



**Dynamic Reinforcement for  
European Adaptation of Migrants**



**Erasmus+**

# **NATIONAL STRATEGIES AND POLICIES** ***GREECE***





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## The Migration Problem in Greece

### Introduction

In the last 25 years Greece turned from an emigration to an immigration country. Today the country is faced with an unprecedented humanitarian crisis with the arrival of close to 950 000 people between January 2015 and February 2016. The vast majority of them cross Greece on their way from Turkey to Northern Europe and so far less than 1% of them have requested asylum in Greece. At the same time, labour migration flows slowed down with the crisis, but they did not stop. In 2012, 23 200 new residence permits were issued to non-EU citizens, compared with 43 000 in 2008. The economic crisis has had a profound effect on immigrant integration in the labour market.

Their unemployment rate increased by 26 percentage points between 2008 and 2015 (see Figure) reaching 33%, against a 17 percentage point increase for natives. Despite some decline in the past 2 years, possibly reflecting return migration or re-emigration to other destinations, the level of unemployment among migrants is the highest in the OECD. Moreover, it is eight percentage points higher than the unemployment rate of Greek natives.

Education provides migrants and refugees with a bridge to integrate into Greece. Those who engage and succeed in the education system are more quickly integrated into both the social and economic spheres of Greek society. Currently, 11% of 15 year-old Greek students have an immigrant background. These students may face additional challenges, such as adapting to a new home and culture, and for most, learning a new language. They are at higher risk of low performance than native students: nearly half of the low performing students in Greece have an immigrant background; more students with an immigrant background attend socioeconomically disadvantaged schools than in other OECD countries (18.6%, compared to an OECD average of 15.7%). Students with an immigrant background are also more prone to drop out: in 2012, 42% left school early, while only 8.3% of native Greek students did so.

727 000 immigrants are currently living in Greece with a residence permit, accounting for 7% of the population. Integrating these immigrants and offering them the possibility to make a living is fundamental. It increases their contribution to the Greek economy and society and also raises acceptance of immigration. The quicker integration takes, the lower the risks that migrants, or their children, will become alienated from Greece's culture and values. Making progress on integration is particularly pertinent given the poor economic situation of many migrants. The poverty rate among migrant households was 45% in 2012 compared with 20% for native households, and the risk of in-work poverty was 2.4 times higher for migrants than for natives.



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## What should policy makers do?

Ensure migrants are not under-represented in active labour market policies.

Record and assess the skills of humanitarian migrants who stay in the country and ensure their swift labour market integration.

Integrate language learners in age-appropriate classes as soon as possible, rather than keeping them in separate classes.

Ensure schools in immigrant-rich areas are adequately resourced to cope with the extra challenges of migrants and refugees.

Strengthen diaspora engagement through better exchange of information about possible job and investment opportunities and through professional networks and mobilise their skills for the country's economic development.



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## Analysis

Once known for its large-scale emigration, Greece has transitioned to a country of destination since the late 1980s and the 1990s mainly. The bulk of immigrants came from the Balkans, Central-Eastern Europe and the former Soviet Union after the downfall of communist regimes in the region. Until the first years of 2000, the push factors from abroad coincided with a period of economic growth in Greece and changes in the employment structure and professional opportunities available to locals. Such changes led to a demand for labor from abroad to fill vacancies for unskilled and, often undeclared, jobs (for instance, in construction tourism, agriculture, cleaning services and care), thus leading to a massive migration influx. During the last decade, and particularly since 2008, Greece has become a transit and destination country for immigrants and asylum seekers arriving from Southeast Asia, Africa and the Middle East.



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The number of the total immigrant population in Greece can only be estimated with approximation, rather than near accuracy, by taking into account data from the most recent population census and the issuing of residence permits. During the 2011 census, the resident population of TCNs in Greece was 712,879 (7.5% of the total population) of which 385,773 (54%) were male and 327,106 female (46%). Data from the Ministry of the Interior database on valid stay permits, put the number of legally residing TCNs at 501,351 in April 2016. The legally residing population of TCNs in Greece includes mostly individuals with Albanian citizenship (76%). They are followed by individuals coming from the former Republics of the Soviet Union, including Ukrainians, Georgians, Russians and Moldovans, and by people from India, Philippines and Pakistan (see Table 1). Men constitute slightly over half (52.4%) of the total legal immigrant stock, and women make up 47.6% of the legally residing immigrant population (see Figure 1). At the same time, the gender balance in the composition of the various ethnic groups though is very uneven and heterogeneous. Women make up less than 17.6% of immigrants from Pakistan and India while they comprise over 82% of immigrants from Ukraine, 81.3% of those coming from Russia, and 71% and 76% for those from Georgia and Moldova, respectively (Ministry of Interior, 2016).

	Male	Female	Total
Albania	209,566	171,190	380,756
Ukraine	3,468	15,945	19,413
Georgia	5,234	12,848	18,082
Pakistan	14,946	1,528	16,474
Russia	2,746	11,944	14,690
India	10,397	3,869	14,266
Egypt	8,938	3,031	11,969
Moldova	2,220	6,920	9,140
Philippines	2,811	7,373	10,184
Armenia	2,365	4,013	6,378
TOTAL	262,691	238,661	501,351



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Since 2009 with the onset of the financial crisis and economic recession, the number of residence permits for TCNs issued by the Ministry of Interior declined. Such a decline is possibly linked to the deep economic recession and austerity measures which have especially affected immigrants, a situation also evidenced in other southern European countries such as Italy and Spain. At the same time, the decline seemed to last only for some years, as the number of TCNs who are residence permit holders in Greece picked up again in 2015 and in 2016. Research has amply demonstrated that the practical difficulty among immigrants to fulfill the requirements necessary to obtain or renew a permit contributes to a continuing or lapsed state of illegality, also due to the largely informal and seasonal character of migrant employment in Greece. This is particularly the case with immigrant female domestic workers who are largely confined to undeclared work.

Since immigrants wishing to acquire or renew their legal status need, in most cases, to provide evidence of employment or certificates of payment of social security contributions, the decline in the number of stay permits can be attributed to unemployment and the failure to secure the required social security stamps. Migrants now need proof of employment (not just payment of social security dues) to get the social security (IKA) certificate required for residence permit renewal. As a consequence, many immigrants might have fallen into illegality once unemployed, while still trying to make ends meet in Greece. According to an OECD report, more than 150,000 non-EU citizens were unable to renew their permits in 2010 and 2011 due to unemployment. It may be that many of them who could not renew their permits, or who were unable to find employment, have left the country, yet data to support this conjecture are not officially collected. While there was an apparently increasing trend of Albanian migrants, the most numerous group among TCNs, to return to their homeland, this is not corroborated by the more recent 2016 data (provided in Table 1 above), which shows that the number of Albanian migrants in Greece remains high.

Greece has also been both a transit and a destination country for large numbers of undocumented migrants from the 1990s until present. The Greek Immigration Policy Institute estimated the number of undocumented immigrants residing in Greece to range between 172,250 and 209,402 in 2008. Besides immigrants who have failed to renew their legal status, and circular seasonal Albanian migration in Greece taking place outside the legal path, many undocumented immigrants pass through Greece with the intent of going to another EU country. Estimates put the number of undocumented immigrants at around 350,000 in 2010 and 390,000 in 2011. Figure 1 illustrates that the number of apprehensions at the borders and within the country was in a constant decline since 2010 until it soared in 2015. The sharp rise in 2015 caused by the large number of refugees from Syria, among a host of other factors, showed that the trend in the inflows of undocumented migrants and asylum seekers in the country is neither steady nor irreversible. The apparent decline in the number of migrants, both legal residents and undocumented migrants after 2009-2010 though, has been offset by the large numbers of refugees and irregular migrants who came into Greece in the course of 2015 and during the first months of 2016. During this last period, over a million migrants and refugees passed through the country.



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Furthermore, statistics on irregular migration generally depend heavily upon the practices of controlling maritime and land borders, and other apprehension efforts, which had intensified between 2011 and 2014. Yet, since detention in most cases does not lead to return or deportation, many migrants who are released with an expulsion decision are likely to remain in the country undocumented. In 2015, with the advent of the Left government of SYRIZA in coalition with the right-wing party of ANEL, the closed detention centers where irregular migrants had been held were closed down and those detained were released. Furthermore, border control policies placed more emphasis on rescue operations and arrival on Greek territory and less on apprehension and deportation, a change that was also prompted by the mass nature of migrant and refugee influx during 2015 and in the first months of 2016.

2009	126,145
2010	132,524
2011	99,386
2012	76,878
2013	43,002
2014	77,163
2015	911,471
2016 (January to April)	165,247



## Strategies and Policies

Despite the sharp increase of migration since the 1990s, Greek policy over the 1990s and the early 2000s primarily focused on controlling migration. The issue of integration of the migrant population in Greek society did not become a concern and an issue in the policy agenda in Greece until well into the 2000s. The only category of immigrants whose social integration was from early on promoted by the government were those who had ethnic Greek descent (homogeneis) and who were always considered to belong to the Greek nation. They arrived in the country in the 1990s, primarily from Albania and the countries of the former Soviet Union (i.e. Georgia, Kazakhstan, etc.). Their integration into the country was facilitated by policies and legislative provisions enabling co-ethnic Greeks to acquire Greek nationality, without having to go through a lengthy and demanding naturalization process, or by acquiring a special residence status. This was in line with the prevailing and historically entrenched principles of jus sanguinis. By contrast, the arrival of immigrants who did not have ethnic Greek descent (allogeneis, many of them from Albania too) was seen as an unwelcome and temporary phenomenon.

Since the 1990s, successive immigration laws reflected a perception of temporariness of migrants in Greece. They provided short-term residence and work permits to hundreds of thousands of irregular immigrants living in Greece in the 1990s. Unwelcoming and xenophobic views were reinforced in the media, and influenced public discourse on immigration, which mainly revolved around issues of crime and border control. Nonetheless, undocumented migrants provided a source of cheap and unprotected labor, which was vital for certain sectors of the economy such as agriculture and the service sectors.

In the absence of an integration policy, and confronted with the increasing presence of undocumented migrants, i.e. visa over-stayers and illegal entrants, Greek governments sought to manage immigration flows by mainly relying on ad hoc, mass regularization programs (the first one in 1997; the second one in 2001; and the third one in 2005 and 2007), a practice that was followed in other south European countries, such as Spain and Italy. Such regularization programs, four in total, provided opportunities to large numbers of undocumented TCNs residing in the country to obtain short-term and under conditions renewable residence permits. Being principally driven by an instrumental view of migration, regularization programs were geared towards providing immigrants with a temporary legal status, renewable as long as the conditions for its granting continued to exist, thus eventually perpetuating residence insecurity. While those regularization laws cannot be seen as tantamount to integration policy, the legalization of residence (even if temporary) that they provided formed the basis for an elemental sense of security as a precondition for their social integration. Mass regularization policies were also prompted by the need to include large numbers of undocumented migrants in the registered sector of the economy, and thereby to increase revenue for the country's social security system.



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Nonetheless, in the course of the 2000s, it became increasingly apparent that the vast majority of immigrants “were here to stay.” The need to promote the integration of immigrants in Greek society began to enter the policy agenda as an inescapable and irreversible reality, even if in a patchy manner and without any consensus across political parties and civil society actors as to what integration meant. Law 3386/2005 on the “Entry, stay and integration of TCNs in Greece” is considered as the first law recognizing the reality of immigration as a long-term and permanent phenomenon, even though it did not explicitly address integration issues. Its main aim was to transpose the EU directives 2003/86 on the right to family reunification and 2003/109 on the status of long-term residents. Basic knowledge of Greek language, history and culture were determined as prerequisites for acquiring long-term residence status. Law 3386/2005 also introduced a new regularization program (continued on a smaller scale with law 3536/2007) for undocumented migrants who had entered Greece before December 2004.

Regarding undocumented migrants, Law 3386/2005 explicitly prohibited such migrants from accessing services provided by Greek public entities, local government bodies, and social security organizations (Article 84). The only exception were a) the provision of emergency health care and health care to minors by hospitals, and b) the enrolment of all children in Greek schools irrespective of whether their parents have legal residence status (the latter was based on the interpretation of the UN Convention for the Rights of Children by the Greek Ombudsman). In practice, however, the legal exclusion of undocumented migrants from access to services was not entirely enforced, and their use of such services was tolerated. This is important to note because such ‘informal’ kind of inclusion outside the official legal frame most likely preceded subsequent local authorities’ initiatives aimed at integration.

At the same time, Law 3386/2005 included two articles that showed a concern with integration (Articles 65-66). These provisions conceived of integration as the equal participation of migrants in the country’s economic, social and cultural life, in the provision of rights for migrants but also in their obligation to respect the fundamental norms and values of Greek society. The promise of equal treatment to integrated immigrants was also to be delivered by law with the transposition of the EU’s Race Directive that prohibited discrimination on the basis of ethnic origin. The Action Plan for the integration of migrants that Law 3386/2005 introduced highlighted the principles of non-discrimination and equal treatment of TCNs, along with respect for their cultural and religious identity. At the same time, the same law saw as necessary actions and initiatives for the certified knowledge of Greek language, successful enrolment in courses on history and culture of Greece, integration in the labor market and active social participation (Article 66, parag. 4). These axes of integration policy clearly reflected the EU member states’ consensus captured in the Common Basic Principles for Immigrant Integration Policy in the EU adopted in November 2004.



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All in all, law 3386/2005 presented the first attempt to promote the social integration of immigrants through a consolidated approach, and to mainstream it as a goal into various and related public policies. The Action Plan (or the 'Estia' program) was to be financed through the state budget and the EIF, however, its actions and aims remained largely on paper as no resources were channeled to it. In 2007, a General Directorate for Immigration Policy and Social Integration (GDIPSI) was created in the frame of the Ministry of Internal Affairs, apparently as a response to the establishment of the European Fund for the Integration of Third Country Nationals.

During the same period of 2007-2013, the Multi-Annual Program of the European Integration Fund (EIF) for TCNs was adopted by the Greek government as complementary to the 'Estia' Program. Again here, the influence of EU standards in the formulation of this Multi-Annual Program was diffuse and far-reaching. Its main priorities were to implement the EU Common Principles for the Social Integration of TCNs, with particular emphasis on the development of indicators and methodologies in order: a) to assess the results and progress of integration measures and policies, b) to collect statistical data and create data bases related to integration, and c) to supply the results of assessments and indicators in the process of (re)formulating policies. Although the Multi-Annual Program 2007-2013 aspired to streamline social integration goals into all relevant policy sectors, such as health, education, justice, and social policy, to establish inter-ministerial cooperation, and to actively engage local, regional and national authorities, it did not succeed in meeting these goals. Apart from the fact that the Multi-Annual Program comprised a variety of different actions that were not well interconnected in achieving its highly ambitious objectives, the resources earmarked were obviously insufficient for doing so. In the already limited budget forecast for the six-year period, the co-funding from the Greek side became increasingly difficult to secure after 2010 when an acute fiscal crisis undercut Greek public spending. Following a request by the Greek government, the EU agreed to reduce the Greek state's co-funding from 20% to 5%.

From 2010 onwards, and despite the protracted economic crisis besetting Greece, the social integration of migrants entered more dynamically into the political and policy agenda, largely as a matter of contention rather than as a broadly espoused goal. In the first place, this dynamic was set in motion by a controversial 2010 law that for the first time focused on second generation migrants and facilitated their naturalization as a vehicle of integration. Entitled "Contemporary provisions for Greek nationality and the political participation of co-ethnics and legally residing immigrants", Law 3838/2010 was introduced by the Socialist PASOK government at the time, and adopted by Parliament in March 2010. Along with extending political rights to TCNs at the local level, the Law was the most important and politically challenging attempt to promote their social integration in Greece.



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In particular, Law 3838/2010 made it possible for children who were born in Greece and who had at least one non-Greek parent residing legally in the country for five consecutive years, to acquire nationality at birth (Art. 1). Children of immigrants, who had attended at least six grades of Greek school, could also acquire citizenship through a simple declaration by their parents within three years following the completion of the required six-year schooling period (Art. 1A, par. 2). In addition, immigrants who legally resided in Greece for at least seven consecutive years could apply for naturalization (Article 5A, par. 1d). At the same time and in line with the trend for more intensive integration tests in a number of European countries, the new law also required passing a test verifying an individual's knowledge of Greek history, institutions and civilization. Besides facilitating nationality acquisition, Law 3838/2010 also extended to TCNs the right to vote and stand as candidates in local elections.

However, this major reform was short-lived. In 2013, the Council of State (CoS), Greece's high court in administrative law, declared unconstitutional the above two provisions facilitating nationality acquisition and extending political rights to TCNs (Decision 460/2013). The Court ruled that the formal criteria to qualify for Greek citizenship provided by Art. 1 of Law 3838/2010 could not be taken as sufficient documentation that the applicant has a genuine bond with Greece. It also argued that the extension of local voting rights – already given to citizens of EU member states via EU law – to TCNs undermined the national character of the state and diluted the composition of the legitimate electorate. The 2013 ruling of the Council of State plenum suspended the potential for the enfranchisement of TCNs at the local level. As an indirect consequence, it also undermined the possibility for municipalities to play a more dynamic and active role in integration. The CoS decision was part and parcel of a broader social milieu of disgruntlement, if not hostility with immigrants, in a society disaffected by a deep and protracted economic recession and fiscal crisis.

Under the center-right government of New Democracy that came to power in 2012, the integration of migrants was addressed in a new law that codified all existing migration legislation and emphasized long-term residence status. Even though only two articles (128-129) in this law directly referred to integration, the mention of it in the title reflected the greater attention that decision-makers gave to it. The Immigration and Social Integration Code (ISIC, or the Code), promoted: a) the status of long-term residents on the basis of the respective EC directive (2003/109/EC), which provides an extended set of rights, and b) a special residence permit for second generation immigrants.



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The Code made it easier for those holding permits of long-term duration to acquire the long-term residence status (defined by EU law and accompanied with an increased set of rights that its holders enjoy across EU countries). However, the conditions for qualifying for a long-term residence permit after a minimum of five years of living in the country are very demanding. In addition to an eligibility criterion related to residence and income, the Code requires that applicants meet “the conditions for integration into the Greek society”. These are considered to be fulfilled when they can prove a level of language proficiency and knowledge of history and civilization, when they hold a residence card as family members of a Greek citizen, and when they have been living in Greece for the last 12 years. Legal migrants have equal rights with Greek citizens but also new obligations, the central one being to respect the laws and fundamental values of Greek society. Policies and actions in pursuit of immigrants’ integration must be based on the prohibition of any kind of discrimination based on constitutional principles, and they should respect the fundamental rights of TCNs and their cultural differences.

The Code also sought to address the issue of the second generation, however by disconnecting their integration from nationality acquisition. As an alternative to naturalization, the Code introduced the right of long-term residence status to second generation immigrants. Second-generation immigrants were defined as ‘adult TCNs who are native-born or who have successfully completed six years of Greek schooling.’ The Code enabled them to acquire a special residence permit for the second generation upon reaching 21 years of age, provided that they reside legally in Greece. This permit put them on an equal position and endowed them with all the rights of those holding long-term resident status. While these provisions sought to grant a secure legal status to second generation migrants, they did not address their exclusion from various professions, where Greek nationality is a prerequisite. The Code also abolished the right to vote and be elected at the local level, which was introduced with Law 3838/2010, in a controversial attempt to abide by the abovementioned CoS decision.

The Immigration and Social Integration Code (ISIC) reflected the position of the government of New Democracy to the right of the political spectrum, which brought it and voted for it in Parliament, on immigrant integration. It substituted immediate nationality acquisition for the second generation with the promotion of long-term residence status and the special permit for the second generation. Long-term residence status was meant to pave the way for long term residents with older residence permits of indefinite duration on the tracks of the naturalization procedure. The special second-generation permit was aimed to secure legal residence for the 2nd generation until they become adults, when they could apply for the acquisition of Greek nationality. Access to long-term residence status would also enable those acquiring it to migrate to other EU states.



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Many of the provisions that were contained in the Immigration and Social Integration Code (ISIC) were laid out in the National Strategy for the Integration of TCNs (hereby the Strategy), which was formulated by the General Secretariat of the Population and Social Cohesion of the Ministry of Internal Affairs in 2013. The Strategy presented a coherent framework for promoting integration. It acknowledged the importance of the participation of the legally resident population groups in social and economic life on an equal basis to national citizens in a non-discriminatory way. Education and enrolment of foreign migrants in the Greek school system is regarded as the most successful component of the integration policy. Aside from education, integration in the labor market, the acquisition of a long-term residence status and the participation of immigrants in policy-making at the local level, all feature amongst the Strategy's main priorities. Containing political and programmatic goals, the Strategy aspired to be a complete program to promote the inclusion of TCNs into Greek society. According to the Strategy, targets and recipients of integration policies are legally resident TCNs and those who are entitled to international protection (i.e. those granted political asylum or a permit to stay in the country for humanitarian reasons). It expresses a commitment to mainstreaming immigrant integration across public policies and in all levels of government and public services, with a view to providing equal opportunities. Neither the Strategy, nor the new Immigration and Immigrant Integration Code, which came into force in March 2014, make any reference to the immigrants' right to preserve their distinct cultural-ethnic or religious identity.

The Strategy emphasized what it calls “structural integration” as the preferred model of incorporation. While integration is a common European standard in regard to the immigrants' relationship with the host societies, the prerequisites for achieving it, as outlined in the Strategy, are so thorough and substantive, that they make one wonder how different it is from assimilation. In fact, ‘assimilation’ is the English term that is used in the text to describe the notion of ‘structural’ (as opposed to ‘formal’, or legal) integration. The difference between the two is reminiscent of the distinction between a ‘formal’ and a ‘substantive’ bond with the Greek state, which was drawn by the CoS in its decision on nationality acquisition discussed earlier in this report. In pursuit of the ‘structural’ kind of integration, immigrants are expected to demonstrate ‘a positive’ and ‘active’ will to adapt to the dominant political and cultural frame of Greece, an adaptation that is seen to contribute to “the necessary social cohesion and cultural homogeneity” [emphasis added].



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The thorough internalization of the Greek culture and the values that is expected from TCNs in order to achieve integration is further glimpsed in what the Strategy calls “the integration program”, which immigrants seeking to gain long-term residence status must complete. This program includes courses to familiarize them with the basic characteristics of the Greek state, to instill “a positive attitude towards the Greek state by acquainting them with the basic values of Greek society and the political system”, and to promote “the participation of TCNs in the social life of the Greek state. These are seen as achievable only when the immigrants are sufficiently informed about the Greek way of life, the mores and values of the host society, and only when they accept directly or indirectly the dominant national and European ideology” (emphasis added). In sum, a substantive kind of integration is advanced as the main goal in the Strategy. At the same time, the term ‘assimilation’ is elsewhere in the same document referred to as a notion abandoned in European public discourse and as a vestige of the colonial times. In view of the emphasis on an extremely demanding kind of integration and the abolishing of local voting rights, both the Strategy and the Code have elicited strong criticism by politicians and certain media against the government for “adopting a right-wing agenda”. Overall though, the Strategy’s content and conceptualization of integration was in line with the so-called civic turn in migrant integration policy as reflected in the relevant EU norms and in the policies of several member states.

Soon upon coming to power (in January 2015 and then again in September 2015), the left government of SYRIZA (in alliance with the right wing ANEL), reintroduced a reform to facilitate nationality acquisition for the second generation immigrants. The new Law 4332/2015 that was passed in Parliament in 2015 with the support of the center left parties (PASOK, Potami)<sup>98</sup> has increased the length of parents’ residence along with making more stringent (in comparison to Law 3838/2010) the related requirements (i.e. type of residence permit). It also increased the required years of school attendance (from 6 years to 9 years) in Greece, for second generation immigrants to obtain Greek nationality, arguably at the expense of restricting the number of migrants who are immediately eligible for Greek nationality. It possibly did so in order to make more credible the presumed existence of a “substantive bond” with the Greek state and to ensure that it would not be overridden in another legal challenge before the CoS. Significantly, this law did not revert to the discretionary and individualized process of naturalization of the 2004 Greek Nationality Code (GNC), while it entirely left out the issue local voting rights for TCNs.



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As it may have become apparent from the hitherto discussion, there are notable differences in how left and right wing parties approach the issue of migrants' integration in Greece. Socialist and left parties have taken a more proactive stance on the question of promoting integration, especially for the second generation. They advocate naturalization of second generation migrants as a vehicle for achieving it – a position with which right-wing parties disagree. However, it is not possible to identify a model of migrant integration that is either characteristic or preferred in Greece – there is no worked out and coherent approach on the issue. The few policy documents on the issue largely reflect the norms and standards found in the EU soft law documents. This lack of a national model of migrant integration, as some note, largely reflects the profound ambivalence of Greek political elites on the subject, and possibly their vacillation between two competing models. On the one hand, Law 3838/2010 had opted for a process of drastic integration via extension of nationality to the second generation and of local political rights to TCNs. Following the CoS decision of unconstitutionality of these provisions, subsequent policy regressed to an alternative model of gradual integration. The latter sees the granting of Greek nationality to TCNs as the culmination of a longer term process, and as the reward for its successful completion, rather than as a vehicle to facilitate and expedite integration. In practice, the Greek state has pursued migrant integration through two complementary routes: access of legal migrants to social goods and services; and the implementation of specific targeted actions to promote the integration of legal immigrants.

As it becomes evident from the discussion so far, and as is common in many EU countries, integration policy-making in Greece is largely a competence of the national government rather than of local government and municipalities. However, municipalities have an array of competencies that directly as well as indirectly but profoundly affect the position of migrants. Furthermore, they have de facto and over time acquired an increasing role in this area, either by implementing national law on migration, and/or in the frame of providing services to local inhabitants, including TCNs. As early as 2001, Law 2910/2001 gave municipal authorities competencies in the implementation of regularization programs and in matters related to migrants' documentation. Municipal administrations were assigned responsibility for receiving applications and for the issuing and renewal of residence permits. They forwarded applications for residence permits to the decentralized state administration (apokentromenes dioikiseis) located in the regions' departments, which represent the central state and its ministries.



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## Migrants and Local Authorities

The competencies to receive applications for residence permits were removed from municipalities in 2010 and were transferred to the regional administration. The rationale for such a transfer was largely linked to the entrenched assumption that the granting of residence permits to foreigners is a prerogative of the sovereign national state rather than of the local government. Local government authorities were in any case only mediating agents prior to 2010, with residence permits still being issued by the competent national ministry (Ministry of Interior). Still, prior to 2010 when they acted as mediators, local government authorities were able to intervene in the course of processing residence permit applications and occasionally charge extra fees from applicants. The transferred of this competence from municipalities to the *apokentromenes dioikiseis* was also triggered by revelations about the existence of local networks procuring false permits.

The legal frame for municipalities to acquire specific competencies in regard to migrants' integration was established with the Code of Communes and Municipalities (Law 3463/2006, Art. 75). In the 2000s, especially in the second half of the decade, municipalities of large cities, like the capital of Athens, with a high concentration of migrant population, engaged in a variety of actions targeting immigrant residents, such as providing courses teaching Greek language, and vocational training programs, among others. Municipalities also provided a host of basic services for vulnerable groups, such as soup kitchens, medical exams, and day care services, radio news in different languages, among others, on a par to migrants as to Greeks. Those programs specifically targeting migrants were financed by specific financial instruments, such as the European Integration Fund. Altogether though, they did not amount to an explicitly formulated municipal integration policy, even in the large municipalities, such as Athens.

Since 2010 though, the involvement of municipalities in integration-related matters has grown, especially in the large cities of Greece, for a variety of reasons that are subsequently discussed. In the first place, a major administrative reform of local government structures known by the name of 'Kallikratis', which was adopted in 2010, strengthened municipalities by transforming them into entities with potentially augmented capacity, however still without fiscal, administrative and political autonomy from the central state. The 'Kallikratis' reform merged a large number of local government units into a smaller number of territorially and administratively larger local government entities, to which it decentralized a variety of competences and functions. The 'Kallikratis' reform also substantially augmented the powers of regional governments, which for the first time in 2010 became elected (as opposed to centrally appointed) bodies.



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In the frame of the 'Kallikratis' reform, an institutional innovation specifically related to integration was the establishment of the Migrant Integration Councils (Symvoulia Entaksis Metanaston, hereby MICs) at the local level. The MICs are intended to promote the political and civic participation of immigrants. Their mission is to inform the municipal government about the problems that the migrants face in the respective region, to present proposals for actions aimed at the integration of the migrants in the local government and policy-making structures, and to assist migrants in accessing the regional and municipal services. They can do so by undertaking a variety of tasks, such as to map the immigrant communities and their associations, to involve them in local government structures and policy-making, and to identify and probe into integration problems that must be redressed in the municipalities with high concentration of TCNs. Even though they have no decisive and decision-making powers, the Migrant Integration Councils (MICs), could also serve as important bodies for coordinating synergies and cooperation between municipal authorities and migrant associations. The MICs were intended to function in tandem with the granting of local political rights to TCNs in 2010, and promote their integration through political participation.

The MICs though have so far remained largely inactive, with the exception of such councils set up in the municipalities of Athens and Thessaloniki, where large immigrant populations are concentrated. In part, an important constraint has been the lack of adequate resources and administrative support, which has not allowed the MICs to perform the role envisioned in the 'Kallikratis' reform. In those few municipalities where they exist, they function as a consultative but little active body.<sup>104</sup> Most importantly though, the main factors that undermined the key role, which the MICs were to have, have been a) the suspension of the right of TCNs to vote in local elections, b) the non-allocation of resources to MICs, which would enable them to formulate policy proposals for integration and to engage in more than a few sporadic interventions, and c) the lack of political will, as well as the lack of political interest and incentives in empowering these councils. The institutional, organizational and other obstacles preventing the MICs from becoming meaningful organs for the integration of migrants have been studied and are well-documented.

The MICs were legislated around the same time as the local voting rights with Law 3838/2010, described earlier. They were conceived as a local institutional frame for immigrants, who would have full voting rights and elect their own representatives in local government, and who would in turn be members of the MICs. The suspension of local migrant rights in the aftermath of the abovementioned Council of State decision has undermined those original goals and expectations, alongside the empowerment originally envisioned for the MICs. As TCNs do not have local voting power, they cannot rally the support of, and exercise pressure upon local and national authorities to respond to their problems and demands.



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Since 2010, apart from the new institutional frame that “Kallikratis” established for municipalities, a number of other factors have contributed to a more pro-active role taken by some of Greece’s largest municipalities in regard to migrant integration, like Athens and Greece. In the first place, the mayors elected in 2010 and then again in 2014 on an independent from political parties ballot have openly advanced a progressive agenda on issues of immigration and rights. In a mayorcentered system of local government, as the one that exists in Greece, the progressive views and positions of elected mayors and of a significant number of members of the municipal council have rendered these municipalities more vocal and proactive in regard to migrant integration policies. Secondly, the fiscal, economic and social crisis that ushered in Greece in 2009-2010 also augmented the role of municipalities in sustaining and in some cases substantially extending the net of social services in order to respond to the rising numbers of people in need, even if central transfers to the municipalities drastically declined.

An important triggering factor that pushed the elected officials in these municipalities, and Athens in particular, to take on a more proactive and vocal stance on behalf of migrants’ integration, was the concern caused by the rising electoral power of the extremist right-wing party of ‘Chrysi Avgi” (Golden Dawn, hereby GD). The GD has voiced strongly anti-immigrant positions, and it has engaged in a variety of violent and aggressive actions against immigrants. In April 2012 a week before Easter, the mayor of Athens refused to grant permission to the GD to distribute food handouts “to Greeks only”, on the grounds that the exclusion of non-Greeks was an unacceptable affront to democracy and its fundamental principles of equality and rule of law, which are safeguarded in the Greek constitution. As a symbolic (apart from substantive) gesture, it signaled that the principle of equal treatment between Greeks and immigrants would be fundamental in the approach and policy of the Athens municipality.

Another factor that has further underscored the role of municipalities in migration matters was the heightening migration and refugee crisis over the course of 2015 and in the beginning of 2016. During this period, Greece became a transit country for over 1,000,000 million migrants and refugees reaching the country through the Aegean islands, and travelling to north European countries. With the closing of the northern border in early March 2016, over 55,000 migrants and refugees remain in Greece. Municipalities, especially in areas which are reception points or where refugees stay, are under increased pressure to set up structures for their reception, accommodation, and possibly for their longer-term integration. The outflow of older migrants, especially Albanians, who returned back to their country of origin due to the high unemployment in Greece, has been compensated by the new inflow of migrants and refugees. Furthermore, in the course of 2015 when the Greek border with the Former Yugoslav Republic of Macedonia (FYROM) was opened, many of the older undocumented migrants took advantage of it and left Greece to reach a north European country via the Balkan refugee route. The vast majority of irregular migrants now in Greece are mostly newcomers from the latest migrant and refugee of 2015-2016.



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In sum, the involvement of municipalities of large cities and towns in Greece with migrant integration has grown over the past ten years, and in some cases it has become more open and vocal. In the legal and institutional frame established by national laws and policies, and in view of its firm limitations on decentralized policy-making, the largest municipalities have assumed a more active role in migrant integration than in the past.

## Abbreviations

GNC: Greek Nationality Code

TCN: Third Country Nationals

ISIC: Immigration and Social Integration Code

MIC: Migrants Integration Council



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## Associated partners (until now)

- 1) Melissa Network, <https://www.facebook.com/Melissanetworkgreece33/>
- 2) Equal Society, <http://www.equalsociety.gr>

## Useful Links

- 1) <http://www.kepea.gr/article.php?cat=13>
- 2) <https://www.synigoros.gr/?i=foreigner.el.metanastis-nomoi>
- 3) <https://www.e-nomothesia.gr/law-news/neos-nomos-43752016-gia-prosphugiko.html>
- 4) <http://www.hellas-now.com/me-mono-tis-illegalmigrants>



## Greek Laws related with Migrants

- 1) Article 19 of Law 4251/2014 (Migration and Social Integration Code), as it was replaced by Article 8, parag. 23, of Law 4332/2015 (Amendment of provisions of the Greek Nationality Code, Greek Government Gazette, Vol. 76, 9 July 2015), provides for a residence permit on such grounds.
- 2) The detention of migrants upon entry at the border is based on Greece / Law 3386/2005 (23.08.2005). For those detained while within the country it is based on Law 3907/2011 (26.01.2011) which implements the EU Returns Directive.
- 3) Subsequent regularisation programmes took place in 2001, 2005 and 2007 in Greece on the basis of Laws 2910/2001 (02.05.2001), 3386/2005 (23.08.2005), and 3536/2007 (23.02.2007) respectively.
- 4) Directive 2002/43 EC was transposed in the Greek legal order with Law 3304/2005.
- 5) Law 3838/2010 (24.03.2010).
- 6) Art. 5A of Law 3838/2010 (24.03.2010)
- 7) Law 4251/2014 “Code of Immigration and Social Integration and other provisions”, Articles 128 and 129
- 8) Arts 88-89 Law 4251/2014 (01.04.2014).
- 9) Art 67 Law 3356/2005 (23.08.2005) listed certification of knowledge of the Greek language and history among the eligibility criteria for a long-term residence permit. The attendance of a specific 175-hour course was rendered no longer a requirement for taking the exams certifying this knowledge organised by the General Secretariat for Lifelong Learning (supervised by the Ministry of Education and Religious Affairs) by means of Law 4018/2011 (30.09.2011).
- 10) Arts 88 and 89(2) and 90 of Law 4251/2014 (01.04.2014). On the proposal of the Special Naturalisation Committee within the Ministry of Interior, see the Greek Nationality Code, Law 3284/2004 (10.11.2004). Beneficiaries of international protection are also, on conditions, eligible for the long-term permit.



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11) Law 4251/2014, Article 128

12) Art. 108 of Law 4251/2014 (01.04.2014).

13) Art. 146 of Law 4251/2010 (01.04.2014)

14) Art. 128(1) of Law 4251/2014 4251/2014 (01.04.2014).

15) Law 4332/2015, “Tropopioisi diatakseon kodika ellinikis ithageneias kai alles diatakseis” [Amendment of provisions of the Greek Nationality Code and other provisions], Efimerida tis Kyverniseos [Government Gazette], no. 76, 9 July 2015.

16) Article 1 of Law 4332/2015 provides for the acquisition of Greek nationality for TCNs who are born in Greece, not automatically, but once they enroll in the first grade of the primary school and on the condition that at least one parent legally resides in Greece for five consecutive years. See also Article 2 of same law.

17) Article 78 of Law 3852/2010 (07.06.2010) on the “New Architecture of the structure of Local Authorities and Decentralized Administration”.

18) Law 4251/2014 “Code of Immigration and Social Integration and other provisions”.



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*Thank you for your attention!*