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INCENTIVES TO TRANSIT: POLICY RESPONSES TO INFUXES OF IRAQI FORCED MIGRANTS IN JORDAN*

Since the accession of Saddam Hussein to power in 1979, expulsions of political opponents or members of ethnic and religious minorities, the Iran-Iraq war, the 1991 Gulf war, internal political unrest and violations of Human Rights combined with the dramatic effects of the UN-imposed embargo are all factors that have made Iraq one of the main refugee producing countries in the world. In 1996, 4 million Iraqis were reported to live abroad (USCR 1996), of whom over 600,000 are currently recognised (Convention or other) refugees. They were over 1,320,000 in 1992, the peak year. In 2001, Iraqis were the third main refugee caseload in the world. Despite the scale of these displacements, the issue of Iraqi mass migration has been given little attention. A few studies have looked at Iran and Turkey as host or transit countries (for Iran, see Nikanjam 1995; Rajaee 2000; Le Roy 2001; for Turkey, see Kirisci 1991; IOM 1995; İçduygu 2000), but it still remains to be asked how Arab Middle Eastern countries are coping with this large influx of regional forced migrants while the question of Palestinian refugees is yet unresolved.

This paper offers to look at how the Hashemite Kingdom of Jordan, the main host country of Palestinian refugees, and the main Arab recipient of Iraqi forced migrants, has dealt with this latter wave in the decade following the Gulf war. The main questions put forth are why and how Jordan has become a transit country for Iraqi forced migrants on their way to the West. Focus is first on the policies adopted by the Jordanian authorities and the United Nations High Commissioner for Refugees (UNHCR) in Amman that will be analysed against the domestic backdrop of the Palestinian refugee issue. In a last part, this paper

* Writing was undertaken as a Jean Monnet Fellow at the Robert Schuman Centre, European University Institute, Florence.
1 Unless otherwise indicated, all figures in this paper are taken from UNHCR statistics (www.unhcr.ch).
2 Another paper by this author (Chatelard 2002) deals with the issue of Iraqi refugees in Jordan from a sociological perspective, with emphases on religious networks and the smuggling process that allow for survival within Jordan and irregular migration out of Jordan. 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 anonymous reviewers who commented on drafts of this paper. Unfortunately, Jordanian officials were not available to discuss the issue of Iraqi forced migrants as this is considered a matter pertaining to public security. I had to rely on the Jordanian media for official statements. Fieldwork for
will look at how Western states and supranational organisations balance, on the one hand, remote control of migrants’ flows and regional containment of Iraqi asylum seekers with, on the other hand, the particulars of Jordan as host to Palestinian refugees. Jordan’s policy responses will therefore be considered in connection with changes in the regime of asylum and labour migration in Western countries, particularly in the European Union (EU) and Australia, that have been the main destination countries of Iraqi migrants transiting Jordan.

1. BACKGROUND

1.1. Iraqi forced migrants

Whatever their final destination, Iraqis had, and still have, to move first by road to a neighbouring country since the embargo imposed by the UN in 1991 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 route towards further emigration.

For Kurds and Shiite Arabs, Iran has been the main host country, with, depending on years, from 1 million to 500 000 recognised Iraqi refugees. Iran is a party to the 1951 Geneva Convention Relating to the Status of Refugees (henceforth, 1951 Convention) and its 1967 Protocol and has liberally granted asylum to a large number of Iraqis and Afghans who, for the most part, have remained there integrating in the local community or waiting to be repatriated in their home country (Nikanjam 1995; Rajaee 2000; Le Roy 2001). Turkey is also a signatory to the 1951 Convention, but burdened by its own Kurdish question, it has adopted the 1967 Protocol with a geographical limitation, excluding non-European refugees. As a consequence, it generally does not grant Iraqis asylum and thousands of Kurds have merely transited its territory on their way to Western Europe while others are regularly expelled back into Kurdish autonomous areas in Northern Iraq (Kirisci 1991; IOM 1995; Içduygu 2000).

Iraqi Arabs have also looked for asylum in all Arab countries in the regions (Kuwait, Saudi Arabia, other Gulf States, Syria, Lebanon, and Jordan), none of them, at the exception of Yemen, equipped with the legal tools to treat them as refugees, and all relying on UNHCR to determine status, provide relief, 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.
and resettle Convention refugees in a third country outside of the Middle East. In all cases, at the notable exception of Jordan, neighbouring Arab countries closed their borders shortly after the outburst of the 1991 conflict and the number of Iraqi asylum seekers on their respective soils never exceeded more than a few dozen thousands.

Ever since the Iran-Iraq war, Iraqi refugees have not generally repatriated at the exception of small groups of Kurds who had taken refuge in Iran and moved back home after Iraqi Kurdistan became autonomous, albeit still unstable because of strifes between rival factions. On the other hand, 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.

1.2. The unresolved case of the Palestinian refugees

Palestinian refugees are the largest and one of the longest standing refugee cases in the world today. Palestinian refugees are those residents of Mandatory Palestine who fled the conflict resulting from the inception of the Jewish State in 1948, and their descendants. They are currently over 4 million in the Middle East, living either in the West Bank and Gaza Strip, in countries bordering Israel/Palestine, or in other Middle Eastern states where they have gained various statuses from simple residents to citizens. In Jordan, Lebanon and Syria, they have maintained their status as refugees under the mandate of a specialised international agency operating since 1950, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).

For the last 50 years, the issue of the long-term integration of Palestinian refugees in their regional host-countries has been controversial. The Palestinian leadership has been striving to maintain Palestinian national identity in exile and to claim right of return (Aruri 2001). Arab host-states have been caught in between, on the one hand, supporting this claim in the name of pan-Arab solidarity and maintaining a separate Palestinian identity among their residents, and, on the other hand, providing refugees with the necessary social, political and economic integration as their exile was enduring (Shiblak 1996). This tension has led to a series of socio-political crisis, and at times open conflict in countries such as Lebanon or Jordan, and is generally seen as one of the major factors of instability in the Middle East directly related to the resolution of the Arab-Israeli conflict (Peretz 1993).

UNHCR's officials and specialised legal experts in Jordan reckon that one effect of the Palestinian refugee issue is that none of the Arab host countries has
adopted the 1951 Convention, and that none has devised a national legal framework to deal with new mass influxes of refugees, even is some states may have a domestic legal definition of asylum. In the Arab Middle East, except for the Palestinians, forced migrants have almost been left in a legal abyss.

1.3. Jordan as a host-country

Jordan is host to the largest number of Palestinian refugees under UNRWA's mandate and bears the distinction of having the highest ratio of refugees to indigenous population of any country in the world. According to figures by UNRWA, in 2002, Palestinian refugees in the country were over 1.6 million out of a population of 5 million (of which many more are of Palestinian origin). Another 800,000 Palestinians displaced from the West Bank after its occupation by Israel during the 1967 war also live in the country. In many ways, Jordan is the best regional host having granted most Palestinian refugees full-fledged citizenship while UNRWA has been providing for health and education services and administration of refugee camps which have become neighbourhoods of larger cities or small towns of their own.

Linked with issues of national identity, sovereignty, regime stability and with the role of Jordan in the Arab-Israeli conflict, the question of Palestinian refugees in the Hashemite Kingdom is a complex case that has affected the nature of domestic and foreign policies over the years (Plascov 1981; Bailey 1984; Pappé 1994). Especially since the 1970-1971 civil war between revolutionary pro-Palestinian guerrilla and the regular army supporting the Hashemite monarchy (Lalor 1997), the issue of Palestinian citizens in Jordan (and among them refugees) has been the cause of increasing political tension and factionalism within Jordan (Bailey 1984; Brand 1995b). It is also becoming an increasingly economic problem as UNWRA’s budgetary difficulties have compelled the agency to reduce its social services to refugees since 1997 (Blome-Jacobsen, forthcoming).

In the wake of the 1991 Gulf war, Jordan received a new 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 and already refugees under UNRWA’s definition or displaced in 1967, 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 1993, 1994, 1995).
Later in 1991, a new wave of thousands of Shiite Iraqis came to Jordan after an uprising against S. Hussein by members of their religious 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 used Jordan 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, which 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 keep silent on 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.

Socio-economic surveys shows that it is the educated middle-class that has fled to Jordan, together with the figures of the secular political opposition and underprivileged ethnic groups such as those Shiites who prefer not to turn to Iran (Chatelard 2002). With a few exceptions, Kurds do not select Jordan but Turkey or Iran for ethno-linguistic reasons and because of geographical proximity. In addition, numerous "suitcase traders" go back and forth between Baghdad and Amman, while some Iraqi nationals come to Jordan for a few months during which they work as street vendors or other petty jobs before going back home. Finally, others may come for medical treatment. According to official figures, only a group of about 30,000 Iraqi individuals have obtained long-term residence permits (one year renewable). These are professionals that were in demand on the local market during the first half of the 1990's, and a number of wealthy businessmen that have the means to invest in the local economy.

1.4 Categories of forced migrants and definitions of refugee

According to S. Shami’s review of the literature on involuntary migration, the three major agents of forced displacement are: “Direct action by the state to make way for development projects; war and other types of political upheaval or persecution; and natural disasters” (Shami 1993: 5). Iraqi forced migrants in Jordan can be said to belong in majority to the second category, with a smaller
Do Iraqi forced migrants in Jordan fall into the legal category of refugee? Based on the 1951 Convention, UNHCR defines as a refugee: “Any person who has a well-founded fear of persecution because of his or her religion, ethnic origin, nationality, political opinion or affiliation to a social group”. Furthermore, the UN agency only takes into account persecutions committed by state agents and not those suffered in cases of civil war, ethnic strife, and the likes, or more generally at the hands of individuals or social groups that are non-state agents (Goodwin-Gill 1996). Such persecutions by non-state actors are frequent nowadays in Iraq either in the Kurdish autonomous zones or against members of minority religious sects. As a consequence, a good number of Iraqi forced migrants have left Iraq because they feared for their lives or personal integrity due to affiliation to a political, religious, ethnic, or other social group, but they do not always fall under UNHCR’s definition of refugee.

Others have fled because they were suffering from a mixture of economic hardships due to a deteriorating purchasing power, and of daily bothering (discriminatory practices, racket, etc.), often borne from their belonging to a specific ethnic or religious group. Under the 1951 Convention, these do not amount to persecution and individuals in that group have difficulties to have their claims for asylum heard in Middle Eastern countries that rely exclusively on UNHCR for refugee determination.

On the other hand, various sovereign states, particularly in the West, have interpreted extensively the definition of refugee as stated in the 1951 Convention to include in their domestic laws either lesser forms of persecution or persecution by non-state actors (Thouez 2000; Gubney 2001). Typically, this allows for the granting of asylum to victims of civil conflicts or ethnic/religious persecutions that do not amount to imprisonment and torture by the authorities. This definition of refugee can apply to several of the Iraqi forced migrants in Jordan and elsewhere in the region.
This should be kept in mind for further discussion on the implications of differences in the legal definition of refugee on the transit process of Iraqi forced migrants in Jordan.

2. JORDANIAN POLICIES TOWARDS IRAQI FORCED MIGRANTS

In a 1996 article, K. Jacobsen explored the policy responses of less developed host countries to the influx of refugees. Relying on case studies from Africa, Asia and Latin America, she showed how responses have varied considerably and proposed a typology using UN recommendations as a yardstick. The factors she identified as influencing refugee policy are as follows: the cost and benefit of accepting international assistance, relations with the sending country, political calculations about the local community’s absorption capacity, and national security considerations. However, the author admits that the end result is not ‘a neat solution yielding a rationally evolved refugee policy’, as host governments also have to struggle with bureaucratic politics, the position of refugees in domestic politics, and ‘other complications that have to be teased out at the empirical level’ (Jacobsen 1996: 655). This is what has been done below, where Jacobsen's typology has been adapted to the local context to assess the policy response of Jordan to the influx of Iraqi forced migrants.

2.1 International assistance and local relief

The "legal-bureaucratic response" chosen by Jordan falls into the "negative" category as defined by Jacobsen (Idid.: 659). The country has not acceded to international Conventions, has not introduced domestic procedures for the determination of refugee status, and provides no legal definition of refugee, except for Palestinians. All Iraqis are treated as aliens, albeit with various statuses. Nevertheless, by allowing UNHCR to operate, Jordan has in fact met several of the requirements that would move it closer to the "positive" category.

UNHCR has been operating in the country since October 1991, initially to deal with the influx of refugees that had fled to Jordan following the Gulf war, and ever since to screen asylum seekers from various nationalities (Iraqis for an overwhelming majority) that enter the country. Jordan has made UNHCR’s operations conditional on the fact that refugees be resettled in a third country within 6 months of their recognition, thereby rejecting the principle of local integration. Asylum seekers are provided with a registration card and the Jordanian authorities grant them temporary protection as other aliens with a valid residence permit. Nevertheless, neither asylum seekers nor refugees are entitled to receive work permits or any public aid. UNHCR provides
Convention refugees with monthly assistance, education and medical care until they are resettled, and deals with countries that have resettlement quotas\(^3\). The organisation has experienced recent budget cuts making it unable to provide part of its social services anymore (UNHCR 2000a, 2001).

The Jordanian authorities have managed to reach a degree of co-operation with UNHCR through a liaison office established within the Ministry of Interior in 1996. After a Memorandum of Understanding was signed with the international organisation in 1998 (Anderson 1998), a new department was created within the Ministry of Interior under the name Asylum and Immigration Section (*qism al-luju’ wal-hijra*). Despite its name, this department does not deal with voluntary immigration, as this is the duty of the Bureau of Borders and Aliens. It neither deals with Palestinian refugees who are the responsibility of the Department of Palestinian Affairs, reporting to the Prime Minister. Jacobsen points out that the creation of a civilian state agency to deal specifically with refugees is generally the sign that refugee policy is not part of the national security or foreign policy agenda (Jacobsen 1996: 661). In the specific case of Jordan, the issue of Palestinian refugees is prominent both on the domestic security and foreign policy agendas, a fact that has not prevent the Jordanian state to create a series of specialised civilian agencies even since 1950, due to the dual status of Palestinians as both citizens and refugees. On the other hand, the inaccuracy in labelling the newly formed section dealing with Iraqis can be viewed as a sign that the Jordanian authorities are uncomfortable with publicly acknowledging the presence of non-Palestinian asylum seekers and refugees, and it can be argued that Iraqi forced migrants are purely considered in the framework of domestic and regional security.

The Jordanian authorities interfere with UNHCR’s general recommendations mainly at three levels: they offer no potential for durable settlement of refugees in Jordan, they forbid asylum seekers and refugees to work legally, and they used to return some asylum seekers to the border against their will (*refoulement* in UN parlance) before the signing of the Memorandum of Understanding. Within the new operative framework, Jordan has committed itself, among others, not to forcibly return asylum seekers registered with UNHCR pending the outcome of their claim. Besides, in compliance with UN recommendations, Jordan does not confine asylum seekers or refugees in camps

\(^3\) IOM facilitates the journey of refugees to their resettlement country. Jordan only joined IOM in November 1999, but the organisation’s office has been operational in Amman since August 1990 to assist Jordan during the Gulf crisis “through organising the deportation [sic] of thousands of migrants who sought refugee in Jordan”, according to IOM representative in Amman (*The Jordan Time*, 13.3.2001).
and there is no restriction to their movements inside the country.

Part of UNHCR’s international mandate is to promote host countries’ adhesion to the 1951 Convention, the adoption of their own national asylum procedures and integration mechanisms for refugees. Regular seminars are held and training provided to Jordanian officials from the Ministry of Interior. The Memorandum of Understanding is considered by UNHCR as a first important step providing *de facto* recognition by Jordan of a number of international principles as regards refugees. Nevertheless, the organisation has had to compromise on some of these principles, such as work, which is not mentioned in the Memorandum of Understanding. According to UNHCR officials, the organisation recognises that Jordan ‘lacks the capacity of hosting large numbers of refugees’. Taking into account the burden of Palestinian refugees, UNHCR has never opened the subject of the integration of Convention refugees in the local society, while it is the second of three solutions the organisation supports for the treatment of refugees, after voluntary repatriation, and before resettlement in a third country. Clearly, UNHCR’s leverage on the Jordanian authorities is limited by the fact that the organisation operates in the country at the discretion of the host government, and also by the unresolved presence of a large number of Palestinian refugees.

Besides UNHCR, and contrary to what happens with Palestinian refugees that are also taken care for on international funds, Jordan has consistently refused international assistance for asylum seekers and other needy Iraqis inside its national territory. Jordan has clearly signalled the European Commission (EC) that aid and development funds should be earmarked either for Palestinian refugees or for deprived rural, often Bedouin areas in the South, and that the authorities are not willing to accept any relief project targeting Iraqis. And yet, as socio-economic surveys show, Iraqis are probably one of the most, if not the most, vulnerable groups in Jordan (Chatelard 2002).

Likewise, the Jordanian authorities have been constantly opposing any overt attempt by foreign NGOs to set up relief programmes for Iraqis. They probably fear that these would improve the migrants’ socio-economic conditions and constitute a pull factor for other ones to come in. The only exceptions to this rule are: the Pontifical Mission which allocates a budget to a private hospital run by a Christian community in Amman to receive Iraqis one day a week; Caritas, another Catholic relief with a long-standing record in Jordan and in Iraq; and a few other Church charities who mainly distribute aid in kind. No local, non-Christian NGO runs a relief programme for Iraqis. Exceptionally, the General Union of Voluntary Societies admits in its clinic serious Iraqi cases referred by UNHCR.
There is a Jordanian fund for aid to the Iraqi people, but it is aimed at Iraqis in Iraq. The discourse on pan-Arab solidarity and on the support for the suffering Iraqi brethren stops at the border. Even the two Human Rights organisations registered in Jordan have not been very vocal in support of Iraqi forced migrants. It should be noted that due to the highly politicised functioning of professional associations and NGOs in Jordan, the board of one of these two organisations (the Arab Association of Human Rights) is composed in majority of Baathists who support the Iraqi regime. This remark leads to consider the bilateral relations of Jordan with Iraq.

2.2. Relations with sending country and related border issues

Relations with Iraq are an important factor shaping Jordan’s policy responses to Iraqi forced migrants. As stated by K. Jacobsen: “The bestowal of refugee status upon asylum seekers implies that the sending government persecutes its people, and a host government may not wish to implicate an ally in this way” (Jacobsen 1996: 665). Even if Jordan cannot be considered an ally of Iraq, the government has both geopolitical and economic concerns in its relations with the regime of Baghdad. A nation at the cross-roads of inter-Arab politics, Jordan has been a central player in all major issues affecting the Middle East. Despite its ideological opposition to the regime of S. Hussein, and its alignment with American foreign policy, Jordan took a neutral stand during the 1991 Gulf war as the regime was listening to the street, openly supporting Iraq. This ambiguous, two-track policy, borne out of concerns for the stability of the Hashemite regime, is better illustrated by the attitude Jordan adopted towards high-ranking Iraqi officials who fled their country in the 1990’s and took refuge in Jordan4. But these were exceptional cases that were given high international publicity, and this type of discretionary asylum was never granted to mainstream Iraqis. In fact, Jordan cannot afford inflicting a blow to the regime of S. Hussein by recognising that a large number of Iraqis have fled its exaction. It is diplomatically more correct to present Iraqi forced migrants in Jordan as mere economic migrants fleeing the UN-imposed embargo.

Indeed, Jordan is not a haven for Iraqi opponents. No Iraqi opposition press is published in Amman and the main non-Shiite or non-Kurdish opposition group in exile, the Iraqi National Congress, just maintains a low-profile office with a representative. According to information provided by

4 In 1995, King Hussein personally granted asylum to Lt. General Hussein Kamel, a minister in S. Hussein’s cabinet and head of Iraq’s weapon programme, together with his brother and their respective wives who were also S. Hussein’s sisters. Eventually, all four returned to Iraq and were executed (Le Monde, 27 Feb. 1996). The following year, Jordan granted asylum to a former chief of staff of the Iraqi army (Herald Tribune, 22 March 1996).
Amnesty International in 1997, a few Iraqis who had written in the Jordanian press to criticise their government were detained and sometimes handed back to the Iraqi authorities. After succeeding his father on the throne at the beginning of 1999, King Abdullah II is reported to have cracked down on the few Iraqi opposition groups (BBC World Service, 7.12.99). Diplomatic relations with Iraq have constantly been maintained, and the Iraqi intelligence (mukhabarat) operates rather freely in the kingdom from the Iraqi embassy in Amman. Safety in Jordan is therefore particularly tenuous for some Iraqi nationals perceived as opponents and several of them were murdered in Jordan in 1997 and 1998, allegedly by Iraqi government agents (USCR 2000).

As important as considerations of regional politics, economy is another factor that needs to be assessed to understand the nature of Jordan's relations with Iraq and how these shape policy responses to forced migration. As L. Brand has shown in her study of Jordan’s inter-Arab relations, the structure of Jordan’s domestic economy and the composition of state revenues play a determining role in alliance shifts and in foreign policy decisions. Jordan is perpetually “in search of budget security”, a reality which imposes on the state to seek revenues from its neighbours (Brand 1995a). On the one hand, Jordan receives all its oil from Iraq at a very low cost. On the other hand, Jordanian and Iraqi economies have become increasingly inter-dependant since the 1996 Iraqi-UN "food-for-oil" agreement as exports of Iraqi oil and import of food supplies and humanitarian goods arrive at the Jordanian Red Sea port of Aqaba and transit Jordan on their way to Baghdad. Some Iraqi businessmen are very active in the Jordanian economy, running enterprises that export and import the UN-approved goods via Amman. While it is difficult to evaluate the part played by underground activities in the economy of Jordan, contraband with Iraq is also thriving on the intense trade and road communication between the capitals of the two countries.

As a result, Jordan cannot close its border with Iraq, which, in many ways, has also become Iraq’s external border with the rest of the word. But as oil and other goods cross the one open border point between the two countries, so do migrants. After the initial mass influx of refugees fleeing Iraq and the Gulf area in 1991, Iraqi forced migrants have not arrived to Jordan en masse. Rather, over the 10 following years, they kept crossing the border in a weak but steady flow, with higher numbers whenever the political or human rights situation in Iraq was particularly deteriorating. Therefore, after the initial crisis of 1991, borders have never seemed to be uncontrollable and the sovereignty of Jordan has not been challenged. On the other hand, Jordan has reacted to each UN-Iraq crisis on weapon inspection (especially in 1997 and 1998) by announcing that it would close its border, not accept a large-scale influx of
refugees in the events of hostilities, while saying it would facilitate their assistance on the Iraqi side of the border in a "safe haven" (USDS 1999).

As other nationals from friendly Arab countries (Egypt, GCC states and Yemen), Iraqis are not subject to requirements for prior entry visas. They are allowed in at the border for an initial period of two weeks extendable to a period of three months renewable once. This short-term residence permit does not allow them to work and, except in rare cases, it is not renewed. Therefore, most Iraqis enter Jordan on a legal basis (except those who have not been able to secure a passport in Iraq and cross over with the help of smugglers), and eventually fall into illegality. When they want to exit again, they must pay a penalty for overstaying, currently amounting to 1.5 Jordanian Dinar (2.37 Euros) per day. Recognised refugees are exempted from this fee, like other migrants who agree to sign an undertaking on leaving, committing themselves no to return to Jordan in the five following years. Illegal aliens face expulsion at any time and the police periodically carry small-scale roundabouts. But the Iraqis themselves say that police officers are rather lenient, especially with individuals who are in Jordan with their families. Children, the elderly and women do not seem to be harassed. All evidences point to the fact that here has been no mass expulsion and that there are no clear official guide lines, except that expelled Iraqis cannot be returned to the border but on personal signature of the Minister of Interior.

2.3 Local absorption capacity: economic and societal aspects

In the press, Jordanian officials have been constant in remaining vague about the number of Iraqis on their national soil. Since 1998, a new campaign of economic reforms has been launched and the first move was to "crack down" on irregular foreign workers. In this context, officials have tended to use figures in the top end of the bracket to justify expulsions. At other times, they underplay the number of Iraqis for security reasons pertaining to domestic social and political stability. This official wavering provides a good starting point for an overview of the issue of Jordan’s economic and societal capacities to absorb Iraqi migrants.

Officials argue that their country has a low capacity to absorb immigrant labour at a time when over ¼ of the national labour force is unemployed and the performance of the economy is poor. According to official figures, Jordan already hosts over 400,000 Egyptian labourers plus a few thousands south-eastern Asians, the latter being mainly domestic workers. In recent years, efforts were made to try to substitute local for foreign labour, and illegal foreign workers were the targets of official campaigns where they were arrested and
deported. These campaigns were given wide publicity but it well seems that, as a whole, the Jordanian authorities turned a blind eye to Iraqi illegal aliens if one judges by the fact that they were not the object of mass deportation. Nevertheless, the Jordanian authorities have never acknowledged publicly that they allow a large number of Iraqi illegal aliens to compete with Jordanian nationals on the informal work market at a time of economic crisis.

The perceived or real incapacity to absorb Iraqis also translates into a set of discriminatory social measures. Until 1998, children of undocumented migrants did not have access to schooling. A royal decree now officially permits them to register in schools, provided they can show a certificate from their previous school. But most parents have not thought of asking for such a document before leaving Iraq, as they were not keen to publicise their final departure. As a result, very few Iraqi children do attend school (Chatelard 2002). Also, albeit public hospitals and governmental primary health care centres are open on a non-discriminatory basis, official medical fees for non-Jordanians are higher than for Jordanians. Public medical facilities are often over crowded and Iraqis may have to pay a bribe to find a bed when they have a serious disease or when a woman has to deliver (Ibid.).

As has been documented in several other cases, forced migrants and refugees “can be seen to contribute to a community’s economic capacity by virtue of the international assistance that accompanies them” (Jacobsen 1996: 668). This was the case, for example, in Pakistan and Ethiopia where governments called upon donors to finance refugee programmes that stimulated the local markets and the development of infrastructures rather than constituting strains on the economy (Ibid.: 664). Contrary to initial expectations, N. Van Hear has shown that the 300,000 Palestinians who "returned" to Jordan in 1991 were a booster for, rather than a burden on the domestic economy. Several of them had enough capital to invest locally therefore creating job opportunities for the skilled but less economically privileged among them (Van Hear 1995). The socio-economic profile of Iraqi migrants as a whole (voluntary or involuntary) does not differ markedly from that of Palestinian “returnees”. They belong in their majority to the educated middle-class and are highly skilled. In the first half of the 1990’s, Jordan delivered numerous work permits to Iraqi professionals, but the local work market is now saturated. A majority of these skilled migrants have lost their capital with the devaluation of the Iraqi Dinar and cannot be expected to invest in the Jordanian economy. They cannot either stimulate the market by consumption if they remain unemployed or confined to under-paid illegal petty jobs, as is the case for most of them. The minority that has a high capital and no problem to obtain a long-term residence permit in Jordan could play the same economic role as their Palestinian counterparts.
provided that the Jordanian authorities grant skilled Iraqi labourers work permits. Many wealthy Iraqis are contend with merely using Jordan as a base to conduct international business, but others have already invested in multimillion projects in the service sector creating jobs inaccessible to their fellow-countrymen. Arguably (but this would have to be explored further by economists), Jordan is not structurally unable to absorb a least a large part of the Iraqi migrants. It is rather a question of history and perceptions, i.e. the fear that their stay might become as permanent as that of the Palestinians.

In some instances, Palestinians, and especially refugees, may be discriminated against on the basis of their separate national identity, but their various religious and ethnic affiliations are similar to those of East-Bank Jordanians. Iraqis, on the other hand, are perceived as bearers of socio-cultural characteristics that set them apart from mainstream Jordanian citizens, including those of Palestinian origin. Jordan is a plural society with a state religion (Sunni Islam) and a dominant ethnic identity (Arab) which determine official ethnic and religious minorities (Caucasians and Christians). Both groups have a legal status allowing them, among others, to run ethnic or religious-based non-political organisations (Shami 1982; Chatelard 1997). Christians enjoy freedom of worship, have their own churches, schools and charities. Members of different religious sects depend on their religious authorities for all domains that belong to family law. Jordan is now host to a large group of Iraqi migrants belonging to a non-recognised Muslim sect, the Shiites, and to smaller communities of Assyro-Chaldeans who do not either have a legal status as Christian communities in Jordan and are also not ethnically Arab.

Devoid of religious meeting places, the latter group has successfully approached the existing Churches in Jordan. Both the Roman Catholics and various Protestant or Evangelical sects have accepted them as temporary members of their communities. They can get married, have their new-borns registered and baptised, and relatives of a deceased can obtain a death certificate and a burial place in a Christian cemetery.

In contrast, Sunni mosques, religious courts and charities do not welcome Shiites viewed as heretics. Iraqi Shiite clerics in exile in Jordan have approached the Ministry of Religious Affairs (Awqaf) to obtain the official recognition of their community but to no avail. The Jordanian authorities

5 The Assyrians and the Chaldeans are two distinct religious denominations. The former one has its independent Church while the latter one, a splinter group, is in union with Rome and therefore Catholic. In both cases, their liturgical, and often everyday, language is Syriac and most do not view themselves as Arabs.
demonstrate concerns to maintain the religious homogeneity of their population, an issue also linked to the religious legitimacy of the Hashemite ruling family. As a result, Shiite migrants are left in a legal abyss, unable to obtain any official document when a change occurs in their personal or family situation. They run clandestine prayer rooms that are regularly closed by the police when they become too crowded as during the celebration of the Shiite mourning of Ashura, their principal religious festival. But due to their large number, the Jordanian authorities cannot keep negating the presence of Shiites in the country. These last three years, they have allowed them access to an important religious site in the South of Jordan that has just been renovated and enlarged with Iranian financial participation to attract worshipers from other Muslim countries. This should not be seen as a willingness to abide by international Human Rights standards in matters of freedom of worship, but as a result of the reconfiguration of Jordan’s relations with Iran. In fact, the Hashemites, who descend from the Prophet, are currently trying to put Jordan on the religious map of the Islamic world, and have started cultivating an "Iranian connection", very much like the Iraqi Shiites themselves.

It remains that, as a whole, Jordanian public opinion holds Shiites in suspicion and sees all Iraqis as ghuraba (stangers or aliens) and not as Arab or Islamic brethren. Iraqi may be a insulting term today, as migrants are accused of contributing to raise the crime rate by being robbers and prostitutes and of congesting the work market. Iraqis are rightfully or not perceived as a threat to the stability of the Hashemite regime, to the fragile economy, to the carefully crafted societal balance, to a society still traumatised (and destabilised) by the plight of Palestinian refugees, to Jordan’s uneasy but complementary relations with Iraq, and to the image of Jordan in the international arena. To quote K. Jacobsen again, it well seems that for Jordan, as for other less developed countries, “in dealing with influx of forced migrants, security-related problems are greater (...) than for Western industrialised states” (Jacobsen 1996: 656). This is probably why Jordan’s responses are similar to that of most less developed countries with refugee policies characterised by both positive and negative elements.

The various measures adopted by Jordan to deal with Iraqi forced migrants have had two direct consequences. For one, they have left these migrants in the shadow at the domestic, regional and international levels, resulting in their invisibility in statistics, international or regional debates, or academic literature, and in most Human Rights NGOs and advocacy groups being unaware of their plight. Jordan has thus prevented international pressure to be exerted upon its government, either by forcing aid for relief projects directed at Iraqi migrants, or by calling for the adoption of domestic legal
provisions on non-Palestinian refugees. On the other hand, the authorities have taken no coherent measures to curb irregular Iraqi migration, such as the ones employed by other developing countries in South America, South East Asia or Africa (Ghosh 1998: 123): no regularisation programmes, no systematic employers sanctions, no punitive measures such as heavy penalties on irregular migrants, no stepped up border control at entry, no mass expulsion. But neither have strict measures been adopted against smugglers or traffickers operating from Jordan and that have been thriving on the irregular migration of Iraqis (Chatelard 2002). The combination of both sets of measures have not deterred Iraqis from entering Jordan, but are viewed by most as clear incentives to transit as return is impossible and stay unbearable.

G. M. Arnaout, in a study on the Islamic meaning of asylum, argues that refugees continue to be welcomed in Arab-Islamic countries because of traditions of hospitality and assistance to others borne out of the tribal ethos of the desert Arabs and of Islamic duties (Arnaout 1987). Even in a country like Jordan, where both tribal and Islamic affiliations are essential components of the national identity, such culturalist assumptions do not hold in front of complex historical, political, geopolitical, and economic considerations and should be demised as irrelevant, as probably in a majority of other cases in the Muslim world. In Jordan at least, together with Arab solidarity, they are nowadays merely part of the political rhetoric.

3. SHARING THE BURDEN WITH THE INTERNATIONAL COMMUNITY

It would appear that the official position of Jordan and the everyday practices of the authorities towards Iraqi migrants are just as ambiguous as the country’s position regarding Iraq in general. But they have their own logic, which has to be found by looking at Jordan in a broader international context. On the one hand, Jordan cannot afford expelling Iraqi illegal aliens en masse and incurring international condemnation. Letting the Iraqis in, albeit at some economic and social costs, is the price Jordan has to pay to continue polishing its image and securing a badly needed financial assistance from donor countries and supra national agencies. But Jordan is going much further in implicating the international community. First, by not granting asylum to Iraqi forced migrants,

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6 For the last 10 years, the Hashemite regime has been working hard to present to the West a decent image in terms of Human Rights: the International Committee of the Red Cross (ICRC) visits prisons, Amnesty International and other Human Rights groups come for fact-finding tours, elections have been made free, some degree of free speech is allowed in the press, “honour crimes” against women are the object of an official campaign, etc.
the country is transferring part of the refugee inflow to an international organisation and to Western third countries through UNHCR’s resettlement schemes. And secondly, its apparently incoherent policies towards Iraqis induce the unwanted among them to leave Jordan by their own means to reach countries in the West that do offer them asylum or at least protection against *refoulement*. By choosing inaction – a policy in itself – rather than by adopting pro-active measures, Jordan has forced the West, and in particular EU countries, to share the burden of Iraqi refugees and asylum seekers. This burden-sharing is further facilitated by the effects of the differences in the definition of refugee between Western states and UNHCR, and by related differentials.

3.1 Refugee definitions, recognition rates and humanitarian standards

As interviews with Iraqi forced migrants show, the differences in the definition of refugee between various Western states and UNHCR and its corollary, the differentials in recognition rates, are a major incentive for Iraqi migrants to avoid approaching the organisation in Jordan and to prefer attempting clandestine migration to a Western state to launch a claim for asylum. During the 1990’s, Iraqi nationals made up the fourth nationality of asylum seekers in the EU, with numbers increasing every year to the point of having them compete with Afghans for the second place since 1996. Over 10 years, roughly 200,000 Iraqis have requested asylum in one of the EU member states or Switzerland, with a general recognition rate of 43,3% in 1998 (though, in several EU member states, rates are over 70%)8. Similarly, Australia, the United States and Canada have seen sharp increases in the number of Iraqis reaching their national territories through irregular channels and claiming asylum, though their absolute numbers remain lower than in Western Europe. In these three countries, recognition rates for Iraqis are over 70%. By contrast, the recognition rate of Iraqis at UNHCR in Amman has varied from 17% to 30% since 1991.

Based on the 1951 Convention, all Western states have elaborated their own domestic refugee laws and have their own refugee determination procedures. The countries that receive the largest number of applications in Western Europe are also those that have adopted additional provisions to grant some form of asylum to individuals suffering from non-state persecution or

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7 Well behind nationals of the former Yugoslavia, Afghans have topped the list of asylum seekers in Western Europe since the beginning of the 1990’s, followed by Somalis, Iraqis, Sri Lankans, Turkish Kurds, Pakistanis, Iranians, Chinese, Sierra Leonians, etc.

8 The countries with the highest recognition rates for Iraqis in Western Europe are: the Netherlands 50%, Switzerland 65%, Sweden 75%, Norway 76%, Denmark 87%, and the UK 92%. Those that have the lowest rates are: Austria 3%, Greece 6%, Belgium 25%, Italy 26%, Spain 31%, Germany 37%, France 46% (all figures are for 1998).
lesser forms of persecution (UNHCR 2000b). This is also the case with Australia, Canada and the United States. This factor accounts for the high recognition rates of Iraqi asylum seekers, who do not all fall in the category of Convention refugees due to the nature of crises and conflicts in their country on origin. Such elements have not escaped the attention of Iraqi migrants transiting Jordan. In fact, these information are available to them, either directly through the web sites of UNHCR or various refugee organisations, indirectly through their social networks in the West, or thank to middlemen who sell information in Amman and are often touts for migrant smugglers (Chatelard 2002). Currently, Iraqi migrants who exit Jordan merely follow trends and directions that have been set by those who have preceded them in the West.  

While claiming asylum at UNHCR in Jordan, a majority of Iraqis will see their claims rejected and will fall into illegality. It is considerably insecure to be an illegal alien in Jordan where work opportunities are scarce, social services to irregular migrants extremely limited, advocacy groups non-existent, and where one is always at the mercy of expulsion. Other Middle Eastern countries bordering Iraq also exercise their right to expel illegal aliens back into their country of origin, whatever the situation there. Moreover, they also depend on UNHCR for status determination, with recognition rates that remain much lower than those of selected Western states. Therefore, moving to other Arab countries after Jordan is not an option, except as another stage on the transit route.

On the other hand, the majority of asylum seekers from Iraq who transit Jordan with no status will be recognised as refugees or be granted another form of protection in one or the other Western countries. Those whose claims are rejected will also fall into illegality. But Western countries are bound by international standards, and generally do not expel illegal aliens if there is political unrest in their country of origin or if this country is known for violating human rights. This is strictly applied in the case of Iraqis. Moreover, supposing they consider expelling Iraqi illegal aliens, Western host countries face two major problems. A first, technical one, due to the lack of direct flights to Iraq, and a second, legal one as a result: expelled Iraqis would have to be returned to their first country of transit in the Middle East (Iran, Turkey, Iraq or Syria) who all exert their sovereignty by refusing to receive them. To skirt the

For lack of in-depth fieldwork among Iraqis in Western Europe or other countries of asylum like Australia and Canada, it is for the moment difficult to assess how these trends were initially set and how they have evolved over the last ten years. Yet, several evidences point at the fact that Australia became a new destination as from 1999 after increased measures were taken to limit the access of asylum seekers to Western Europe. This is the subject of a forthcoming study by this author.
difficulty, some Western states are now exploring the possibility of negotiating readmission agreements with first countries of transit, as will be seen later.

3.2. Remote control of the movements of Iraqi migrants

Western countries do not generally receive applications launched for refugee status from their embassies abroad, despite their extraterritorial status, with the exception of Canada (that might well reconsider its current policy in the wake of the September 11th terrorist attack, see Aiken 2001), and a few European states (like Austria, but it has one of the lowest recognition rates for Iraqis). Western embassies in Amman do not either seriously consider applications for long-term visas from the part of Iraqis, be it for study or immigration, except in the case of those businessmen who have a clear record of previous dealings with the country they wish to travel to. Moreover, applicants are not better received if they argue of the fact that they already have relatives in that country. The information exchange network that operates between the embassies of EU members states in Jordan seems to be extended (at last partially) to other Western states that are the targets of Iraqi migrants. If a fraud is detected in the documents provided for the application, the personal details of the applicant are communicated to other consular services in Jordan so as to prevent immigration – and later, asylum – “shopping”.

Iraqi forced migrants in Jordan are directly affected by the contradictory immigration policies of Western states that, one the one hand, grant asylum liberally, but, on the other hand, have closed their borders to legal immigration. The cumulative effects of 10 years of EU's policies on immigration 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 states (Bigo 1996; Salt and Hogarth 1998; Lahav and Guiraudon 2000). By closing most legal avenues that allow access to the territories of EU member states, a decade of closed-border policies has criminalised refugees seeking asylum in Western Europe by forcing them to resort to illegal means such as smuggling or fake/falsified travel documents. Together with deterrence measures, Western states have also taken further steps to curb migrant smuggling.

In 1999, Australia too introduced new measures to curb the flow of illegal entry and stop people smugglers by increasing jail penalties and fines for smugglers, refusing residence and family reunification to smuggled aliens, and introducing the detention of asylum seekers in camps (DIMIA 2001; Maley et alii. 2002).
If several of these steps have been implemented within the EU or at its external borders with Central and Eastern European, new ones are now aiming at transit countries in the region of origin of the migrants to allow for "remote control" of the flux. Together with making airline companies legally responsible for boarding undocumented migrants, police co-operation is now sought with a country like Jordan and the idea of readmission agreements is under serious discussion with Turkey. The overall aim of these policies are to move the borders of the West away and to have the burden of asylum carried outside from Western states (Lahav and Guiraudon 2000).

As regards Jordan specifically, these policies can be illustrated by the following elements. In 1999, and again in 2000, the Australian Immigration Minister visited transit countries in the Middle East to discuss ways of clamping down on illegal immigration to his country. According to news reports of his last visit to Jordan, in 1999 about 1,200 illegal Iraqi immigrants had entered Australia by boat from Malaysia, many of them having transited across Jordan. As a result of the visit, two officers from the Australian Department of Immigration, Multicultural and Indigenous Affairs (DIMIA) were posted at the embassy in Amman specifically with the duty of preventing people smuggling. Interviewed in May 2001, they said that, since their posting, the number of Iraqi illegal migrants out of Jordan had decreased and so had the absolute number of Iraqis smuggled into Australia. In Jordan, these officers collaborate with the border police, mainly training them to examine documents and detect fraudulent ones. Nevertheless, migrants who produce forged or falsified documents are not arrested as at the level of national policy, the Jordanian authorities do not consider that Iraqis leaving with forged documents are doing something unlawful as long as they do not use forged Jordanian documents. While Australia has not posted liaison officers at Amman airport (“Jordan is the soft underbelly of Europe, not Australia. Ours is in Asia”), the British, the Dutch and the Swedes have. They act as remote border police officers with the collaboration of their Jordanian counterparts and prevent any suspected illegal migrant to board a plane to their respective countries so that the border of Europe is not only at entry, but also at exit from the migrants’ region of origin.

In many ways, several Western countries, and probably more to come, have managed to secure the co-operation of Jordan in matters of surveillance, exchange of information and other forms of joint actions in their attempt at “rebordering the West” (Andreas 2000). But as one of the immigration officers interviewed reckoned: “The Jordanians authorities have cracked down on some smuggling networks but did not feel the need to publicise it since for one disintegrated network, another one reconstitutes”. In Jordan, as has been demonstrated for the EU (Bigo 1996: 324-325), beefed-up border controls may
be a show of force that is more symbolic than substantive for reasons that will be explored below.

3.3. Acknowledging the specificity of Jordan

In the 1990’s, the EU started attempting to redistribute the social and economic costs of hosting refugees and asylum seekers not only between EU members states (Suhrke 1998; Thielemann 2002) but also with transit countries at the immediate external borders of the EU. To do so while not betraying their international commitments, EU countries use the "safe third country" concept, readmission agreements, police co-operation, and stricter border control (Hailbronner 1993; Vachudoca 2000). In the framework of the Euro-Mediterranean Partnership (the so-called Barcelona Process), new steps have more recently been taken in view of moving the borders of Europe further away by trying to involve states immediately bordering refugee-producing countries. In the future, Western Europe’s asylum policy should not commence at the point of arrival in Europe, rather, the EU’s policy of refugee reduction should be achieved at the point of departure. In order to give recommendations on the best practices to achieve these goals, a EU High Level Working Group on Asylum and Immigration was set up one year ahead of the Tampere Summit (1998) “to address the root causes of migration”, and to provide recommendations in the form of draft action plans aimed at the main refugee-producing countries: Albania and Kosovo, Afghanistan, Iraq, Somalia, Sri Lanka and Morocco (Western Sahara).

The Action Plan for Iraq (and at its precedent, the 1998 "Influx of Migrants from Iraq and the Neighbouring region: EU Action Plan") shows that Turkey is the main target of co-operation in view of curbing the flow of Iraqi asylum seekers entering the EU through that country. The usual measures are supported (and a number have already been implemented, see ICMPD 2001): tackling the involvement of organised crime and combating illegal immigration by a series of border control measures, tightening consular co-operation, providing training to border control officers, exploring the possibility of signing readmission agreements so that EU member states would be allowed to transfer “voluntarily or by force” (sic) rejected asylum seekers back into the Kurdish area of Northern Iraq though the Turkish-Iraqi border crossing. The Action Plan proposes to explore how Turkey’s application for membership to the EU and the provision of economic aid that goes with the 1963 Turkish-EU Association Agreement could be used as a leverage with which to achieve refugee reduction in the EU.
Very few provisions in the Action Plan for Iraq mention increasing similar police co-operation with Jordan, even though the 1996 EU-Jordan Co-operation Agreement includes a section on migration. In addition, contrary to what is meant for Turkey, the Action Plan does not recommend the allocation of financial aid to Jordan for the local integration of forced migrants, a fact confirmed by the absence of funding granted to the European Commission Humanitarian Office (ECHO) for such programmes. As of 2002, the projects being carried out by the High Level Working Group on Migration do not signal that Jordan is part of an overall European strategy to curb transit migration. In parallel, Australia has allocated the equivalent of 21.75 million Euros in bilateral aid in 2000-2001 for targeted contribution to address the situation of displaced Afghans and Iraqis, but none of these funds earmarked for Jordan. Moreover, there is currently no serious attempt by any Western state at negotiating a bilateral readmission agreement for the return of Iraqis to Jordan, and Sweden has even dropped a previous attempt to define Jordan as a "safe third country".

These various elements all point to the fact that Western states, like UNHCR, have acknowledged the specificity of the Jordanian case in matters of refugees burden-sharing. Western governments and supra-national bodies like the EU certainly view Jordan as a weak link in the global system of migration control and cannot afford to pursue laissez-faire policies, henceforth the above-mentioned series of symbolic limited measures aimed at securing some degree of remote control of the flux of irregular migrants. But there is also an acknowledgement that, in view of the yet unresolved Palestinian issue, regional containment of asylum seekers could be more destabilising for Jordan than it is an "economic, political, and social threat" for Western states (Robinson 1998: 86). As an immigration officer in a Western embassy in Amman plainly stated: “With Iraqis transiting Jordan, there is no other solution than keeping up with repression”. Considering the transnational nature of the networks that sustain this migration (Chatelard 2002), anti-smuggling measures and increased policing of borders can only affect its dynamic at the margin, having the effect of benefiting the very same agents they purport to weaken, namely smugglers and traffickers, while always leaving holes in the walls both on its "external" Jordanian side and on its "internal" Western side. This will keep allowing the flow to merely pass across Jordan without weighting too heavily on its societal, economic and political balance.

CONCLUSIONS

One of the major changes that has affected regional patterns of forced migration four decades after the Palestinian "catastrophe" of 1948 is the dispersion of
migrants away from the Middle East. While Palestinian refugees in their overwhelming majority have remained in neighbouring regions, a very large number of Iraqi forced migrants have moved away from the area into Western countries where they have claimed asylum, using neighbouring countries simply for transit.

What has created Jordan a transit country and not a long-term haven for Iraqi forced migrants is a complex set of external factors with domestic repercussions. They pertain to history, such as the Arab-Israeli conflict that has left Jordan to deal with large numbers of Palestinian refugees, and to such current geopolitical realities as the UN-embargo that has turned Jordan into the external border of Iraq. 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, therefore encouraging them to move forward. For their part, despite minor differences, Western countries have all adopted a reverse policy, i.e. limiting – but not closing – migrants access to their territories, granting those who have managed to enter liberal asylum while never deporting any back into the Middle East.

Differences in admission criteria between Jordan and other Arab Middle Eastern countries, and in the treatment of forced migrants between all Arab Middle Eastern countries and Western States are factors that contribute to irregularities in the international movements of Iraqis. Yet, it does not appear that Jordan wants to adopt a coherent migration management system or that Western states are willing to impose it on its government. Very much like Western countries nowadays, Jordan views large-scale immigration, voluntary or not, as a security issue. The question of Palestinian refugees has proved that forced migrants are an enduring, destabilising problem for the region as a whole and beyond, and Jordan seems to be in agreement with its Western partners in believing that the new influx from Iraq is better dealt with by the UN and the international community away from Jordan and the Arab Middle East in general.

Therefore, it is not necessarily the pull of higher income in rich Western countries that contributes to the irregular migration of Iraqis out of the Middle East. Rather, it is a direct consequence of historical precedents and of the institutional and administrative deficiencies of Jordan as a receiving country that prefers to adopt \textit{ad hoc} measures and let the flow be regulated by other agents, be they states or international organisations, smuggling rings, or the transnational social networks of migrants.

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