

## Greece

### Introduction

Greece has traditionally been an emigration country. This changed in the 1970s when immigration started to outnumber emigration. However, Greece first started to create a legal framework for the management of immigration flows only in the 1990s. Yet, lacking perspectives to acquire and maintain a legal residence status continue to shape the situation of many immigrants from non-EU states until today.

The first section of this country profile deals with the historical development of migratory flows to and from Greece since the 1970s. This is followed by a look at the main features of the migrant population in Greece particularly taking into account the question of irregular migrants and asylum seekers, as the three types of flows and stocks (legal, irregular and asylum) in the case of Greece are



### Background Information

Capital: Athens

Official language: Greek

Area: 131,957 km<sup>2</sup>

Population (2012): 10,977,193

Population density (2011): 81.75 inhabitants/km<sup>2</sup>

Natural population growth rate (2011-2012): -0.14%

Foreign-born population as a percentage of total population (2012): 6.99%

Working population (2012): 3,793,147

Unemployment rate (2012): 23.55%

Religions: Greek Orthodox 98%, Muslim 1.3%, other 0.7%

closely intertwined. Further sections then deal with the main migration management policies as well as citizenship and integration issues. The country profile concludes with a discussion of current and future challenges with regard to migration flows.

### Historical Development of Migration

Greece has traditionally been an emigration country experiencing relatively large scale emigration towards North America in the early 20<sup>th</sup> century and again in the inter-war period. Large economic migration continued after World War II towards Australia, Canada, the USA and Northern European countries, particularly Germany. During the 1950s Greece experienced a total emigration flow of 220,000 people. Emigration nearly doubled in the 1960s to 406,000, but this trend was reversed in the 1970s. Net migration started showing positive numbers in the 1970s but, until the beginning of the 1990s, the main influx was that of return migrants.

At the beginning of the 1990s, the size of the migratory influx in Greece grew exponentially. Most of the migrants came from neighboring countries such as Albania and Bulgaria, but the number of co-ethnic returnees from countries

of the former Soviet Union was also considerable. Consequently, the migratory movements towards Greece can be linked, to a large extent, to the collapse of the socialist regimes in Eastern Europe and the Balkan Peninsula.

Greece did not have a legal framework to control and manage migratory inflows until the beginning of the 1990s. The first law attempting to regulate such matters was voted on in 1991 and focused mostly on stricter controls at border areas while making the legal entrance and settlement of foreigners who aimed to work in Greece nearly impossible. Despite the severity of the Greek migration law – which among other things prohibited any contact between undocumented aliens and public services – the influx continued. The large number of undocumented migrants residing and working in the country (estimated at half a million in the mid-1990s already) led to the first amnesty program, which was voted on in 1997 and implemented in 1998, while a comprehensive migration law was voted in 2001.

Since then migration has been gaining increasing importance for the country's economy and society and has come center-stage in the last few years.

## The Immigrant Population

### Stocks of Migrants in Greece

According to the 2011 national census data, there were 713,000 third country nationals and 199,000 non-Greek EU citizens living in Greece accounting for 6.5 percent and 1.8 percent of the total resident population, respectively. Albanians constituted by far the largest immigrant group (480,000, or 60 percent of the foreign population), followed

**Table 1: Stock of foreign population in Greece, 2011**

	Size of immigrant stock	% of total resident population
Total TCN population	713,000	6.59
Total EU population (non-Greeks)	199,000	1.84
Total immigrant stock	912,000	8.43
Total population of Greece	10,815,197	100.00

Source: National Statistical Service of Greece (ESYE), National Census 2011, data published September 2013.

**Table 2: Composition of the migrant population**

Country of Origin	Labor Force Survey 4th trimester 2012		TCN valid residence permits (31 Dec. 2012)	
	Number	Percentage	Number	Percentage
Albania	471,470	59.82%	300,839	68.35%
Bulgaria	38,382	4.87%		
Georgia	23,482	2.97%	13,596	3.09%
Romania	38,469	4.88%		
Pakistan	24,488	3.10%	12,940	2.94%
Russia	15,088	1.91%	11,772	2.67%
Ukraine	10,714	1.35%	16,698	3.79%
Bangladesh	7,525	0.95%	5,025	1.14%
Syria	13,438	1.70%	5,920	1.35%
Armenia	7,500	0.95%	4,914	1.12%
Cyprus	11,207	1.42%		
Poland	11,299	1.43%		
Egypt	10,421	1.32%	10,775	2.45%
Iraq	1,147	0.14%	644	0.15%
India	5,448	0.69%	10,806	2.46%
UK	9,548	1.21%		
Germany	5,242	0.66%		
Moldova	1,385	0.17%	9,266	2.11%
Netherlands	1,145	0.14%		
Philippines	9,936	1.26%	8,363	1.90%
OTHER	50,787	8.98%	33,888	7.70%
<b>TOTAL</b>	<b>768,122</b>	<b>100.00%</b>	<b>440,118</b>	<b>100.00%</b>

Sources: National Statistical Service of Greece (ESYE), Labor Force Survey 4<sup>th</sup> trimester 2012; Ministry of Interior, Valid Residence Permits on 31 December 2012.

by Bulgarians (75,000), Romanians (46,000), Pakistanis (34,000), Georgians (27,000), Ukrainians (17,000) and Poles (14,000).

There are two groups of foreign-born Greek citizens – who could be considered as immigrants sociologically (in the sense of facing discrimination in the labor market, ethnic prejudice and exclusion), but who have naturalized under preferential citizenship acquisition paths and hence do not appear in Table 2.

The first group is that of Greek co-ethnics from Albania (also known in Greece as *Voreioepiotes*). They hold special identity cards for *Omogeneis* (co-ethnics) (EDTO) issued by the Greek police and have the same socio-economic rights as Greek citizens. EDTO holders are not included in the database of the Interior Ministry. During the last three years, EDTO holders have been encouraged by the Ministry of Interior to naturalize and many have done so. In addition, the Ministry of Interior has started cross-checking the previously issued special identity cards and hence many were cancelled as people did not live in Greece any more. The result has been that the number of EDTO identity card holders has decreased from approx. 197,000 in December 2009 to only 6,509 in December 2011 (see also section on citizenship and naturalization below).

The second group is ‘returnees’ from the former Soviet Republics, generally referred to as *Pontic Greeks* who arrived in Greece in the late 1980s and early 1990s as economic migrants. They are officially considered as ‘returnees’ to the ‘motherland’ even though they or their ancestors had never lived within the boundaries of the modern Greek state. According to the special census administered by the General Secretariat for Repatriated Co-Ethnics in the year 2000, 155,319 Pontic Greeks had settled in the country. More than half of them (about 80,000) came from Georgia, 31,000 came from Kazakhstan, 23,000 from Russia, and about 9,000 from Armenia.

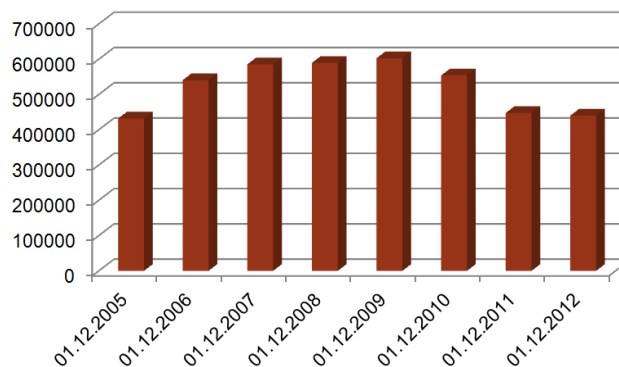
### Flows of Migrants in Greece

Data on effective inflows and outflows of immigrants in Greece are based on the issuing and renewal (or not) of residence permits but are not accurate as hardly any immigrants enter Greece legally (see discussion on migration policy further below). However, data on residence permits do give an indication of the actual trend in terms of inflows and outflows and also in terms of the possible de-legalization of migrants who previously had a legal status.

Figure 1 presents the legal migrant stock in Greece from January 2005 to December 2012, excluding seasonal migrant workers. The data is based on the Ministry of Interior’s database of residence permits. The highest number of legal migrants present in Greece was registered in December 2009, with more than 600,000 valid permits. Since then, there is a continuous decrease in the number of valid residence permits, which fell to just over 550,000 at the end of 2010<sup>1</sup> and to an all-time low of 440,000 in December 2012. The decrease in the number of valid residence permits is related to the current economic crisis that Greece is facing. It should also be noted that this decrease does

not necessarily mean that these migrants and their families have left Greece. Some of them may still be in the country but have lost their legal status because of the impossibility to satisfy the employment and welfare payment requirements provisioned by law.

**Figure 1: Legal migrants\* (stock) in Greece, 2005-2012**



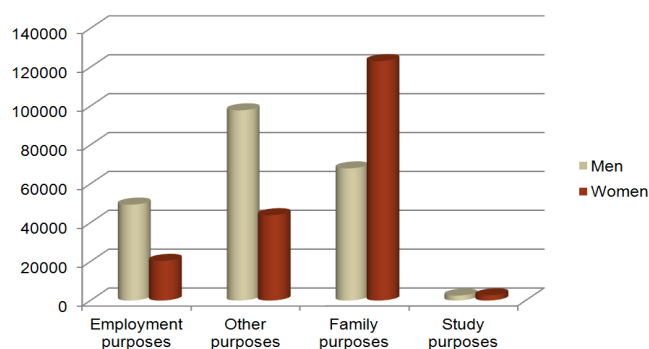
\*Third Country Nationals only

Source: Database of valid residence permits, Ministry of Interior.

### Socio-Economic Features of the Immigrant Population

A look at the purpose of third country nationals’ stay in Greece (see Figure 2) shows that 45 percent of male immigrants hold permits that allow them to reside for ten years or an indefinite period in Greece. These are subsumed under the category “other purposes” in Figure 2. Thirty-one percent of male immigrants are in possession of residence permits for family purposes, followed by residence permits for employment purposes (23 percent). The vast majority of female immigrants hold family reunification permits (65 percent) followed by ten-year or indefinite duration permits (23 percent) and employment permits (11 percent). For both sexes, student permits are considerably lower in number.

**Figure 2: Third Country Nationals’ residence permits by purpose, 31 December 2012**



Source: Graph compiled by the author based on data provided by the Ministry of Interior. The “other purposes”-category includes permits of long-term duration (ten years or indefinite).

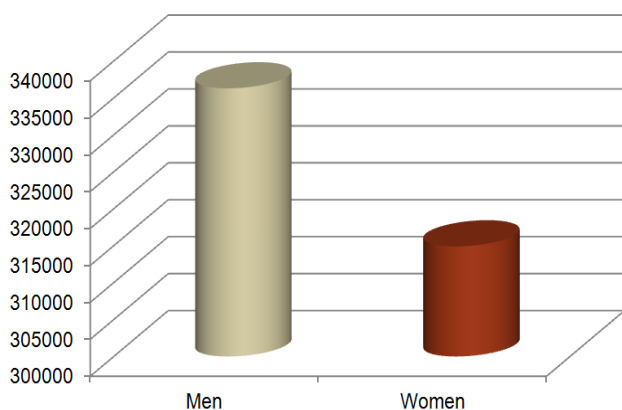
**Table 3: Valid long-term permits, 2007-2012**

Year	2007	2008	2009	2010	2011	2012
Total permits of ten-year or indefinite duration	821	34,296	45,998	62,312	75,377	107,080

Source: Ministry of Interior database on residence permits, author's own compilation.

Regarding the settled immigrant population, it is worth noting that at the end of 2012, there were 107,000 people holding a ten-year or indefinite duration residence permit. Long-term permits have increased significantly in the last six years. In 2012, the number of such permits had increased by 42 percent compared to 2011, but still accounted for only about one quarter of the total legal migrant population, standing at 440,000 at the end of 2012.

As in previous years, the gender composition of the migrant population remains imbalanced – men are much more numerous than women (see Figure 3). However, this imbalance varies among groups. For instance, nationalities like Ukrainians, Bulgarians or Georgians include more women than men (70 percent women for Ukrainians and Bulgarians, 60 percent for Georgians) while Pakistanis and Bangladeshis are predominantly men (90 percent approximately).

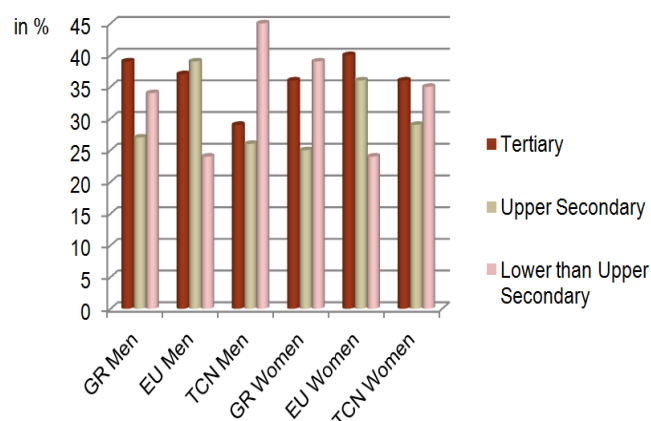
**Figure 3: Gender composition of the migrant population, 2012**

\*Third Country Nationals only

Source: National Statistical Service of Greece (ESYE), Labor Force Survey, 4<sup>th</sup> trimester 2012.

As far as the educational level of the migrant population is concerned (see Figure 4), the educational profile of EU citizens is largely similar to that of natives as regards primary education. But they include higher shares with secondary or technical education (indeed a type of education that was quite common in Communist countries) and lower proportions who have attended university than natives. By contrast, immigrants from non-EU countries are overall less educated than natives or EU citizens with significantly higher levels who have finished only lower middle

school (the obligatory schooling). The percentage of third country nationals with a university diploma is also quite low. Despite these differences in educational qualifications between non-EU migrants and EU citizens, we should note that the sectors of migrant employment in Greece are generally the same for both groups (construction, agriculture, other low-skill jobs, transport services for men; cleaning, caring, catering, tourism for women).

**Figure 4: Educational level by nationality group and gender, 2012 (in %)**  
(Refers to persons between 16 and 64 years of age)

Source: National Statistical Service of Greece (ESYE), Labor Force Survey, 4<sup>th</sup> trimester 2012.

## Migration Policies: Recent Developments

Greek migration policies in the 1990s and 2000s have largely been characterized by a reactive approach to irregular migration and informal employment in the country's black market economy. The main legislative measure for trying to cope with the large number of undocumented migrants has been regularization programs. Reviewing in detail the development of Greek migration policy during the past 20 years goes beyond the scope of this profile. Instead, we present the main features of the legislation currently in force.

### Immigration Law Currently in Force

On 23 August 2005, the then conservative government in power voted on a new law (Law 3386/2005) that regulates migratory matters and incorporates the EU Directives on the right to family reunification (2003/86) and on the status of long-term residents (2003/109) into the national legal order. This law has been in force since 1 January 2006 but was modified in February 2007 by Law 3536/2007. Both

acts (3386/2005 and 3536/2007) included new regularization programs. The aim of these two programs was to legalize the status of specific categories of immigrants who had lived in Greece for several years (the date by which the foreigner had to have come to Greece remained 31 December 2004), but who, for various reasons, had not been able to regularize their stay and employment in the country.

Act 3386/2005 regulates matters of entry, stay and social integration of third country nationals in Greece. EU citizens, refugees and asylum seekers are excluded from its field of effect. The law abolished the existence of separate work and residence permits and introduced a residence permit for different purposes (e.g., for work, study, family reunification, as well as a variety of special reasons, Article 9 of the law). The application fee of 150 euros for issuing a residence permit with a one-year duration remains, but the fee rose to 300 euros and 450 euros for permits with two- and three-year periods of duration, respectively. As a result of protests by immigrant organizations and other institutions, this provision was amended so that now dependent family members do not have to pay the fee.

#### *Residence permits*

Law 3386/2005 introduced a residence permit for financial investment activities (Articles 26-27) which is aimed at people who are willing to invest capital of at least 300,000 euros in Greece. There is also a permit for independent financial activity (Articles 24-25) which requires a minimum investment of 60,000 euros and a residence permit for employees of companies of another EU member or a third country who are sent to Greece for a limited period of time by the company they work for. Moreover, the law determines the condition for issuing residence permits for a series of other categories (such as athletes and trainers, intellectuals and artists, financially independent people, practitioners of known religions, scientific researchers, tour guides, students at the Athonias Academy<sup>2</sup>, etc.). It is important to note that the law includes special provisions for the protection of human trafficking victims (Articles 46-52).

Temporary residence permits are issued for study purposes (Articles 28-29). The law does not set a maximum yearly limit of residence permits to be issued for this reason. It allows foreign students to work part-time (Article 35).

Articles 53-60 of Law 3386/2005 determine the right and the procedure to family reunification by incorporating the relevant EU directive to the Greek legal order. Law 3536/2007 waives the application fee for residence permits of under-age children. Articles 67-69 incorporate the EU directive for the status of long-term residents into the Greek legal order. A basic knowledge of the Greek language and of Greek history and culture are among the preconditions for acquiring this status. Acquisition of long-term EU resident status was facilitated in 2011 (by Law 4018/2011). Immigrants may now prove their knowledge of Greek language and history through a written test and thus may skip the specific state-run course that Law 3386/2005 prescribed. This facilitation was important not only for the enhanced status of protection that the long-term resident

status entails but also because having long-term EU resident status is a prerequisite for applying for naturalization under the provisions of the 3838/2010 law on citizenship (see below).

#### *Integration*

Finally, Articles 65 and 66 introduce a Complete Action Plan for the social integration of immigrants based on the respect of their fundamental rights and with the purpose of their successful integration into the Greek society, emphasizing the following areas: certified knowledge of the Greek language, completing introductory courses on Greek history, culture and the Greek way of life, integration to the Greek labor market and active social participation (Article 66). So far, however, hardly any steps have been taken to implement the Action Plan.

Act 3386/2005 also regulates reasons for revoking a residence permit and the procedure of administrative deportation (particularly Article 76). The law continues to prohibit (Article 84) Greek public services, legal entities, organizations of local government, organizations of public utility and organizations of social security to offer services to foreigners who are 'unable to prove that they have entered and are residing in the country legally.' The only exception to this prohibition is hospitals in emergency cases and in cases of offering health care to minors (under 18 years of age). Children's access to the public education system is granted by Law 2910/2001, regardless of their parents' legal status.

Currently, Parliament is discussing a new comprehensive immigration bill - called the Migration Code (*Metanastefitikos Kodikas*) - which would incorporate all existing relevant legal provisions concerning immigration into a single text.

### **Migration Management: Regularization Programs and Residence Permit Issuing and Renewal**

Greece has implemented a series of regularization programs: the first regularization program was enacted in 1998 and there were 370,000 applicants during the first phase, and 212,000 in the second phase of the program. The second regularization program took place in 2001 with 362,000 applicants; the third one was carried out in 2005-06 with approximately 200,000 applicants. The applicants in each program partly overlapped since several who failed to legalize their status under one of the programs reapplied under a following one. The need for periodical regularization programs in Greece is closely related not only to the continuing illegal immigration to the country but also, and to a large extent, to the frequent shifts between legal and illegal status that many immigrants experience. This happens for two main reasons: first, because the procedures provisioned by law to issue or renew a residence permit are complicated and cumbersome, and second, because in Greece there has as yet not been a proper policy for managing legal economic immigration.

### The Procedure of Inviting a Foreign Worker (*metaklisi*)

According to Law 3386/2005 on the 'entrance, settlement and social integration of citizens of third countries in the Greek State', there are seven types of residence permits: for work, for independent economic activity, for special reasons such as studying, for exceptional reasons, mostly humanitarian ones, for family reunification, of indefinite duration and of long-term residence.

Since the enactment of the first Greek law that intended to regulate immigration, and more specifically to counteract irregular migration (Law 1975/1991) in 1991, the only way for a third country national to acquire a residence permit with the purpose of employment is through invitation by an employer.<sup>3</sup> The Greek policy for labor migration (*metaklisi*), which involves a rather complex procedure, allows immigrants to work in Greece, for a specific employer and for a specific type of work, but only if there is an available position for them which cannot be filled by either a Greek national or an immigrant who already resides in Greece.

Law 3386/2005 seeks to rationalize the system of inviting foreign workers to Greece (article 14). The system is based on the preparation of an annual review regarding the domestic labor market needs in specific sectors of work. On the basis of this report, the Ministry of Employment, determines 'the highest number of residence permits for work purposes that can be issued each year to third country nationals, per prefecture, per nationality, per type and length of employment, and all related details' (Article 14). Employers who wish to invite an immigrant worker need to apply to their municipality by the 30<sup>th</sup> of June of every year, informing the authorities of the number and the specialization of the employees they need for the following year as well as of the envisaged duration of the employment. There is a long bureaucratic process that involves different ministries (Ministry of Employment and Social Protection, Ministry of Interior, Ministry of Foreign Affairs) and several levels of administration (local, regional, national). It takes approximately 18 months until the employer's request is approved and the foreign national is provided with a visa to enter Greece for the purpose of employment.

The invitation procedure is ill-crafted and takes much too long to be able to respond to the needs of the labor market, especially considering that immigrants are predominantly employed in sectors - such as construction, catering or retail - which are dominated by small businesses that have to adapt flexibly and quickly to the swings of the market.

### Securing a Permit and a Legal Job

In order to renew a residence permit once it expires, it is necessary to give proof of employment. There are two kinds of problems here. First, the problem of securing a legal job and, second, the immense delays in the issuing/renewing of residence permits that has marked Greek policy since the late 1990s when the first attempts to manage immigration started.

Migrants face important difficulties in securing a contract and welfare payments, given that they are employed

in sectors where informal work is the norm even for natives. Sectors such as construction, private services within families (caring and cleaning) and catering (e.g., as waiters or cleaners in family restaurants, small pensions, small cafés) belong to the secondary job market. Employees in these sectors often work without a proper contract or welfare contributions. Nonetheless, the issuing and renewal of residence permits for work purposes in Greece is totally conditioned upon providing proof of legal employment. Since immigrants may have been employed at different jobs during a calendar year, the law specifies that employment is proven by their contributions to the welfare system, by the famous 'welfare stamps' (*ensima*) that provide proof of their days of work. Law 3386/2005 has actually simplified the matter. It allows immigrants who work in construction or domestic services to register on their own with the National Insurance Institute (IKA) in order to be eligible for a lower level of contributions (those envisaged for part-time dependent employees). Hence, they may prove their employment autonomously, without the need for producing a contract with a specific employer. Immigrants have to collect 200 daily welfare stamps in each calendar year to have their permit renewed. In 2011, the required number of welfare stamps was reduced to 120 per year (equivalent to 120 working days per year) or 240 in two years, acknowledging the rising unemployment caused by the economic crisis.

In short, it is particularly difficult for migrants, especially under the current economic crisis (see below), to obtain and maintain a legal job with welfare contributions. Yet, these contributions are vital for the renewal of residence permits. Things are rendered worse by the short duration of the residence permits and the lengthy process required for their renewal (which can take up to twelve months each time). Permits are issued for a maximum two-year duration until the migrant completes a ten-year legal residence in Greece after which s/he may apply for a ten-year or indefinite duration permit (see above).

### Citizenship and Integration Policies

Greek nationality has been based predominantly on the *jus sanguinis* principle and, until March 2010, the naturalization procedure was long, costly, and with a very uncertain outcome even for applicants who satisfied the requirements. A high fee was paid by the applicant (1,500 Euro) and the decision was discretionary based on an assessment not only of the knowledge of language and Greek culture and overall integration into society but also the "national consciousness" of the applicant. Authorities were not required to reply within a specified period of time and did not need to justify a negative decision to the applicant. If an applicant was rejected, s/he could apply again after one year.

In practice, naturalization was an option almost exclusively for people of Greek ethnic origin from the former Soviet Republics. Other immigrants, including Albanian citizens of Greek ethnicity (the so-called *Voreioipirotes*), could apply after ten years of legal residence distributed over a period of the twelve calendar years prior to applica-

tion. Implementation was, however, particularly restrictive, and citizenship acquisitions were counted in two-digit numbers (see Table 4).

In November 2006, a joint decision by the Ministries of Interior and Foreign Affairs facilitated the naturalization procedure for ethnic Greek Albanians. That decision was passed largely without debates as it was congruous with the predominant conception of the Greek nation: Greeks are all people of Greek descent.

### Law Reform

When the Socialist party came to power in October 2009, it quickly proceeded to change the citizenship law, in keeping with its electoral promises, to facilitate naturalization for non-Greek origin immigrants. Thus, in March 2010 the Greek Parliament passed a new law (Law 3838/2010) on citizenship and naturalization. This new law lowered the requirement for naturalization from ten to seven years of legal residence in Greece. Immigrants who wished to naturalize, however, first had to obtain the EU long-term resident status (for which they can apply after five years of legal residence). In addition, they had to prove knowledge of the Greek language and culture. In contrast to the previous law, the authorities were required to reply to applicants within a time frame of six months, and had to justify their decision on whether the applicant was granted citizenship or not.

Concerning second generation immigrants, the 2010 law provided for children born in Greece of foreign parents to become Greek citizens through a simple declaration of their parents, provided that both parents had been living in Greece legally for at least five years. Even if one of the parents did not fulfill this requirement, they could still make the declaration and the child could obtain Greek citizenship as soon as the second parent satisfied the requirement.

Children who were born abroad of foreign parents but who lived in Greece and had completed at least six years of schooling in the country could also be naturalized with a simple declaration by their parents provided that both parents had been living in Greece legally for at least five years. Citizenship acquisition of migrant children could also make their parents' lives easier: as parents of a Greek citizen, they were entitled to a five-year renewable permit, regardless of their employment situation, as this was in the best interest of the child who is a Greek citizen.

### Voting Rights for foreign nationals

In addition to reforming the citizenship and naturalization rules, Law 3838/2010 had introduced full local voting rights for foreign residents who had lived legally in Greece for at least five years. However, immigrants who wished to register to vote also had to satisfy one of the following conditions: be in possession of a long-term EU resident status or a national residence permit of ten years or indefinite duration, be parents of a Greek citizen, married to a Greek or EU citizen, or hold a special identity card issued to ethnic Greeks from Albania.

### Annulment of the reform

In February 2013, the Council of State declared the above provisions of Law 3838/2010 to be unconstitutional and the Ministry of the Interior announced that the law would be replaced with legislation that would require migrants to show a 'genuine bond' with Greece and prove they had assimilated into Greek culture. Currently, the previous citizenship law has gone back into force and naturalization applications under the 2010 law have been cancelled.

## Irregular Migration and Asylum

During the past five years, Greece has become "famous" in Europe for its failing asylum system which was characterized by inappropriate processing of the applications:

- impossibility to access the relevant services and file an application,
- no information given at border areas or when apprehended,
- once an application was filed, decisions were mainly taken on the basis of the (safe or unsafe) country of origin,
- no substantial asylum interviews,
- overall process mishandled by untrained police officers,
- no political will to improve the situation.

In addition there was major concern with the inhuman and degrading conditions of detention of pending asylum seekers and about the fact that when they were released with a pink card - a temporary permit (renewable every six months) allowing them to reside in Greece while their application was processed - they were left to their own devices.

**Table 4: Acquisition of Greek Citizenship (2000-2012)**

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010-2012
Naturalizations	66	58	52	36	23	66	68	10,806	16,922	17,019	13,425

Source: Ministry of Interior, 2011 data provided upon author's request. For 2010-2012 data received upon request by the Greek Parliament as provided by the vice Minister of Interior, H. Athanasopoulos, in response to a parliamentary question of MPs I. Dimaras and G. Abramidis on 14 March 2013.

Greece had come under the spotlight because of its continuing inability to provide effective protection to asylum seekers arriving at its shores and having to be handled on Greek territory in line with the Dublin II Regulation. Already on 31 January 2009, the European Commission had started infringement proceedings with Greece because of its failure to implement the Dublin II Regulation, bringing the country in front of the European Court of Justice. The infringement concerned mainly the fact that Greece lacked legal guarantees for a substantial examination of the application of asylum claimants. On 21 January 2011, the European Court of Human Rights (ECHR) found that Greece's broken asylum system and appalling detention conditions meant that Belgium's transfer of an Afghan asylum seeker to Greece in 2009 under the Dublin II Regulation had breached the prohibition on ill-treatment and denied him an effective remedy.<sup>4</sup>

### Reform of the Asylum System

The socialist government that came into power in November 2009 introduced Presidential Decree 114/2010 in an effort to process the backlog of asylum applications that had formed during the previous years and which exceeded 45,000 at the end of 2009. In addition, Law 3907/2011 passed by the Greek Parliament in January 2011 established two separate agencies, the Asylum Agency and the Agency for First Reception. It thus set new standards concerning the first reception of irregular migrants, the distinction between irregular migrants and asylum seekers, the processing of asylum applications, and the time to process an application. Most importantly, Law 3907/2011 took the asylum committees out of the authority of the Greek police (which had basically taken over the whole asylum system since 2008).

#### *Asylum agency and first reception centers*

The new asylum agency is autonomous and decentralized. There are several regional offices; the first one started operating with a 2.5 year delay in June 2013. First Reception Centers are being constructed in selected places where there is a notable inflow of immigrants. The first of these centers started operating in March 2013 at the northeastern land border of Greece, near the Evros River. One more mobile reception centre is currently in preparation and will most likely to be deployed on the island of Lesbos.

These first reception centers receive irregular migrants upon their arrival and refer asylum seekers to the regional asylum office that should be attached to the local reception centre. The regional asylum offices (yet to be created) will be responsible for receiving and processing the applications, conducting interviews, and issuing decisions at the first instance, within a time limit of 30 days.

#### *New permits*

Law 3907/2011 also implemented two kinds of new permits for irregular migrants and asylum seekers: a formal toleration status for people who have been issued a return

decision but cannot be returned to their country of origin, and a new type of permit for exceptional reasons that is given to irregular migrants who have been living in Greece for twelve years or more and in particular continuously for ten years prior to their application for such a permit. The same law also introduced the possibility of voluntary return for irregular migrants. When a migrant declares that s/he will return voluntarily to his/her country of origin, the new law allows him/her to stay for a period of up to one year in Greece, so as to make voluntary return feasible for the migrant.

### Border Controls

Alongside improvements in its asylum and irregular migration management policy, Greece has improved its border controls. Indeed, the rising number of apprehensions generally indicates not only irregular migration or asylum seeking pressures at the borders of Greece (or the presence of irregular migrants within the country) but also the enforcement efforts of the authorities. In fall 2007, the Greek border guard employed 200 new officers in the Aegean Sea. In addition, Frontex has been operating in Greece since 2006 albeit with increasing intensity in the last couple of years. The joint operation Poseidon has now become the largest Frontex operation in the Mediterranean. For the first time ever, Frontex's Rapid Border Intervention Teams (RABIT) have been deployed: 175 officers were sent to the Greek-Turkish land border in late October and November 2010 and stayed there until March 2011.

In 2012, in response to pressures from the EU but also the continuous arrivals of irregular migrants, Greece further tightened border controls through Operation 'Shield' (*Aspida*). This operation involved the transfer of 1,800 border guards to the region of Evros. In addition, the erection of a border fence across those 12.5 km along the Greek-Turkish border that were used as the main entry point was completed. Passport controls were increased and the harbors of Patra and Igoumenitsa, the main exit points to Italy, were technologically upgraded.

### Apprehensions

In 2012, a total of 30,433 irregular migrants were apprehended at the Greek-Turkish land border alone. Most of the migrants apprehended at the Greek-Turkish border are released after a few days or weeks with an expulsion order at hand, asking them to leave the country within 30 days. Most migrants, however, make their way to Athens in order to find their co-ethnic networks or their smugglers' contact people. Some do this with a view to finding a job and accommodation in the country's capital and apply for asylum (this holds especially true for people coming from war-torn countries like Afghanistan, Somalia, Iraq, or Palestine). Others seek to leave for Italy and then travel further on to some other EU country.<sup>5</sup>

Standard practices of interception both at maritime and land borders include disembarkation, first aid and health checks, transfer to police stations for identity checks (for those without documents) and detention. Detention is a



hotly debated issue in Greece. The country was heavily criticized for its detention facilities on the islands<sup>6</sup>, particularly in Lesbos. It has also been criticized for detaining asylum seekers.<sup>7</sup> This practice was strengthened in 2012 through the modification of Presidential Decree 114/2010. Asylum seekers may now be detained up to twelve months rather than – the previous three and six months under special circumstances. This practice is unlikely to contribute to the efficient processing of asylum claims. Instead, it aims at deterring migrants from lodging an application.

### Deportations

Since 2008, Greece has in total deported (i.e. expelled without consent) 86,934 persons, primarily to Albania but also to countries such as Afghanistan, Iraq and Pakistan. In fact, in 2012 alone, Greece both voluntarily and forcefully (through police) returned 11,034 persons, with another 4,759 readmissions, making altogether 15,793 persons returned to their countries of origin. Returns remain significantly lower than apprehensions, though. This is due to two reasons: Firstly, irregular immigrants apply for asylum as a way of circumventing deportation. Considering the Greek asylum system (as outlined above), the migrant is likely to remain in the country for at least a couple of years before being reconsidered for expulsion. Secondly, many apprehended and detained immigrants fail to receive

travel documents from embassies of their countries of origin which means that they will eventually be released with a 'pending' deportation order and will likely remain in the country undocumented.

### Current and Future Challenges

A lack of perspective and a reluctance to accept that Greece is an immigration country remain the main two features of the Greek migration management model. After 20 years of experience as a host country, Greece has yet to design and implement viable legal migration channels for third country nationals. While some steps have been taken to improve the plight of migrants and their families who have lost their legal status because of the current economic crisis and rampant unemployment, their fate remains insecure as long as residence permits are of a short duration and Greek citizenship remains out of reach for not only the first but also the second generation.

The recent citizenship law that was expected to radically change the prospects of the second generation and to a large extent the prospects also of their parents has been annulled and the second generation is now given one-year renewable permits. They are therefore trapped in the same insecure situation as any labor migrant in Greece.

**Table 5: Apprehensions of irregular migrants, per border, 2007-2012**

Apprehensions	2007	2008	2009	2010	2011	2012
Greek-Albanian border	42,897	39,267	38,164	33,979	11,743	10,927
Greek-Macedonian border	2,887	3,459	2,355	1,589	1,003	1,168
Greek-Bulgarian border	966	1,795	1,258	983	636	365
Greek-Turkish land border	16,789	14,461	8,787	47,088	54,974	30,433
Greek-Turkish sea border	16,781	30,149	27,685	6,204	N/A*	N/A*
Crete	2,245	2,961	2,859	2,444	1,640	2,834
Rest of the country	29,799	54,245	45,037	40,237	29,372	31,151
<b>TOTAL</b>	<b>112,364</b>	<b>146,337</b>	<b>126,145</b>	<b>132,524</b>	<b>99,368</b>	<b>76,878</b>

Note: data refer to apprehensions, not to people. Hence, the same person if apprehended twice counts twice.

\* Due to their small numbers, apprehensions in 2011 and 2012 are most likely included in the "rest of the country" category.

Source: Greek police data, [www.astynomia.gr](http://www.astynomia.gr)

## Migration and Economic Crisis

Greece entered a period of deep economic and political crisis in late 2009 when the structural problems of the Greek economy (low productivity, low competitiveness), the segmentation of the Greek labor market and a public debt that had skyrocketed during previous years were exacerbated due to the global financial crisis that had started a year earlier. The crisis has led to an explosion of unemployment rates, which climbed to 24.6 percent in June 2012 and further to 27.9 percent in June 2013 with a peak of 55.4 percent for youth under 25 years of age.<sup>8</sup> However, the crisis has hit hardest the economic sectors where immigrants are largely employed. Construction in particular receded at a rate of nearly 20 percent annually<sup>9</sup> in the period 2008-2012.

These developments have particularly affected migrant men and women who belong to the most vulnerable segment of workers in Greece. Many Albanian migrants are heading back to Albania looking for a better future there. The impact of the crisis on migrant workers is multi-faceted and largely intertwined with the systemic features of migration in Greece. The legal stay status of migrants and their families in Greece is particularly precarious as they continuously (every one or two years) have to prove that they are employed and have been insured in order to have their residence permit renewed for the first ten years of their stay. This is a condition that is becoming increasingly difficult to fulfill because jobs available in the sectors where migrants are typically employed (such as construction, transport, catering, cleaning, or tourism) are more often than previously without a proper contract, highly unstable and without welfare payments. This situation runs the risk of becoming a vicious circle because if a migrant cannot renew her/his residence permit her/his stay in Greece becomes illegal and they are then unable to get a legal job.

## Emigration of Greeks Abroad

There has been a lot of discussion as to whether Greeks are emigrating abroad to seek employment since the average unemployment rate for nationals in the summer of 2013 stood at 28 percent and at more than 55 percent for young persons under 25 years of age. It is, however, difficult to estimate the number of Greek citizens who are leaving the country because they are not required to register upon leaving.

## Rise of Xenophobia and Racist Violence

Migrant integration in the Greek labor market and overall public attitudes towards migration are currently heavily influenced by the acute economic and political crisis that Greece is going through. Migrants are perceived now more than ever as competitors for scarce resources and even scarcer jobs. Alongside the renewed emphasis on migration control by the Greek government, Greek public life has been marked in the last couple of years by a dramatic increase in incidents of racist violence, which have intensified after the 2012 national elections when the neo-Nazi

Golden Dawn party (*Chrysi Avgi*) received seven percent of the popular vote and entered Parliament for the first time in its history. During the last couple of months (since September 2013), and after the murder of a young Greek musician by members of Golden Dawn, the government has decided to crack down on this far right-wing party. The party leader and several of its MPs have been arrested and put to jail with criminal charges. Polls have shown a decrease in its electoral appeal, as its criminal activities were disclosed. The situation however remains tense and ambivalent as there is a risk that such a criminalization of the party's activities may turn out to be in its favor - making the party leaders appear as victims of the major political parties and the political status quo. The spectacular rise of the far right, increasing racist violence, ethnic prejudice and overt racism expressed in public and political discourse needs to be addressed with concrete policy measures and independent of any concerns about the criminal activities of the far right-wing party Golden Dawn.

## Notes

- <sup>1</sup> 553,916 valid residence permits on 1 December 2010.
- <sup>2</sup> The Athonias Academy is a Greek Orthodox educational institution on Mount Athos, Greece.
- <sup>3</sup> Emke-Poulopoulou (2007).
- <sup>4</sup> Triandafyllidou and Dimitriadi (2011).
- <sup>5</sup> See also Triandafyllidou and Maroukis (2012).
- <sup>6</sup> For the situation in Greek detention centers see ProAsyl (2007), Human Rights Watch (2008), Frontex (2011), Fundamental Rights Agency (2011).
- <sup>7</sup> UNHCR (18. Oktober 2012).
- <sup>8</sup> Data published by Eurostat in October 2013, available at <http://epp.eurostat.ec> (accessed: 10-10-2013).
- <sup>9</sup> Research and Markets: Construction in Greece - Key Trends and Opportunities to 2017, available at [www.reuters.com](http://www.reuters.com) (accessed: 2-9-2014).

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