

**Iraqi forced migrants in Jordan:
Conditions, religious networks, and the smuggling process**

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The cumulative effect of 10 years of European Union (EU)'s policies on migration is an overriding emphasis on control at the borders and beyond the borders of EU states through a series of measures: carriers' liability, stricter visa requirements, readmission treaties with Central and Eastern European states and electronically fortified borders. As several case-studies have shown, trying to keep economic migrants out has had, among others, the side effect of allowing for the development of networks of human smugglers (Koser 1997; McDowell 1997; Salt and Stein 1997; Ghosh 1998; Meese et al 1998; Morrison 1998; Van Hear 1998; Koslowsky 2000; Peter 2000; Salt and Hogarth 2000; Snyder 2000). While migration control policies have not specifically targeted asylum seekers, they have, nevertheless, affected them in much the same way as other groups of migrants, forcing them to resort to illegal migration to reach Western Europe and therefore criminalising them in blatant contradiction with international law governing the status of refugees (Engbersen and Van der Lun 1998; Van Hear 1998).

In 2000, the UN adopted a Protocol against human smuggling, testifying to the growing concern by state authorities and international organisations who view migrant smuggling and trafficking as undermining international collaborative efforts to produce ordered migration flows¹. In the 1990's, the International Organization for Migration (IOM) conducted a vast policy-oriented research programme on the topic, which was also the subject of several academic studies (IOM 1994; IOM 1995; Ghosh 1998; Meese et al. 1998; Salt and Hogarth 2000; Snyder 2000). J. Salt and J. Stein (1997) even devised a model for analysing smuggling as a business, dividing it into three stages: the mobilisation and recruitment of migrants in their countries of origin, their movement en route along transit stages, their integration into labour markets and societies in the host countries. Despite contributing rich documentary and theoretical perspectives on a new field, the various approaches adopted in these studies have three major limitations. First, when considering the transit process of irregular migrants originating from developing countries, they are almost all located at the gateway of Western industrialised states and leave the first stages of migration and smuggling in the shadow. Second, even the very few ones that document smuggling in one transit country in the South take for granted that migrants from developing countries systematically aim at reaching the West from the beginning of their

migration. Third, like the policies that allow smuggling rings to thrive and that criminalise migrants whatever their profile, these studies do not clearly differentiate between patterns of voluntary and involuntary migration. A few studies avoid this pitfall by looking specifically at the smuggling of asylum seekers. Unfortunately, they all concentrate on the last stage of irregular migration, either looking at transit across Central or Eastern European countries, or at smuggling between EU member states (Koser 1997; McDowell; Morrison 1998; Koslowsky 2000). Again, very little is revealed of the transit and smuggling process of asylum seekers in their regions of origin or at other stages along the route.

Moreover, recent trends of studies on international migration emphasise their transnational character and point at the role played by social and economic networks in prompting, facilitating, sustaining and directing the movement of migrants especially to industrialised countries and their mobility between various regions of the world (Portes 1995; Van Hear 1998; Vertoec and Cohen 1999). Applying these paradigms to the study of forced migrants, a few pioneering works now show that non-European refugees and asylum seekers have found it increasingly difficult to gain admission to industrialised countries unless they have been able to activate broad, transnational networks composed of individuals of different migrant categories, in particular to pay for the services of smugglers (Koser 1997; McDowell 1997; Muss 1997; Crisp and Van Hear 1998; Koser and Lutz 1998; Morrison 1998; Dorai 2002). Several of these studies emphasise the role of networks based on common affiliations such as ethnicity, kinship, residential proximity or religion. But again, because these studies are located at one end of the route in the country of destination, they cast little light on transit while it is an essential process posing a link, and not a disruption, in migrants' trajectories and in the architecture and dynamics of the various networks that sustain their move.

In all cases, the first transit stage(s) of irregular asylum migration in countries of the South has not been explored in depth, and a series of questions still need to be asked.

The first set of questions is related to the motivations of asylum migrants. What are the initial intentions of forced migrants when they leave their country of origin? Why do a number of them prefer to seek asylum in an industrialised country rather than in a

state closer to home? What about the treatment they receive in regional host countries, their socio-economic conditions and legal status in first countries of reception and the impact of these factors on migration strategies? In brief, does pointing at such pull factors as lenient asylum policies or economic prosperity in industrialised countries explain current trends of asylum migration and the complex motivations of migrants who undertake long, costly and risky transcontinental journeys?

The second set of questions concerns the various means at the disposal of migrants to undertake long distance and irregular moves. Is the functioning of the social networks that support their migration similar to those of voluntary migrants? In particular, can these networks operate between Western host countries and the country of origin, knowing that these have particulars (being war-torn, politically unstable, under the grip of authoritarian governments, etc.)? In this context, what about the role of the first host country in providing a base for social networks to operate and for allowing smuggling? Does the recruitment of migrants necessarily take place in the country of origin, implying that forced migrants take their original decision to move to the West at the beginning of their migration? In short, what does a study of transit in its first stage tell us about the nature, the functioning and the inter-relations of the various networks that sustain the movement of asylum migrants?

This paper offers to look at the case of Iraqi forced migrants in the Hashemite Kingdom of Jordan. More particularly, it will explore how the country's policy responses to this influx, that started with the 1991 Gulf war, impact on the migrants' decision to merely transit Jordan, their first host country, rather than staying there long term. In a context of extreme vulnerability, poverty, and religious-based discrimination, it will also look at the support networks of migrants in Jordan, with a particular emphasis on religious ones. Finally, it will document the smuggling process as it takes place from Jordan, a country that concentrates the prerequisites for smuggling rings to operate, unlike Iraq.

Combining sociological and anthropological approaches, this paper will argue that the structural context in the first regional host country plays a major part in shaping the strategies of forced migrants, in determining their transit, and in allowing for the development of smuggling and trafficking rings that intersect with migrants' social –

here, religious – networks to allow for further emigration to Western industrialised countries. In passing, it will also challenge a number of accepted views on the distinctions between trafficking and smuggling and about the so-called pull of industrialised countries.

I. BACKGROUND

I.1. Iraqi forced migrants

In 1996, 4 million Iraqis were reported to live abroad (USCR 1996), of whom over 600,000 are currently recognised (Convention or other) refugees². They were over 1,320,000 in 1992, the peak year. In 2001, Iraqis were the third main refugee caseload in the world.

Following a first wave of forced migration during the Iran-Iraq war (1980-1988), the majority of Iraqis currently living abroad as refugees or asylum seekers have fled their country during the 1991 Gulf war or in the following decade. Most left Iraq in 1991-1992, not so much as a direct consequence of the US-led bombing of the country but rather because of two episodes of failed uprising against the regime of Saddam Hussein. In 1991, the Kurds in the Northern provinces and the Shiites in the central area revolted and both uprisings were crushed. Repression has continued ever since, and so has out migration of members of both groups at a slower but steady path. Later in the 1990's, fighting between rival Kurdish factions in the northern autonomous provinces and the drainage of the marshlands in the Shiite area of the Shatt el-Arab in the South have been additional reasons for people to leave. Members of other social groups were also prompted to leave their country as the embargo imposed by the UN Security Council in 1991 has contributed to deteriorating the domestic economic situation. Besides, continuous violations of human rights still affect all kinds of opponents to the regime (USCR 1991; LCHR 1992; UNHCR 1996; Amnesty International 1997). Often, emigration is motivated by a mixture of economic and political factors, especially for those social groups as the Shiites or the Kurds who are collectively denied access to public resources. The outcome is that many people have no assurance either of physical security or the ability to sustain their livelihoods, a

fact that blurs the traditional distinction between involuntary (or forced) migrants and voluntary (here, economic or labour) migrants.

Whatever their final destination, Iraqis had, and still have to move first by road to a neighbouring country since the embargo prevents them from travelling directly to a more distant location by boat or aeroplane. Accessibility of the neighbouring countries is conditioned by the opening of borders, the treatment received at the hands of the authorities, other factors such as the presence of relatives, co-ethnics or co-religionists, or the location of the country on a routes towards further emigration.

Over 250,000 Iraqis have requested asylum in a Western country during the last decade. In most cases, they have reached their countries of final destination through irregular channels after transiting first Turkey, Syria or Jordan.

I.2. Jordan's policy responses

In the wake of the 1991 Gulf war, Jordan, bordering Iraq on the West, received an influx of one million refugees from different nationalities that were fleeing Kuwait and Iraq. Among those, about 360,000 were Jordanian involuntary "returnees", i.e. citizens of the Hashemite Kingdom, most of them of Palestinian origin, that had settled in the Gulf sometimes decades ago. Understandably, Jordan gave priority to the reception and integration of those 300,000 who decided to remain in the country (Van Hear 1995).

Later in 1991, a wave of thousands of Shiite Iraqis came to Jordan after the uprising against S. Hussein by members of their sect was repressed in blood. Since that date, Iraqi migrants, voluntary or involuntary, have kept arriving to Jordan in smaller but steady numbers, entering the kingdom through the one open border point, fleeing the regime and the embargo. A majority has not remained in Jordan, but has used the country as a gateway to other Arab or Western countries. In 1996, UNHCR Background Paper on Iraqi Refugees and Asylum Seekers reported that, by some estimates, 1 to 2 million Iraqis had gone to Jordan since the Gulf war. According to the same source, the number of Iraqis remaining in Jordan was undetermined because most were transiting. The various sources, mainly reports from Human rights groups, that mention Iraqi migrants in Jordan are not more precise (Amnesty International

1997; USCR 1991 to 2001; USDS 1991 to 2001). Official figures are non-existent and officials' declarations in the Jordanian media are inconsistent, varying from 50,000 to 180,000. NGO sources may go up to 300,000. It is hard to make more than "guesstimates" of the scale of Iraqi immigration in Jordan, not only because the authorities prefer to be silent of the issue, but also because of the nature of the transit migration. The group is unstable, people's stay is transitory and new individuals come as others go.

Jordan has adopted what can be deemed a "semi-protectionist" policy towards Iraqi forced migrants, i.e. letting them in but depriving them of a status, of protection and of means of livelihood (Chatelard 2002). The border with Iraq has always remained open, and Iraqis can enter on a temporary visa and stay legally up to 6 months. After that period of time, they become illegal aliens and are under risk of being expelled back to Iraq. Nevertheless, Jordan has always refrained from mass expulsion. On the other hand, the country is not a signatory of the 1951 Geneva Convention Relating to the Status of Refugees (henceforth 1951 Convention) but has allowed the United Nations High Commissioner for Refugees (UNHCR) to operate on its soil since 1991. But the UN agency's recognition rate for Iraqi asylum seekers is much lower than that of several industrialised countries and does not exceed 30%, while recognised refugees have to be resettled in a third country. Jordan has also adopted a set of discriminatory social measures against Iraqi forced migrants, including those registered as asylum seekers: they cannot work legally, schooling for children has been made extremely difficult, almost no aid and relief is provided, and access to medical facilities is more expensive than for Jordanian nationals. Finally, most Iraqi forced migrants are Shiite, an Islamic sect with no indigenous members and no legal status in Sunni Jordan. Shiites have been unable to obtain recognition from the authorities and experience suspicion if not open discrimination.

The motives behind Jordan's policy responses to the influx of Iraqi forced migrants pertain to history, in particular to the Arab-Israeli conflict that has left Jordan to deal with 1.6 million Palestinian refugees (out of a population of 5 million), and to such current geopolitical realities as the UN-embargo that has turned Jordan into the external border of Iraq, making it impossible to close the crossing point between the two countries. Besides, Jordan is under dire economic strains as 30% of its labour

force is unemployed. The authorities therefore argue of the economic and societal incapacity to absorb large numbers of Iraqis. In many ways, Iraqi migration to Jordan is seen as a security issue that should not be publicised by adopting pro-active measures (Chatelard 2002).

Within the broader structural context of their official treatment, turning to the livelihood strategies of Iraqi forced migrants in Jordan allows to understand two important dynamics in the transit process. One is how discriminatory practices, deficient administrative measures, and the limited role of UNHCR deter migrants from staying in Jordan by making them an extremely vulnerable group. The other one is how, in last recourse, they resort to social networks based on religious affiliations that first provide material and moral support, and eventually are used as channels to undertake further emigration in connection with smuggling rings.

I. 3. Methodology

Iraqi migrants in/across Jordan are in many ways “invisible” migrants if one is to judge by how neglected they are in the grey literature produced by international organisations, human rights groups, or Jordanian public bodies or civil society organisations (NGOs, research centres, etc.). They are the object of no specific study and are usually only mentioned in passing. Moreover, Jordanian officials are not available to discuss the issue and the Jordanian press is of limited use. Consequently, I had to combine a multiple methodology to gather sociological data and background information.

Between 1999 and 2001, in order to assess the socio-economic conditions of Iraqis in Jordan and their livelihood strategies, I undertook in-depth fieldwork based mainly on participant observation. I conducted about 40 informal interviews of Iraqi forced migrants in Amman, most of the time in their homes, and kept regular, friendly relations with a number of families or individuals. I regularly visited gathering places such as coffee shops or the so-called Iraqi market in down town Amman. I also attended religious meetings at churches and once accompanied a group of Shiites for the celebration of the religious festival of Ashura. This was an occasion, among other things, to meet religious leaders. Subsequently, I was able to maintain relations over the Internet with a number of individuals I had met in Jordan and who had

successfully migrated to Western Europe, North America or Australia. At that stage, they were willing to provide me with details of the smuggling process with little risk involved. In the summer 2001, I visited some of them in the Netherlands and Denmark where I was able to meet more Iraqis with whom I spoke about their migration and the way they were supporting the emigration of others still in Jordan.

In May-June 2001, looking more specifically at those who claim asylum while in Amman, UNHCR allowed me to conduct a survey of a sample of 121 asylum seekers awaiting final decision. During face-to-face interviews conducted in Arabic, 70 questions were asked to assess their socio-economic profile, circumstances in Jordan, network of family relations in Iraq and abroad, channels of information about Jordan and the migration process, and future plans provided their claim was rejected. I subsequently met some of them again outside the premises of UNHCR where they gave me more details about their conditions and intentions. I estimate that the sample that has served as a basis for this paper comprises roughly 200 individuals and many more family members or friends of those interviewed, who provided more limited data.

Finally, at different stages over the last three years, I conducted several in-depth interviews with the representative and staff at UNHCR in Amman, repeatedly met with members of several foreign and local relief and human rights NGOs operating in Jordan, and lately interviewed immigration officers in a number of Western embassies in Amman³.

II. PROFILE, CONDITIONS, LIVELIHOOD STRATEGIES

To assess the migrants' socio-economic profile, legal status, and livelihood strategies in Jordan, I made mainly, but not exclusively, use of the survey conducted with asylum seekers at UNHCR, Amman. The aim of the survey was also to identify the pull factors that had made them chose Jordan as a first host country, the reasons why they did not want to stay, and their intentions of further emigration provided their claim for asylum was rejected⁴.

II. 1. Socio-economic profile

Among respondents to the survey, men were 56,3% and women 43,7%. 64,6% of all respondents were between 25 and 39 years old, while 23,7% were between 40 and 69 years old. The large female representation should not be taken as an indication that Iraqi migrant women are generally almost as numerous as migrant men. From other observations, it rather seems that women are over represented among asylum seekers because they are more vulnerable than men and approach UNHCR more frequently to provide for some kind of status and protection.

The typical profile of Iraqi forced migrants (who may not ask for asylum at UNHCR) is a male between 25 and 45 who, if married, has left his family behind in Iraq until he finds the proper opportunity to make them come to Jordan. This occurs either if he gains recognition of his refugee status at UNHCR, or if he manages to migrate to another country and to send money for his family to move first to Amman, or if his stay in Jordan endures and he has enough income to have his family join him. It can thus be inferred that the proportion of Iraqi women in Jordan has increased since the second half of the 1990's as more Iraqi men have made it to the West or as many have been stranded in Jordan for several years.

A large majority of the respondents were Shiites (66,8%), followed by Christians (13,1%), Sunnis, (11,7%), and Sabeans (8,4%)⁵. If Shiites represent roughly 55% of the population of Iraq, Sunnis account for another 35%, the rest being mainly Assyro-Chaldean Christians while the Sabeans are less than 0,5%. Among the respondents, the over-representation of Christians, Sabeans and Shiites, and the under-representation of Sunnis, are clear signs that religious minorities are leaving Iraq at a higher rate than the Sunni sociological majority that does not suffer from group persecution or discrimination⁶.

90,4% of the respondents defined themselves as ethnically Arabs. The rest answered that they were Assyrian, Kurd in two occasions, and Turkmen in one occasion. As regards the Kurds, who represent 15% of all Iraqi nationals, the fact that only few of them come to Jordan is confirmed by further discussion and observation outside the strict limits of the survey. This is due to geographical and socio-political factors: the proximity of Turkey or Iran to the north and north-east of Iraq where most of the

Kurds reside and the fact that, as a cross-border ethnic group, they prefer to travel to another Kurdish area.

Typically, Iraqi forced migrants who have approached UNHCR to seek asylum are individuals with a secondary or university education (> 90%), who have held positions as civil servants (this includes physicians and engineers), teachers, traders or shopkeepers in Iraq (73,5%). Women have an equally high rate of secondary and university education and roughly 2/3 were once employed in Iraq. Except for those Shiites who come from the marshlands in the South (7,5% of total), or for village Assyrians from the North (4% of total), they have an urban background. Most migrants considered themselves as having once been reasonably well-off in Iraq but had experienced a dramatic drop of income following the devaluation of the Iraqi Dinar or because they were fired from their employment in the public sector. They usually came to Jordan with their savings, either after selling their belongings or properties in Iraq or with money lent by relatives.

This leads to two remarks. First, the lower middle class or the severely impoverished Iraqis do not have the financial means to undertake long-term emigration. If they come to Jordan, they belong to that category of people who go back and forth and work mainly as street vendors in Amman. Second, the amount of money forced migrants take with them, and the large proportion who have sold all their properties, are signals that they are not planning to go back to Iraq in a near future or even at all. This was the case with 67,8% of the Christians and Sabbeans, and 1/3 of the Shiite respondents who said that they had sold everything they had.

II. 2. Socio-economic situation in Jordan

As regards their socio-economic situation in Jordan, only 7,2% of the male respondents said they did not work at all. But of those working, only 2,3% had a work permit, and 71,6% said that they worked on and off as street vendors, cleaners, painters and other petty jobs. The other rough 20% who had a steady job were cleaners, gardeners, or office boys. 74,5% of the women were totally unemployed, and those working were also domestic workers or were working as seamstresses at home. Only two had an illegal but steady clerical job.

The average monthly income respondents declared to earn was 40 Jordanian Dinars (JD)⁷ for a single person and 70 JD for a household, unsteady in 84,5% of the cases. Those who had the highest income were benefiting from the financial support of relatives abroad, and/or had arrived recently in Jordan and were still living on their savings. In Jordan, the poverty line is estimated below 100 JD a month for a household and all people interviewed, including outside the survey sample, felt that they were experiencing a dire professional and social downfall and had been placed in a much lower social status than the one they belonged to in Iraq. As employment is scarce, unsteady and not well paid, and as the cost of living in Jordan is up to 10 times higher than in Iraq, migrants who come with savings spend them in a few months. After a period of being relatively well off, most survive at the margin of the Jordanian society, engaging in menial jobs in the informal sector, and facing an extremely precarious economic situation.

Their situation is further aggravated by their housing conditions. Iraqi migrants concentrate in the cities where they can live in a familiar environment and pass rather unnoticed, and where they hope to maximise their social and economic opportunities. While 87,4% of the respondents resided in Amman, the others lived in urban areas within a radius of 40 km from the capital. Typically, they lived in unsanitary and overcrowded housings in the poverty belt of Amman, and in informal/squatter areas with a high Palestinian refugee population. These neighbourhoods can be equated to refugee camps but without the legal status and the facilities (sewage system, electricity and water, health and educational systems).

Only three families among the 54,2% who had school-age children were sending them to school, and they were all Christians benefiting from aid from a Catholic relief society. The other ones answered that they thought schools were not open to Iraqi children, or that they had tried but been told to produce documents they had not taken with them from Iraq.

Finally, 41,3% declared that they currently had, or had had, health problems while in Jordan but only 9,8% had consulted. In 67,3% of the cases, at least one of the respondents' children currently had medical problems too, and 40,1% had been brought to a consultation. All those interviewed said that they gave priority to their

children's health over their own. 93,7% of those who had reasons to consult but had not been to a medical facility said that it was too expensive.

II.3. Reasons for choosing Jordan

Open borders and expected work opportunities are the two main reasons respondents gave when asked why they had selected Jordan and not another neighbouring country such as Turkey, Syria or Iran. Possibility to approach UNHCR came only in fourth position after accessibility of third countries, either in the Arab world or in the West. Other frequent answers (there were multiple possibilities) included the fact that Jordan was an Arab, and not foreign country, the presence of relatives that had already moved there, or the fact that it was the less risky choice. This calls for a number of remarks.

Firstly, most people do not have the initial intention of crossing borders illegally, an important point to consider for future developments. Among the Shiites interviewed, a majority had close or distant relatives that were refugees in Iran, a country party to the 1951 Convention. Nevertheless, they took into account the fact that the Iraq-Iran border was closed to migrants and did not want to take the risk of being arrested or shot. The same goes with the Assyro-Chaldeans who could have attempted to cross irregularly into Syria where a number of their co-religionists and family members have been granted asylum under UNHCR mandate at the beginning of the 1990's.

Secondly, as other questions asked show, an overwhelming majority of the migrants had a distorted vision of the economic situation in Jordan before they undertook to move there. Similarly, they had no accurate knowledge of the legal and socio-economic conditions of Iraqi migrants. Compared to Iraq in the 1990's, Jordan looked to them as a wealthy country with a thriving work market. Besides, they expected the Jordanian authorities to demonstrate a degree of Arab solidarity with them and give them a legal status and a work permit.

This poses questions as to how information circulates between Jordan and Iraq. Those who do go back and forth, like taxi or bus drivers, "suitcase traders", street vendors or mobile labourers, do see Jordan as a place for economic gain. On the other hand, Iraqi forced migrants who are in Jordan and cannot or do not want to go back to Iraq have

very limited means of passing on detailed information to relatives left behind. There is no postal service between the two countries and Iraq forbids Internet access. Telephone lines are frequently tapped and conversations limited to a minimum. Letters sent with taxi drivers cannot tell much either for fear the Iraqi authorities intercept them, and oral messages through these same intermediaries are necessarily brief. As a result, and despite the proximity of the two countries, Iraqis come to Jordan with expectations that are not met. These possibly derive from the fact that Jordan did once offer jobs to a good number of highly skilled Iraqis and that it is still the dominant image in Iraq today⁸.

Thirdly, only 1/3 of the respondents had come to Jordan with the idea of transit in mind. These were mainly the ones who already had family members abroad and/or who had no family members in Iraq anymore. They had either come to seek family reunification through UNHCR, or had initially expected to obtain an immigration visa easily in a foreign embassy based on their being Iraqis who were fleeing the regime of S. Hussein. The fact is that, between 1991 and 1994, Western consulates delivered a number of visas on humanitarian grounds preferably to those who were skilled and already had relatives in the destination country. In this way, Iraqi Christians who had a long record of migration to Australia, Canada, the United States or Brazil left in large numbers. Moreover, until 1998, doctors, engineers or teachers could hope to negotiate a work contract in Yemen or Libya through these countries' embassies in Amman. But all these possibilities have now sharply declined, if not totally disappeared.

Apart from those who were planning to transit Jordan rapidly, 2/3 of the respondents came to Jordan in view of staying long-term, at least until the political situation at home improved so that they could go back. This fact is confirmed by numerous other persons interviewed in other settings, who said that they would rather stay close to Iraq where they could still communicate with relatives, albeit in a limited fashion, or easily reunite with them if the relatives had to leave. It is only as an ultimate choice that they are/were convinced to undertake further migration out of Jordan.

Finally, despite the fact that all the individuals in the sample survey were registered with UNHCR as asylum seekers, only 17% of them mentioned choosing Jordan

because of the possibility of asking for asylum, and among those only a few had heard of UNHCR's office in Amman before they left Iraq. The overwhelming majority learnt about the organisation from other Iraqis in Jordan. While, as an average, respondents had been in Jordan for 22 months (with a minimum of 4 months and a maximum of 51 months), most had waited for about a year before approaching UNHCR, an issue on which I shall go back later.

II.4. Legal documentation

Most forced migrants enter Jordan on a legal basis with a valid Iraqi passport. A minority is smuggled across the border or enters with a fraudulent passport because of not having been able to secure an intelligence-approved travel document in Iraq. As stated above, most Iraqi forced migrants (i.e. those who do not want/cannot return to Iraq), fall into illegality after 6 months of residence with risks of being expelled by the authorities. This is only one aspect of the problem of legal documentation Iraqis experience while in Jordan.

Illegal aliens cannot access the official work market, nor most state-subsidised services such as health and education. While employers usually underpay their Iraqi labourers⁹, unscrupulous ones do not even pay them at all and Iraqis have no legal recourse. On the other hand, as landlords have to register their foreign tenants with the police, proper housing is a problem. This is why most Iraqis are confined to informal areas. Nevertheless, their housing rents are on average 1,5 higher than those of their Jordanian/Palestinian neighbours and there are no renting contracts, tenants being able to expel them at any time.

Finally, several of them cannot obtain documents from their embassy for fear of the Iraqi intelligence. When their passports expire, they cannot renew them, or cannot get birth, marriage or death certificates. Some use middlemen to undertake these administrative steps, but these services have a cost that not all Iraqis can afford. As even Sunni religious courts do not want to register the marriages of the Shiites, their new-borns or even deliver a death certificate in a country where religious communities are in charge of personal and family status, many migrants are deprived of any legal existence after a few months in Jordan.

But maybe the worst aspect of the documentation problem concerns the fine for overstaying that most Iraqis are unable to pay. It amounts to 1,5 JD per day of overstaying and keeps secluded inside Jordan even those who at one point could decide to go back to Iraq. There is a possibility of being exempted from the penalty on exit, but in this case individuals are not allowed in Jordan anymore, i.e. they are trapped inside Iraq for five years or have to find another exit route, two very bleak prospects for most of those who have left their country with no desire of return under the current circumstances.

II.5. UNHCR and asylum

In view of the difficult situation they face in Jordan, Iraqi forced migrants have limited strategic choices available to them in order to improve their legal status. The most obvious one is to register as an asylum seeker with UNHCR, even if some know that their claim is unfounded. In the last years, UNHCR's recognition rate of Iraqi asylum seekers in Jordan was 20% in average. Including for those who have no hope of ever becoming "legal" refugees, the registration card provided by UNHCR, and the long delay for treatment of the cases (up to 2 years in case of appeal), allow for taking a legal foothold in Jordan, avoiding possible expulsion, and planning for the future. As a side effect, and since UNHCR's staff are aware of this tactic, the number of non-*bona fide* asylum seekers devaluates the asylum claim of those genuinely in need of protection as they are all suspected to be bogus¹⁰.

In fact, a surprisingly small proportion of Iraqi forced migrant chose UNHCR as an option. Between 1991 and 2000, roughly 30,000 only had sought asylum through the UN agency¹¹. There are a number of reasons that might account for this low figure. Some pertain to a bad knowledge of the functioning of UNHCR's office. As most Iraqis are illegal aliens, keep a very low profile, and go into hiding, they are afraid to come out because they believe that they will be handed over to the Jordanian police for having overstayed. In fact, their view is that UNHCR shares information on cases with the Jordanian authorities. A more serious concern is that Iraqi agents have infiltrated UNHCR, a fear that deters many to approach the organisation. Another type of reason that might explain why relatively few Iraqis present themselves to the organisation is their fear of seeing their claim rejected and of being subsequently

deported back to Iraq where, until recently, they incurred death penalty for having claimed asylum abroad.

Finally, a number of those who seem to have genuine cases do not want to approach UNHCR in Jordan, a country that offers temporary shelter but not asylum. They want to choose where they will settle, a difficult thing to do with the resettlement process where host states establish quotas in response to domestic interests and where little scope is left for refugees to choose their final destination. In particular, several Shiite clerics I met had suffered serious persecution at the hands of the intelligence in Iraq, but did not want to register with UNHCR because their aim was specifically to reach London, a major centre of Shiite learning where they had colleagues. They said they intended to seek asylum directly in the UK once they had managed to get there through irregular channels.

II.6. Intentions of further emigration

As most do not achieve either economic or physical security and know that there is little prospect for improvement of their situation, and as their savings diminish rapidly, Iraqi migrants for whom returning to Iraq is not an option start thinking of leaving Jordan for a better place. 98,2% of the respondents stated that they wanted to leave Jordan as soon as possible, and gave as main reasons their bad economic situation, living conditions, and insecure status. Before leaving Iraq, only a minority initially viewed Jordan as a transit stage and had some accurate information about the means at their disposal to move on, and most respondents reckoned that they did not have realistic ideas about visa regulations or employment opportunities in Western countries before reaching Jordan. Once they take the decision to leave Jordan, they are not naive anymore as they have had time to be informed by other migrants who have been there for a longer period.

One of the important sets of information circulating among migrants, and making up for a good part of their discussions, is the possibility of seeking asylum in Western countries. It is accurately said that in some European countries or in Australia the recognition rate of Iraqi asylum seekers is more than twice higher than that of UNHCR in Amman. Besides, in case of rejection of their claims, Iraqis also know that they can stay in Western states as illegal aliens and will not be deported back into

Iraq. They hope to find a job with the help of fellow nationals. On the other hand, they also learn that Syria or Lebanon will not offer them substantially better opportunities than Jordan. As a whole, work and security, which they cannot find in Jordan or elsewhere in the Middle East, are available in Europe, in North America or in Australia.

Among the respondents to the survey, only 9,3% had no family member, relative or close friend abroad. Of the remaining 90,7%, 2/3 had family members, relatives or close friends in a Western country, of which 89,6% were either asylum seekers or refugees. While those who had left people behind in Iraq had a low and irregular level of communication with them, all those who knew Iraqis settled in the West were maintaining a high level of communication either over the telephone, by post, or through the Internet. Together with details about emigration from Jordan gained from other Iraqi migrants in the country, those who intended to leave Jordan generally had an amazing knowledge of asylum procedures in the countries where they had connections. On the other hand, only 5,2% of the respondents (exclusively Sabians and Christians) said they had left nobody behind, even distant relatives. These were in fact the last groups of whole enlarged families to leave with no prospect of ever returning. But for the 94,5% others, relatives and family members constitute a pool of potential migrants that are very likely to eventually follow those who leave Jordan on their way to the West.

III. NETWORKING FOR SURVIVAL

III.1. Aid and relief from religious institutions and networks

There is no aid and relief provided by Jordanian public or private institutions or by foreign NGOs who are prevented by the authorities to set up projects aimed at Iraqis. On the other hand, Jordan has a thriving, well integrated local Christian community and Church charities are the only ones allowed to provide aid to Iraqis, mostly in kind. The official possibilities offered by the Jordanian authorities to the Christian community so that it takes care of Iraqi co-religionists stem from the complementary relationship that has historically developed between the Hashemite state and the various Christian Church organisations (Chatelard 1997). In this context, the religious affiliation of migrants is an important factor to take into account to understand both

their livelihood strategies in Jordan and their migration process out of Jordan. Just as religious affiliation is the main means through which the Jordanian society discriminates against categories of Iraqi migrants, so does religious affiliation become one of the main ways forced migrants use to skirt the very same discrimination.

Asked if they had approached institutions for help and which ones (except UNHCR), respondents to the survey answered yes in only 15,4% of the cases. Catholic and Protestant charities, parish churches or the Italian Hospital (run by a Catholic religious community) were the only institutions they listed. These facilities are officially open on a non-denominational basis, yet all but 4 of their users were Christians or Sabians. Generally, those Moslem respondents who knew of their existence but had not approached them justified their attitude by saying that these were reserved for Christians.

In practice, it is true that Christian charities offer some of their services more willingly to Christian than to Moslem Iraqis. Caritas, for example, operates in Iraq from Jordan and facilitates the move of Iraqi Christians out of Iraq. Once in Jordan, it provides them with a number of social services such as medical care and, in some occasions, schooling for children in Catholic schools. Besides, the organisation runs an income-generating project for Iraqi women in a mainly Christian populated town in the vicinity of Amman. Church officials may also act as middlemen for the granting of visas to Western countries or intercede in favour of detained illegal aliens.

For their part, Iraqi Shiites do not have any previous experience of accessing Christian hospitals or other social or educational facilities, a fact not uncommon among Jordanian Sunni Moslems. Moreover, the granting of aid to Iraqi migrants in Jordan seems to be used as an avenue by American missionary organisations, and Iraqi Shiites do not differentiate between non-missionary and missionary Christian activities. They hold all their relief services in deep suspicion¹². Whatever the reasons, the fact remains that, apart from Christians and Sabians, most other Iraqi migrants do not turn to existing, local Christian charities.

The major Christian denominations present in Jordan have an official status that allows them to run social and medical facilities. On the other hand, Shiite Islam has

no indigenous followers in Jordan, no official status and therefore no established social institutions or facilities and no legal possibility to register any. Sunni mosques and charities, *zakat* committees or medical facilities (like the Islamic Hospital and various religious-based NGOs) may provide Sunni Iraqis with some relief. But these structures do not have their networks of schools and cannot help migrants gain access to Western consulates or protect them from expulsion. Moreover, they are not willing to aid the Shiites who, in turn, expect to be ill received on the basis of their religious affiliation, which they cannot hide as they have a very distinctive way of praying. Because of all these factors, Shiite Iraqis, who are a majority of the forced migrants, are those who receive less relief, are the most unlikely to find backing among Jordanians or to be protected by civil society organisations, and are therefore the most vulnerable group.

Despite the fact that the Jordanian authorities are suspicious of any informal Shiite religious gathering, semi-clandestine prayer rooms have been opened in the apartments of young mollahs (clerics) who have left Nadjaf or Karbala, the major centres of Shiite learning in Iraq. These *majlis*, or meeting places, are reserved for men who gather on Fridays and during religious festivals (Ashura, Ramadan). *Majlis* have a religious role but also perform a major social function: migrants find moral support, newcomers bring news from relatives and the political situation at home, participants exchange information about available jobs and housings in Jordan, etc. Apart from the Iraqi market and a few coffee-shops in Amman, *majlis* are the only places of gathering that are tolerated by the Jordanian authorities which keep an eye on them and close them at times. Permanent links are kept with the Shiite centres in Great Britain, Iran and Iraq through a circulation of individuals, information and money used for relief but also, as I will show later, for undertaking migration to the West¹³.

Much more than Iraqi Christians, the Shiite community therefore remains at the margin of the Jordanian society. Its members cannot access economic security in Jordan and have to cope with the negative image Jordanians have of them as both Iraqis and Shiites. More than the Sunnis, who in many cases expect to repatriate sooner or later or even go back and forth on a regular basis and trade between the two countries, the Shiites make no long-term investment in Jordan. Moreover, the

community is permanently being reshaped: *majlis* can be closed by the police, mollahs can migrate to the West either as refugees resettled by UNHCR or through irregular channels, new mollahs may arrive from Iraq, and laymen also leave to the West while new ones come.

Iraqi migrants' needs are merely socio-economic and their concerns revolve around personal security and work opportunities. Since the absence of a legal or religious status does not allow them to have a stable foothold or officially recognised representatives, they are in no position to approach the Jordanian authorities and negotiate an improvement of their situation. Therefore, they have no public claim for recognition or integration, and no demands for the granting of collective rights. Their desire to leave Jordan keeps growing as their stay extends. And as years pass, they are more numerous to want to reunite with family members who have successfully completed their migration to a safer haven. Whatever their denominational affiliation, Iraqi forced migrants establish only temporary enclaves on the edge of the Jordanian society that allows them to survive only in its margins.

III. 2. The pull of social networks

Once they have taken the decision to emigrate from Jordan, Iraqis face a new set of difficulties as the immigration policies of Western countries in the last decade have resulted in a limitation of the legal possibilities of access and admission. Yet, this reality does not seem to deter Iraqis who, with the help of smugglers and the support of social networks, find legal or illegal ways of skirting visa restrictions and increased border control. There are clear patterns in the direction of Iraqi emigration from Jordan in particular, and from the Middle East in general. Their final destinations in Western Europe are mainly Germany, Norway, Sweden, Denmark, the Netherlands, and the UK. Much further away, Australia has also become a favourite choice together with Canada. One may therefore ask two main questions. One is what are the pull factors that attract Iraqis to certain Western countries and not to others. The other one is how they reach these destinations from Jordan taking into account the considerable administrative and practical difficulties they encounter, and the amount of money such a journey implies. Concentrating on the migrants' efforts while they are still in Jordan, but already dragged into transnational dynamics, I will attempt to

give an analytical view of the choices that are available to them and of the difficulties they face to take the first step of their journey, i.e. exiting Jordan.

The main reason for choosing a country of final destination in the West is first and foremost the presence of family members, friends or co-religionists. These often appear in conjunction as Iraqis have now been migrating for a decade in large numbers and formal communities or informal groupings of Iraqis have had time to develop, especially in the main reception countries. From the interviews I conducted both in Jordan and in Western Europe, and from other scattered sources, it well seems that both the ethnic and religious affiliation of Iraqi migrants determine the direction of their migration. Whereas, among Western states, Germany hosts the largest Iraqi community (over 50,000), relatively few of those I interviewed (15,7% of the respondents to the survey) mentioned that they had relatives there. In fact, it is mainly the Kurds who move to Germany, as a number of studies on migrant communities in Europe have shown. The Shiites listed first the UK, then Denmark, the Netherlands and Sweden. As far as could be assessed from the scarce, non-academic literature available on Shiite communities in Western Europe, and from looking at religious sites on the Internet, all these countries have registered Shiite associations and mosques. Iraqi Christians, on the other hand, cited most frequently Australia, Canada, the United States or the UK, where they have a much longer tradition of emigration that predates the current trend. In all these countries, there exist Assyrian and/or Chaldean associations and churches established before the 1990's (for the UK, and the only study devoted to the non-Kurdish Iraqi diaspora, see Al-Rasheed 1998). There is no need to expatiate on the pull factor constituted by the presence of personal or other social networks, a dynamic that has been extensively explored in various studies on international migration (in particular, see Portes 1995; Van Hear 1998; Vertovec and Cohen 1999; Faist 2000).

“People die like flies nowadays”. This is how the immigration officer in the embassy of a Nordic in Amman jokingly put it to explain how Iraqis were abusing humanitarian visas his country grants to foreigners who want to attend the funeral of a relative there. Iraqis, of course, never return and more and more come to the embassy and produce genuine death certificates established by the relevant authorities. They also have the proper documentation to prove their family connection with the

deceased. Documents are not necessarily fake as the number of Iraqis in Nordic countries today is large enough to explain that more and more pass away there. But it illustrates that Iraqis are ready to exploit every legal means to migrate and every loophole in the legislation they are aware of, and that social networks are essential means in this regard. These loopholes are numerous and it is not my aim here to list all those Iraqis take advantage of. They are very much the “holes in the wall” D. Bigo (1996) and other analysts of European security policies point at as being left voluntarily by the authorities for a variety of economic reasons linked to the increased need of cheap labour.

But the types of legal holes left put some Iraqis at more advantage than others. Australia and Canada have sponsorship schemes for refugees or immigrants. In the case of the latter country, relatives settled in Canada or groups of a maximum five legal entities can submit a sponsorship to the authorities where they have to prove that they can meet the financial needs of the sponsored for the ten years to come. Cases rejected by UNHCR can also reach the Canadian Immigration Board by sponsored files. These cases are dealt with at the embassy in Amman without consulting UNHCR. Comparable schemes are also available for emigration to Australia. Those benefit Iraqi Christians more than their Moslem co-nationals, for the simple reason that Churches have both the financial and legal credentials to act as sponsors, that they are alerted by Church communities in Jordan, or by the Iraqi Christian community in exile whose size is larger than that of the Moslems, and who have had time to organise since their history of emigration to both countries is longer. Once again, it is the Shiites who are at a disadvantage, and also those who are left with no other option than to resort to smugglers in order to leave Jordan.

III.3. The smuggling process and social networks

The techniques and organisations Iraqi migrants resort to in order to reach the West despite the various visa requirements and police constraints are primarily determined by the very same constraints. As R. Koslowsky expresses it:

“Just as states cooperate to control unwanted migration (...), unwanted migrants can cooperate as well to form social networks that facilitate international migration. Just as states deputize private sector actors, such as airlines, to enforce tougher migration controls and thereby change ‘the gatekeeper’ that confront the prospective migrant, migrants are employing non-state actors, smugglers, to foil restrictions imposed by states, and thereby transform the ‘gatecrashers’ from hapless peasants who may have

never travelled abroad to teams of border crossers led by professionals, often using the latest technologies money can buy". (Koslowsky 2000: 205)

Albeit Iraqi forced migrants are in no way "hapless peasants", paying for the services of smugglers or forgers is at the core of their migration strategies. But in Jordan, as in other transit countries in the Middle East, it is impossible to obtain official data on the volume of migrants smuggled out of the country. One exception is Turkey that has allowed IOM to conduct a survey on transit migration on its territory showing that the overwhelming majority were Iraqi Kurds and that very few non-Kurdish Iraqis were transiting that country (IOM 1995). On the other hand, the rare studies devoted to refugees in Iran show that the Iraqi Arabs among them have received the best treatment of all refugees and are therefore less likely to undertake further emigration to the West (Rajae 2000; Le Roy 2001; various UNHCR documents). Knowing that few opportunities exist for legal migration, all these elements allow for assessing that Jordan is the main smuggling route for Iraqi Arabs out of the Middle East.

Most of the Iraqi migrants I have talked to who had resorted to smuggling rings stated that they would have rather moved onward legally than breaking immigration laws and taking risks¹⁴. They said that they only resorted to irregular migration in the absence of legal avenues, and that they could not grasp the motive behind the coupling of stringent border controls with liberal asylum laws. The fact that asylum seekers cannot use legal means to be admitted in countries that offer them proper protection questions the very notion of "smuggling" and the very concept of "illegal" migration. Iraqi migrants themselves, if they do use the Arabic word for "smuggling" (*tahrib*), sometimes simply refer to smugglers as "middlemen", if not as "saviours". J. Morrison, in a report on trafficking and asylum seekers in the UK, argues that: "There is no straight divide between humanitarian and commercial trafficking (...). In some cases the 'agent' (...) is both a criminal and a saver of lives" (Morrison 1998: 1). For social scientists, smuggling implies a re-conceptualisation of international migration, which is traditionally regarded as a relationship between migrants and a host government aiming at controlling access to its territory. Moreover, smuggling blurs the distinction between legal and illegal migrants as smugglers may deliberately help facilitate legal forms of migration at one stage or another of the migration process. For example, in international refugee law it is not considered criminal for asylum

seekers to enter a country by illegal means. Smugglers, on the other hand, manage to obtain proper visas on proper passports but with fake work certificates and invitation letters. At different stages, migrants thus drift in and out of legal status.

As for Iraqis, their recruitment does not take place in Iraq but in Jordan. The country is a nodal location because it concentrates the various prerequisites for smuggling to develop and function that are not available in Iraq: foreign embassies (Western and non-Western), Jordanian nationals or nationals of other countries whose passports can be bought or stolen, the necessary technology to forge documents, Internet and untapped telephone lines, a liberal banking system which allows international transfer of money, an international airport with numerous flights in all directions, or, alternatively, open borders to Syria and then Turkey. Therefore, in Jordan, Iraqi prospective migrants to the West can get real or forged travel documents, they can access transportation to leave the country, obtain information on where best to leave to by calling their relatives who are already in the West or by getting information on asylum procedures via the Internet. Finally those who pay for their smuggling can have money transferred to them in Jordan. All these are things cannot be done from Iraq with which very few Western countries maintain diplomatic ties, under embargo and with no airport facilities, with state-controlled banks and a heavy security apparatus.

It seems that, as has been documented in the case of Poland (Salt and Howarth 2000: 48), it is the demand for out migration from Jordan that has created business opportunities exploited by Jordanian individuals or organisations that have used existing structures or created new ones. From a number of cases I looked at, it appears that several of the smuggling/trafficking organisations are the heirs of Jordanian middlemen already performing cross-border activities, though usually in the direction of South East Asia. Some of the agencies that bring foreign domestic workers to Jordan and have a wide knowledge of administrative requirements and travel documentation perform migrant smuggling as a supplementary area of business without specialising in it. Some bogus travel agencies have been set up in the popular down town area of Amman, where they openly advertise for travel visas or advice on how to emigrate to the West on their shop windows. Migrants are not deceived and know that these firms perform illegal activities even though they have a legal front.

Therefore, it is not so much the smugglers that need to approach the migrants, as the migrants who have learnt from others where to go and call on the smugglers, whose main function is to provide proper documentation or help to cross over to Syria to connect to the Turkish route. Trust is a very important element of the trade that involves paying a good part of the services in advance. As fees for transportation or documents are substantial and appear to be rising, migrants prefer to rely on those networks that have successfully permitted their relatives or friends to reach the West and can be seen as honest.

Route patterns from Jordan to Europe are closely determined by Jordan's geographical situation and by the cost-benefit of the enterprise. A direct route by sea from Aqaba and the Suez canal is impossible: Jordan does not have enough coastline to secretly board migrants and ships are controlled in Suez. The main known route from the Middle East into Europe goes through Turkey, which acts as a hub where migrants from mainly Iraqi Kurdistan, Iran and Afghanistan meet, and then continue either by sea to Italy or by land to Greece and the Balkans. Because from Jordan it involves crossing several borders illegally or obtaining a equivalent number of fake documents and visas, and paying at each stage, the cost is high, and estimates vary between 4,000 US\$ and 6,000 US\$ with risks at each and every step and months to reach the final destination. A new route is now developing through Lebanon or Syria where Iraqis boards ships but all these routes are considered extremely risky.

From Jordan to Western Europe, the most direct and safest route is by aeroplane. This implies a different set of conditions, a higher cost but more security: besides buying a plane ticket and often paying fees for overstay, one needs proper travel documents, i.e. a valid passport and a visa or a falsified foreign passport. They can be obtained in Amman where a trade of passports and forgery has developed. Stolen passports, with substitution of photographs, can replace a genuine Iraqi passport, especially if it comes from a third Arab country or from a Southern European state like Greece or Portugal for reasons of verisimilitude. Visas may be fraudulent, but more frequently they are genuine and obtained after providing fake employment certificates in Jordan, letters of invitation in Europe by ghosts companies, and genuine bank statements¹⁵, all documents that are secured through the local agents of the smuggling network in a

“travel agency”. Finally passports may be collected on arrival by a member of the smuggling ring and sent back to Jordan for alteration and reuse¹⁶.

Whereas some of the networks that operate in Jordan with transnational ramifications do not seem to have connections with organised crime, and some Iraqis are involved at the highest level for humanitarian reasons, others are clearly connected to prostitution as a number of interviews I was able to conduct with Iraqi women in Amman demonstrate. Bogus travel agencies offer Iraqi women who come to inquire about the costs of the trip to “employ” them as prostitutes until they have earned an amount of money considered sufficient to pay for their (and often family members’) smuggling out of Jordan. A number of work hours is determined in advance, the money earned is held in trust by the pimp who releases the women and provides them with travel documents only after they have found other women to replace them. There is no need for physical intimidation or isolation strategies as Iraqi women are already isolated, have no way to escape to, and cannot turn to the authorities. Besides they enter into these bonds “voluntarily” in the absence of other survival means. From the literature on women trafficking, there is no other evidence of this debt-bondage being exerted in the transit country and not in the destination country. Generally, traffickers are said to exploit the migrant *after* being transported across the border, and in the case of prostitution, it is single young women who are involved (Salt and Howarth 2000: 62; Skeldon 2000: 7). In Jordan, on the other hand, it is mainly women with children or ageing parents, and who are single heads of households.

The fact is that very few of those who recourse to smugglers have the money to pay for the several thousands dollars involved. They have to borrow from friends and relatives who are already abroad and rarely from one single source. Families can rarely support the cost for all their members at once, and a strategic choice has to be made of whom to send first. Frequently, male heads of households travel ahead of the family not only for reconnaissance purposes but also because they leave their spouses and children as guarantees to the smugglers in Jordan until they are able to repay the entire cost of their own trip. But some families chose to send first the wife or a teenage child as they are the most likely to obtain fast recognition of their claim for asylum in the West and can then ask to be reunited with family members left in Jordan.

Because of the costs of irregular migration, Jordan is also a nexus of smuggling rings and social networks. All types of social networks support the move of asylum seekers into the West: kinship networks, political parties, co-ethnics, co-religionists, etc. In the illegal migration process “sending” and “receiving” networks (Tilly 1990) intersect, together with religious and smuggling networks who both have a transnational scope. I have explored more particularly those of the Shiite community, which might provide an example of how other transnational religious organisations support the move of migrants. The Shiite *majlis* I have mentioned above are places where information is exchanged on the best way to migrate to the West: how to buy a foreign passport or get a Western visa, how much it costs, how to contact smugglers or forgers, which are the best countries to migrate to in terms of entry requirements and asylum procedures, what are the easiest routes, etc. Members who have relatives already in the West keep contacts with them by phone or the Internet and pass on details to those attending the meetings. Young clergymen play a pivotal role in mobilising financial resources for the members of the community who wish to migrate. Financial networks have vast ramifications. Money might be collected through campaigns in Iran among Shiite co-religionists and relatives who have looked for asylum there. The two main Iraqi Shiite political parties in exile are based in Teheran, and so are several private foundations that channel the funds to Great Britain, which has become, in the 1990’s, a major centre of learning and cultural activity for the Shiites¹⁷. Funds are then either re-channel to Jordan or directly transferred to members of the smuggling ring in the West. Clergymen have a priority in benefiting from financial help to migrate, especially if they have no chance of obtain refugee status through UNHCR. But like the women forced into prostitution, their departure is made conditional on the arrival of colleagues from Iraq to replace them in order for the *majlis* no to disintegrate. After being recipients of financial aid, members who have migrated to the West may remain in the networks by operating at a different level, that of information gathering and collection of funds.

The role of social and smuggling networks is thus essential in facilitating and sustaining migrations to the West. It is through these networks that migrants gather information, money and by-pass strict entry requirements. But the two types of networks also overlap either because relatives or co-ethnics are the smugglers, or

because one or several elements (money, documents) in the overall process are better obtained through a network other than the one which organises the smuggling.

Jordan is a first step that prepares migrants for their future situation in industrialised countries. It is both an antechamber and a training site. In Jordan, migrants will gain access to information about the settings in potential reception countries and they will make a choice, elaborate a strategy. They will also get used to the problems they will face in the West, though less acutely: free movement and integration in the work market, quest for asylum and illegality.

CONCLUSION

Changing focus to observe how and why asylum migrants merely transit in states neighbouring their home countries instead of using them as long term havens challenges the accepted views that migrants who move irregularly to industrialised states had the initial intention to do so, and that mobilisation and recruitment necessarily take place in the country of origin.

The case of the Iraqis forced migrants transiting Jordan illustrates that, for a variety of cultural and practical reasons, a majority of asylum migrants who eventually reach the West irregularly would rather stay in host countries close to their state of origin. It also shows that intercontinental trends of asylum migration cannot be fully understood without looking at a set of interrelated issues in the first countries of reception: their cultural proximity or distance with the country of origin of the migrants, geo-strategic concerns, domestic policies, administrative/legal deficiencies in the treatment of these migrants, discriminatory practices by the authorities or other social agents. These are all factors that can lead to the migrants' poor socio-economic and security conditions, and prompt them to continue emigration towards Western industrialised states where they expect better protection and opportunities.

Furthermore, ethnic and religious affiliations remain primary factors explaining both the discrimination and the survival strategies of asylum migrants in regional host countries in the middle eastern context, and further migration dynamics are strongly dependant on the functioning of transnational networks based on these very

affiliations that are not criminal by nature, even if smuggling is involved. The patterns of transit migration across Jordan confirm that “(...) international migrants travel along familiar avenues, circumscribed by strong linkages within or evolving within migration systems and by the example set by earlier movers and the support structures established by them” (Faist 2000: 76). Social capital is Iraqi migrants’ main asset, and among the various components of this capital, kinship and religious ties appear to be those mobilised in priority because they have already gained a transnational dimension. Interestingly enough, these are not activated so much from Iraq as from Jordan, a fact that supports the idea that transnational social mechanisms need such vectors as globalised information, financial and transportation systems.

Once the mechanism is set in motion, it results in the type of chain migration described by T. Faist: “The more immigrants of a given place stay in the destination region, the more want to come” (Ibid: 152-153). But this dynamic has to be supported by a readiness to migrate which, in the case of Iraqi forced migrants, is created not only by the socio-political conditions at home, but also by the type of reception they receive in neighbouring states in their region of origin.

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¹ There is often confusion between the concepts of human trafficking and smuggling. The UN anti-smuggling Protocol (2000) states that in trafficking, elements of coercion and exploitation, and often syndicates of organised crime are involved. A smuggled migrant, on the other hand, is an individual who requests assistance to cross into another state where s/he has no right of residence and the smuggler's involvement goes no further than the crossing of the border (including the provision of documentation). J. Salt and J. Hogarth, who have reviewed the various existing definitions, cite Belgium as having adopted one of the largest definitions of trafficking in its "Alien Law" of 1980 which does not necessarily involve cross-border movement though it is often linked to issues of irregular migration (2000: 20-23). "Trafficking in persons" includes networks active in female prostitution (not necessarily cross-border), networks smuggling asylum seekers into Belgium, and those who exploit legal/illegal foreign employees. On the other hand, all smuggling networks do not have trafficking activities. J. Salt and J. Hogarth (1998: 22) list another definition proposed by Meese et al. (1999) according to which smuggling is a migration issue and has implications for the protection of the state, while smugglers can work for profit as well as for humanitarian reasons. On the other hand, trafficking in persons is a human rights issue, has implications for the individual as a victim, and traffickers work purely for financial gain. Either process is a violation of migrant legislation in at least one of the countries involved (origin, transit or destination).

² Unless otherwise indicated, all figures in this paper are taken from UNHCR statistics (www.unhcr.ch).

³ Another paper by this author (Chatelard 2002) deals with the issue of Iraqi refugees in Jordan from a policy perspective. For both papers, I am grateful to the representative and staff of UNHCR in Amman who have provided me with invaluable information, insight and access to some of the Iraqi asylum seekers. I also thank all the Iraqi respondents inside and outside UNHCR, the heads of various foreign NGOs in Amman who have answered my questions, the immigration officers in some Western Embassies that have shared information and comments with me, and the two anonymous reviewers who commented on a draft of this paper. Fieldwork for this research, undertaken in 2000-2001, was made possible by a series of grants from the Centre d'études et de recherches sur le Moyen-Orient contemporain (CERMOC), based in Amman. Writing was undertaken as a Jean Monnet Fellow at the Robert Schuman Centre, European University Institute, Florence.

⁴ Questions about the push factors that motivated the respondents' departure from Iraq were not asked as they were not relevant to the study and as I was careful not to be confused with a member of UNHCR interviewing them to assess their claim to refugee status. I made a point in clearly presenting myself as an independent researcher. The sample was random and people were interviewed on a voluntary basis as they were coming to UNHCR to renew documents and not on the day when they were scheduled for an interview with UNHCR staff.

⁵ The Sabaeans, or Mandaeans, are a sect dating back to the first centuries of Christianity and are followers of John the Baptist. As Jews and Christians, they are recognised by Moslem tradition as "Peoples of the Book". The community is concentrated in Iraq and has no more than 20,000 members.

⁶ Sunnis are more numerous amongst those Iraqis who do not seek asylum in Jordan and move back and forth between the two countries, such as suitcase traders, taxi drivers, illegal workers in agriculture or construction, and wealthy businessmen that have managed to secure a permanent residence permit in Jordan.

⁷ 1 JD = 1,42 Euro or US \$ 1,41.

⁸ The statements made in an IOM paper about the mechanisms of distorted information between migrants and those left at home do not seem to be applicable in the case under study: "(...) it is known

that information received from family or friends is considered to be the most trustworthy. Ironically, however, information from this source has a tendency to be distorted – often including exaggerations or falsehoods about the informant’s success (...). This often leads to a self-perpetuating network of informants who are reluctant to admit that they have not been successful in their migration attempts (...).” (IOM 1994: 18). In the case of Iraq, it is rather the nature of the communication system(s) that accounts for the distortion.

⁹ A Sri Lankan house-maid gets 1,5 JD an hour, an Iraqi woman performing the same job gets only 1JD. Likewise, hour rates are lower for Iraqi male labourers than for Egyptians.

¹⁰ To a certain extent, one wonders if several well founded cases have not been rejected because of the prevailing atmosphere of suspicion against asylum seekers at UNHCR. In fact, the recognition rate of Iraqis in Lebanon, who do not seem to have a profile that differs markedly from those in Jordan, is much higher: in 1998, while UNHCR Jordan recognised 13% of the cases, UNHCR Lebanon recognised 50%. But Iraqis are much less numerous in Lebanon than they are in Jordan and/or Syria.

¹¹ It is interesting to see where Jordan stands in the geography of Iraqi asylum. In 1998, it was the second country which had received the largest number of applications by Iraqis (7,872), preceded by the Netherlands (8,300), and followed by Germany (7,435) while none of these two countries had a comparable population of Iraqis on their national territories.

¹² In all likelihood, this is not without reasons. The web site of Servlife International, based in Houston, calls for a \$30 donation to provide “an emergency relief packet with a Bible to Iraqi refugees in Jordan”. Another one, CompassionRadio.com, asks for \$2 to “help support a ministry providing Christian Day-Care (sic) for the [Iraqi] refugee children [in Jordan], where they will be taught the truth about Jesus and His love”. A couple of Shiite web sites based in the UK denounce these threats arguing that they aim at Moslem children.

¹³ An interesting aspect of these *majlis* is that they are attended by men who were not necessarily religious when in Iraq. Many were even close to the Communist Party. Once in Jordan, in the absence of any other network of support, they are dragged into the *majlis* where they need first to gain religious respectability before applying for financial support.

¹⁴ For obvious methodological reasons, it is difficult to assess very clearly how the smuggling process works, who are the smugglers and/or traffickers, and how they are organised within Jordan and at the transnational level. Smuggled/trafficked individuals are often not aware of the overall functioning of the organisation and can only contribute partial knowledge. Besides, they are reluctant to give details before undertaking their journey. It is therefore easier to collect information at the other end of the route when the migrants feel they have escaped the grip of the smugglers/traffickers or of the border police and can reveal information without risk. The best was to contact migrants in Jordan and wait until they had completed their migration process to Western Europe or Australia to interview them face to face or over the Internet.

¹⁵ To deliver a visa, most Western consulates ask for bank statements over several months. Therefore, migrants pay the agents who open an account in their names in a Jordanian bank and have it run for at least 3 to 4 months. The process is therefore rather long to obtain all the needed documents before the visa application can be launched.

¹⁶ Migrants have to follow routes set up by smugglers but their final destination country is not necessarily that of first arrival. For example, there is a route to Germany by plane, but once there the Iraqi migrant manages on her/his own or with family members who come to meet her/him at the airport to reach Denmark, Sweden or the Netherlands where asylum conditions are seen as more favourable or where s/he has relatives or friends. In case the migrant aims at North America, he mainly uses Jordan to buy a passport. The most expensive ones are in decreasing order those of Saudi Arabia, Greece and Cyprus that all permit to travel to Canada without prior visa application. Alternatively, the migrant does not need to resort to facilitators or smugglers within Jordan but later on as s/he can travel to a couple of Central American countries that have lax entry requirements and then reach the two main routes to the United States either across Mexico or by boat through the Caribbean. Finally, those who prefer to go to Australia can board a plane from Amman to Malaysia or Indonesia. Both are Moslem countries and do not require visas from most nationals of Arab countries (this has changed after the 11th September, Australia having successfully called on Indonesia to require visas for national from Iraq and Afghanistan). From there, migrants are smuggled by boat to Java and Australia. Those who have failed can always turn to UNHCR’s regional office in Bangkok to seek asylum or contact the smuggling rings there that have specialised in providing high quality documents to Chinese, often stolen from one of the 7 million tourists the country receives every year (Skeldon 2000: 24).

¹⁷ In particular, this is the case of the Khû'i foundation, a welfare established in 1988 in Najaf (Iraq) by Ayatollah Khû'i, with branches in Iran. It transferred its headquarters to London in 1991 and has an important network of schools and charities all over the world, including a special welfare programme for refugees. Moreover, it is now well established in Indonesia where it provides support to stranded Shiites (Iraqis, Afghans and Iranians) who have not managed to reach Australia.