

## Categorisation and Instruction: The IOM's Role in Preventing Human Trafficking in the Russian Federation

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Since 1994 the International Organization for Migration (IOM) has been a major player in the field of combating human trafficking worldwide. From then on the organisation has provided approximately 15,000 instances of direct assistance to persons affected by trafficking, and implemented around 500 counter-trafficking projects worldwide (Prevention of Human Trafficking in the Russian Federation a). The IOM's power and influence are based on material as well as intersubjective factors - namely their ability to classify the world (Barnett and Finnemore 2004). The IOM shapes perceptions and knowledge of, and political strategies for, combating trafficking in human beings. It frequently holds sway over the definitions and subsequent development of solutions to the problem.

To meet these demands the resources most required are knowledge and expertise. I will scrutinize the ways the IOM exercises its power 'to create social reality and to set parameters [of] how to act in it' (Barnett and Finnemore 2004, 6). Beginning with a specification of migration management, the organisation's fundamental concept and programmatic framework on which political strategies to fight irregular migration and human trafficking are based, I will look at the IOM-led project 'Prevention of Human Trafficking in the Russian Federation'. I shall explore project practices that aim to define 'at-risk groups' and to identify and process the so-called 'Victim of Trafficking' (VoT). Studying these patterns shows how IOM creates its anti-trafficking interventions through establishing victim identities and simultaneously establishing understandings of appropriate anti-trafficking policies. This will allow me also to examine what these policies mean for potential migrants and VoTs.

In conclusion, I shall confront the assumptions and classifications made by IOM with the organisation's commitment to manage migration comprehensively through balancing reactive and proactive tools of migration management. I will argue that victim ascriptions allow for restrictive and control-oriented rather than for proactive anti-trafficking measures.

### *Migration Management, Trafficking and Security*

IOM's anti-trafficking-approach is intrinsically tied to the concept of migration management. This has significant consequences for both defining the problem and for the solutions to be implemented.

In the early 1990s various factors such as the asylum crisis in Western Europe, East-West migration, the war in Bosnia and Herzegovina, and a growing South-North migration (see Georgi 2007, 11; International Centre for Migration Policy Development 2008) triggered a crisis in the Western European systems of migration policy. In response to these ongoing changes, migration mastermind Jonas Widgren, former director of the Vienna-based think tank International Centre for Migration Policy Development (ICMPD) and long-standing consultant for the IOM, promoted the development of a new concept to steer migration: migration management. At the eleventh IOM seminar on 'International Response to Trafficking in Migrants and Safeguarding of Migrants Rights' in October 1994 he called for a paradigm shift from an international migration regime, originating from the early 1920s (Widgren 1994),

to an approach that accepts the realities of (im)migration and regulating migration in a reasonable and beneficial way. According to Widgren, a new migration world order had to meet two policy objectives: a) 'preventing mass movements from occurring'; and b) 'creation of orderly migration channels between continents and nations' (Widgren 1994, 17).

The IOM, the 'leading organization on migration' (International Organization for Migration 2003), is mandated by its 125 member states to transport migrants and to follow elaborate guidelines to steer migration (Constitution of the International Organization for Migration, art. 1). It strives to put Widgren's ideas into practice. The organisation pursues a management approach in order to regulate migration when it is impossible to restrict it: 'The IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants' (International Organization for Migration 2003). Bimal Gosh, a senior advisor at the IOM, points out that migration management addresses migration with proactive and reactive measures (Ghosh 2003; International Organization for Migration 2003). For example, proactive migration management includes creating opportunities for legal migration and setting up programmes to address the 'root causes' of migration. Reactive measures of migration management include intensifying border controls and encouraging so-called voluntary return.

Migration management appears to be an alternative to more conservative restrictive strategies by putting forward a model for 'regulated openness' (Ghosh 2003, 25), seemingly including the interests of all parties involved in migration: migrants as well as the sending and destination countries (International Organization for Migration). Yet the model does primarily promote criteria for migration policies oriented towards the 'usefulness' of migrants, i.e. the benefits they offer national economies (Düvell 2002, 159). Thus migration management doesn't necessarily aim to increase migration. It is rather geared to improve the allocation of workforce and assure its quality (Düvell 2002, 159).

Foucault's concept of governmentality is a useful tool to discover what might be the underlying motivations of migration management. In his study on the ICMPD, Fabian Georgi scrutinizes the political rationality<sup>1</sup> of migration management through the lens of 'governmentality' in order to break away from its supposedly 'apolitical and technical character' (Georgi 2007, 62 [translation S. Sch.]) and to reveal its nature as a technique of power and domination. The intrinsic elements that constitute its political rationality are strategic nationalism, stability of utilisation and economic utilitarianism (Georgi 2007, 103f). Each of these elements contributes in a different way to its rationality of control. From this point of view, migration management turns out to be an effective tool of control that is geared against migration that takes place autonomously, rendering all self-ordained interests of migrants 'illegitimate' (see Georgi 2007, 102f).

From a migration management perspective, trafficking in migrants is seen as one of the main threats to 'international efforts in the direction of a new international migration order' (Widgren 1994, 18). The IOM considers trafficking as an extreme form of irregular migration and a severe violation of human rights (Ducasse-Rogier 2001). Following the logic of migration management, combating trafficking can mean facilitating legal migration so that people do not have to rely on traffickers or

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<sup>1</sup> Fabian Georgi explains political rationality as the element of *mentalité* in Foucault's concept of governmentality. In summation, political rationality is the guideline for an organisation's actions in calculating possible pitfalls and resistance (Georgi 2007: 62f).

smugglers, such as preparing potential migrants to migrate through legal channels by providing skills and language training. Conversely, counter-trafficking measures could imply reactive measures against irregular migration such as the stricter handling of visas and border crossings and applying new technologies to reduce the number of those migrating (International Organization for Migration and the Federal Office for Migration 2005, 42).

Though a migration management approach recognises that migration constitutes an essential component of human trafficking and promises a more holistic approach than prevailing ‘stop organised crime models’, it does not seem to be the panacea it promises to be. Experts like Liz Kelly doubt that a migration management approach is capable of combating trafficking. According to Kelly, migration management does not target the root causes of trafficking (Kelly 2005): the social, political and economical marginalisation of women and girls from socially devalued groups and the social construction of these women ‘as the natural or ideal occupants of the lowliest positions in domestic or sex work’ (Anderson and O’Connell Davidson 2003).

The IOM’s reactive measures of migration management meet the security concerns of states and societies (International Organization for Migration and the Federal Office for Migration 2005: 46). In particular, since 11 September, trafficking which is deemed to be a form of irregular migration that intersects simultaneously with other control and security issues such as prostitution, illegal work, organised crime or terrorism is considered to be not only a menace to potential migrants, but even more a problem which has subversive effects on societal and state security. On this highly ideological issue, the ‘IOM’s contributions have tended to emphasise the organisation’s public concerns with the links between migration and organised crime, drug-running and prostitution’ (Black 2003, 43) instead of elucidating the circumstances for various kinds of ‘irregular’ migration or flight.

Security cooperation is another general theme of the project ‘Prevention of human trafficking in the Russian Federation’. The project is implemented as a part of the agenda for ‘Four Common Spaces’ between the EU and Russia. As an activity of the second space, the Common Space of Freedom, Security and Justice, it comes with mutual commitments against terrorism, so-called illegal migration, and cross-border crime. The project is funded under the EU Programme of Technical Assistance to CIS Countries (TACIS). It has a total budget of 4.5 million euro and is co-financed by the governments of the US and Switzerland. Launched in April 2006, the project ran until January 2009. Its main components include policy advice in order to ‘upgrade’ Russian legislation on trafficking, the implementation of preventive campaigns and information services, the establishment of referral mechanisms between different actors and assistance for victims in a rehabilitation centre in Moscow, run by the IOM.

The political rationality of migration management is the red thread, which the organisation follows in order to steer and control migration. The IOM is combating human trafficking against this background. But how does this conceptual framework translate into practice? In order to study the tools and techniques the IOM uses to define and specify the social problem of trafficking and to implement corresponding solutions, I focus on the following activities on the project level:

- Defining of at-risk-groups
- Identifying victims of trafficking (VoTs)
- Assisting VoTs
- Teaching local actors these models of identification and assistance

### *The Making of At-Risk Groups*

As for almost all anti-trafficking interventions, the categorizing of at-risk groups is the basis for the Russian project (Aradau 2008). The project started with conducting a large-scale baseline study (Office of the International Organization for Migration in the Russian Federation 2008b), which specified the indicators and parameters of the problem. This commissioned work, carried out by independent Russian researchers, presents the main causes and risk factors for becoming affected by human trafficking, and therefore assesses social and economic consequences of the phenomenon in the Russian Federation. According to these scientific insights, individual and structural factors account for the level of risk of being trafficked. Potential victims come from socially vulnerable and marginal groups. They are discriminated against on the basis of gender, ethnicity or age. Children, teenagers and young adults of both genders, in particular from problematic families with a low level of education, are identified as specific risk groups.

An excerpt from the study is presented on IOM-Moscow's website, suggesting that a crucial prerequisite for becoming a victim is the decision to migrate in order to overcome unfortunate living conditions, or as IOM calls it, 'to break out of the vicious cycle of poverty'. The text further states that 'due to the fact that the behavioural patterns of potential victims were deformed under the degrading social conditions they are prone to find themselves in slavery-like or exploitative situations' (Prevention of Human Trafficking in the Russian Federation b).

Including men and boys into the circle of people at risk may be perceived as IOM's response to the gender blindness of previous anti-trafficking interventions. For years women were generally conceptualised as vulnerable to trafficking, whereas men were mostly considered as smuggled. Adding men as a higher-risk group impeded sexualised representation strategies in IOM's awareness-raising campaigns. In the Russian Federation the organisation abstains from showing eroticised pictures of naked, mistreated women as it did in previous campaigns in the Baltic States or in Southeastern Europe. The new promotional material does not automatically equate trafficking in women with forced prostitution. It no longer fixes stereotypes of beautiful but naïve Eastern European women and thus prevailing gender asymmetries and (re-)traditionalised gender orders in the public space.<sup>2</sup> Yet the campaign's focus on both genders disguises the fact that it is primarily women and girls who are trafficked for sexual and labour exploitation. It obscures the fact that 'trafficking in women is part of a gender specific and gender hierarchic political, economical, and social order' (Locher 2002, 62 [translation S. Sch.]). Correspondingly, the majority of VoTs assisted in the TACIS-project are female (70 percent). 57 per cent of them were trafficked for purposes of sexual exploitation (Office of the International Organization for Migration in the Russian Federation 2008a).

The decision to migrate in order to overcome unfortunate living conditions and poverty seems to be crucial to becoming a victim. Due to the fact that the behavioural patterns of potential migrants who come from at-risk-groups are distorted under degrading social conditions, they are prone to find themselves in slavery-like or exploitative situations: 'Gradually the at-risk behaviour becomes their normal behaviour pattern and the rational behaviour categories become distorted, which is manifested by, so-called, 'consent to exploitation' or 'voluntary slavery'. Their

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<sup>2</sup> For a comprehensive analysis of the IOM's anti-trafficking 'representation regime' see Andrijasevic 2007.

perception of the normal social behaviour pattern expands beyond the limits acceptable to the human rights opinion and the level of humankind development' (Prevention of Human Trafficking in the Russian Federation b).

These suppositions present potential migrants of both genders as backward and irrational subjects—in short as potential victims. They take risky and unreasonable decisions because they are supposedly one-dimensionally driven by push and pull factors. In contrast, “(p)ush-pull” factoring, which sounds like something that happens to less-than-“civilised” people, is not usually mentioned when Euramericans are the migrants; these are more likely to be described as modern selves searching actively for better situations in which to realise their identities’ (Agustin 2003, 3).

Altogether these assumptions about at-risk groups invoke images of the ‘Other’ (Yuval-Davis 1997) in terms of class, ethnicity and sexuality. The behavioural patterns of at-risk groups are presented as differing from forms of ‘normal’ social behaviour. Thus, these potential victims need to be normalised and (re-)educated as prudent subjects (O’Malley 1996)—those who are careful and who avoid unnecessary risks. As in many other countries before, the Russian project’s awareness-raising campaigns and information programmes call on people to make rational choices on the basis of the organisation’s expert knowledge. For example, in the course of the Russian project two rock music concerts were organised. IOM-Moscow distributed information leaflets and bandleaders urged young people ‘to make the right choices about their future’ (International Organization for Migration Moscow 2007). To a certain degree these fliers pointed out the structural dimensions of human trafficking. But simultaneously, as Claudia Aradau argues, these calls for rational choices shift migration risks from the structural to the individual level (Aradau 2008, 99).

I do not intend to question whether push-and-pull factors have real impacts on becoming affected by trafficking, but rather to question the oversimplificating tendencies involved in such discourse, and the predominance of the explanatory power of push-and-pull factors. The pictures that have been drawn by the IOM and many other anti-trafficking campaigns systematically disregard individual migration strategies that temporarily tolerate coercive and exploitative circumstances (Andrijasevic 2004; Sharma 2003). ‘Assumptions about “risk groups” and “risk cultures” [...] miss the details of individuals’ actual practice, their constraints, resources, and capacity to innovate and change’ (Shore and Wright 1997, 23). Constructing at-risk groups and potential victims demarcates visible dividing lines within a space of what Badiou calls ‘indiscernibility of knowledge’ (Badiou quoted in Aradau 2008, 115). These representations ignore the fact that migration strategies may include temporarily exploitative working conditions, but turn out to be successful in the end. They ascribe to women and men an incapacitation, which provides the basis for the IOM’s (preventive) interventions and simultaneously justifies them. Therewith these prevention campaigns have to be considered as part of reactive measures of migration management.

### *The Label VoT*

Another attribution crucial for the IOM’s work is the label ‘victim of trafficking’ (VoT). Generally speaking, the category VoT tends to be a very ambiguous notion that is accompanied by many problematic aspects. The meaning of the phrase ‘victim of trafficking’ depends highly on who is using it. States and international bureaucracies like the IOM apply VoT normally as ‘an administrative category entailing state protections and obligation towards individuals’ (Anderson 2007, 6).

The term VoT acts as a ‘filter into support’, (Kelly 2005, 234) such as temporary housing and medical and psychological support.

Other anti-trafficking actors like NGOs consider VoT as a descriptive category, composed of ‘certain sets of experiences’ (Anderson 2007, 6). But persons who fit into the descriptive category might not necessarily be considered as a victim in the administrative sense (Anderson 2007). These persons will be liable for prosecution as ‘irregular’ migrants and could be returned ‘home’ as smuggled, without states being obliged to protect their human rights (Gallagher 2001).

Labelling persons as ‘victims of trafficking’ often tends to reduce complex real-life situations and at the same time to essentialise a broad spectre of distinct experiences. To be considered a VoT frequently means to be fixed with an ‘unequivocal victim identity’ (Sanghera 2007). A VoT then is subjected to prescriptive strategies, which, despite well-meaning intentions of assisting organisations, hinder an affected person ‘to realise his/her life’s full potential’ (Sanghera 2007, iiv).

As a consequence, certain NGOs try to avoid paternalistic strategies in their treatment of trafficking victims. They frequently employ the term ‘affected by trafficking’ in order to voice their concern with victimisation and to stress the person’s capacity to act. The category VoT then refers, if anything, to a temporary condition or a legal status in a crime case (Goodey 2004). This allows persons affected by trafficking to speak about violations of their human rights and about individual suffering. A VoT may claim protection and compensation for physical and psychological damage. However, instead of being granted rights, frequently the individual has to cope with gendered protectionist interventions of states (Kapur 2002) that often pursue simple policies of ‘no-prostitution’ or ‘no-migration’ (Popova 2006). In Nepal, for example, women under 30 years of age are not allowed to leave the country without the permission of their husbands (Kapur 2002).

The IOM further developed a standard procedure to identify persons supposedly affected by trafficking as VoTs. In order to obtain this status, which entitles them to take up the organisation’s assistance services, these persons must first undergo a so-called screening interview arranged by IOM or their partner NGOs. The questionnaire is based on the definitions given by the UN’s Palermo protocols.<sup>3</sup> Thus the IOM asks about recruitment, transportation, and exploitation, drawing upon the legitimacy of the international agreement. Leaving aside the problem of ‘internal trafficking’,<sup>4</sup> which the IOM considers in its reports as well as in its operational work, many experts and practitioners argue that the supposedly watertight definitions of the protocol prove to be problematic on an operational level. In practice a clear distinction between trafficking<sup>5</sup> and smuggling<sup>6</sup> is nearly impossible. Many migrants

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<sup>3</sup> The two Palermo protocols—the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air supplement the United Nations Convention against Transnational Organized Crime, adopted 2000 by the United Nations in Palermo (United Nations 2000).

<sup>4</sup> Internal trafficking means that a person has not necessarily to be transported across state borders in order to be exploited. Internal trafficking occurs within the territory of a state. Among the VoTs assisted in the TACIS project around 40 per cent lived in the territory of the Russian Federation (Office of the International Organization for Migration in the Russian Federation 2008).

<sup>5</sup> “‘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

who use the services of smugglers later on end up in exploitative circumstances. Then there are affected persons, escaping trafficking situations by their own means, who do not consider themselves a VoT and prefer to stay illegally in the country (Pearson 2005).

Standards for exploitation, as Anderson and O’Connell Davidson indicate, strongly depend on political and moral values. The authors emphasise that in the absence of globally approved minimum employment rights, it proves impossible to measure exploitation from a neutral viewpoint. Thus exploitation may be considered at best a ‘continuum of experiences’ with abuses of varying degree (Anderson and O’Connell Davidson 2003, 8).

The IOM utilises categories based on the definitions of the Palermo protocols in developing methods to identify migrants in need of protection. This strongly legitimates identification processes through international law. Likewise, the deficits, ambiguities and gaps of these definitions, due to which the protocols’ effectiveness as an instrument protecting human rights of migrants is doubted by many experts, are transferred.<sup>7</sup> However, the general problem is the separation of migrants into the categories of ‘in need of protection’ and ‘not in need of protection’. This selection poses a challenge to the universal validity of human rights for migrants. The identification processes are to be taken seriously into question because the ‘identifiers’ are prone to make incorrect and arbitrary decisions due to imprecise and ambiguous definitions. Additionally, these procedures possess an inherent logic of control as a tool of migration management, thereby neglecting the protection of human rights of, at least, certain groups of migrants.

### *Rehabilitation*

Once an affected person is identified as a VoT and gives his/her voluntary written consent to be ‘restored’, the person enters a system of control and supervision in order to ensure his or her rehabilitation and return to ‘normal life’. The rehabilitation starts with a 21-day long recovery period in a specialised centre run by the IOM, situated in a private hospital on the outskirts of southwest Moscow. Shortly after arrival, the victim undergoes a medical screening, where he/she is tested for HIV, hepatitis, and STIs (Sexually Transmitted Infections). Once a week a victim is provided with a session of individual therapy and several times a week sessions of group therapy take place. During the three weeks of treatment victims are not supposed to leave the hospital alone. Social workers organise leisure activities.

Meanwhile IOM staff prepares the client’s reintegration. The standard reintegration

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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’ (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, art. 3a).

<sup>6</sup> “Smuggling of migrants” shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent Resident’ (Protocol against the Smuggling of Migrants by Land, Sea and Air, art. 3 a).

<sup>7</sup> Analyses of the Palermo protocols’ inadequate qualities as an instrument to protect the human rights of trafficked migrants are numerous, e.g. Gallagher 2001; Jordan 2002; Pearson 2005.

assistance covers a predetermined spectrum of possibilities: the IOM organises and pays for the repatriation of victims into their home countries/regions. Additionally, victims are provided with so-called reinstatement grants: 150 euros for Russian nationals and 50 euros for Non-Russians. The person may also be eligible for additional grants—in cases of resettlement, housing expenses, basic needs, food and transportation are covered up to a period of 6 months, and professional training, paid classes and other income generating activities are supported. Moreover, medical care and legal counselling are provided in the early stages of rehabilitation. Other IOM missions or partner-NGOs are contacted in order to monitor the victim's reintegration and to avoid re-trafficking. After discharge from the hospital, the victim's reintegration will be supervised for up to one year.

This short description illustrates how a person is constructed as a VoT irrespective of their need for support. A person undergoes a bureaucratic procedure beginning with the screening interview and ending with the reintegration report. Due to ample paperwork directed at assigning their status and the subsequent treatment the person receives, they turn into a VoT, regardless of their former experiences and subjectivities, or of their future plans. These short descriptions give an idea of how bureaucratic procedures make the social construction VoT effective. An affected person is turned through categorisations and standardised treatment into a 'victim of trafficking'. The 'victims' experiences, subjectivities and plans for the future are taken into consideration only to a certain degree. That is to say, interests of migrants are dealt with only as far as they comply with the spectrum of possibilities offered by the IOM.

In order to restore VoTs to their former lives, they are admitted temporarily to premises that Erving Goffman described as a 'total institution'. The term 'total institution' applies above all to the physical attributes of the hospital building,<sup>8</sup> but also to its inner structure and organisation. In a 'total institution' all spheres of life are concentrated in one place and under one authority, and the freedom of inmates/patients to make decisions and interact with others is limited (Goffman 1968). To put it in Goffman's words, the nature of the centre resembles 'a forcing house to change persons, as a natural experiment that can be done to the self' (Goffman 1968, 12). Reading the conditions of rehabilitation according to Goffman reveals the compulsory character of the IOM-Moscow's assistance framework that remains far from conditions of a 'normal life'<sup>9</sup> and reiterates issues and patterns which have been criticised already in projects the IOM implemented in other countries (Bernström, Jalakas, and Jeffmar 2006; Limanowska 2007).

An obligatory component of IOM's support package is the practice of bringing the persons back to their countries of origin after the treatment. These so-called voluntary returns explicitly show the tensions laid out in the IOM's motto 'Managing migration for the benefit of all' (International Organization for Migration 2003). The term obscures the fact that interests of migrants and nation-states are often diametrically opposed and always negotiated within the power structures of the state. Although the IOM pretends to serve the interests of 'all', it primarily serves to uphold the asylum and immigration policies of European states, which 'would not function without a strong return policy component' (Widgren 2002, 2).

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<sup>8</sup> Controlled entrances/exits, fences, and barred windows that symbolise 'the barrier to social intercourse with the outside' (Goffman 1968, 15).

<sup>9</sup> Opposed to the characteristics of a total institution a 'normal life' may be characterised by the separation of working, living, and leisure sphere. In a normal life a person is able to decide and to act autonomously.



Two attributes are meant to make the ‘cheaper variant of deportation’ (Berthold 2005) socially acceptable: The term ‘voluntary’ suggests that he/she could choose between different options whereas virtually there is no choice, because the person always picks removal (Düvell 2005). Most EU member states bluntly acknowledge the fact that ‘even voluntary return assistance programmes need some elements of enforcement or force’ (Widgren 2002, 4) in order to make the concept of ‘voluntary return’ work and to guarantee its ‘success’. Thus a big percentage of voluntary returns, which the IOM exercises on behalf of many Western European<sup>10</sup> states, may be accurately referred to as prescribed or mandatory return.<sup>11</sup>

As one of the most important (reactive) tools of migration management the political rationality of voluntary return draws on strategic nationalism (Georgi 2007). According to Jacqueline Berman, the term ‘return’ implies that the person goes back to where she/he naturally belongs, where she/he gets back the orderly status as citizen held before (Berman 2003). The gendered and symbolic character of return policies becomes manifest when sending trafficking victims back ‘home’. After an arranged return trip women may be confronted by traditional and patriarchal ways of living and taking up their roles as proper daughters or wives (Berman 2003)—a form of life that female migrants often try to flee.

Return as a suitable solution and an obligatory component of anti-trafficking policies is deeply rooted in the IOM’s bureaucratic culture.<sup>12</sup> The IOM staff in Moscow repeatedly affirmed that the only wish of a victim would be to return back home (Interview with IOM project assistant in Moscow, September 23, 2008). This suggestion, which exploits the victim’s desire for trust and protection, justifies policies of migration management as ‘voluntary’ return being the most natural organising principle. Return policies, on the contrary, often entail stigmatisation once affected people come back to their ‘home’ countries: returnees will be exposed as victims of sex-trafficking or at best labelled a failed migrant (Pearson 2002).

### *Teaching the ‘Model’*

As an international organisation, the IOM is associated with being a rational-legal bureaucracy legitimated through a mandate delegated by its member states, through its outstanding expertise and through an image of impartiality and neutrality (Barnett and Finnemore 2004). The EU Commission relies on the IOM to implement its external migration policies. In its 2001 communication ‘On a Common Policy on Illegal Immigration’ the Commission highlights the organisation’s competences to guarantee EU protection standards for migrants and to facilitate cooperation with third countries (European Commission 2001).

In IOM-led projects such as the EU-financed project in the Russian Federation, the organisation teaches local governmental organisations and NGOs ‘best practices’.<sup>13</sup>

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<sup>10</sup> e.g. Austria, Belgium, Finland, Germany, Ireland, Italy, The Netherlands, Norway, Portugal, United Kingdom, Switzerland (International Organization for Migration 2002).

<sup>11</sup> For a taxonomy of return policies see Dünnwald 2008.

<sup>12</sup> Vaughan defines bureaucratic culture as: ‘the solutions that are produced by groups of people to meet specific problems they face in common. These solutions become institutionalised, remembered, and passed on as the rules, rituals, and values of a group’ (Vaughan 1996, 64).

<sup>13</sup> The term ‘best practices’ originates from EU terminology. It is an objective common to all EU-financed projects to collect, analyse, and refine best or at least good practices. IOM staff highlights IOM’s strength to impart ‘best practice’—knowledge generated from a multiplicity

The IOM ‘shows the model’ (Interview with Sergey Trepikhin, assistant of the Resident Legal Adviser of the Embassy of the US to Russia in Moscow, 15 September, 2008) in order to develop local actors’ capacity to combat human trafficking and to orient their actions. They are trained to perform, replicate, and finally institutionalise practices that take their cues from EU standards and strategies. Almost all of these cooperation projects are accompanied by conflicts of communication, cooptation, and coordination. It is extremely worthwhile to study these disagreements. Equally interesting is an attempt to answer the question of what is connoted in the term ‘best practice’. If scrutinised from a critical stance, questioning important categories of migration policies like nation, citizenship, and illegal migration, such an effort may provide useful insights; not only because the fact that the dimensions and varieties of human rights for migrants are intrinsically linked to these categories, but also about the political interests which determine EU anti-trafficking policies.

The political interests motivating victim protections are evidently reflected by the term ‘useful victim’. In EU states granting protection to persons affected by trafficking highly depends on the migrant helpfulness as a witness in lawsuits. Thus far, in the TACIS-project, ‘usability’ in criminal proceedings is more or less irrelevant, because shelter and support is not dependent upon giving evidence. Heli Askola describes what the strict application of the European model means to VoTs when she criticises the European Council Directive on Victims Protection<sup>14</sup>: ‘It is thus not a measure aimed at the protection of trafficking victims, but at squeezing out of any relevant information that could be used against the “real criminals”, that is, those who assist and organize irregular migration. After that even the “useful” victims are discarded’ (Askola 2007, 212).

EU patterns of victim protection are concerned only in a limited way with the migrants’ welfare. These measures are primarily concerned with effectiveness and improvement of law enforcement. This calls into question the IOM’s commitment that all measures to combat trafficking in human beings aim at the wellbeing and human rights of migrants (United Nations 2008, 7).

### *Conclusions*

The capability to ascribe migrants an identity as a victim rather as a potential victim or ex post facto is one of IOM’s key instruments to exercise power. Attribution includes activities on different levels, which are interrelated and are reinforcing each other:

- 1) To produce knowledge about at-risk groups and their behavioural patterns
- 2) To assign affected persons an identity as a VoT and to subject him/her to a predefined treatment: rehabilitation, return, and eventually reintegration support
- 3) To teach societal and state actors a ‘model’ of how to assist victims

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of IOM anti-trafficking projects, implemented all over the world (Interview with IOM project assistant in Moscow, October 2, 2008).

<sup>14</sup> The proper name reads: European Council Directive on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subjects of an action to facilitate illegal immigration, who cooperate with the competent authorities, Council Directive 2004/81/EC.

What does the ascription of a victim-identity mean for migrants then? Notions of 'potential' and 'real' victims constitute a sine qua non for the IOM's anti-trafficking interventions. Affected persons are supposed to accept the status of VoT and behave accordingly to it. Experiences other than falling victim will be discarded, negotiable only in the very narrow parameters set for support. A VoT's refusal of assistance may be read as pathology (Aradau 2008). Altogether VoTs have to cope with the limited and restricted facilities provided (Limanowska 2005).

Reading these practices against the background of the IOM's migration management approach, which claims to combine reactive and proactive instruments, neither the Russian project nor completed or ongoing anti-trafficking projects of the IOM in Central and Eastern Europe focus on proactive strategies to facilitate large-scale 'legal' (female) migration. This can be explained through the utilitarian, selective conception of migration management: to facilitate canalised beneficial migration and to restrict irregular forms of migration. An alignment of the categories 'victim' and 'irregular migrant' turns out to be the lynchpin. The construction of victim/irregular migrant, either as a potential victim, who is driven by push and pull factors, or as VoT, who is in need for assistance, provides the basis for various types of (preventive) education measures in order to avoid future or re-trafficking. To consider potential and actual migrants as people who use their mobility as a resource and as a vital dimension of their social capital (Morokvasic 2003) would suggest extensive projects to empower migrants. In the course of the Russian project initiatives such as the establishment of information centres throughout the Russian Federation, of an information telephone hotline, and the distribution of comprehensive migration manuals demonstrate important steps taken in this direction. However, several pressing questions remain: How can state and IGOs enable migrants to use the given information in practice? How can they tackle legal exclusion due to irregular employment? How can the 'social working of law'<sup>15</sup> be integrated (Popova 2007)? Leaving these questions unanswered suggests that these activities are a matter of reactive prevention once again.

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<sup>15</sup> People do not follow legal norms, because these norms do not consider their specific situation. As a consequence, they do not claim their rights, because this might impair their situation.

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