

Immigration in Greece

Being located at a geographical crossroads, Greece's immigration policy is based on border control and the fight against so-called 'illegal immigration'. Even though immigrants represent a valuable workforce to Greece, they suffer from exploitation and legislative discrimination.

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The fight against 'illegal migration'

Instruments for the strengthening of European borders

Greece counted approximately 400,000 undocumented immigrants before the 2001 regularisation – falling to between 230,000 to 330,000 in 2004 (Kanellopoulos et al., 2006). According to the latest estimates, there were 205,000 undocumented immigrants in Greece in 2007. Albanians constitute the largest portion of undocumented immigrants (around 34%); however, reliable estimates of the percentage of undocumented immigrants from Africa, Asia and the Middle East are not available (Maroukis, 2008).

In recent years, the Frontier Control and Coastal Guard have strengthened controls on entry points, and further intensification is expected in the coming years. The European Union External Borders Fund (574/2007/CE) has a total budget of 1,820 million Euros at its disposal. Greece will receive 148 million Euros for the period from 2007 to 2013 within the frame of the Community multiannual programme for the management of external borders and has created a specific authority for the management of these funds (Naftemporiki, 19 December 2008). However, it is worth noting that, until now, efforts aimed at reducing informal immigration, which are mainly focused on increasing border controls, do not seem to prevent 'clandestines' from entering Greece: In 2008, 11,000 foreigners of 'illegal' status arrived on the island of Lesbos alone, double the number in 2007 and 10 times the number in 2003 (Eleftherotypia, 5 November 2008). The fact that Greece is located at a crossroads for undocumented immigrants from Eastern Europe, Africa and Asia on their way to the 'Western World', as well as its geographical characteristics (mountainous with long land borders and an abundance of small islands along the length of its immense sea border with Turkey), render the control of illegal immigration particularly difficult, both in relation to migrants arriving for the first time and those re-entering Greece after a previous expulsion.

In addition, Greece's immigration policy, which is based on frontier control, ignores the fact that many undocumented immigrants enter legally (often on a three-month tourist visa) and remain in the country

after the expiration of their visa, passing from legal to illegal status.

The criminalisation of undocumented migrants

According to data from police and port authorities, in 2007, 112,364 foreigners were arrested for illegal entry and stay in Greece (103,124 by police and 9,240 by port authorities), an increase of 12.4 per cent from 2006 (in which 91,783 were arrested) (Minister of Interior, 2008). In 2008, 146,337 foreigners were arrested for illegal entry and stay, an increase of 30.25 per cent¹. However, these figures do not take into account the situation where the same person is arrested more than once. In addition, the increase in 'arrests' for illegal entry or stay may be due to the increase in control structures for illegal immigration and stricter enforcement by police (an increase in the checking of identity papers). For example, it is very probable that these practices are more severe now than during the pre-2004 Olympic Games period.

Immigrants arrested because of their illegal status are kept in police detention cells or in detention centres until deportation. According to law, the period between the deportation decision and their expulsion cannot exceed three months. However, serious difficulties with the verification of detainees' identity and nationality often leads to the expiry of this period and renders expulsion impossible². Thus, detainees are released after three months until their next arrest, and the nefarious cycle of detention and illegal stay in Greece continues³.

1 Hellenic Police official data available from <www.astynomia.gr/images/stories/egklhm2008paper.pdf>.

2 For 2005 and 2006, among the 161,590 arrests of illegal immigrants, 133,800 were expelled or transferred to the country of entry origin.

3 A new amendment to Greece's existing legislation (June 2009) will allow authorities to classify as 'dangerous to public order and safety' any foreigner who is charged with committing a crime that carries a prison sentence of three months or more. This will lead to both legal and illegal foreigners being deported for misdemeanors, even if they are not convicted. The permitted detention period until expulsion has also been extended from three to nine months.

4 According to a study by the National Centre for Social Research (EKKE), 7 in 10 of those arrested for committing forgery in 2007 were immigrants. Complex procedures for obtaining residence permits and asylum might be to blame for fuelling this activity. In the same year, almost 93 per cent of those arrested for begging were migrants (Kathimerini, 2009).

The perception that an increase in criminality is related to the big wave of foreigners is reinforced by the fact that 45 per cent of detainees in Greece are foreigners (Varvitsiotis, 2007). However, there is no analytical data on the reasons for their detention; hence, it is unclear how many are detained merely for being 'illegal'⁴. The high proportion of foreigners among detainees may also be explained by the fact that many immigrants cannot cover bail or are ineligible for a commutable sentence.

Repatriation policies

The Greek State does not offer any incentive for voluntary return, nor does the existing legislation regulate voluntary return. Therefore, the term 'return' usually means 'obligatory return', and refers to the judicial and administrative process of expulsion of third-country nationals. Moreover, as well as not offering incentives for voluntary return, Greece's institutional framework creates obstacles, as there is no provision for the transfer of rights in relation to social insurance to the countries of returning migrants (excepting the Greek-Egyptian Agreement).

Cooperation between Greece and immigrant sending countries in the fight against illegal immigration

Bilateral police cooperation or readmission agreements between countries of origin and destination have been signed with Egypt (1984), Bulgaria, Romania, Lithuania and Croatia (all in the 1990s). A Readmission Protocol was also signed with Turkey in November 2001 (and came into force in August 2002) concerning the readmission of citizens of either country or third-country nationals who illegally enter the territory of either Greece or Turkey. However, according to a representative of the Ministry of Foreign Affairs, from April 2002 until May 2007, Turkey only accepted 1,646 readmissions of the 24,754 requests (6.65%) (Eleftheros Typos, 7 October 2007).

A number of agreements have also been signed between the EU and third countries. In February 2009, Albanian police and Frontex (the EU service for operational collaboration in the management of EU external borders) signed a collaboration agreement for the safeguarding of Albanian and EU borders in order to strengthen the fight against cross-border crime and illegal immigration. This collaboration involves information exchanges and professional training programmes for Albanian police officers.

Migrants in the Greek labour market

In Greece, the principal way for an 'illegal' immigrant worker to transmute from an illegal to a legal status is through regularisation programmes. So far, only three regularisation programmes have been run, in 1998, 2001 and 2006.

Quotas for legal immigrants and sub-quotas per nationality or sector

According to Greek Laws 3386/2005 and 3537/2007, a Committee is constituted in each region to prepare a report defining the region's workforce needs and the vacancies available to third-country nationals by activity, geographical prefecture and duration of employment. Based on this report, a co-ministerial decision determines the maximum number of residence permits for dependent work that can be granted to third-country nationals each year per prefecture according to nationality, type of work and duration of employment.

Third-country nationals are allowed to work in Greece at the invitation of a specific employer and in one of the defined types of employment/geographical areas, provided that the corresponding entry pass has been granted. The 'invitation' procedure is so complex that it takes 12 to 18 months from when the process starts to when the migrant worker actually arrives in Greece to take up the advertised job – a period during which labour market needs have probably changed (Triandafyllidou, 2008).

The impact of migration on the Greek economy

About 16 per cent of individuals insured by the Greek National Social Security Institution (IKA)⁵ and 15 per cent of those with medical insurance, are foreigners, and 52 per cent of these foreigners are Albanians (IKA, 2008). Immigrants pay annual contributions of 887 million Euros to the IKA and produce 2.6 per cent of Greece's GDP (Arvanitis, 2007). Their participation in Greece's national economy is significant as:

- They must pay insurance to Greek social security organisations before they can be regularised or to renew their residence permit.
- However, Greek social security organisations do not provide migrants with a retirement pension and the cost of providing medical benefits is low as most foreigners are young: In December 2007, 35.5 per cent of Albanian workers insured by IKA were under 29 years old (compared to 28.55% for Greeks), and 70.9 per cent were under 39 years old (compared to 61.55% for Greeks).

Exploitation of migrants as a cheap and flexible workforce and discrimination in the labour market

According to official IKA data, the average wage for a foreigner working in enterprise and construction

insured by IKA is 36.7 Euro per day, compared to the average wage for Greeks, which is 51.0 Euro. Excluding the construction sector, the average wage is 50.6 Euros for Greeks and 32.5 Euros for foreigners (IKA, December 2007). In other words, in the legal labour market, the average wage for a foreign dependent worker is 28 per cent lower than that for Greeks. In the construction sector, this difference increases to a massive 35.8 per cent.

Additionally, foreigners cannot work in the public sector, as Greek legislation does not allow them to take the official state examination for such work. This legal discrimination excludes not only immigrants with similar or equivalent qualifications, but also immigrants who were raised in Greece, who studied at Greek schools and universities, and who have exactly the same qualifications as Greek natives. Immigrants can, however, be 'rented' as interim workers or hired by temporary work agencies to provide work services in the public sector. The tragic case of Bulgarian immigrant Constantina Kouneva, General Secretary of the Janitors and Domestic Service Staff Union of Attiki (PEKOP), highlights the discrimination and exploitation suffered by migrants. Kouneva was attacked on December 2008 by assailants who threw acid into her face to punish her for trade union activities, for which she had received repeated death threats. The case brought to light the working conditions hidden behind the sub-contracting of services, especially in the public sector (she was working for a company undertaking contracting work for the cleaning of public amenities in the Athens Public Metro). Employees of such contracting companies, and immigrants in particular, are exposed to severe exploitation: the national media reported that these agencies often do not pay social service contributions or contributions for a health-risky job, nor do they pay overtime; they register fake working hours, force workers to sign blank papers declaring fake wages, and so forth (To Vima, 15 January 2009).

The above remarks concern only the legal labour market. Yet, it is estimated that, for 2007, undeclared employment represented 25 per cent of the volume of total employment (approximately 1,100,000 persons), which corresponds to more than 20 per cent of Gross National Product (GNP) (Labour Institute of the General Confederation of Greek Workers, 2008). Therefore, the size of the informal economy in Greece, along with the limited (both in number and in time) procedures for regularisation, supports the informal employment of immigrants. According to the latest Hellenic Migration Policy Institute (IMEPO) research (2008), undocumented immigrant workers mainly come from Albania, but small numbers from other countries such as Bulgaria, Georgia, Moldova, Romania, Egypt and Pakistan. Undocumented immigrant workers are primarily occupied in agricultural or domestic activities. Some work in hotels, restaurants, fisheries, raising stock and in private households. According to research results, for every

thousand legal immigrants, there are 243 'illegal immigrants' in the same areas (Lianos et al., 2008).

However, data on exploitation and discrimination in the grey labour market are almost inexistent. A noteworthy case in this regard is the case of Nea Manolada⁶, in which immigrant agricultural workers in the strawberry crops started a strike in reaction to the humiliating salary of 18 to 23 Euro per day for a 10 to 12 hour day. The publicity caused by the strike brought the problem to the attention of the Greek Parliament (08/05/2008 Debate). Let us recall here that, according to the latest General Collective Agreement (dated 18 April 2008), the minimal daily wage from 1 January 2008 was raised to 30.40 Euro for an unmarried worker and 33.45 Euro for married worker, and this is for a 6.40 hour working day. ■

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5 All data referring to IKA are coming from IKA's statistical reports available on the site: <www.ika.gr>.

6 These events took place in the province of Ilia (in the Peloponnese), which produces 90 per cent of Greece's strawberries.