laws specify the age that people are deemed children versus adults. (All 50 states and the District of Columbia have their own human trafficking laws at this point).</li><li>• Note that some forms of sexual exploitation fall outside the scope of the TVPA and Palermo Protocol even when they involve sexual exploitation</li><li>• For example, the definition of trafficking under the TVPA names only <i>commercial</i> sexual exploitation as a specified exploitative conduct. So if someone kidnaps someone for their own sexual gratification, that is a terrible crime. However, it is probably not a case of trafficking because purpose of the kidnapping was <i>non-commercial</i> sexual exploitation.</li><li>• That said, “commercial” is typically broadly defined- it need not be the exchange of money for sex. “Anything of value” in exchange sex will satisfy the “commercial” aspect of the definition. Common examples of things of value include drugs, shelter and even food.</li></ul>	<p><del>Child Prostitute</del> (Never Use)</p> <p>Underage (too informal and unclear)</p> <p>Minor (technically correct, but usually confusing in the sentence)</p>



# Precise, Trauma-Informed Terms Regarding: COMMERCIAL SEX TRAFFICKING

Page 3 of 3

Best Term to Use When. . .	Rationale	Terms to Avoid
<b>Sex-Trafficked Child</b> or <b>Child Engaged in Commercial Sex</b>	<ul style="list-style-type: none"> <li>Until very recently, the term child prostitute was used in common parlance. However, that term has since been recognized as a misnomer because a child can not consent to prostitution/ commercial sex – so she can not be a child prostitute. Additionally, the term implied immutability that could be stigmatizing and demoralizing for the child.</li> <li>Sex-trafficked child is the better term. If for some reason, the legal categorization of trafficking is not applicable to the sentence, the acceptable alternative is child engaged in commercial sex.</li> </ul>	<b>Child Prostitute</b> (Never Use)
Child Sex Exploitation or Trafficking in the Travel and Tourism Sector CSETT/ CSTTT	<ul style="list-style-type: none"> <li>The antiquated term, commercial sex tourism, does not properly put the emphasis on the abuse of the child.</li> <li>Also, the addition of the term travel to tourism reflects the fact that offenders sometimes engage in sexual abuse in the course of travel for purposes other than tourism.</li> <li>A leading NGO in this field, ECPAT International, often uses the broader term of Commercial <i>Exploitation</i> in the Travel and Tourism Sector (CSETT). Exploitation might include activities that are beyond the scope of the trafficking definition of “commercial” sex. CSETT is a good option and more commonly used than CSTTT.</li> <li>The Department of Justice Child Exploitation Unit ((DOJ CEOS) uses “Extraterritorial Sexual Abuse.” That term “extra territorial” literally means beyond (US) territory. DOJ CEOS uses this term to refer to cases in which US Nationals travel abroad and abuse children. (It uses different terms for abuse taking place wholly within the United States) – So for its purposes, DOJ CEOS is reasonable in distinguishing its cases that involve foreign territory by referring to them as Extraterritorial Sexual Abuse.</li> <li>Globally, CSETT/CSTTT may take place within a single country, just as trafficking may take place within a single country. The dynamics of CSETT/ CSTTT are such that travel (across borders or across regions within borders) tends to disinhibit the offender and may make the victim more susceptible to abuse. This is particularly true when substantial wealth and power imbalances exist.</li> </ul>	<b>Sex Tourism</b> (You should never use this term). Note that the media and even people in the field commonly use the antiquated term.