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Iraqi Asylum Migrants in Jordan: Conditions, Religious Networks and the Smuggling Process

Géraldine Chatelard

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The cumulative effect of ten years of European Union (EU) policies on migration has been 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 effects, the result of allowing the development of networks of human smugglers (Koser, 1997; McDowell, 1997; Salt and Stein, 1997; Ghosh, 1998; Messe *et al.*, 1998; Morrison, 1998; Van Hear, 1998; Koslowski, 2000; Peter, 2000; Salt and Hogarth, 2000; Snyder, 2000). Migration control policies have affected asylum seekers in much the same way as other groups of migrants, forcing them to resort to illegal migration to reach Western Europe, and therefore criminalizing them in blatant contradiction of 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 organizations who view migrant smuggling and trafficking as undermining international collaborative efforts to produce ordered migration flows.¹ In the 1990s, the International Organization for Migration (IOM) conducted a vast policyorientated 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). Salt and Stein (1997) even devised a model for analysing smuggling as a business, dividing it into three stages: the mobilization and recruitment of migrants in their countries of origin; their movement through the transit stages; and their integration into labour markets and society 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 industrialized states, leaving the first stages of migration and smuggling in the shadows. Second, even the very few studies that document smuggling in a single transit country in the South take for granted that migrants from developing countries aim systematically from the beginning of their migration at reaching the West. Third, like the policies that allow smuggling rings to thrive and that criminalize migrants whatever their profile, these studies do not differentiate clearly 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, 1997; Morrison, 1998; Koslowski, 2000). Again, very little is revealed of the transit and smuggling processes of asylum seekers in their

regions of origin or at other stages along the route.

Moreover, recent trends of studies on international migration emphasize their transnational character and point to the role played by social and economic networks in prompting, facilitating, sustaining and directing the movement of migrants, especially to industrialized countries, and their mobility between various regions of the world (Portes, 1995; Van Hear, 1998; Vertovec 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 industrialized countries unless they have been able to activate broad, transnational networks composed of individuals of different migrant categories, and in particular to pay for the services of smugglers (Koser, 1997; McDowell, 1997; Muus, 1997; Crisp and Van Hear, 1998; Koser and Lutz, 1998; Morrison, 1998; Doraï, 2002). Several of these studies emphasize 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 but it is an essential process providing a link to, and not a disruption of, migrants' trajectories and the architecture and dynamics of the various networks that sustain their movement.

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 motivation of asylum migrants. What are the initial intentions of forced migrants when they leave their countries of origin? Why do a number of them prefer to seek asylum in an industrialized country rather than in a state closer to home? What about the treatment they receive in regional host countries, their socioeconomic 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 industrialized 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 that of voluntary migrants? In particular, can these networks operate between Western host countries and the country of origin (often 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 interrelations of the various networks that sustain the movement of asylum migrants?

This chapter looks 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, which started with the 1991 Gulf War, had an impact on the migrants' decision merely to transit Jordan, their first host country, rather than to stay 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, unlike Iraq, has a concentration of the prerequisites necessary for smuggling rings to operate.

Combining sociological and anthropological approaches, this chapter 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 – in this case, religious – networks to allow for further emigration to Western industrialized 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 industrialized countries.

Background: Iraqi forced migrants

In 2003, 3–4 million Iraqis were reported to be living abroad, of whom over 500,000 were recognized (conventional or other) refugees.² In 2001, Iraqis were the third major refugee caseload in the world.

The majority of Iraqis currently living abroad as refugees or asylum seekers fled their country during the 1991 Gulf War or in the following decade.

Most left Iraq in 1991–2, not so much as a direct consequence of the United States-led bombing of the country but rather because of two episodes of failed revolt 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. Continued repression led to outmigration of members of both groups at a slow but steady pace until the fall of the dictator. Later in the 1990s, 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 were 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 contributed to the deterioration of the domestic economic situation. Additionally, continuous violations of human rights affected all kinds of opponents to the Ba'athist regime (USCR, 1991; LCHR, 1992; UNHCR, 1996; Amnesty International, 1997). Often, emigration was motivated by a mixture of economic and political factors, particularly for social groups such as the Shiites or the Kurds, who were collectively denied access to public resources. The outcome is that many people had 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 to move first by road to a neighbouring country, since the embargo prevented them from travelling directly to a more distant location by sea or air. Accessibility of neighbouring countries has been 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 en route to further emigration. Over 300,000 Iraqis have requested asylum in a Western country since 1991. In most cases, they have reached their countries of final destination through irregular channels after transiting Turkey, Syria or Jordan.

Jordan's policy responses

In the wake of the 1991 Gulf War, Jordan, bordering Iraq on the west, received an influx of a million refugees of different nationalities fleeing Kuwait and Iraq. Among those, about 360,000 were Jordanian involuntary 'returnees'; that is, citizens of the Hashemite Kingdom, most of them of Palestinian origin, who had settled in the Gulf, in some cases decades before. Understandably, Jordan gave priority to the reception and integration of the 300,000 of these who decided to remain in the country (Van Hear, 1995).

Later in 1991, a wave of thousands of Shiite Iraqis went to Jordan after the uprising against Saddam Hussein by members of their sect was forcibly repressed. Since then, Iraqi migrants, voluntary or involuntary, have been arriving in Jordan in smaller, but steady numbers, entering the kingdom through the one open border point, fleeing both the regime and the embargo. A majority of these have not remained in Jordan, but have used the country as a gateway to other Arab or Western countries. In 1996, a UNHCR Background Paper on Iraqi Refugees and Asylum Seekers reported that, by some estimates, 1–2 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 no more precise (Amnesty International, 1997; USCR, 1991–2001; USDS, 1991–2001). Official figures are non-existent, and declarations by officials published in the Jordanian media are inconsistent, varying from 50,000 to 180,000. NGO sources may go up as high as 300,000. It is hard to make more than 'guesstimates' of the scale of Iraqi immigration in Jordan, not only because the authorities choose to be silent on the issue, but also because of the nature of the transit migration. The group is unstable, people's stays are transitory and new individuals arrive as others leave.

Jordan has adopted what can be deemed a 'semi-protectionist' policy towards Iraqi forced migrants; that is, letting them into the country but depriving them of any status, of protection and of any means of livelihood (Chatelard, 2002). The border with Iraq has always remained open, and until the situation was dramatically altered following the American-led invasion of Iraq in 2003, Iraqis could enter Jordan on a temporary visa and stay legally for up to six months. After that period, they became illegal aliens and were at risk of being returned 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, the 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 of Iraqi asylum seekers is much lower than that of several industrialized countries and does not exceed 30 per cent, while recognized 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 have a historical basis, in particular in relation to the Arab–Israeli conflict that has left Jordan to deal with 1.6 million Palestinian refugees (in 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. Jordan is also under severe economic strain, as 30 per cent of its labour force is unemployed. The authorities therefore argue the country's 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 publicized by adopting proactive measures (Chatelard, 2002).

Within the broader structural context of their official treatment, turning to the livelihood strategies of Iraqi forced migrants in Jordan allows us 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, as a last recourse, they resort to social networks based on religious affiliations that first provide material and moral support, and are used eventually as channels to undertake further emigration linked to smuggling rings.

Methodology

At the time the fieldwork was carried out, Iraqi migrants across Jordan were in many ways 'invisible', neglected in the grey literature produced by international organizations, human rights groups and Jordanian public bodies or civil society organizations (NGOs, research centres and so on). They were the object of no specific study and usually mentioned only in passing. Moreover, Jordanian officials were not available to discuss the issue, and the Jordanian press was of limited use. Consequently, I had to adopt a multiple methodology to gather sociological data and background information. Between 1999 and 2001, in order to assess the socioeconomic conditions of Iraqis in Jordan and their livelihood strategies, I undertook in-depth fieldwork based mainly on participant observation. I conducted about forty informal interviews with Iraqi forced migrants in Amman, mainly in their homes, and maintained regular, friendly relations with a number of families and individuals. I made regular visits to gathering places such as coffee shops and the so-called Iraqi market in Amman. I also attended religious meetings at churches and once accompanied a group of Shiites celebrating 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 migrated successfully 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. During the summer of 2001, I visited some of them in the Netherlands and Denmark, where I was able to meet more

Iraqis. I spoke to them about their migration and the way they were supporting the emigration of others still at that time in Jordan.

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

Finally, at different stages over three years, I conducted several in-depth interviews with the representative and staff at UNHCR in Amman, had several meetings with members of a number of foreign and local relief and human rights NGOs operating in Jordan, and interviewed immigration officers in a number of Western embassies in Amman.³

Profile, conditions, livelihood strategies

To assess the migrants' socioeconomic profile, legal status and livelihood strategies in Jordan, I mainly, but not exclusively, made use of the survey conducted with asylum seekers at UNHCR in Amman. The aim of the survey was also to identify the pull factors that had made them choose Jordan as a first host country, the reasons why they did not want to stay, and their intentions for further emigration should their claim for asylum be rejected.⁴

Socioeconomic profile

Among respondents to the survey, 56.3 per cent were men, and 43.7 per cent women; 64.6 per cent of all respondents were between 25 and 39 years old, and 23.7 per cent 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 the UNHCR more frequently to provide some kind of status and protection.

A typical profile of an Iraqi forced migrant (who may not ask for asylum at the UNHCR) is a male between 25 and 45 years old who, if married, has left his family behind in Iraq until he finds an opportunity that will allow them move to Jordan. This will occur either if he gains recognition of his refugee status at the UNHCR, or if he migrates to another country and sends money for his family to move, first to Amman, if his stay in Jordan lasts 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 1990s 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 per cent); followed by

Christians (13.1 per cent); Sunnis (11.7 per cent); and Sabeans (8.4 per cent) (see the Appendix).⁵ If Shiites represent roughly 55 per cent of the population of Iraq, Sunnis account for another 35 per cent, with the rest being mainly Assyro-Chaldean Christians while Sabeans represent less than 0.5 per cent. 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 discrimination.⁶ Of the respondents, 90.4 per cent defined themselves as ethnically Arabs. The rest answered that they were Assyrian, Kurd (on two occasions) and Turkmen (on one occasion). With regard to the Kurds, who represent 15 per cent of all Iraqi nationals, the fact that only few of them moved to Jordan is confirmed by further discussion and observation outside the strict limits of the survey. This is for geographical and sociopolitical factors: the proximity of Turkey or Iran to the north and north-east of Iraq, where most of the Kurds live, 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 the UNHCR to seek asylum are individuals with a secondary or university education (>90 per cent), who have held positions as civil servants (including doctors and engineers), teachers, traders or shopkeepers in Iraq (73.5 per cent). Women have an equally high rate of secondary and university education and roughly two-thirds were once employed in Iraq. Apart from those Shiites who come from the marshlands in the South (7.5 per cent of the total), or for village Assyrians from the North (4 per cent of the total), they have an urban background. Most migrants considered themselves to have once been reasonably well-off in Iraq, but had experienced a dramatic drop in income following the devaluation of the Iraqi dinar, or because they were dismissed from their employment in the public sector. They usually came to Jordan with savings, either after selling their belongings or property in Iraq, or with money lent by relatives. This leads to two comments. First, the lower middle class or severely impoverished Iraqis do not have the financial means to undertake long-term emigration. If they do move 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 that forced migrants take with them, and the large proportion who have sold all their property, are signals that they are not planning to go back to Iraq in the near future, or even at all. This was the case with 67.8 per cent of the Christians and Sabeans, and a third of the Shiite respondents, who said that they had sold everything they had.

Socioeconomic situation in Jordan

As regards their socioeconomic situation in Jordan, only 7.2 per cent of the male respondents said they did not work at all. But of those working, only 2.3 per cent had a work permit, and 71.6 per cent said that they worked on and off as street vendors, cleaners, painters and at other petty jobs. The others, roughly 20 per cent, who had a steady job were cleaners, gardeners or office boys. Of the women, 74.5 per cent were totally unemployed, and those working were domestic workers or employed as seamstresses working from home. Only two had an illegal but steady clerical job.

The average monthly income respondents declared they were earning was 40 Jordanian dinars (JD)7 for a single person and 70 JD for a household, irregular in 84.5 per cent of the cases. Those who had the highest standard of living benefited from the financial support of relatives abroad, and/or had only arrived recently in Jordan and were still living on their savings. In Jordan, the poverty line is estimated to be less than 100 JD a month for a household, and all the people interviewed, including those 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, irregular and not well paid, and as the cost of living in Jordan is up to ten 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 on the margin of the Jordanian society, engaging in menial jobs in the informal sector, and facing an extremely precarious economic situation.

The migrants' situation is further aggravated by their housing conditions. Iraqi migrants congregate in the cities where they can live in a familiar environment, and hope to pass unnoticed, and to maximize their social and economic opportunities. While 87.4 per cent of the respondents lived in Amman itself, the remainder lived in urban areas within a radius of 40 km of the capital. Typically, they lived in unsanitary and overcrowded dwellings 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 per cent who had school-age children were sending them to school, and they were all Christians benefiting from aid from a Catholic relief society. The others said they thought schools were not open to Iraqi children, or that they had tried to place their children in school but had been told to produce documents they had not brought with them from Iraq.

Finally, 41.3 per cent declared that they currently had, or had had, health problems while in Jordan, but only 9.8 per cent had consulted a doctor. In 67.3 per cent of the cases, at least one of the respondents' children currently had medical problems too, and 40.1 per cent of these had been taken to see a doctor. All those interviewed said that they gave priority to their children's health over their own. Of those who had reason to consult a doctor but had not been to a medical facility, 93.7 per cent said that it was too expensive.

Reasons for choosing Jordan

Open borders and anticipated 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. The possibility of approaching the 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 State, and not a foreign country; the presence of relatives who had already moved there; or the fact that it was the less risky choice. This calls

for a number of comments.

First, most people do not have the initial intention of crossing borders illegally, an important point to consider for future developments. Among the Shiites interviewed, the 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. It was a similar situation with the Assyro-Chaldeans, who could have attempted to cross irregularly into Syria, where a number of their co-religionists and family members were granted asylum under a UNHCR mandate at the beginning of the 1990s.

Second, as shown by other questions that were asked, 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 socioeconomic conditions of Iraqi migrants. Compared to Iraq in the 1990s, Jordan looked to them like a wealthy country with a thriving job 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 go back and forth – for example, 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 kept to a minimum. Letters sent with taxi drivers cannot tell much either, for fear that the Iraqi authorities might 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 is still the dominant image in Iraq today.

Third, only a third of the respondents had come to Jordan with the idea of transit in mind. These migrants were mainly the ones who already had family members abroad and/or who no longer had any family members in Iraq. They had either come to seek family reunification through the UNHCR, or had initially expected to obtain an immigration visa easily in a foreign embassy based on being Iraqis who were fleeing the regime of Saddam Hussein. The situation is that, between 1991 and 1994, Western consulates offered 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 as a group had a long history 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, two-thirds of the respondents came to Jordan with the view of staying long-term, at least until the political situation at home improved enough to enable them to return. This fact is confirmed by numerous other people 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 be reunited 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 the UNHCR as asylum seekers, only 17 per cent of them mentioned choosing Jordan because of the possibility of asking for asylum, and among those only a few had heard of the UNHCR's office in Amman before they left Iraq. The overwhelming majority learnt about the organization 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 the UNHCR, an issue to which I shall return later.

Legal documentation

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

Illegal aliens cannot gain access to the official job market, nor most state-subsidized services such as health and education. While employers usually underpay their Iraqi labourers,⁹ unscrupulous ones do not pay them at all, and Iraqis have no legal recourse. Also, as landlords have to register their foreign tenants with the police, proper housing is another a problem. Thus most Iraqis are confined to informal areas. Nevertheless, their rent is on average 1.5 times higher than that of their Jordanian/Palestinian neighbours, and there are no rental agreements, so tenants may be expelled at any time. Finally, a number of migrants cannot obtain documents from their embassy for fear of Iraqi intelligence. When their passports expire, they cannot renew them, and they cannot obtain birth, marriage or death certificates. Some use middlemen to obtain these papers, but such services entail a cost that not all Iraqis can afford. As even Sunni religious courts do not want to register the marriages of Shiites, or their newborn children, or even to deliver a death certificate in a country where religious communities are in charge of personal and family status, many migrants find themselves deprived of any legal existence after a few months in Jordan.

But perhaps 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 overstay and detain's in Jordan even those who at some point could decide to go back to Iraq. There is a possibility of being excused the penalty on exit, but in this case individuals would not be allowed to return to Jordan in the future, so they would be trapped inside Iraq or have to find another exit route – two very bleak prospects for most of those who have left their country with no desire to return under the current circumstances.

UNHCR and asylum

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

In fact, a surprisingly small proportion of Iraqi forced migrants chose the UNHCR as an option. Between 1991 and 2000, only about 30,000 migrants had sought asylum through the UN agency.¹¹ There are a number of reasons that might account for this low figure. Some relate to a lack of knowledge of how the UNHCR's office functions. As most of the Iraqis are illegal aliens, they keep a very low profile and go into hiding, and are afraid to come out of hiding because they believe that they will be handed over to the Jordanian police for overstaying. Their view is that the UNHCR shares information on cases with the Jordanian authorities. A more serious concern is that Iraqi agents have infiltrated the UNHCR, and this fear deters many from approaching the organization. Another reason that might explain why relatively few Iraqis present themselves to the organization is their fear of seeing their claims rejected and of subsequently being deported to Iraq where, until recently, they would have incurred the death penalty for having claimed asylum abroad.

Finally, a number of those who seem to have genuine cases do not want to approach the 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 in a 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 services in Iraq, but did not want to register with the UNHCR because their specific aim was to reach London, a major centre of Shiite learning where they had colleagues. They said they intended to seek asylum directly in the United Kingdom once they had succeeded in getting there through irregular channels.

Intentions of further emigration

As most Iraqi migrants do not achieve either economic or physical security and know that there is little prospect of any improvement in their situation. As their savings diminish rapidly, those for whom returning to Iraq is not an option start thinking of leaving Jordan for a better place. Of the respondents, 98.2 per cent stated that they wanted to leave Jordan as soon as possible, and gave as the 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, but most respondents considered that they did not have realistic ideas about visa regulations or employment opportunities in Western countries before reaching Jordan. Once they have taken the decision to leave Jordan, they are no longer naïve, as they have had time to be advised by other migrants who have been there for a longer period.

One of the important sets of information circulating among migrants, and making up good part of their discussions, is the possibility of seeking asylum in Western countries. It is said, quite accurately, that in some European countries or in Australia the recognition rate of Iraqi asylum seekers is more than twice that of the UNHCR in Amman. Besides, in the case of a rejection of their claims, Iraqis also know that they can stay in Western states as illegal aliens and will not be returned to 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. Generally, 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 per cent had no family member, relative or close friend abroad. Of the remaining 90.7 per cent, two-thirds had family members, relatives or close friends in a Western country, of which 89.6 per cent 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 by telephone, by post, or though 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 per cent 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 extended families to leave, with no prospect of ever returning. But for the 94.5 per cent remaining, relatives and family members constitute a pool of potential migrants who are very likely eventually to follow those who leave Jordan on their way to the West.

Networking for survival: 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 from setting up projects aimed at Iraqis. On the other hand, Jordan has a thriving, wellintegrated 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 historically has developed between the Hashemite state and the various Christian Church organizations (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 Jordanian society discriminates against categories of Iraqi migrants, so religious affiliation becomes one of the main ways forced migrants use to avoid this discrimination.

Asked if they had approached institutions for help, and which ones (apart from the UNHCR), respondents to the survey answered that they had in only 15.4 per cent of 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 open officially on a non-denominational basis, yet all but four of their users were Christians or Sabeans. Generally, the Muslim respondents who knew of the institutions' 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 Muslim Iraqis. Caritas, for example, is a Jordanian organization operating in Iraq, facilitating the movement of Iraqi Christians out of Iraq. Once in Jordan, it provides them with a number of social services, such as medical care and, on some occasions, schooling for children in Catholic schools. The organization also runs an income-generating project for Iraqi women in a mainly Christian-populated town near of Amman. Church officials may also act as middlemen for the granting of visas to migrate 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, also not uncommon among Jordanian Sunni Muslims. Moreover, the granting of aid to Iraqi migrants in Jordan seems to be used as an avenue by American missionary organizations. Iraqi Shiites do not differentiate between non-missionary and missionary Christian activities: they are deeply suspicious of all the relief services.¹² Whatever the reasons, the fact remains that, apart from Christians and Sabeans, 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 of registering any. Sunni mosques and charities, *zakat* committees or medical facilities (such as the Islamic Hospital and various religious-based NGOs) may provide Sunni Iraqis with some relief, but these structures do not have networks of schools and cannot help migrants to gain access to Western consulates, or to 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 form a majority of the forced migrants, 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 (*majlis*) have been opened in the apartments of young mullahs (clerics) who have left Nadjaf or Karbala, the major centres of Shiite learning in Iraq. These 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 housing in Jordan and so on. Apart from the Iraqi market and a few coffee-shops in Amman, *majlis* are the only meeting places that are tolerated by the Jordanian authorities, which keep an eye on them, and occasionally close them. Permanent links are kept with the Shiite centres in the United Kingdom, Iran and Iraq through a circulation of individuals, information and money used for relief but also, as I shall show later, for undertaking migration to the West.

Much more than the Iraqi Christians, therefore, the Shiite community remains at the margin of Jordanian society. Its members cannot achieve economic security in Jordan and have to cope with the negative image Jordanians have of them as both Iraqis and as Shiites. More than the Sunnis, who in many cases expect to return to Iraq sooner or later, or even to 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 continually being reshaped: *majlis* can be closed by the police, mullahs can migrate to the West either as refugees resettled by the UNHCR or through irregular channels, new mullahs may arrive from Iraq, and other clerics and students also leave for the West while new ones come.

Iraqi migrants' needs are purely socioeconomic 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 recognized representatives, they are not in a position to approach the Jordanian authorities to negotiate an improvement in their situation. Therefore, they have no public claim for recognition or integration, and can make no demands for the granting of collective rights. Their desire to leave Jordan grows as their stay extends, and as years pass they want to reunite with family members who have completed their migration successfully to a safer haven. Whatever their denominational affiliation, Iraqi forced migrants establish only temporary enclaves on the edge of Jordanian society.

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 1990s 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 controls. There are clear patterns in the direction of Iraqi emigration, from the Middle East in general, and from Jordan in particular. Their final destinations in Western Europe are mainly Germany, Norway, Sweden, Denmark, the Netherlands and the United Kingdom. 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? And the other 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 shall attempt to give an analytical view of the choices available to them, and of the difficulties they face in taking the first step of their journey – that is, 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 in large numbers since the early 1990s, and formal communities or informal groupings of Iraqis have had time to develop, especially in the main reception countries. From the interviews I conducted, in both Jordan and in Western Europe, and from other scattered sources, it seems that both the ethnic and religious affiliations 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 per cent 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 United Kingdom, 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 United Kingdom, where they have a much longer tradition of emigration that pre-dates the current trend. In all these countries, there exist Assyrian and/or Chaldean associations and churches established before the 1990s (for the United Kingdom, 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 explored extensively 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 country 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, almost never return, and increasing numbers 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 the greater numbers that are dying there. But it illustrates that many Iraqis are ready to exploit every legal means to migrate, and every loophole in the legislation of which they are aware, 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 of which the Iraqis take advantage. They are very much the 'holes in the wall' that Bigo (1996) and other analysts of European security policies point at as being left deliberately by the authorities for a variety of economic reasons linked to the increased need for cheap labour.

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

The smuggling process and social networks

The techniques and organizations Iraqi migrants resort to in order to reach the West despite the various visa requirements and police constraints are determined primarily by the very same constraints. As Koslowski 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. (Koslowski, 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. 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, which has allowed the 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 point to Jordan as being 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 rather have moved onwards legally than to break immigration laws and take risks.¹⁴ 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 to countries offering 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'. Morrison, in a report on trafficking and asylum seekers in the United Kingdom, 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 reconceptualization 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 to facilitate legal forms of migration at one stage or another in 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, are able to obtain proper visas on legal passports, but with fake work certificates and invitation letters. At different stages, migrants thus drift in and out of legal status.

As for the 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 the 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 obtain 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 get information on asylum procedures via the Internet. Finally, those who pay to be smuggled can have money transferred to them in Jordan. All these are things that cannot presently be done from Iraq, where few Western countries maintain diplomatic ties, it is under embargo and with no airport facilities, and has state-controlled banks and a heavy security apparatus. It seems that, as has been documented in the case of Poland (Salt and Hogarth, 2000: 48), it is the demand for outmigration from Jordan that has created business opportunities that have been exploited by Jordanian individuals or organizations using existing structures or creating new ones.

From a number of cases I looked at, it appears that several of the smuggling/trafficking organizations 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, carry out migrant smuggling as a supplementary area of business without specializing in it. Some bogus travel agencies have been set up in Amman, where they advertise openly in their shop windows travel visas or advice on how to emigrate to the West. Migrants are not deceived and know that these firms perform illegal activities even though they have an apparently legal front. Therefore, it is not so much the smugglers who need to approach the migrants, as the migrants who have learnt from others where to go to contact the smugglers, whose main function is to provide proper documentation or help in crossing to Syria to connect to the Turkish route. Trust is a very important element in the trade as it involves paying for 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 helped their relatives or friends to reach the West and can be seen to be 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 board migrants secretly, 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, mainly from Iraqi Kurdistan, Iran and Afghanistan meet, and they then continue either by sea to Italy or by land to Greece and the Balkans. Because, from Jordan, this involves crossing several borders illegally or obtaining an equivalent number of fake documents and visas, and paying for each stage, the cost is high. Estimates vary between US\$4,000 and US\$6,000, with risks at each and every step and months of travel to reach the final destination. A new route is now developing through Lebanon or Syria, where Iraqis board ships, but all these routes are considered extremely risky.

From Jordan to Western Europe, the safest and most direct route is by air. This implies a different set of conditions: a higher cost but greater security. Besides buying a plane ticket and often paying fees for overstay, correct travel documents are needed; namely, a valid passport and a visa or a falsified foreign passport. These can be obtained in Amman, where a trade in passports and forgery has developed. Stolen passports, with the substitution of photographs, can replace genuine Iraqi passports, especially if they come from a third Arab country, or from a Southern European state such as 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 to Europe by ghost companies, and genuine bank statements—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 reuse.

Whereas some of the networks that operate in Jordan with transnational

ramifications do not seem to have connections with organized 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 to 'employ' Iraqi women who come to inquire about the costs of the trip as prostitutes until they have earned an amount of money considered sufficient to pay for their smuggling out of Jordan (and often also for family members). The number of work hours is determined in advance, and 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 nowhere to escape to, and cannot turn to the authorities. And they enter into these bonds 'voluntarily', in the absence of other survival means. From the literature on the trafficking of women, there is no other evidence of this debt-bondage being exerted in the transit country and none in the destination country. Generally, traffickers are said to exploit migrants *after* they are transported across the border, and in the case of prostitution, it is single young women who are involved (Salt and Hogarth, 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 have recourse to smugglers have the several thousands of dollars required. They have to borrow from friends and relatives who are already abroad, and not usually from a 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 trip. But some families chose to send the wife or a teenage child first, as they are the most likely to be able to obtain speedy 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 and so on. 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 organizations support the movement of migrants. The Shiite *majlis* I mentioned above are places where information is exchanged on the best way to migrate to the West: how to buy a foreign passport or to 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, and so on. Members who already have relatives in the West keep in contact with them by telephone or the Internet and pass on details to those attending the meetings. Young clergy play a pivotal role in mobilizing 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 Tehran, and so are several private foundations that channel funds to United Kingdom, which has become, in the 1990s, a major centre of learning and cultural activity for the Shiites.¹⁷ Funds are then either rechannelled to Jordan, or transferred directly to members of the smuggling ring in the West. The clergy have a priority in benefiting from financial help to migrate, in particular if they have no chance of obtaining refugee status through the UNHCR. But, like the women forced into prostitution, their departure is made conditional on the arrival of colleagues from Iraq to replace them to prevent the *majlis* disappearing. After being recipients of financial aid, members who have migrated to the West may remain in the networks by operating at a different level – gathering information and collecting funds.

The roles of social and smuggling networks are thus essential in facilitating and sustaining migration to the West. It is through these networks that migrants gather information, accrue money and bypass strict entry requirements. But the two types of network also overlap, either because relatives or co-ethnics are the smugglers, or because one or several elements (for example, money, documents) in the overall process are better obtained through a network other than via the one that organizes the smuggling.

Jordan is a first step that prepares migrants for their future situation in industrialized countries. It is both an antechamber and a training site. In Jordan, migrants will gain access to information about the situation in potential reception countries, and they will make a choice, plan a strategy. They will also get used to the problems they will face in the West, though less acutely: the restriction on free movement and integration in the job market; the 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 industrialized states had the initial intention of doing so, and that mobilization and recruitment necessarily take place in the country of origin.

The case of Iraqi forced migrants transiting Jordan illustrates that, for a variety of cultural and practical reasons, a majority of asylum migrants who eventually reach the West via irregular means 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 from 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 poor socioeconomic and security conditions for migrants, and prompt them to continue their migration towards Western industrialized states, where they expect to receive 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 dependent on the functioning of transnational networks based on these 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 mobilized first because they have already gained a transnational dimension. Interestingly enough, these are not activated so much from Iraq as from Jordan, which supports the idea that transnational social mechanisms need such vectors as globalized information, financial and transportation systems.

Once the mechanism is set in motion, it results in the type of chain migration described by Faist: ‘The more immigrants of a given place stay in the destination region, the more want to come’ (2000: 152–3). 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 sociopolitical conditions at home, but also by the type of reception they receive in neighbouring states in their region of origin.

Notes

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Notes

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 organized crime) are involved. A smuggled migrant, on the other hand, is an individual who requests assistance to move 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 (and the provision of relevant documentation). Salt and 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: 20–3). ‘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. Salt and Hogarth (2000: 22) list another definition proposed by Meese *et al.* (1998), according to which smuggling is a migration issue and has implications for the protection of the state, and smugglers can work for profit or 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 indicated otherwise, all data in this chapter are taken from UNHCR statistics (www.unhcr.ch).

3. A paper by this author (Chatelard, 2002) deals with the issue of Iraqi refugees in Jordan from a policy perspective.

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

5. The Sabians, or Mandeans, are a sect dating back to the first centuries of Christianity and are followers of St John the Baptist. As Jews and Christians, they are recognized by Muslim 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 among 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 who have secured a permanent residence permit in Jordan.

7. At the time of writing, 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 to a large extent the nature of the communication system(s) that accounts for the distortion.

9. A Sri Lankan house-maid gets 1.5 JD an hour, but an Iraqi woman performing the same job gets only 1 JD. Similarly, hourly 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 the 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 recognized 13 per cent of the cases, UNHCR Lebanon recognized 50 per cent. But Iraqis are much less numerous in Lebanon, which they reach through Jordan and/or Syria.

11. It is interesting to notice where Jordan stands in the geography of Iraqi asylum. In 1998, it was the country that had received the second-largest number of applications by Iraqis (7,872), preceded by the Netherlands (8,300), and followed by

Germany (7,435), and neither of these Western countries had a comparable population of Iraqis on their national territories.

12. In all likelihood, this is not without reason. The website of Servlife International, based in Houston, calls for a US\$30 donation to provide 'an emergency relief packet with a Bible to Iraqi refugees in Jordan'. Another, CompassionRadio.com, asks for US\$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 websites based in the UK denounce these sites, arguing that they are aimed at Muslim 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 organized within Jordan and at the transnational level. Smuggled/trafficked individuals are often not aware of the overall functioning of the organization 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 journey, 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 way 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 via the Internet.

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

16. Migrants have to follow the routes set up by smugglers, but their final destination country is not necessarily the country of first arrival. For example, there is a route to Germany by air, but once there the Iraqi migrant manages on his/her own behalf, or with family members who come to meet him/her at the airport to reach Denmark, Sweden or the Netherlands, where asylum conditions are seen as being more favourable, or where s/he has relatives or friends. If the migrant is aiming at North America, s/he mainly uses the Jordanian facilities to buy a passport. The most expensive ones are, in decreasing order, those of Saudi Arabia, Greece and Cyprus, nationals of which are all permit to travel to Canada without a prior visa application. Alternatively, the migrant does not need to resort to facilitators or smugglers within Jordan, but may need them later as s/he can travel to one of the 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 fly from Amman to Malaysia or Indonesia. Both are Muslim countries and do not require visas from most nationals of Arab countries (although there have been some changes since the events of 11 September 2001: Australia has called on Indonesia to require visas for nationals from Iraq and Afghanistan). From these countries, migrants are smuggled by boat to Java and Australia. Those who fail can always turn to the UNHCR's regional office in Bangkok to seek asylum, or contact the smuggling rings there that have specialized in providing high quality documents to Chinese migrants, 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 organization 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 been unsuccessful in reaching Australia.

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