



■ Current Immigration  
Debates in Europe:  
A Publication of the  
European Migration  
Dialogue

Jan Niessen, Yongmi Schibel and  
Cressida Thompson (eds.)

## Greece

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for

Hellenic League for Human Rights and  
KEMO, Minority Groups Research Centre

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The Migration Policy Group (MPG) is an independent organisation committed to policy development on migration and mobility, and diversity and anti-discrimination by facilitating the exchange between stakeholders from all sectors of society, with the aim of contributing to innovative and effective responses to the challenges posed by migration and diversity.

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The individual reports on Austria, Belgium, the Czech Republic, Denmark, Finland, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain, Switzerland, and the UK are available from MPG's website, together with a preface and introduction. See Jan Niessen, Yongmi Schibel and Cressida Thompson (eds.), *Current Immigration Debates in Europe: A Publication of the European Migration Dialogue*, MPG/Brussels, September 2005, ISBN 2-930399-18-X.

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## Greece

Irini Avramopoulou, Leonidas Karakatsanis and Miltos Pavlou<sup>1</sup>

### Executive summary – main points

Greece has been a reception country since long before the 1990s<sup>2</sup>. However, more recent experiences of mass migration, particularly in the last 15 years, have had a significant impact on the economy and society more generally.<sup>3</sup> Recent developments have not, however, led to the development of a 'large scale' mainstream immigration policy. Instead, the low-scale and inefficient legislative framework has brought about a situation in which immigrants become integrated into the deregulated, informal economy, in an atmosphere with a weak public discourse about immigration and lately about immigrants' integration in society,<sup>4</sup> while stakeholders and operators (such as migrants' associations and specialised NGOs) are left out of the dialogue about migration policies and legislation - the public consultation process is almost non-existent.

The political debate on immigration is not unique. As in other countries, there appears to be a mixture of rationalising and regulating immigration to form increasingly restrictive policies.

The prevailing attitude among policy makers is that immigration is a 'problem'. This attitude impacts on public opinion, which, perhaps as a result, is generally quite negative. The negativity surrounding immigration then limits the government's ability to implement anti-discrimination and integration policies. In this climate of hostility, the government is also less inclined to implement practical and verifiable rights oriented policies. This further aggravates the relationship between immigrants and Greek citizens.

What is more, immigration policies are hampered by administrative weaknesses and ineffective policy reforms. Successive governments have been unable to create an effective solution to the problems of undocumented migrants and the informal economy.

On a more positive note, the debate is starting to incorporate more positive attitudes towards immigrants. Declarations about the need for compassion and rights based laws are starting to come to the surface. There is a growing recognition that migration has made a positive impact on economic development and that it will provide real long-term advantages to Greece. Indeed, it seems positive attitudes towards immigration, and immigrants are starting to emerge for the first time in 15 years (Pavlou M. & Christopoulos D. (Eds.) "I Ellada tis metanastefsis", 2004).

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<sup>1</sup> This report is based on information up to 23 August 2005.

<sup>2</sup> Some Greek academics and many government representatives insist on 'a modern Greek myth' about Greece becoming a reception country only recently. However, the reality is that Greece has a long history of immigration. The first wave of immigrants arrived just after 1922. This was followed by subsequent waves - post WW2, in the 1960s (ethnic Greek immigrants - kin minorities - from Turkey, Egypt, Philippines and elsewhere), the 1970s (mostly from Arab countries - based on bilateral agreements) and 1980s (from Warsaw pact countries).

<sup>3</sup> In a decade, the foreign population has increased from less than three per cent to an estimated today ten per cent of the total population of Greece. This has perhaps been the most rapid proportional increase in Greek immigration history.

<sup>4</sup> It is important to note that during the major pre-electoral debates in spring 2004 (national elections) the issue of migration was not mentioned despite the fact that it has a direct impact on ten per cent of the population and a more or less indirect one on Greek citizens as well.

The 'integration debate' is linked to this shift in the public debate. However, there is still some disparity between the government's rhetoric and the implementation of policies. There is still significant discrimination in terms of access to public services and in society more broadly.

It is important to understand that the integration debate is still quite new. The government has stated its commitment to integrate immigrants to enable them to participate in Greek society. However, this is taking place in a climate of negative attitudes and social discrimination.

The immigrant labour force in Greece is predominantly low skilled (and often illegal). There is, therefore, little debate on the 'brain drain' phenomena, which links immigration debates to foreign policy aid / development debates.

Finally, there is a general feeling that immigration policies develop in a vacuum, with little to no public consultation, statistical analysis or evidence-based research. Because of this, non-governmental actors focus on initiating and expanding the public debate in an effort to influence policies.

## **1. Making the case**

### **Introduction**

According to recent research findings and estimates announced by the Greek Migration Policy Institute, up to ten per cent of the population are immigrants. This translates to 1.15 million documented and undocumented 'foreigners' that reside (and most of them work) in the country. The number of immigrants has quadrupled in the last a fifteen years, making Greece the country with the highest proportional increase in immigration in the European Union (EU) over this time.

After the restrictive and inefficient immigration policies of the 90's, there is now a growing recognition of the increasing participation of migrants in the labour market.<sup>5</sup> This recognition has led to a series of amnesty/legalisation campaigns. Combined with the 'coming of age' of a number of second-generation migrants, this has brought about a greater acceptance of immigration as a permanent feature of Greek society.

The public debate presented by the dominant political parties confirms this acceptance. It appears they have finally reached a common ground - at least in their willingness to acknowledge the positive impact immigration has had on the Greek economy.

However, administrative weaknesses are creating significant problems. The residence permit system, for example, is largely ineffective. Indeed, the administration has been known to issue permits that have already expired, leaving large numbers of migrants in a suspended, semi-legal status under the threat of deportation.

Public attitudes towards immigrants and immigration more generally are varied. Strong anti-immigrant views exist along side an understanding of the need to grant immigrants certain social rights.<sup>6</sup>

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<sup>5</sup> According to last year's statistics from the social insurance foundation, 505,036 migrants were recorded, namely, more than 25 per cent of the total number of people insured.

<sup>6</sup> See the interesting results of the Greek part of the European Social Survey (ESS) at [www.ekke.gr/ess](http://www.ekke.gr/ess). The ESS was conducted between 29 January and 15 March 2003 at a national level with a contingent sample of 2,566 persons.

## 1.1 The immigration debate

### Rationale – legitimising immigration policies

In Greece there is a mixture of rationalising and regulating immigration to form increasingly restrictive policies. At the same time, governments are making (somewhat contradictory) declarations about the need for compassion and rights-based laws.

The Greek state has generally addressed the issue of immigration as a problem. As such, it has based policy decisions on the following arguments:

“Greece has rapidly and unexpectedly become a country with an unacceptably high percentage of immigrants (approximately ten per cent of the population) due to an unregulated influx over the last 15 years. This threatens social cohesion and causes serious demographic imbalances.”

“Those who do not obey the law should not be tolerated. Every immigrant should enter the country legally. They should have an invitation from an employer, and this invitation should be made on the basis of labour market shortages.” The government will not tolerate third country nationals who are unemployed or ‘seeking work’. Those without a job should leave the country.<sup>7</sup>

‘Unregulated migration creates security issues and criminal concerns’.

However, there are now very few arguments completely against immigration. Such arguments generally come from the extreme right. The extreme right is not represented in parliament due to the minimum percentage of votes required.

As mentioned above, another element of the debate recognises the permanent and positive nature of immigration, in line with the EU Council principles on integration. This is paving the way for a more positive ‘integration debate’ (outlined in section 1.2).

### Political discourse

The political debate on immigration was injected with new energy in the pre-election periods (national election - March 2004 and the European elections – June 2004). During this time, all key stakeholders had an opportunity to express their views.

However, the two main candidates, Giorgos Papandreou (PASOK) and Kostas Karamanlis (Nea Dimokratia), did not mention immigration in the main televised election debate.<sup>8</sup> This fact makes clear that the immigration and integration debate is hardly making its way into central political arena and it is mostly recognised as a secondary ‘sectoral’ policy and not a part of mainstream policies aimed at developing a multicultural society.

The two major political parties, the socialist ‘PASOK’ (the former government) and the conservative ‘Nea Dimokratia’ (the current government) have expressed similar views on the need for the integration of immigrants and the need to combat

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<sup>7</sup> The recently elected government (of the right) has used these arguments along side declarations of respect for migrants and the need to fight potential exploitation.

<sup>8</sup> Smaller parties have used the issue to attract attention, but it was not part of the main debate. Kathimerini English Edition, 28/2/2004, “The vision thing” by Nikos Konstandaras.

discrimination and inequalities in their pre-electoral policies. There was also a consensus on the need to regulate immigration, without which, it was argued, there would be problems in the labour market and social upheaval.

However, their views do differ in some areas. The leader of PASOK, Giorgos Papandreou, has argued that migrant Albanian workers, who wished to reside permanently in Greece, should have an opportunity to obtain Greek Citizenship (Klearchos Liatis, Macedonian Press Agency, 6/2/2004). 'Nea Dimokratia' candidates,<sup>9</sup> on the other hand, are more articulate in their desire to limit the number of immigrants welcome in Greece, based on the country's total population (ATHENS NEWS, The political programmes of Pasok and New Democracy, 13/02/2004).

One year after the national election, PASOK has invited and elected immigrants (third country nationals) to become members of the party and its main organs for the first time in Greek political history. In fact a notable number of immigrants have been elected as party members, as well as members of committees.

### **Anti-immigration discourse**

In the pre-election period several media outlets latched on to the immigration issue. They coordinated panels and political debates on the topic, generating some very high ratings. This attention gave some otherwise marginalised views (of the extreme right) a certain level of legitimacy. It might also have contributed to the success of the extreme right-wing politician, Giorgos Karatzaferis, who has been nominated for an MEP position in the new European Parliament.<sup>10</sup> However, it is important to note that there are candidates in all major political parties, who share and promote extreme xenophobic views. Generally extreme-right parties, such as 'Laos' and 'Elliniko Metopo', have not experienced any significant electoral successes because of the prevalence of such views across the political spectrum, even within the Greek left.

### **Migration legislation**

In the last few years, most new legislative initiatives have focused on updating, rather than changing the largely inefficient Immigration Law (n.2910/2001),<sup>11</sup> especially regarding legal entry channels for employment purposes. Under such framework migration influx is regulated through a complex system of visas and quotas based on non-existent statistical employment data about job vacancies, administered by an overbearing bureaucracy, unable to manage the implementation in an efficient manner.

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<sup>9</sup> A policy proposal espoused by Vvron Polidoras MP

<sup>10</sup> Within the new European Parliament G.Karatzaferis - leader of the LAOS party ("Popular Orthodox Alarm") member of the Independent Democrats in the EU Parliament is present only in the Foreign Affairs' committee. Karatzaferis, leader of "Laos" party and owner of a television Channel ("tileasti") and the News Paper "A1", favours a stricter migration restriction. Among his suggestions was a 5 per cent maximum limit of aliens, the admission of immigrants according to their nationality, and an obligatory assimilation to "Greek" ethics and values, ELEFHEROTIPIA, «G. Karatzaferis: The Parties should put a limit to immigration» 09/03/2004. At the same time, in the period before the national elections, the area of Athens was "flooded" by anti-migration posters of the marginal (in electoral terms) nationalist and xenophobic party "Elliniko Metopo" which favours an ethnically and racially "pure" country.

<sup>11</sup> Amendments to 2910/2001 were introduced with the following legal texts: law 3013/2002, art. 25, law 3064/2002 art. 32, law 3068/2002 art.15, law 3074/2002 art. 11, N. 3103/2003 art. 23, law 3146/2003 art. 8, law 3153/2003 art.37, law 3169/2003 art. 10, law 3202/2003 art. 31-32, law 3242/2004 art. 25, law 3274/2004. Decree 15514/11.10.04 of the under-secretary of the interior ministry.

In 2004 the government initiated yet another piece of legislation under the Law n.3242/2004 art.25, which facilitated another regularisation campaign for undocumented migrants and migrants with expired permits. The deadline for this most recent regularisation process ended in June 2004.<sup>12</sup>

Similarly, the Law n.3274/2004 issued by the Ministry of Interior, introduced regulations on residence permits and the expulsion of immigrants. This law closed the gaps of the main immigration law and simplified the existing regularisation procedures.

### **The New Citizenship code**

In 2004, the Greek State did not introduce any substantial or innovative changes to the law on citizenship acquisition by third country nationals. Instead, the New Citizenship code, adopted with the new law n.3284/2004, combined all previous legislation and amendments on citizenship in one legal text. The establishment of the new Code signifies a continuum in the priority given by the Greek Governments to *jus sanguinis*, preserving, as many researchers and jurists argue, the framework of the most hard-to-get citizenship of all EU countries.<sup>13</sup>

### **The adoption of anti-discrimination directives**

The EU Anti-Discrimination Directives were tabled in the first session of Parliament (2005) after a one-year delay. The two directives were incorporated through a single law and voted by an increased majority of MPs. This law has brought about the creation of a system of different, but complementary bodies, each of them having both a monitoring and a reporting role.

However, some argue that the new bodies will interfere with the work of other, similar bodies, including:

- the Greek Ombudsman, whose mandate focuses on discrimination and omissions by the public administration on the grounds of racial or ethnic origin, for what concerns respect of the principles of equal treatment;
- the Commission for Equal Treatment (to be founded), a body annexed directly to the Justice Minister, assisted by a special Equal Treatment Service in the same ministry, with the mandate of preserving equal treatment by all private persons and legal entities; and
- the Labour Inspectorate Body with the role of monitoring and controlling discrimination cases in employment assisted by the Equal Opportunities Department of the Directorate for Social Protection of the Labour Ministry, the Economic and Social Committee, as the reporting body on the implementation of anti-discrimination laws. This body issues an annual report to the European Commission.

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<sup>12</sup> The amendment stated that residence permits that expired 30 June 2003 (based on Article 23 in Law 3103/2003) were automatically extended to 30 June 2004. The extension also applied to immigrants whose residence permit had expired after 30 June 2003 and up to 24 May (the date law 3242 came into force). The previous regularisation initiatives (1998 and 2001) of undocumented migrants proved insufficient due to administrative inefficiencies, red tape and lack of communication between different authorities.

<sup>13</sup> Positions expressed at the conference organised by the Hellenic League for Human Rights on the occasion of the adoption of the new citizenship code. 16/2/2005, Athens.



In effect, this move is likely to duplicate some of their work. For example, the Ombudsman's report and the Economic and Social Committee report about discrimination in public sector. There are also concerns about the power of the various offices, as they differ considerably in level of independence, staff resources and budget.

## **Updating immigration policy**

### **A new immigration law**

The new 'Nea Dimokratia' government tabled a new law on immigration in parliament in spring 2005. Another, major blanket amnesty to regularise undocumented immigrants is expected to follow.

According to some of the Immigration Policy Institute's (IMEPO) surveys, there are at least 300,000 illegal immigrants living in Greece. A further 600,000 people have joined past regularisation campaigns (Kathimerini, English Edition 11/12/2004). In total there are more than 1 million third country nationals.

The new law is expected to facilitate a more functional administrative structure for managing migration; however it is also expected to be restrictive. Drafts of the law which were circulated unofficially, without any public consultation or social dialogue, indicated a negative approach to the long-term establishment of immigrants in the country and to the integration process. The law also contains a rigid scheme for employment-driven immigration where the social rights of foreign workers are not guaranteed. At the same time, a new regularisation programme is to be implemented, since at least half or more of the immigrant population reside in an irregular situation.

One of the most concrete and positive measures announced (TA NEA, Unified permit, 20/12/2004) involves the combination of residence and work permits into one administrative procedure - a 'one-stop shop'. This means the administration of, and contact point for, applicants will be centralised. Permit applications will also be computerised, making it more efficient and open to fewer mistakes (ATHENS NEWS, Putting immigrants online, 10/12/2004).

This law is already having an impact. In January 2005, the Municipality of Athens opened a Services Centre for Immigrants, which combines a new computerised and enlarged application centre for the renewal of residence permits. This is the capital's first multicultural municipal office (ATHENS NEWS, for migrants only, 28/01/2005, p. A14).

Some of the positive and negative aspects of the new legislation include:

#### *Priority groups*

Priority groups are not defined according to societal or economic needs. However, exceptional treatment is reserved for certain categories of employed third country nationals<sup>14</sup>.

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<sup>14</sup> There are 'automatic' naturalisation procedures for third country national athletes that decide to compete under the Greek national flag, as well as exceptional treatment of the football and basketball immigrant Athletes regarding their stay and work permits).

As already mentioned, the new citizenship code represents a continuum in Greek policies. The government still favours the principle of *jus sanguinis*, which gives preference to third country nationals with Greek ethnic origin over other immigrants.<sup>15</sup> There is also some preference for ethnic Greek third country nationals from CIS countries over ethnic Greeks from Albania.<sup>16</sup>

The adoption of special provisions for a) foreign workers employed during the Olympic games<sup>17</sup> (a special set of rules and procedures applied), and b) special groups of employees, including tour leaders and journalists (Law 3202/2003 art. 31, Law3013/02 art 20). These provisions are reactions to certain market needs. They are circumstantial and not reflective of a broader macro-economic planning.

### *Employment policies*

Employment policies have a direct impact on immigration policies. However, in Greece this connection has proven controversial, as pro- and anti-immigration arguments come head to head.

In the pre-election periods, arguments focused on the future presence of immigrants in the country and the new labour market conditions that would emerge after the Olympic games of 2004. There were strong arguments against immigration, which focused on fears about domestic unemployment and social upheaval arising from a decline in the construction industry after the Olympic games.<sup>18</sup>

The provisions in the existing immigration law (2910/2001) to identify labour market shortages and feed these into immigration policies, have remained inactive and unimplemented (see also section 2.1). Employers have not used legal channels of entry because they are too complex - based on a system of registering job vacancies and determining quotas at a regional level, and then on open calls for interest on the Greek consulates level, after which potential employers would choose their employees through a list of candidate immigrants. The Interior Ministry is attempting to rectify this problem by assigning this task to regional committees composed of local stakeholders (employers and employees' organisations and other operators). This initiative aims to improve the functional mechanism of identifying shortages, and to implement the strict laws on the entry of 'foreign' workers (by invitation).

### **The National Action Plan for Employment**

Despite the inherent link between employment and immigration, the most recent National Action Plan for Employment (NAP), issued in September 2004 by the Ministry of Employment and Social Protection, avoids immigration issues.

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<sup>15</sup> It is interesting to mention the huge number of Greek citizenships given to immigrants from the New Independent States of the former Soviet Union that were considered of 'Greek Origin' in the early 90's while at the same time the Greek-speaking immigrants coming from the Greek minority of Albania gained a special immigrant status but were denied of citizenship. Official data on the number of special permits issued are not available. The Greek Ombudsman in a recent report on migration law (December 2001) criticises the differentiated treatment of the two homogenous groups for what concerns the different prerequisites and procedures for applying and obtaining the Greek citizenship.

<sup>16</sup> Cfr. Pavlou, M., *Greek state policy from 'irredentism' to 'home-coming'/immigration: the case of two 'repatriated' kin minority groups*. Στο συλλογικό: The protection of national minorities by their kin-state (Science and technique of democracy No. 32) (2002)- Venice Commission.

<sup>17</sup> Through the MD 4865/2004 (30.4.2004). This decision provided for accelerated and flexible procedures for entry visa and stay-work permits for specialised personnel in the Olympic games (ticketing, informatics, telecommunication, medical care, sportscasters, interpreters, marketing, timing services etc.) for a maximum of 7900 foreign workers.

<sup>18</sup> The construction industry employed a significant number of immigrants

The report does not include precise figures on the percentage of migrants in the workforce. The only reference to immigrants is that they “form an additional source of labour with high employment rates, which are usually underestimated by official statistics”.

The NAP provides no connection to immigration as a trend or as a current or future source of labour and it does not differentiate between the qualifications of the migrant workforce (sector driven, seasonal or permanent, etc.).

Within the NAP, immigrants are regarded, as either a vulnerable social group, or as an irregular part of the employment scene. However, the report does not set any specific protection measures or welfare policies.

The NAP acknowledges that the government lacks concrete figures on the underground (or informal) economy, which are ‘estimated to be large.’ The report does acknowledge that ‘one segment of undeclared work concerns immigrants, while the remainder concerns the indigenous population.’ However, arguments about combating the informal economy refer only to immigrants and not to ‘indigenous population’.

In fact, the regularisation programmes have allowed undocumented migrant workers to pay social security contributions in order to regularise their status and declare their presence in the labour market. However it is important to note that in the same time a general amnesty has been conceded to ‘informal economy’ employers, who are effectively relieved of any obligation to pay social security contributions for their employees. This amnesty has allowed the informal economy to thrive.

The new immigration law (2005) provides the same scheme for the regularisation of undocumented immigrants through the purchase of social security contributions (‘stamps’), while employers (again) have no obligation to contribute their share of social contributions. It would seem that the informal economy is granted an amnesty because of the payment (tax contribution) of the workers.

## **1.2 The integration debate**

### **An emerging and heated debate**

The integration debate has become more prominent in recent years thanks to the growing visibility of the EU integration agenda, and particularly the ‘Common Basic Principles’ (Groningen 11/2004), which were introduced by the Interior Minister as the basis for the new migration law. Non-governmental actors have also played a significant role in facilitating dialogue and promoting discussion about integration and assimilation based on a growing understanding that immigration is a positive and permanent feature of Greek society.

The key argument, which has dominated discussions, is that immigration has had a notably positive impact on economic development, and it will be a permanent, and positive feature of Greek society well into the future.

The current government and other key political parties acknowledge that integration can be successful. However, they are not always clear about the difference between integration and assimilation or the importance of inclusion. Their main goal is to encourage migrants to integrate by learning the language, culture, history and

traditions of Greece. There is little to no investment in adapting the host country (Greek society) to the presence of the increasing cultural diversity, or to protect immigrants' rights.

The fact that integration is now on the agenda is a relatively positive step, however, Greece still lacks the programmes needed to help immigrants integrate, such as language, history and other courses. This means any discussion about the success or failure of integration has been pushed aside as an issue for the future. The lack of programmes is the main argument given for the government's delay in adopting the long-term residence Directive, which is not set to be fully transposed and implemented until 2011.

Despite current shortcomings, the emergence of the integration debate has also helped to initiate discussion about conceding political rights to immigrants. All opposition parties have proposed to grant full political rights to long-term residents in both the local and national elections. However, the governing Nea Dimokratia is only happy to give migrants the right to vote in district councils (a form of local government advisory body which is not particularly influential). They are reluctant to extend these rights further.

Another significant development has come from the newly elected president of the Hellenic Republic, who identified the integration of immigrants as one of the main goals for Greek society for the first time in 2005. In his presidential address to the nation on the national anniversary of independence (25/03/2005), he stated that *'(...) the protection of human rights and personal freedoms without discrimination and smooth integration of immigrants, are serious challenges for modern Greece'*<sup>19</sup>.

It is important to note that human rights and discrimination are becoming key concerns, signalling a shift away from administrative processes and economic rationales.

However, again, it is important to recognise that the integration debate exists in an environment containing some significant underlying contradictions. Government concerns are rarely translated into administrative policies and programmes. There is still a significant amount of discrimination, particularly in terms of access to collective goods. At the same time, there has been a clear shift in political attitudes towards a more positive perception of immigration and of immigrants as people needing basic rights for the first time after 15 years of modern immigration.<sup>20</sup>

### **Integration policies**

The National Action Plan for Social Inclusion 2003-2005, which was launched by the Ministry of Labour and Social Security,<sup>21</sup> does not consider immigration as a significant force generating social change. Instead, priority is given to more long-term structural changes, common to all Mediterranean countries, including administrative inefficiencies, the recent emergence of civil society, and the rapid transition to a *post-industrial* age.

However, the Plan does include a section that refers to immigrants as a special target group requiring proactive integration policies. Further, the integration of

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<sup>19</sup> Presidency of the Hellenic Republic, (24.03.2005).

<sup>20</sup> Cfr. the collective volume: Pavlou M., Christopoulos D. (Eds.) "I Ellada tis metanastefsis" (tr.: 'Greece of migration'), Kritiki, KEMO, Athens, 2004.

<sup>21</sup> Today renamed as Ministry of Employment and Social Protection

immigrants is connected to the country's economic growth and to its relationship with its neighbours.

The Institution for Migration Policy has been established to facilitate the smooth integration of immigrants into Greek society.

The Institution aims to:

- provide information, advice and support services to immigrants;
- help integrate immigrants in the workforce;
- facilitate cultural integration;
- provide medical treatment;
- establish reception centres; and
- provide temporary housing.

This programme has been given a budget of €260 million.

This initiative indicates a significant commitment on behalf of the government. However, in practice changes are slow. Pro-active programmes are yet to take shape and inequality, discrimination and racism continue to plague the bureaucracy.

Recent debates have been significant, but their impact is still small. Immigration is still considered a 'problem'. This hampers the effective implementation of government policies and it fuels negative attitudes towards immigrants. In this context, one cannot fail to notice the shaping and reshaping of a vicious circle: the government's reluctance (or inability) to implement practical and verifiable rights-oriented policies for immigrants has aggravated the relationship between immigrants and the 'indigenous population'. This aggravated relationship (which has led to increasingly negative attitudes towards immigrants) then makes the government more hesitant about initiating pro-immigrant policies. By addressing immigration as a problem, the government has essentially created an ineffective system. It has fuelled public concerns and fostered an administration which holds contradictory and sometimes irrational attitudes towards 'foreigners'. There are reports of human rights violations and a growing atmosphere of xenophobia.

In this context, one must acknowledge that there are certain limits to the debate. Political parties are cautious about challenging the existing social structures, which are based on the concept of the 'Greek majority' (priority, homogeneity, superiority) principle. While minority groups continue to be tainted by negative stereotypes.

Despite this, immigrants have continued to migrate to Greece in increasingly large numbers and they have become an increasingly significant part of the society even though they do not exist as equal members possessing rights. Their presence is tolerated mainly because of the contribution they make to the economy (M. Pavlou – D. Christopoulos, Conclusions of the Conference 'State, Society and Immigrants', Nafplio 14-15 November 2003). It is also important to note that immigrants do not generally consider Greece as a transit country. On the contrary, a great number of immigrants are willing, even longing to be integrated into the economy and society. This sentiment is particularly strong amongst second generation migrants.

In effect the integration debate is more clearly expressed by an inability to reconcile the different realities that exist in Greece – on one hand there is an understanding of the social need for immigrants to integrate, to ensure their active participation in

society. On the other hand, there is a significant amount of confusion and discrimination, and negative attitudes prevail.

A good example of the current environment is characterised by the ability of undocumented migrants to access public education:

The Ministry of the Interior circulated a memo instructing primary and secondary school directors not to accept the registration of children of undocumented immigrants. The Ministry of the Interior had not consulted with the Ministry for Education. The Ministry of Education then circulated a second memo arguing that children are guaranteed access to education through the Children's Rights' Convention. The Greek Ombudsman was forced to mediate and the Interior Ministry finally withdrew.

This example highlights the balance of positive and negative attitudes towards long-term migration, as well as of the lack of policy and programme co-ordination between ministries.

As mentioned above, there seems to be a persistent divergence between central political decisions and the implementation capabilities of administrative structures. However, it should be said that this reality is more a result of the contrasting positive and negative attitudes than administrative weaknesses.

In this light it is easier to understand that the transposition of the family reunification and long-term residents Directives will be restrictive and it is likely that there will be significant delays. The integration discourse still has a long road ahead. The former (Family Reunification Directive) is transposed on a minimum basis as provided by the directive text with restrictive rules for minimum income, while the latter (Long-term Residents Directive) faces problems of full transposition and implementation.<sup>22</sup>

### **1.3 The brain drain debate**

In Greece, the brain drain debate has not been significant. This is generally because the vast majority of immigrants are labourers (low-skilled and low-paid). The highly skilled professionals employed by trans-national corporations, health and education specialists, project coordinators, academics, famous artists, athletes and others, who represent a rather limited percentage of the third country national immigrants, should be considered an exception.

At the same time it is important to note that the situation is complicated by the fact that a significant number of immigrant workers employed in unskilled work, have professional or academic qualifications in their country of origin. In its 2003 Annual Report, the Greek Ombudsman criticises the administration for its inability to effectively recognise academic and professional qualifications, among immigrants (The Greek Ombudsman, 2003 Annual Report p.72).

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<sup>22</sup> The draft law provided that five years of continuous legal residence for the attribution of the long-term residence status should start to count from the Directive's issuing date (2/2004), therefore no LTR permit would have been issued before 2009. During the discussion in Parliament this has changed and start to counting date was moved to the first valid permit issuing date under the law 2910/2001, therefore not taking into consideration previous legal periods. In some cases, legal periods under the 1997 green-card status are not calculated while many green-card holders obtained a residence permit under the new 2001 law later in time. Nevertheless, the government declared itself unprepared to support full implementation of the LTR status and perform integration tests, which the latter are still to be defined further through a presidential decree.

Negotiations between Greece and immigrants' countries of origin are usually confined to bilateral agreements that involve foreign policy objectives. For example, discussions between Greece and Albania (Greece's main source of immigrants) have focused on the principle of reciprocity – so that Greeks in Albania enjoy the same rights and conditions as Albanians in Greece. Greece is trying to strike similar deals with Romania, Bulgaria and Serbia. Greece and Bulgaria have established a circle of contacts to work together to combat trafficking and irregular migration (Macedonian Press Agency, 28/9/2004).

Broadly, the fact that the immigrant labour force in Greece is generally low skilled and illegal is one of the reasons for an inexistent brain drain debate. Immigration is not directly or substantially connected to the foreign policy's development section.

## 2. Basing policies on evidence and consultation

### 2.1 Making use of knowledge

In the 1990s, a period marked by a significant increase in immigration to Greece, some problems resulted from the lack of analysis, research and statistical data. A government supervised Migration Policy Institute (IMEPO) was only established in 2002. This institute, which was established under the law n.3013/02 art. 23.1, is supervised by the Interior Ministry. IMEPO is the main government think tank, currently headed by a representative from the governing Nea Dimokratia party responsible for migration issues.<sup>23</sup>

IMEPO remained relatively inactive until the emergence of recent debates. In the first half of 2005, IMEPO made considerable advances, commissioning a number of research projects related to migration issues (for more information, [www.imepo.gr/ereuna-eng.php](http://www.imepo.gr/ereuna-eng.php)). It has also organised a seminar and a conference.<sup>24</sup>

The areas addressed by IMEPO include:

- Comparative analysis of migration legislation in EU countries;
- Participation of immigrant labour in economy sectors and agriculture;
- Statistical data on Immigrants in Greece; and
- Immigration and education, health and welfare.

The new immigration law was not based on the research of IMEPO despite its affiliation with the government.

At the same time, the National Centre for Social Research (EKKE), which is state-funded and supervised by the Ministry of Development and the General Secretariat for Research and Technology (GSRT), is considered the most significant public agency in the field of social research. EKKE has provided a few in-depth analyses and research results in the last few years. They include the Greek contribution to the European Social Survey (2003), the statistical display of aliens insured by the Social Insurance Institute (which presented its results at IMEPO's conference of 20/2/2005), a special issue of EKKE's periodical publication: *Greek Review of Social Research* (2003) on gender and international migration, with a focus on the Greek case (110A, 2003) and a project named *Node Development for Secondary Analysis and Administration of Socio-Economic Indicators and Variables*, which falls under the sub-project *Social Inequality and Immigration*. This project draws together information on legislation, literature and stakeholder analyses, an outline of current projects, an overview of migration issues in the press, a collection of PhD theses and more.

Finally, the Greek National Statistics Agency is responsible for the co-ordination and analysis of official decennial census data to improve the validity and reliability of current information on immigrant workers contained in the Labour Potential Survey.

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<sup>23</sup> The change in government in March 2004 led to the replacement of IMEPO's entire staff and bureaucrats formed a new board. There are no migration specialists on the new board. The president of IMEPO is Mr. Alexandros Zavos, member of the Nea Dimokratia Central Committee. In less than a year, he managed to produce (through outsourcing) a notable number of surveys on migration issues in Greece.

<sup>24</sup> IMEPO has organized an International Conference on *Managing Migration: The Greek, EU and International Contexts*, 15 November 2004, Athens Hilton, and is the co-organiser in a series of seminars on migration together with the French Institute in Athens.



## Research and Data

As highlighted in the conclusions of a round table on migration organised by the Minority Groups Research Centre (KEMO) in 2003,<sup>25</sup> there is a strong demand for coordinated, in-depth research to facilitate a more holistic approach to immigration. There is also a need for a 'minimum convergence' between the multiple scientific approaches and the various concepts used in different reports.

Unfortunately in the last few years it has become apparent that civil society has a limited ability to affect the political debate. This is due to a lack of communication between those carrying out research on migration issues (non-governmental actors, including university institutes, research groups, other stakeholders) and the government's policy makers (see 2.2. 'including stakeholders').

The above-mentioned deficiencies have led to the release of contradictory data in a number of official publications. This data includes a range of different figures, even for the number of immigrants present. However, in contrast with the previous decade, where an absolute lack of data and statistics prevailed and immigration issues could only be approached through estimation and assumption, the growth of official statistics, which provide records of residence permits and social security, can only be seen as a positive step.

The recent IMEPO conference (20 February 2005) generated the first official statistical estimate of the number of immigrants residing in Greece (calculated to be between 1.1 and 1.5 million documented and undocumented immigrants) (see section 1.1).

## Indicators and mechanisms for evaluation

This notable fragmentation of research is also present in the field of integration, including in the evaluation of policy initiatives and programmes that are implemented through state controlled EU funding, such as EQUAL projects, which are administered by the Ministry of Employment and Social Protection.<sup>26</sup> Although a number of these projects have generated some interesting results, a lack of a central direction stands out as a significant problem. This in turn affects the overall outcomes of the initiatives.

Moreover, the lack of a comprehensive system and a mechanism of evaluation has often led to poor programme results, characterised by relatively shallow analyses and

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<sup>25</sup> Conclusions of the roundtable that took place on 11/1/2003 are available at [www.kemo.gr](http://www.kemo.gr)

<sup>26</sup> The EQUAL projects included research like: 1) Institute of Urban Environment and Human, P.Getimis, X.Petrinioti, 'Potential Research about the problems that Public Administration officers face in serving immigrants-repatriated-refugees', October 2003, 2) Athens Labour Centre, 'Survey Report on Construction Migrant Workers', published in June 2004 DOKPY - 'DESMOI' project, 'Cases of discrimination', 3) DOKPY -DREAM, 'The image of immigrants from Albania in local mass media (Volos)', 4) DREAM, 'Study on the area of mass media workers about their attitudes towards Homogenous, Immigrants, Refugees, or more interventionist approaches concerning issues of discrimination', like: 1) KE.M.ME.PA.P. – IFAISTOS 'Guide for Migrants and Refugees', 2) European Profiles S.A., 'Local action for employment - manual of good practices', 3) KE.M.ME.PA.P. – IFAISTOS, 'Model for intercultural orientation for operators (handbook)', 4) KE.M.ME.PA.P. – IFAISTOS, 'Let's expose the alibis...' 'Guide for Journalists on Migration issues', 5) EKA, 'Guide for the labour rights of the workers', 6) 'Guide of good practices for integration of refugees and immigrants in employment', 7) DREAM: Consortium for combating racism and xenophobia in mass media, 'Manual for Journalist- Racism, Xenophobia & Mass Media in Greece and Europe', 8) Code of professional ethics of employers and workers for acceptance and smooth integration of foreigners in the Greek labour market, 9) Media & Communication Dept of the University of Athens, 'All different all equal - Multimedia production'

superficial bibliographical research. This then reduces their ability to impact on either the debate or future outcomes. The government also suffers from a lack of co-ordination. Even though some useful resources are produced, access to the resources is hampered by problems with distribution.

### **Labour market projections**

As mentioned in other parts of this report, the existing legal framework (Law 2910) and the National Action Plan for Employment contain provisions for labour market monitoring and connections to be made with immigration policy. However, as outlined in the 2003 annual report of the Labour Institute of the National Confederation of Trade Unions and the Supreme Administration of Greek Civil Servants Trade Union (INE/GSEE-ADEDY); in practice, the body commissioned to conduct the monitoring [the “Organisation for Manpower and Employment” (OAED)] uses an outdated framework and is thus unable to translate projections to make them useful in the current complex labour market environment.<sup>27</sup>

### **EU-level activities – Networks**

The Interior Ministry’s department for Social Inclusion (part of the Aliens and Immigration Directorate) operates on behalf of Greece in the EU Network of National Contact Points, which was inaugurated in 2003 with the intention of facilitating co-operation between EU Member States for the exchange of information and sharing of best practice on migration issues. The Ministry also participates by providing a representative to the European Monitoring Centre for Racism and Xenophobia.

Greece has also participated as partner in PHARE - Institution Building programmes. PHARE programmes include the *Enhancement of EU asylum policy and practice* (2002 – Cyprus), and *Asylum and Migration Management System* (2002 – Latvia).

## **2.2 Including stakeholders**

### **Governmental stakeholders**

The Interior Ministry (Ministry of Home Affairs, Public Administration and Decentralisation) has become the lead ministry for the orientation, planning and implementation of immigration policy issues since the introduction of the new Immigration Law 2910/2001. This development has come about through the centralisation of a number of authorities and the transfer of responsibility for the residence permits issuing system from the Ministry of Public Order to the Interior Ministry.

The Interior Ministry supervises a central *Aliens and Immigration Directorate*, and several *Regional Aliens and Immigration Directorates* that are being created in every prefecture and are responsible for the issuing and renewing of residence and work permits. The Directorates include up to two *Immigration Committees* who are charge of responding to requests for residence permits.<sup>28</sup> The Interior Ministry also supervises the Immigration Policy Institute (IMEPO), the main government think tank for migration policy. Apart from the Interior Ministry as the lead ministry, other

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<sup>27</sup> 2003 annual report of the Labour Institute of the General Confederation of Workers Labour and the Supreme Administration of Greek Civil Servants Trade Union, p.236

<sup>28</sup> However, this structure could change again under the new immigration law.

ministries are dealing with issues concerning immigration, such as the Ministries of Labour and Social Security, Education, Public Order, Foreign Affairs.

In practice, co-ordination between different ministerial departments and/or different ministries has been poor, creating frequent problems in the implementation of the legal framework, and has causing upheavals in administrative procedures. As depicted throughout the report, this has been the main reason for the establishment of the Law 2910/2004, which superseded the previous immigration law (1975/1991) in order to resolve certain deficiencies, including its inability to manage the issuing of permits.

### **Non-governmental stakeholders**

In Greece, laws are often formulated without input from key stakeholders. The Greek political system revolves around the major political parties. This means that the views of social groups, especially employers and economic operators operate in a party-centric system of lobbying. The stakeholders that really 'matter' with the power to influence the short-term planning of migration policy are not always visible, and the overall impact of non-governmental stakeholders in policy making is close to zero.

The only non-governmental actor to have a real impact on migration law has been the Greek Ombudsman. The Greek Ombudsman has developed initiatives such as the promotion of best practice, which is pushing the policy towards a rights-based focus on immigration (within the limits and advantages of its operating legal framework). The rest of the non-governmental sector is striving to participate in consultations to influence policy planning.

Broadly, the most effective thing that non-governmental actors do is to expand the discussion and develop research on various aspects of migration in Greece. This helps to introduce new themes to the agenda, and it encourages the continuation of public discourse.

Other non-government actors are involved in an immigration debate, which is not directly linked to public consultation or policy planning. They include intergovernmental agencies, political parties, NGOs, enterprises that implement EU funded inclusion programmes<sup>29</sup>, and voluntary organisations, such as the local anti-racist groups that are active throughout the country<sup>30</sup>.

### **Trade unions and employers**

Employers often hold rather contradictory views on immigration. On one hand, they appear to be in favour of immigration because of the growth opportunities employees generate in the labour market, and on the other hand, they say they are against it. According to a recent survey of employers, more than half considered the presence of immigrants in Greece as negative.<sup>31</sup> Because of this (rather contradictory) attitude, employers cannot be regarded as operative stakeholders in the debate, except through informal political pressure channels. Significant stakeholders, such

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<sup>29</sup> An example can be drawn from the above Equal projects implemented by enterprises or education institutes. Also, an interesting project is being carried out from a EU funded consortium of press enterprises with other stakeholders for the maintaining of an on line up-to-date database for immigrant issues. See [www.migrantsingreece.org](http://www.migrantsingreece.org).

<sup>30</sup> One of the most prominent examples is the "Steki Metanaston" that operates at Rethymno, Crete.

<sup>31</sup> ELEFTHEROTYPIA. Publication Research performed by the Athens University-Mass Media Department "Αρνητική εικόνα έχουν οι εργοδότες για τους ξένους εργάτες" 27.9.2004.

as economic groups without legal status (e.g. informal economy entrepreneurs with political power of influence) are expressing their views through informal and lobbying channels, i.e. through traditional collusion and 'clientele' patterns of political participation and not through an open and public consultation or dialogue, which hasn't ever taken place with regard to migration policy and the formulation of relevant legislation.

The National Confederation of Workers Trade Unions (GSEE) has been getting more involved in immigration related issues. Unfortunately its presence in the consultation for the previous legal framework on immigration (2000-2001) was considered insufficient, as it did not comment on the draft of law 2910/2001. In recent years, however, the GSEE has expressed its support for equal rights for all workers (through its Institution of Labour (INE)).

The 2003 report of INE-GSEE made one of the most concerted efforts to evaluate and assess immigration policies, and to monitor immigrants and refugees status in Greece.

### **Institutes – academic actors**

Universities, academic institutes and research teams develop a significant amount of research in this field. It is also important to note that their research projects are not always funded by the government. Some projects are EU funded and others are self-funded. Funding is decisive in producing research results. Greece is among the OECD countries with the lowest public or private funding to research as a percentage of the country's GNP (gross national product) (~0.5 per cent). Because of this lack of funding, very few research centres in Greece operate on a constant or full-time basis. Some have broad agendas, looking at migration as one issue among others. As always, public universities rely on public resources for higher education. Only lately the Interior Ministry appended Migration Policy Institute became the first institute focusing on migration as its main and only area of research, through tendering and outsourcing of surveys and research-study projects, although it is not an independent research centre (see above in section 2.1).

Unfortunately, the results in this field seem to be fragmented and often insufficient, with only few exceptions of in-depth analysis of the situation.<sup>32</sup>

### **NGOs and social movements' groups**

Networking between different NGOs and agencies engaged in various activities in the field, including service delivery, advocacy and research, has produced some interesting results. The Hellenic League for Human Rights (EEDAP) and the Research Centre for Minority Groups (KEMO) – the Greek European Migration Dialogue (EMD) partners' consortium - are working together to make a significant contribution to the legislative processes. Also, for the first time two National Migration Dialogue meetings for government and NGO agencies, immigrant and solidarity associations and networks have facilitated discussions on migration policy and specific legislative initiatives. During the formulation of the new Migration Law, the network focused on finding agreement between its different partners on the implementation of directives and the promotion of the immigrants' networks through the National Migration Dialogue. They are also trying to communicate the outcomes

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<sup>32</sup> The Mediterranean Migration Observatory and the KEKMOKOP institute of Panteion University, the University of Athens – Centre for Intercultural education, the Research Centre for Minority Groups (KEMO) provide examples of best practices in the field of research on migration.

of a critical evaluation of the recent Citizenship Code to the public in an effort to expose the need for greater acceptance of the *Right to Citizenship*. The two EMD partners are also participating in the RAXEN Network, which monitors Racism and Xenophobia.

At the same time, the Network for the Social Support of Immigrants and Refugees, one of the most prominent actors in providing direct legal and social support to 'foreigners', with substantial involvement on the refugee issues,<sup>33</sup> has been involved in the 'no border' international network, bringing a new theoretical framework around the concept of the 'autonomy of migration' into the local agenda.

A positive development has been the continuous growth and activation of the *Greek Forum of Immigrants*, a confederation of immigrant's associations. The Forum has been unfolding as a considerable negotiator in the immigration and integration debate, focusing on interventions and commenting publicly on policies. In the process, they are exposing the problems that immigrants face with the current (largely ineffective) administration. They promote proposals that outline political solutions to a number of the above mentioned issues.

### **Concluding remarks: public consultation and National Migration Dialogue**

As outlined above, there is no record of a consultation process in the formulation of policies and legislation in Greece. This gap solidifies the divide between civil society and the government, giving the former no real opportunity to move beyond theoretical critiques.

In recent months, a significant number of conferences and consultation meetings have taken place, organised by, or involving many of the lead non-governmental stakeholders working in the field of immigration (such as specialised NGOs, labour federations, immigrants' associations etc). The most significant consultations included the *National Migration Dialogue* meetings, organized by KEMO and the Hellenic League for Human Rights, and the conference on immigration, organised by the National Confederation of Trade Unions (GSEE).

During the second National Dialogue meeting a heated debate was held between representatives of the main political parties, about citizenship rights to immigrants and the new migration bill tabled in the Parliament in July 2005.<sup>34</sup> The administration's presence at the events was confined to the attendance of low-rank public officials.

At the same time, the Interior Ministry's changes to the new legislative framework on immigration did not include the views of non-governmental stakeholders. The Ministry has not pursued effective communication with these stakeholders for this task.

However, it should be noted that there has been some significant, though symbolic, progress in the consultation process between government and non-government

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<sup>33</sup> In fact, the refugee issue in Greece is addressed almost entirely at administrative and juridical level, with the absence of a clear political thesis on behalf of Greek Governments, and NGOs work as the only advocates of asylum seekers who are in a suspended status of illegality since last year Greece was the EU country with the fewest recognitions of refugee status to third country nationals. Among the few asylum seekers' reception centres some are operated by NGOs and only few of them are government funded.

<sup>34</sup> The government was represented by the president of IMEPO (Migration Policy Institute).

agencies. The Minister of the Interior, Prokopis Pavlopoulos, held a long meeting on 31 January 2005 with a committee of representatives of immigrant communities, backed by the National Confederation of Trade Unions (GSEE), the Network for the Social Support of Immigrants and Refugees, and EMD partners (KEMO and EEDAP). This meeting was the result of a persistent effort of the Greek Forum of Immigrants and the intermediation of the GSEE.

Unfortunately this meeting did not lead to closer or more active participation of the relevant non-governmental actors in the consultation for the preparation of the new legal framework. The only outcome was an offer of open communication with the chairman of the Migration Policy Institute (IMEPO).

The Chairman of the IMEPO organised a meeting between parliamentary parties' representatives about migration policy objectives in March 2005. This was the first formal consultation held on issues of migration. Unfortunately the consultation took place without the participation of immigrants or other key stakeholders.

In the final months of the Dutch Presidency of the EU, the Common Basic Principles on Integration were discussed at the EU level. The Greek authorities did not notify the non-governmental stakeholders about the consultation. This is in stark contrast to other EU countries, where such actors were active participants in the discussion. The only feedback available to non-governmental actors was the informal distribution of a commentary by the Interior Ministry in the paper. The only chance non-governmental actors had to discuss the Principles was within the National Migration Dialogue network and the National meeting organised by HLHR and KEMO.

This lack of communication and exchange of views between the government and non-governmental stakeholders is common. Indeed, one might argue that it is characteristic of the way immigration policies are being shaped and implemented in Greece. Migration laws and their numerous amendments have been the result of a rationale based on a bureaucratic perspective that gives short-term solutions to persistent problems without prior consultation with social actors or groups directly affected by it.

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