

## Persuasion at work?

### Observing a seminar on international asylum norms in Ukraine

An increasing number of scholars investigate the question of how and why international transfer of norms takes place. Researchers have often concluded that transfer attempts by the EU to its neighbours could be successful primarily in triggering formal change (i.e. change of legislation) but that the impact on domestic practices and norms is weak.<sup>1</sup> This is usually based on rationalist reasoning according to which actors in the third country aim at obtaining benefits by complying with EU demands on a formal level.

Indeed, the Ukrainian legislator has gradually integrated EU and UNHCR norms into the Ukrainian legislation. In 1993, a first law on asylum has been written. Since then, the Ukrainian asylum legislation has been gradually adapted to international asylum norms. Nowadays, all major elements of international asylum principles have been integrated into the Ukrainian legislation. This process can be explained by the legitimacy of international norms in Ukraine and the Ukrainian politicians' desire to achieve rapprochement with the European Union and other international organisations. In recent years, the process of harmonisation was especially encouraged by EU conditionality in the area of visa-liberalisation for Ukrainian tourists. The formal transfer of international norms to the Ukrainian legislation can thus be considered successful.<sup>2</sup> It has taken place without major adaptations to the local context. So far, this

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<sup>1</sup> Sandra Lavenex and Frank Schimmelfennig, 'EU Rules beyond EU Borders: Theorizing External Governance in European Politics', *Journal of European Public Policy* 16, no. 6 (September 2009): 791–812, doi:10.1080/13501760903087696; Tina Freyburg et al., 'EU Promotion of Democratic Governance in the Neighbourhood', *Journal of European Public Policy* 16, no. 6 (2009): 916–34, doi:10.1080/13501760903088405.

<sup>2</sup> This does not imply a normative evaluation concerning the desirability or legitimacy of this international transfer to Ukraine. The EU aims at transforming its neighbourhood according to its own ideas and structures. This paper tries to shed light on the processes at work during these transfer attempts without taking part in the debate between scholars interested in efficiency of transfer and those critical of the "normative power Europe" and its imperialist aspirations and activities.

corresponds to the predominant conclusions of the literature on Europeanization and transfer of norms at the formal level.

According to scholars in the field of Europeanisation, domestic actors are reluctant to implement the changes practically if the incentives are too low or the costs too high. Most of these studies investigate change at a macro-level though, focusing on easily traceable developments. However, change of practices and ideas of the staff of local administration is difficult to trace and might have been overlooked in many studies. It is possible that practical change occurs nonetheless, for instance based on change of norms.<sup>3</sup> Some researchers have examined processes of change of norms from a constructivist angle. They have often claimed that the success of attempted persuasion depends on the ideas i.e. if ideas “resonate” with existing belief systems they are more likely to be accepted by the persuadees.<sup>4</sup>

The analysis of how processes of persuasion concretely occur is surprisingly absent in IR literature.<sup>5</sup> Overall, constructivist approaches are underrepresented in the literature on transfer and their work is not integrated into the dominant debates in the field of transfer studies. There are few scholars like Jeffrey Checkel who try to understand why agents comply. These scholars look into micro-processes of persuasion in international relations. Checkel underlines the role of interaction and communication for changing the agents’ interests and identities. He studies “argumentative persuasion”, a social process of interaction in the course of which change of ideas occurs in the absence of overt coercion.<sup>6</sup>

So far, little research has been undertaken to understand the local processes of adaptation and reformulation of as well as resistance to international norms. These processes though difficult to

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<sup>3</sup> Ulrich Sedelmeier, ‘Europeanisation in New Member and Candidate States’, *Living Rev. Euro. Gov.* 1 (2006): 10, <http://europeangovernance.livingreviews.org/Articles/lreg-2006-3/>.

<sup>4</sup> Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Cornell University Press, 1998), 204.

<sup>5</sup> Alastair Iain Johnston, ‘Treating International Institutions as Social Environments’, *International Studies Quarterly* 45, no. 4 (1 December 2001): 489, <http://www.jstor.org/stable/3096058>.

<sup>6</sup> Jeffrey T. Checkel, ‘Why Comply? Social Learning and European Identity Change’, *International Organization* 55, no. 3 (1 July 2001): 562, doi:10.2307/3078657.

grasp are crucial as they determine whether transfer remains formal or whether practical change occurs. Based on the above-mentioned constructivist approaches this contribution aims to shed light on local processes of adaptation as well as resistance to international norms. The questions dealt here will be: Do interaction and debate lead to change of ideas or at least to a local change of the perception of appropriateness of ideas?

Which factors affect this process i.e. what determines whether there is resistance or acceptance of the new ideas? Namely, does it matter which ideas people had before the interaction?

More concretely, what happens when representatives of NGOs and international organisations try to transfer their norms to Ukrainian street-level bureaucrats? How do Ukrainian state officials react to these norms? Which phenomena of resistance or acceptance can be observed? These questions are treated by examining the case of a seminar in the course of which representatives of non-state organisations tried to persuade local Ukrainian state officials of international norms concerning the treatment of unaccompanied minors.<sup>7</sup> A seminar crystallises more general questions of transfer of norms and change of ideas in a defined space and time with a clear group of people involved and a set of ideas to be transmitted. It is therefore a useful object of study for grasping processes of change of ideas which is empirically difficult.

### **Methodology and sources**

This contribution is primarily based on observation at a two-day training organised by non-state actors in a city in Western Ukraine in 2014. I was able to attend the training because I knew the two main organisers from past interviews. I sat between the other participants and when everyone introduced him- or herself I said that I was a PhD student working on asylum which was why I was very interested in the topic of this seminar. I benefited from the general process of relaxation of the atmosphere which occurred over time so that I could talk freely with

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<sup>7</sup> The term “unaccompanied minors” (UAM) refers to people below 18 who entered another country without being accompanied by a legal guardian. While the term could suggest a general meaning of children without legal guardian (e.g. orphans) in international jargon it only refers to foreign national children and not to children who are citizens of the country in which they live.

participants during the breaks. As the organisers knew me I had at first the tendency of talking with the organisers. I quickly made sure though not to spend too much time with the organisers and not to appear too close to them as I did not want to spoil my possibilities of conversation with the state employed participants who might otherwise assume that I was “on the side of” the organisers. This strategy seemed to work as I was able to chat during the breaks with even those participants who were very critical about the organisers. I managed to talk with most of the participants individually in the course of the seminar. Regrettably, I was not able to follow up on the developments of the participants’ reactions and ideas later on e.g. after a few weeks or months.

Unfortunately I was able to attend only one seminar. This does not allow for generalisations about common processes occurring during attempted norm transfer. However, the observation of the seminar is complemented with larger fieldwork conducted in different Ukrainian cities and towns between 2013 and 2015. Semi-structured interviews as well as informal conversations have been conducted with representatives of local and national migration services, NGOs and international organisations in different regions of Ukraine. In some places observation of the work practices was possible too. This allowed understanding more fundamental reactions among state officials to international asylum norms.<sup>8</sup>

### **A seminar to spread international asylum norms**

One of the objectives of the activities of international and non-governmental organisations active on asylum in Ukraine is the spreading of international asylum norms to Ukrainian state officials.<sup>9</sup> This spreading of norms is undertaken via different channels such as criticism, the

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<sup>8</sup> This contribution focuses on the reactions to international asylum norms. However, the reactions are often related to other factors too, namely the behaviour of the “trainers” and setting in which the roles are distributed among “students” and “teachers”. Participants defied the attributed role and treatment as students who needed to be taught, even more so as their “teachers” were from non-state organisations. The participants reacted particularly violently to criticism of their work.

<sup>9</sup> Another objective is the support to asylum seekers and refugees and the improvement of their situation. However, the official long-term goal is the establishment of a Western-style asylum system in Ukraine based on state

establishment of good working relations and cooperation but also via seminars and trainings. International and non-governmental organisations have extensively used seminars in order to influence state authorities work in the field of asylum. All interviewed state officials have participated in at least one, often more, seminar(s) organised by non-state actors.

In 2014, a two-day seminar took place for local state employees on the topic of “unaccompanied minors”. The seminar was part of a series of four similar ones conducted in the cities in Ukraine with the highest numbers of unaccompanied minors. The seminars were organised by the Ukrainian branch of an international non-governmental organisation specialising on asylum. In Ukraine, the organisation has close relations to UNHCR and defends the same ideas. The staff is entirely composed of Ukrainian nationals who have largely adopted UNHCR ideas on asylum. The organisation is funded by UNHCR and other international donors. The seminars were financed by a state of the European Union. The seminar took place in a modern conference room in a rather expensive hotel. The trainers were four women, employees of international organisations and of the NGO which organised the training. They travelled to the place of the seminar from Kiev and. In contrast, all participants came from the region in which the seminar was held and work at different local state services which occasionally deal with UAMs: border guards, migration officers, employees of the children shelter and the social services, a psychologist and a doctor working for state institutions. In addition, in support for their own positions the organisers had invited local asylum lawyers.<sup>10</sup>

While the spreading of international asylum norms often contains very different technical elements, two basic underlying principles are recurring. Firstly, asylum seekers and refugees are to be considered a “special” group of people who require “special” treatment. This idea is opposed to common ideas about “fairness” but also to general laws and common practices. These clashes might be more frequent in Ukraine than in some Western European countries where the idea that

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structures. From a point of view of sociology of organisations, these NGOs also pursue the goal of their survival i.e. the upholding of their funding and projects.

<sup>10</sup> These lawyers’ role at the seminar was an intermediary one between the state officials and the organisers. They attended the training to support the organisers’ positions and to improve their network among the state officials.

refugees are a special category of people seems to be more wide-spread. Secondly, international norm promoters try to spread the principle of the benefit of the doubt: due to their special situation asylum seekers and refugees may not always be able to *prove* that they are entitled to some benefits/rights/status. This principle clashes with mistrust, fear of abuse and perceptions of fairness. This is a tension and a debate common to many countries and especially to the migration services: in Western Europe there is strong mistrust as well and the benefit of the doubt is not systematically applied.<sup>11</sup> Given the wide-spread mistrust, the principle of the benefit of the doubt is usually accompanied by a large set-up of control mechanisms and a complicated system designed to check as much as possible the applicant's honesty. International norm promoters therefore spread both the principle of the benefit of the doubt and the methods of control. If at the end of the checking process doubts remain, the principle of the benefit of the doubt should apply.

The above-mentioned tensions and disagreements occur regularly between the promoters of international asylum norms (from NGOs and IOs) and representatives of the local administration. The present case of the observed seminar allows watching the debate “in action” given that both sides are present. Other sources such as interviews with state and non-state actors refer to similar tensions but display only one side of the disagreement.

### **Unaccompanied minors – a special group or kids to be dealt with according to general practices?**

The participants of the training (especially the more experienced ones who were mostly middle-aged women who have worked with children for a long time) had a mostly pragmatic and patronising attitude towards unaccompanied minors (UAMs). They considered that children were often unreasonable and needed strict rules. Children should, according to them, live with their parents whenever possible. This is why everything should be done to bring them back to their

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<sup>11</sup> See for instance Alexis Spire, *Accueillir ou reconduire : Enquête sur les guichets de l'immigration* (Paris: Raisons d'agir, 2008); Alexis Spire, 'L'asile au guichet: La dépolitisation du droit des étrangers par le travail bureaucratique', *Actes de la recherche en sciences sociales* 169, no. 4 (2007): 4, doi:10.3917/arss.169.0004.

parents. Before this seminar these state officials had had no information about the topic of asylum. This is why they often mixed up the cases of national minors and foreign minors without guardian. In their work they encountered mostly cases of Ukrainian minors but had occasionally also had cases of foreign unaccompanied minors (UAMs). During the seminar, these state officials repeatedly raised the concern that the minors' migration to Ukraine might be based on a whim and that they needed to be brought to reason and forcibly brought back to their parents. They gave examples such as one of a 16 year old Russian girl living in Ukraine and refusing to move back to Russia. It was unclear whether the girl claimed to be persecuted in Russia or not. The employee from the children department of the local social service commented firmly that the girl should be brought back home. The participant added that there was certainly some story with a boy in Ukraine involved too – an idea which was presented as discrediting the girl's legitimacy of staying in Ukraine and as supporting the impression of immaturity. Another participant referred to the newly learnt principle that a minor could not be brought back against his or her will. The participant mobilised this principle even though it was not clear whether this particular case was related to fears of persecution in the home country. Indeed, according to the international asylum norms, a minor whose asylum application was rejected can – under certain conditions – be returned to the country of origin. A trainer mentioned the possibility of voluntary return which visibly the employee from the children department found absurd. The trainer stressed that voluntary return was only possible with the minor's agreement. In this situation a clash was noticeable between international principles of protection of certain vulnerable groups' rights and the common sense of some of the participants who considered that minors who had run away from home needed to be brought back to their parents also against their will.

A similar clash occurred when one of the employees of the children shelter asked the organisers whether they would search for the child's parents even against the child's will. The representative of UNHCR replied that no. The woman from the shelter had clear doubts concerning the validity of this approach. She said: "but maybe the child is lying and his parents are looking for him. Everything might be ok there." The representative of UNHCR said that if they hear from the parents they talk more intensely with the child. "But if we don't hear from them then we can't do anything on our own." The woman from the shelter contested this approach: "But this happens with Ukrainian children too: they just don't want to live with their parents. Nu, there you are!" UNHCR: "We follow the principle of the benefit of the doubt." The other woman from the shelter: "We once had a (Ukrainian) child in our shelter who didn't want

me to search for his parents. But I still searched for them.” The trainer from UNHCR replied: “We are talking here about refugee children. Maybe something terrible happened in the country of origin. The child comes here for protection.” This scene reflected two visions of the situation: On the one hand, the two ladies from the shelter argued on the basis of their experience with Ukrainian minors and their common sense that children are sometimes unreasonable and need to be protected against themselves by being forcibly brought back to their parents. On the other hand, the representative of UNHCR defended the international principles in the area of refugees based on the idea that the situation of refugees is intrinsically different from that of other people due to the threat to their life in their home country. This principle is supposed to suspend all other commonly accepted ideas.

Some divergences of ideas were not openly discussed during the seminar but were formulated during the breaks. Both representatives of the social service discussed during a break how in the West refugees and children were being spoiled. The two maintained that refugees were given everything in the West and that children did not know any rules anymore. It was presented as a threat to Ukrainian society that children might become disrespectful. The lady from the social service gave an example of a Ukrainian girl who was defying her mother’s authority. “We only talk here about rights of the children but they also need to follow the rules. E.g. in the US, children shoot other children at school. We don’t have such things here.” This informal discussion reflected the state officials’ idea that too many exceptions and rights spoil people – such as children and refugees – and represent a threat to social order. In contrast, generally and strictly applied rules are seen as beneficial to society. These two participants rejected the ideas that the organisers of the seminar were trying to promote – but did so during the break and not during the discussions in the entire group. This suggests that the organisers had spread the perception of appropriateness of their own ideas and of the inappropriateness of the opposing ideas. This meant that participants with opposing views felt that their criticism would be inappropriate in the context of the whole group and self-censured themselves. Their critical comments during the breaks show that the absence of openly voiced opposing views does not mean that all participants have actually been persuaded of the presented international asylum norms.

Broadly speaking two types of reactions could be observed. Some participants accepted uncritically what they thought had been the organisers’ message: foreign minors cannot be



brought back to their country of origin against their will. While some participants accepted this general principle of the exceptionality of foreign minors, other participants violently challenged this idea. Based on their experience with mostly Ukrainian minors they considered it unreasonable to treat UAMs differently. Ignoring the potential threat in the home country, the state officials were in favour of the same treatment for all minors without guardian. This led to clashes with the trainers who insisted on the international norm of exceptionality of asylum seekers and refugees.

### **A complicated method to check the applicant's honesty: mistrust vs. benefit of the doubt**

The rights foreseen for unaccompanied minors are based on a preceding age assessment. Indeed, only a person whose age was determined as being below 18 could benefit from the rights of UAMs. However, many people who fled from their country of origin arrive in Ukraine without identity documents. Given the benefits related to the status of minor and the prevalence of mistrust, authorities are reluctant to base the age determination only on the applicant's own statement. There is no scientifically certain way of determining the biological age of a person though. In the past the age of a person who claimed to be minor was only evaluated via an x-ray method of scanning the bones. The x-ray method has an error margin of two to three years though which means that it is very contested – including in other European countries where it is still applied.<sup>12</sup> This is why a new age assessment procedure has been introduced in Ukraine in December 2013 which had not been applied until summer 2014 when the seminar took place. The new procedure had been developed with the participation of international and non-governmental organisations, including those who organised the seminar. In Ukraine the new procedure includes a commission with psychologists, teachers and doctors. The assessment takes place in several steps: the assessment of the documents of the person, a psychological and pedagogical assessment and a medical assessment. This complicated procedure is supposed to

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<sup>12</sup> Other methods include the examination of sexual maturity and teeth. They are strongly criticised for their imprecision and the former also for its humiliating and intrusive character.

compensate for the imprecision of all available methods in determining the biological age and to take into consideration the psychological maturity of the applicant.<sup>13</sup>

The question of age assessment of minors was raised already at the beginning of the seminar by a participant. The organisers then explained that this was going to be a separate point on the programme later. The representative of the children department of the local social service vigorously intervened and maintained that the whole discussion and the commission for age assessments were senseless. “It is possible to see through x-ray of the bones how old the child is! Why should there be a pedagogical and psychological assessment? It’s a waste of time and energy.” The organiser replied that they were going to discuss this the next day and that x-ray was not a reliable method for age assessment. The woman from the social service answered: “They don’t want to do the age assessment by x-ray because they know that it will then be visible that they are not minors!” The representative of UNHCR intervened: “I can understand that you have doubts. My first case of someone who said he was a minor was a person who was probably 40. So afterwards it was difficult to open up to other cases.” Another representative of the children department of the social service commented several times on the first day that “all these people only pretend to be minors!” The early comments on age assessment emanated therefore only from officials who were mistrustful of the applicants and who supported the old procedure of x-raying.

The section on age assessment on the second day triggered a lot of interest and discussion in the group with many questions on the practical implementation of the age assessment. The idea that the commission and the lengthy assessment were not necessary was not mentioned anymore. Everyone who intervened seemed to acknowledge the complexity of the question. The lady from the children shelter stressed the importance of the mental maturity of the child which she considered more important than the biological age. She had thus explicitly expressed what the

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<sup>13</sup> This corresponds to UNHCR guidelines which indicate that age “assessment should take into account not only the physical appearance of the child but also his/her psychological maturity.” UNHCR, ‘Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum’ (Geneva, February 1997), 8, <http://www.unhcr.org/publications/legal/3d4f91cf4/guidelines-policies-procedures-dealing-unaccompanied-children-seeking-asylum.html>.

organisers were conveying implicitly with their presentation but what they had not formulated directly. A trainer underlined that the most important was the best interest of the child. This topic was taken up once more later in the programme. Another trainer said: “a person comes to us and looks like 20 years or older. The person doesn’t correspond to our image of a child. But there are reasons for this. For example a girl who was sexually abused doesn’t look like girls in Ukraine we are used to.” This idea seemed to have been successfully conveyed to the participants. During the group work presentations and also in my private conversations several participants repeated that a person might look much older than he or she actually was. They also repeated that the age assessment procedure was not precise. Several participants from state institutions added to their comments the underlying message of the organisers: “I think if there is a doubt it’s better we just say the person is a minor. It’s better to decide quickly. And the age assessment is not precise anyway.” The validity of the principle of the benefit of the doubt had been successfully spread in the group. This corresponds to official UNHCR guidelines which underline that assessment procedures have an error margin and that “The child should be given the benefit of the doubt if the exact age is uncertain”<sup>14</sup>

Given that the trainers insisted on the imprecision of the age assessment procedure – which justified the benefit of the doubt – a participant concluded that one could do without the procedure and only keep the benefit of the doubt. The female employee of the children shelter told me in an informal conversation: “I now know that it can also simply be decided faster. We can just decide that the person is minor – without a commission. Because this would also not be a certain result.” She seemed honestly convinced by this idea even though the trainers did not formulate this idea during the training. Indeed, in a context of mistrust and the prevalence of the norm that benefits and statuses should only be attributed to the deserving people, the benefit of the doubt can only be upheld if there exists a control system as well. Otherwise the legitimacy of the benefit of the doubt cannot be maintained.

One of the representatives of the social service who had been very critical presented the results of one of the working groups to the rest of the group. He had not produced the content during the group work but decided to take over the presentation. Surprisingly he did not use this opportunity for any criticism but reproduced the ideas of the organisers. This shows how the

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<sup>14</sup> Ibid.

seminar spread among the participants the view of which ideas are appropriate and which ones are not. It is unclear whether all participants had actually been persuaded and would act accordingly in the future but they had all grown aware of the appropriateness of these ideas – at least in this particular context.

Despite (or possibly because of) the existence of the above mentioned clashes a diffusion of the “appropriate” ideas seemed to have taken place through the seminar. It is unclear how much the participants have actually been persuaded by the ideas but many of them, even among the critical ones, started reproducing them orally. Indeed the participants who intervened towards the end of the seminar as speakers of working groups reproduced the discourse of the organisers.

## Conclusion

The participants’ positions and reactions to the presented international norms differed depending on their jobs and their work experience. Young and inexperienced participants did not intervene at all during the training and were reluctant to voice any positions or opinions during the breaks. If explicitly questioned they stated their adherence to the trainers’ ideas. More experienced officials were more active, though to a different degree on the different topics. Many intervened critically on specific aspects and openly challenged the ideas the trainers were trying to convey. Participants with longer work experience in the field reacted more strongly and more emotionally to the persuaders’ ideas – both in terms of support and opposition. This might hint in the same direction as the hypothesis advanced by Checkel that the persuadee is more likely to be persuaded if he has few prior ideas which contradict the persuader’s message.<sup>15</sup> This suggests that pre-existing ideas play a role in the persuasion process.<sup>16</sup> Furthermore, it points to the potential role of prior practical experience in the respective field. Prior practical experience might

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<sup>15</sup> Checkel, ‘Why Comply?’, 563.

<sup>16</sup> An alternative explanation might be that more experienced and senior state officials had a higher level of self-confidence which allowed them to openly challenge the trainers whereas younger participants preferred to silence their views. However, even in less formal and less intimidating settings such as conversations during the breaks, the more experienced participants reacted more strongly to the persuaders’ ideas.

mean that persuadees relate more strongly and emotionally to presented ideas. This can lead to both opposition and acceptance.

Overall, a shift of positions in the direction of international asylum norms could be observed in the course of the seminar. How to explain this shift? Some tentative explanations will be hypothesised. While it is unclear to what extent all participants have been actually persuaded by these ideas, the trainers managed to spread the appropriateness of the ideas.<sup>17</sup> Before the seminar the participants had not been aware of the existence of these ideas and of the fact that international organisations considered them “right”. This is why at the beginning of the seminar the participants freely stated their critical opinions about these ideas. At the end of the seminar these opposing views were not voiced anymore. The participants had become aware of the fact that at least in the context of the seminar and more broadly in contact with international and non-governmental organisations the trainers’ ideas were the appropriate or legitimate ones and their own (initial) views were inappropriate. They therefore adopted the international asylum norms at least discursively.

How to know whether persuasion occurred or whether the persuadees simply silenced their diverging views after the trainers’ persuasion attempts? “Something goes on between the earlobes”<sup>18</sup> and the discourse changes. Checkel suggests that consistency in people’s voiced positions in different settings is a sign of persuasion.<sup>19</sup> It would therefore be necessary to observe the persuadees’ positions in various contexts. It could be observed that during these two days, some participants reproduced the trainers’ ideas also during the breaks in informal conversation with other state officials whereas in the same context other participants concerning other ideas showed resistance to the trainers ideas. To some extent the distinction between on the one hand the formal group-context in the presence of the trainers and on the other hand the informal

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<sup>17</sup> James G. March and Johan P. Olsen, ‘The Institutional Dynamics of International Political Orders’, *International Organization* 52, no. 4 (1 October 1998): 951, doi:10.1162/002081898550699.

<sup>18</sup> Quote from Checkel, ‘Why Comply?’, 562.

<sup>19</sup> *Ibid.*, 566.

context during the breaks with potentially similar-minded other participants may give indications concerning the existence of persuasion.<sup>20</sup>

Two questions concerning the sustainability of this change arise. Firstly it could be asked whether the participants of this seminar maintained this discursive and potentially practical change after the seminar. No information is available concerning this particular group. In general, however, interviewees from state services who had participated in similar seminars largely reproduced the NGOs' and IOs' ideas during interviews.<sup>21</sup> This suggests that contact with NGOs and IOs (such as during a seminar) influences the state officials' perception of which ideas are legitimate in contact with non-state actors and Western foreigners (such as researchers). This does not necessarily entail change of practices in the usual work context for instance if work colleagues defend other ideas or if work structures or the lack of resources block the implementation of these ideas. Secondly, it may be asked whether such change of ideas is durably maintained in the state services after the conduct of such seminars. Some state officials remain in the same service for a long time, attend seminars regularly and increasingly harmonise their ideas with international asylum norms. These state officials also spread their ideas to their colleagues. These are rather exceptions though given that the turn-over in state authorities is very high. Representatives of NGOs therefore complain that large parts of the staff they "trained" during seminars change jobs soon after so that the spreading of ideas is not durable in the service.

This paper aimed at contributing to the literature on norm transfer which has to a large extent ignored questions of change of ideas due to the empirical difficulties of grasping such

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<sup>20</sup> This is of course a poor observation of different settings given that they were all located in the same circle of participants. This can mean that participants maintained the same discourse which they may not uphold among other people e.g. at work. Other observations would have been necessary at other places but were empirically not possible.

<sup>21</sup> These interviews were a setting in which the state officials were facing an interviewer from Europe and where they were likely to aim at corresponding to foreign ideas about asylum. Again, interviews do not allow to determine with certainty what interviewees really believe but rather show what they believe is legitimate and appropriate to say in this particular context. This shows though that the interviewees have learnt previously which ideas are considered appropriate by NGOs and IOs – namely via seminars.

processes. The analysis of persuasion has been largely limited to the field of social psychology and sociology even though it could strongly enrich studies on transfer.<sup>22</sup> It has been shown how at the micro-level in the particular setting of a seminar change of ideas or at least of the appropriateness of ideas occurs. The ideas presented by the trainers during the seminar led to initial resistance which decreased over time. Part of this process is related to the pre-existing ideas among the participants which influenced their reactions and openness to the ideas presented in the seminar. However, focusing too much on the ideas might obscure the importance of the interactions and the social context in which the attempted norm transfer took place.<sup>23</sup> Indeed, the participants' reactions to the content of the seminar were strongly related to factors such as the perception or rejection of the trainers' authority and legitimacy, the formulation of criticism or recognition of the participants' work by the trainers and the gradual building up of relationships of respect and trust. It seems to me, also in relation to other fieldwork which I am currently analysing, that the establishment of relationships of respect and trust between representatives of NGOs and local state officials affect the transfer of ideas. This aspect has been overlooked so far in the field of transfer studies and needs to be further investigated.

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<sup>22</sup> Jeffrey T. Checkel, 'Persuasion in International Institutions', *ARENA Working Papers*, no. 02/14 (2002), [http://www.sv.uio.no/arena/english/research/publications/arena-publications/workingpapers/working-papers2002/wp02\\_14.htm](http://www.sv.uio.no/arena/english/research/publications/arena-publications/workingpapers/working-papers2002/wp02_14.htm); Alexandra Gheciu, 'Security Institutions as Agents of Socialization? NATO and the "New Europe"', *International Organization* 59 (Fall 2005): 973–1012, [is.cuni.cz/studium/predmety/index.php?do=download&did=30098&kod=JPM522](http://is.cuni.cz/studium/predmety/index.php?do=download&did=30098&kod=JPM522).

<sup>23</sup> R. A. Payne, 'Persuasion, Frames and Norm Construction', *European Journal of International Relations* 7, no. 1 (1 March 2001): 39, doi:10.1177/1354066101007001002.