

Shaping the Victim: Borders, security, and human trafficking in Albania

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Abstract

Borders are productive sites where knowledge is gathered and migrant populations are formed. The knowledge gathered from victims of trafficking reinforces a victim narrative that represents a perceived threat to society by highlighting violence, criminality, coercion, and naivety. Using Albania as a case in point, the article looks at trafficked people and the narratives of victimhood that surround them. In the case of trafficked people, the border projected out towards other states produces a discursively defined victim of trafficking. When projected back within the national territory, the border essentially produces a criminalised sex worker. To argue this point, the article discusses the role victims of trafficking play in the EU and looks at how international norms espoused by the OSCE and IOM have prepped the Albanian border for EU ascension and created the means for governable populations within Albania.

Keywords: Albania, borders, victimhood, human trafficking, migrant population, OSCE, IOM

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Borders are highly political sites that regulate migration and discursively produce manageable populations. The productive aspects of borders extend internally and externally, leaving us with dichotomous and sometimes contradictory understandings of those traversing them. The way borders produce inclusions, exclusions, and differential citizenship is well documented, particularly in regard to the European Union (EU).¹ This paper examines how the border policies of the Eastern European states are shaped in the pre-EU ascension process to produce exclusions and inclusions, many mirroring those of the EU. My case in point is Albania, which, in the past two decades, has seen the end of decades of authoritarianism, increased migration and human trafficking, state collapse, and accordingly, an influx of international organisations such as the Organization for Security and Co-operation in Europe (OSCE) and International Organization for Migration (IOM) providing the technical expertise necessary to achieve regional standards of security and stability.

In order to study this, I look at trafficked people and the narratives of victimhood that surround them. In the case of trafficked people, the border projected out towards other states produces a discursively defined victim of trafficking. When projected back within the national territory, the border essentially produces a criminalised sex worker. In the first case, the possibility that some victims have freely chosen to engage in informal migration and/or sex work is obfuscated by narratives of coercion.² In the second, the only choice

¹ See, for example, S Mezzadra and B Neilsen, 'Border as Method, or, the Multiplication of Labor', *The European Institute for Progressive Cultural Policies*, 2008, retrieved 25 June 2013, <http://eipcp.net/transversal/0608/mezzadraneilson/en>; and S Mezzadra and B Neilsen, 'Borderscapes of Differential Inclusion: Subjectivity and struggles on the threshold of justice's excess' in E Balibar, *et al.* (eds.), *The Borders of Justice*, Temple University Press, Philadelphia, 2011, pp. 181–203. See also W Walters, 'Border/Control', *European Journal of Social Theory*, vol. 9, no. 2, 2006, pp. 187–203; and V Squire, *The Exclusionary Politics of Asylum*, Palgrave Macmillan, New York, 2009.

² See: K Kempadoo, 'Introduction' in K Kempadoo and J Doezema (eds.), *Global Sex Workers: Rights, resistance, and redefinition*, Routledge, New York, 1998, pp. 1–16. See also, R Andrijasevic, 'The Difference Borders Make: (Il)legality, migration and trafficking in Italy among East European women in prostitution' in S Ahmed, *et al.* (eds.), *Uprootings/Regroundings: Questions of home and migration*, Berg Press, Oxford, 2003, pp. 251–272; and J Berman, '(Un)Popular Strangers and Crises Unbounded: Discourses of sex-trafficking, the European political community and the panicked state of the modern state', *European Journal of International Relations*, vol. 9, no. 1, 2003, pp. 37–86.

presented is the choice to commit the crime of prostitution. By reducing sex work to a moral choice, the potential economic reasons for engaging in sex work are pushed to the wayside. To argue my point, I describe the ways in which borders are productive sites. I then discuss the role victims of trafficking play in the EU and finally look at how international norms espoused by the OSCE and IOM have prepared the Albanian border for EU ascension and created new means for governing populations within Albania.

Borders, Populations, Victims

The concept of a border contains competing and complementing trajectories.³ It can be understood as a geographical line legitimised in treaties and conventions, or as a national border, which, in theory, encloses a population homogenised by territory, markets, and history. In these conceptions, the border delimits the sovereign power of states. They are places where taxes are levied and people become subject to sovereign law.

Alongside these standard conceptions of a restrictive border, William Walters draws on the work of Michel Foucault to locate a regulatory border, which he calls ‘the biopolitical border’.⁴ This trajectory recognises the border as a filter that systematically regulates the movement, health, and security of national and transnational populations by codifying mobilities and ascribing status and risk to migrant populations. It first appears around the turn of the century, when the UK and US

³ W Walters, ‘Mapping Schengenland: Denaturalizing the border’, *Environment and Society D: Society and space*, vol. 20, no. 5, 2002, pp. 561–580.

⁴ W Walters, ‘Mapping Schengenland’. The concept of biopower and biopolitics is most famously discussed in M Foucault, ‘*Society Must Be Defended*’: *Lectures at the College de France, 1975-1976*, Picador, New York, 2003, pp. 239–264, and *The History of Sexuality, Vol. 1: An introduction*, Random House, New York, 1990, pp. 133–160. It should be noted that Walters both somewhat expands upon and departs from Foucault’s concepts. See W Walters, ‘Foucault and Frontiers: Notes on the birth of the humanitarian border’ in U Bröckling, S Krasemann and T Lemke, (eds.) *Governmentality: Current issues and future challenges*, Routledge, New York, 2011, pp. 138–164.

passed race specific migration laws, and emerges more fully in North America and Europe around the Great Depression and the First World War, when refugee crises and influxes of migrant workers led to the politicisation of immigration. It is at this time that passports and visas became almost universally required and immigrants were subjected to quarantine, medical inspection, and interviews aimed at gathering their vital information and history before being granted entrance.

As a space where knowledge of migration is gathered, the border shapes migrants into knowable, governable populations.⁵ Specifically, the tools employed to manage, regulate, and document who and what enters and exits a country — visas and passports, migrant and criminal databases, holding centres, customs officials, medical authorities and proofs of vaccination, biometric information gathering centres — are all points where knowledge is gathered. This knowledge masses people with similar profiles into populations defined by varying degrees of legitimate or illegitimate mobility, such as undocumented migrants, tourists, migrant workers, students, refugees, business people, or victims of trafficking. The migrant's ascribed category is etched onto his or her identity through biometric passports, visa limitations and migrant databases. For example, during the late 1990s, groups of migrants entering Italy together received markedly different treatment. An Albanian claiming to be from Kosovo or presenting a Kosovo ID card would have much higher likelihood of receiving asylum than an Albanian from Albania. One is understood to be a refugee, the other an economic migrant. Kosovo ID cards were readily available to anyone in Albania for the right price.⁶

⁵ Walters (2002), *op. cit.* Note that this may occur within or away from a national border. On visa regimes, see: M Salter, 'The Global Visa Regime and the Political Technologies of the International Self: Borders, bodies, biopolitics', *Alternatives: Global, local, political*, vol. 31, no. 2, 2006, pp. 167–189. On biometric borders, see: L Amoore, 'Biometric Borders: Governing mobilities in the war on terror', *Political Geography*, vol. 25, 2006, pp. 225–351. On airports, see: G Fuller, 'Life in Transit: Between airport and camp', *Borderlands e-journal*, vol. 2, no. 1, 2003, retrieved 28 April 2013, http://www.borderlands.net.au/vol2no1_2003/fuller_transit.html. On offshore holding centres, see: B Neilson, 'Between Governance and Sovereignty: Remaking the borderscape to Australia's north', *Local-Global*, vol. 8, 2010, p. 124–140.

⁶ J Harding, *The Uninvited: Refugees at the rich man's gate*, Profile Books Limited, London, 2000, pp. 18–19.

This notion of differential mobility is brought to the forefront in the analysis of trafficked people and the discourses surrounding them. Victims of trafficking are not simply identified by data stored in devices employed at borders. Indeed, a narrative steeped in assumptions of violence, criminality, coercion, and naivety informs the recognition of victims of trafficking. Such a narrative, in turn, reinforces the methods used by states and international organisations to identify them.

A victim of trafficking is primarily understood through a gendered narrative of foreign traffickers kidnapping, deceiving, exploiting, and sometimes enslaving naïve women.⁷ These narratives collapse the socioeconomic issues leading migrants to seek out the services of a migration broker into criminality. They portray all women engaging in informal migration and/or sex work as captives of ‘bad luck or poor choice’. They also simplify the varying levels of deception, coercion, illegality, and consent that sometimes occur over the course of someone being trafficked.⁸

Jacqueline Berman discusses victim narratives in the context of the state re-establishing its sovereignty in the midst of neoliberal globalisation. The women in these representations are victims, and criminalisation of their movement is the only avenue available to prevent the violation of women’s ‘sovereign bodies... and the sovereign spaces of the nation-state’.⁹ In the EU, victimhood narratives create the notion that European governments can differentiate between Eastern European non-citizens and Western European citizens and decide who belongs within the community. Such narratives are indicative of a crisis over boundaries, where ‘regional integration, immigration, new forms of capital circulation... forge the appearance of a loss of individual and national control over the parameters of everyday life’.¹⁰ As Berman points out, the problem of people

⁷ J Berman, ‘(Un)Popular Strangers and Crises Unbounded’.

⁸ J Berman, ‘Biopolitical Management, Economic Calculation and Trafficked Women’, *International Migration*, vol. 48, no. 4, 2010, pp. 93–94.

⁹ J Berman, ‘(Un)Popular Strangers and Crises Unbounded’, pp. 41.

¹⁰ *Ibid.*, 49.

illegally crossing borders to earn untaxed income through their sexuality compels the state to reinforce its control of cross-border movement through discourses of population management.¹¹ Furthermore, the borders of nearby non-member states are understood as sites of crime,¹² often in need of ‘expert’ international administration.¹³

A Brief History of Trafficking and International Administration in Albania

During the 1990s, the Balkans became defined as a space of regional insecurity that required international intervention and expertise.¹⁴ In 1991, Albania’s isolated, authoritarian regime had been replaced with a comparatively democratic government. The concurrent mass migration, mostly to Italy and Greece, led to crises in Albania and the receiving countries.¹⁵ In 1992 the IOM established a small office in Tirana, and the following year Albania became a full IOM member state.¹⁶ Major international intervention occurred during the 1997 ‘pyramid crisis’. Generally unfamiliar with market economies and with few banks in the country, Albanians sold off their homes and livestock to invest in funds and companies offering returns so high that they exceeded their assets, rendering them insolvent. When these pyramid schemes collapsed, 300,000 Albanians lost their personal funds. The ruling Democratic Party’s collusion with the schemes stoked mass

¹¹ *Ibid.*, 63.

¹² C Aradau, ‘The Perverse Politics of Four-Letter Words: Risk and pity in the securitisation of human trafficking’, *Millennium-Journal of International Studies*, vol. 33, no. 2, 2004, pp. 251–277.

¹³ R Andrijasevic and W Walters, ‘The International Organization for Migration and the International Government of Borders’, *Environment and Society D: Society and space*, vol. 26, no. 6, 2010, pp. 977–999.

¹⁴ M Merlingen, ‘Governmentality: Towards a Foucauldian framework for the study of IGOs’, *Cooperation and Conflict*, vol. 38, no. 4, 2003, pp. 372–373.

¹⁵ S Danaj, T Grazhdani, and A Elbasani. ‘Migration, Return and Readmission Agreements’ in C Mackenzie (ed.), *Return and Readmission: The case of Albania*, International Organization for Migration, Tirana, 2006, pp. 8–9.

¹⁶ International Organization for Migration Tirana, ‘What We Do’, 2007, retrieved 14 August 2013, http://www.albania.iom.int/en/what_we_do.pdf.

unrest, and the state and military effectively dissolved as armed gangs took control of large portions of the country. Nearly 2000 people were killed in the civil strife and about half the country faced extreme poverty.¹⁷ In response, the OSCE established a presence in the country. Around the same time, the conflict in neighbouring Kosovo increased the IOM's presence.¹⁸ Presently, the OSCE and IOM programmes in Albania often collaborate in developing institutional structures and bringing them into harmony with the regional European institutions.¹⁹

Poverty, state collapse, and newfound potential for mobility contributed to what intergovernmental and UN agencies estimate as the trafficking of 100,000 Albanian women and girls.²⁰ The port cities of Vlorë and Durrës provided access to Italy via speedboat, and the mountains separating Albania and Greece served as trafficking hubs from where Moldovans and Romanians were sent to Western Europe and Kosovo.²¹

The Albanian government first substantively addressed human trafficking in 1998 when the Ministry of Interior established an Anti-Trafficking Task Force. The Task Force deployed anti-trafficking police units at all airports and border crossings and equipped each police chief with an anti-trafficking unit. Little protection was granted to victims detected by the expanded

¹⁷ C Jarvis, 'The Rise and Fall of Albania's Pyramid Schemes', *Finance and Development*, vol. 37, no. 1, 2000, retrieved 25 June 2013, <http://www.imf.org/external/pubs/ft/fandd/2000/03/jarvis.htm>.

¹⁸ Organization for Security and Co-operation in Europe Presence in Albania, 'Overview', retrieved 18 March 2013, <http://www.osce.org/albania/43312>; International Organisation for Migration Tirana, 'What We Do', 2007, retrieved 18 March 2013, http://www.albania.iom.int/en/what_we_do.pdf. On migration to Greece and Italy, see: World Bank, *Albania: Urban growth, migration and poverty reduction report*, 2007, p. 1.

¹⁹ M Merlingen, 'Governmentality: Towards a Foucauldian framework for the study of IGOs', pp. 364–366; and R Andrijasevic and W Walters, 'The International Organization for Migration', pp. 991–93.

²⁰ The 100,000 estimate was taken up by the influential UNICEF-UNOHCHR-OSCE-ODIHR report, *Trafficking in Human Beings in Southeastern Europe*, 2002, p. 125. While these figures are often used in the discussion of trafficking in Albania, information on trafficking in the 1990s is scant. See: Vatra Psycho-social centre, *The Evolution of Trafficking in Human Beings, 2002-2009*, 2010, p. 10.

²¹ V Hysi, 'Human Trafficking and Democratic Transition in Albania' in H Friman, et al. (eds.), *Human Trafficking, Human Security and the Balkans*, University of Pittsburgh Press, Pittsburgh, 2007, pp. 98–101.

police efforts.²² It was not until 2001 that the Albanian criminal code explicitly addressed the smuggling of human beings, the trafficking of women for sexual exploitation, and the trafficking of children as distinct offences. A year later, the country ratified the United Nations Convention against Transnational Organized Crime and its Trafficking Protocol, which broadly links trafficking to coercion, fraud, and deception.²³ These early changes may have helped facilitate international cooperation and develop a nascent legal structure, but comprehensive institutional reforms have been limited.²⁴

Governing Borders and Identifying Victims

The development of institutional structures came mostly from international organisations encouraging Albania to adopt regional norms. Indeed, the IOM's presence in Albania is primarily to help the state meet the EU *acquis* on migration.²⁵ Its Agenda of Migration Management encourages states to shape policies that allow for expanded avenues of legal migration, the logic being that increased legal migration will decrease reliance on traffickers. While a progressive step, the Agenda also reinforces the regulatory aspects of the border that respond more to demands for border security and knowledge procurement than to the needs of migrants. It calls for cooperation between government intelligence and immigration ministries, centralised databases of biometric data and visa information, body scanners, and biometric screening of travellers.²⁶

²² *Ibid.*, pp. 108–9.

²³ For a critique of the Convention and its Protocols, see: B Sullivan, 'Trafficking in Women: Feminism and New International Law', *International Feminist Journal of Politics*, vol. 5, no. 1, 2003, pp. 67–91; and J Doezema, 'Who Gets to Choose? Coercion, Consent, and the UN Trafficking Protocol', *Gender and Development*, vol. 5, no. 1, 2002, pp. 20–27. For a survey of contesting and competing definitions of human trafficking, see: Chapter 1, 'Contested Definitions of Human Trafficking' in M Lee, *Trafficking and Global Crime Control*, Sage Publications, London, 2011, pp. 15–36.

²⁴ Hysi, 'Human Trafficking and Democratic Transition in Albania', p. 106.

²⁵ International Organization for Migration, 'Where We Work', retrieved 10 March 2013, <http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/south-eastern-europe-eastern-eur/albania.html>.

²⁶ J Berman, 'Biopolitical Management', pp. 100–101.

The OSCE's goal is to build a liberal security community.²⁷ Its presence and membership provides states with the sort of legitimacy that comes with 'acting in accordance with international standards of proper behaviour', bringing the Central and Eastern European members of the OSCE closer to the standards of the EU.²⁸ In Albania, it promotes democratisation, rule of law, and human rights and aims to conform institutions to regional standards.²⁹ These standards associate trafficking with undocumented migration and organised crime, which in turn help create degrees of differentiated mobility between EU members, EU candidates and non-candidate states.³⁰ In other words, the OSCE assists in foisting the EU's border security and migration management techniques onto non-candidates, essentially creating the groundwork for the inclusions and exclusions that make up governance in the EU.

The OSCE's anti-trafficking policy encourages all member states to develop a National Referral Mechanism (NRM), a co-operative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, coordinating their efforts in a strategic

²⁷ E Adler, 'Seeds of Peaceful Change; the OSCE's security community-building model' in E Adler and M Barnett (eds.), *Security Communities*, Cambridge University Press, Cambridge, 1998, pp. 119–160.

²⁸ M Merlingen, 'Governmentality: Towards a Foucauldian framework for the study of IGOs', pp. 364–365.

²⁹ Organization for Security and Co-operation in Europe Presence in Albania 'Overview', retrieved 18 March 2013, <http://www.osce.org/albania/43312>. On regional standards, see: Adler, pp. 126–131.

³⁰ R Andrijasevic, 'The Difference Borders Make', *Migration, Agency, and Citizenship in Sex Trafficking*, Palgrave Macmillan, New York, 2010; and 'Problematizing Trafficking for the Sex Sector: A case of Eastern European women in the EU' in S van Walsung and T Spijkerboer (eds.), *Women and Immigration Law: New variations on classical feminist themes*, Glasshouse Press, UK, 2007, pp. 86–103. See also S Mezzadra, 'Citizen and Subject: A postcolonial constitution for the European Union?', *Situations: Project of the radical imagination*, vol. 1, no. 2, 2006, pp. 31–42; E Rigo, 'Citizens and Foreigners in the Enlarged Europe' in W Sadurski, A Czarnota and M Krygier (eds.) *Spreading Democracy and the Rule of Law?: The impact of EU enlargement on the rule of law, democracy and constitutionalism in post-communist legal orders*, Springer, The Netherlands, 2006, pp. 97–119; V Squire, *The Exclusionary Politics of Asylum*; and W Walters and J Haahr, *Governing Europe: Discourse, governmentality, and European integrations*, Routledge, New York, 2005, pp. 91–113. For a short history of Albania's EU application process, see: European Commission, 'Enlargement', retrieved 17 April 2013, <http://ec.europa.eu/enlargement/countries/detailed-country-information/albania/>.

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partnership with civil society. It is designed to fit the specific needs of the implementing country, to bridge the space between government agencies and civil society, and to fix the fissures between a ‘human rights’ based approach that encourages victim rehabilitation and reintegration, and a state-centric ‘law enforcement based approach’. Protecting the rights of trafficking victims is foremost in the NRM, and the OSCE encourages a broad definition of trafficking based on coercion and deception in order to handle emergent forms of trafficking and identify likely victims.³¹ By tying the standards of democratisation with identification of trafficking victims, the NRM encourages a project that strengthens the bonds between state and civil society while encouraging regional norms.³²

Before implementing the NRM, the OSCE started the Women’s Rights and Anti-Trafficking Education (WRATE) programme. WRATE was designed to direct Albanian civil society’s attention to trafficking and strengthen NGOs. While raising awareness of the rights of women and ‘at risk groups’ such as Roma, WRATE also sensitised civil society to a victim population that was impoverished, provincial, and largely female.³³

Following WRATE, the NRM was implemented and further institutionalised in a set of standard operating procedures. These procedures, developed with input from the IOM, the Albanian government, police, and local NGOs, provide a framework with which to recognise, shape, and monitor a victim population. The Ministry of Interior’s 2010 report highlights the central role victim identification plays in anti-trafficking initiatives. In fact, the publication claims that

³¹ OSCE/ODIHR, *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons - A Practical Handbook*, 2004, pp. 11–28.

³² The entities working on the NRM are the General Directorate of State Police, the Ministries of Labour, Social Affairs and Equal Opportunities, and Foreign Affairs, IOM, the National Reception Centre for Victims of Trafficking in Tirana, and the NGOs Vatra, Another Vision, Different and Equal, and ARSIS.

³³ UNICEF-UNOHCHR-OSCE-ODIHR, *Trafficking in Human Beings in Southeastern Europe*, 2002, p. 133. See also OSCE Presence in Albania, ‘Opening address of Head of the OSCE Presence in Albania, Ambassador Osmo Lipponen, at the evaluation meeting of the Women’s Rights and Anti-Trafficking Education (WRATE) project,’ 23 January 2003.

identification is the ‘most important phase of the process of protection and assistance’ and that it saves the person from traffickers by placing ‘her in the hands of support communities’.³⁴ The use of ‘her’ is indicative of the gendered nature of the identification process.

According to the standard operating procedures, identification occurs in two steps. The initial identification is conducted by police who are partly trained by the IOM and OSCE,³⁵ and involves assessing the person’s situation vis-à-vis trafficking indicators and informing the person of their rights and of the assistance available to victims or potential victims of trafficking. The indicators are broad; they include: ‘the adult informs that he/she has been misused, abused, threatened, or exploited and is satisfied to have contact with authorities’, ‘the adult does not have identification or travel documents’, ‘the adult who was promised work, education, marriage, etc. does not know how to explain the circumstances’, ‘the adult is scared or unsatisfied to have come into contact with the authorities’, ‘the adult declares to have no contact with his/her family’.³⁶

Following initial identification, an interview is carried out by state police officers and social workers. The interviewee is presented a form stating the information he or she provides will be used as impersonalised data for ‘purposes of research that contribute to the fight against exploitation and trafficking in persons’. The standard operating procedures then suggest the interviewer elicit responses from the interviewee about the ‘exploitation or intended exploitation’ and ‘abusive means of control’ they have faced, as well as provide information on their families and work histories.³⁷ The conclusion of the form

³⁴ Republic of Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, *Report for the Implementation of the National Strategy for the Fight Against the Trafficking in Human Beings: January-December 2010*, p. 15.

³⁵ UNICEF-UNOHCHR-OSCE-ODIHR, *Trafficking in Human Beings*, p. 136.

³⁶ Republic of Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, *Standard Operating Procedures for the Identification and Referral of Victims of Trafficking and Potential Victims of Trafficking*, 2011, pp. 27–28

³⁷ *Ibid.*, pp. 92–93.

limits the interviewee's status to either: 'A. Victim of Trafficking', 'B. Potential Victim of Trafficking', 'C. Person in need of help',³⁸ effectively framing the person attempting to legitimately or illegitimately cross the border as not acting in his or her own best interests. This data-gathering process effectively shapes interviewees into a population comprised of women from families with 'severe social and economic problems, divorced parents, [and] serious economic constraints'.³⁹ As a result, they are depicted as doubly victimised, both by being deceived or forced into being trafficked and by being born into poverty.⁴⁰

Such narratives bleed into the work of local NGOs, which frequently find themselves taking up EU countries' policies of outlawing prostitution, penalising sex workers and propagating the EU's layers of differential citizenship.⁴¹ Some of these NGOs go so far as to claim there is no such thing as uncoerced sex work, which they refer to as 'at will' or 'voluntary' trafficking, noting that poverty pushes women into sex work, 'not the will to have sex or to consider it as a possible profession'.⁴² Indeed, under Albanian law, prostitution is a crime 'against morality and dignity' and is punishable by up to three years in prison.⁴³ Victims of trafficking, on the other hand, are not 'punished for their actions while in the course of trafficking'.⁴⁴

³⁸ *Ibid.*, pp. 68, 75.

³⁹ Republic of Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, *Report for the Implementation of the National Strategy for the Fight Against the Trafficking in Human Beings: January-December 2010*, p. 23.

⁴⁰ C Aradau, p. 272.

⁴¹ B Anderson and R Andrijasevic, 'Sex, Slaves and Citizens: The politics of anti-trafficking', *Soundings*, vol. 40, 2008, p. 139.

⁴² Vatra Psycho-social Centre, *Annual Report 2009, 2010*, p. 29. See also pp. 51–52.

⁴³ Republic of Albania Legal Code Section VIII, Article 113 cited in S Schwandner-Sievers, 'Between Social Opprobrium and Repeat Trafficking: Chances and choices of Albanian women deported from the UK' in L Holmes (ed.), *Trafficking and Human Rights: European and Asian perspectives*, Edward Elgar Publishing Inc., Northampton, 2010, p. 107.

⁴⁴ Republic of Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, *Report for the Implementation of the National Strategy for the Fight Against the Trafficking in Human Beings: January-December 2010*, p. 19.

Internal Trafficking

Albania is no longer a transit point for human trafficking, but it remains a source,⁴⁵ meaning much of the above discussion is in regard to the movement of Albanians out of the country. That said, internal trafficking has begun to gain attention from the government and NGOs.

Internal trafficking in Albania first received attention in 2005 when the NGO Vatra published a report exposing a national network where women from north Albania were trafficked to the south and central parts of the country, while those from the southern and central regions were trafficked to Tirana, Vlorë, and Durrës.⁴⁶ Internal trafficking lacks a standard definition in Albanian law, but it is often viewed as synonymous with prostitution.⁴⁷ The distinction between a sex worker and someone who had been internally trafficked lies in the attribution of victimhood to some and punishment for those who would consent to engage in what the law understands to be acts against morality and dignity. Since the organisations shaping national anti-trafficking initiatives link victimhood to international migration, border and international migration specific identification methods play a key role in defining who is being trafficked. As such, women moving outside the country to engage in sex work are victims lacking in agency, while those engaging in sex work inside the country are understood to be engaging in crimes ‘against morality and dignity’.

⁴⁵ Republic of Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, *National Strategy on Combating Trafficking in Persons, 2008-2010*, p. 4.

⁴⁶ Vatra Psycho-social Centre, *Annual Report 2009, 2010*, pp. 20–22.

⁴⁷ Republic of Albania Legal Code Section VIII, Article 113 cited in S Schwandner-Sievers, p. 107.

Border Policy and the State

As Walters and Haahr point out, the process of adopting the EU's *acquis* on migration encourages pre-accession and acceding countries to contribute to the EU's internal security and defend against transnational threats by reinforcing control over their borders, regulating the cross-border movement of citizens, and punishing those who facilitate illegal migration, as well as by harmonising relationships with border police of nearby EU member and non-member states.⁴⁸ These processes encourage victim identification and reintegration, which, as I show below, push those who might clandestinely re-migrate and/or engage in sex work into more sedentary and legal labour.

This is very much the case in Albania, where the methods used to rehabilitate and reintegrate victims of trafficking can be seen as a way of managing poverty by providing victims with legal work that is viewed as legitimate and purportedly encouraging of 'responsibility'.⁴⁹ In accordance with the NRM, identified victims are referred to rehabilitation and reintegration organisations that often depict trafficking strictly as a crime of violence, coercion, and deception, perpetuating the victim narrative. Rehabilitation centres help victims overcome their psychological and physical problems and rebuild relationships with their families, offer them job training courses, and support them in opening small businesses.⁵⁰

The reintegration process varies by centre, but only slightly. At the NGO Different and Equal, reintegration occurs in three phases. The first phase involves providing the victim with accommodation, health support, and vocational training in cooking or tailoring. Once the victim is deemed responsible, she might start a job outside the shelter. Concurrent 'psycho-

⁴⁸ W Walters and J Haahr, *Governing Europe*, p. 98, 105.

⁴⁹ OSCE / Different and Equal, *Study on the Social Economic Reintegration of Victims of Trafficking in Albania*, 2009, pp. 48–54.

⁵⁰ Different and Equal, *Annual Report 2010, 2011*, p. 7.

social support' is geared towards building self-esteem and 'motivation in job performance'. Efforts are made to improve family relationships through mediated phone calls and face-to-face meetings. The second phase prepares the victim for independent living in rented apartments. She also receives training to work other gendered jobs such as a hairdresser or housekeeper, and counselling designed to develop a stable partnership. The final stage is dedicated to empowerment and ultimately a 'totally independent life' predicated upon a stable relationship leading to the 'decision to get married and have children' and a stable, yet often poorly paid, job.⁵¹

In order to understand how this fits into control and government of borders, it is helpful to consider the 19th century problem of pauperism. The discursive similarities between the pauper and the victim of trafficking are striking. In Albania, victim profiles hinge on poor financial conditions, lack of education and absent or abusive families.⁵² Similarly, paupers were the absolute poor, owning nothing and seemingly connected to no one. They represented fluidity, mobility, and promiscuity. They were ignorant and defiant of social norms and represented antisocial difference. Around pauperism, there was a 'grafting of morality on to economics' that opened up the 'political problem' of poverty to the management of the state and civil society. In the shadow of the emerging modern liberal state, interventions aimed at eliminating the perceived social danger of itinerancy involved fostering responsibility, property ownership, and traditional family ties.⁵³

The border identification methods encouraged by the IOM and OSCE and the rehabilitation methods that they encourage in local NGOs effectively turn the government of the border into the government of a population within the state. Regardless of

⁵¹ OSCE / Different and Equal, *Study on the Social Economic Reintegration of Victims of Trafficking in Albania*, 2009, p. 40–54.

⁵² *Ibid.*, p. 8. Echoed in Vatra's *The Evolution of Trafficking in Human Beings 2002-2009*, 2010, p. 24.

⁵³ G Procacci, 'Social Economy and the Government of Poverty' in G Burchell, et al. (eds.), *The Foucault Effect: Studies in governmentality*, University of Chicago Press, Chicago, 1991, pp. 151–68.

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whether the rehabilitation programmes curb trafficking or the need to illegally cross borders, their very existence provides a semblance of security by encouraging employment and fostering the family ties that victims of trafficking are understood to lack. These characteristics are ostensibly the characteristics of citizens of a modern, liberal state.

Indeed, borders do not simply limit sovereignty. They are sites that profoundly influence the inner workings of states by shaping our understanding of the people who pass through them. In regard to human trafficking, borders aid in producing narratives of victimhood that place a premium on the violent and exploitative aspects of trafficking, while ignoring the agency of the people being trafficked. In doing so, they encourage differing degrees of mobility, legality, and citizenship and can, in fact, do a disservice to those compelled to migrate in order to fulfil an economic need.

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