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## Controlling Migration in Greece: Policies, Problems and Opportunities

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**Theme:** The main irregular migration route from Asia to Europe passes through Turkey into Greece, which also receives irregular migrants from former Communist countries.

**Summary:** The main irregular migration route from Asia to Europe passes through Turkey into Greece, whose frontier is exposed to two main migratory paths: one from Asia, the Middle East and Africa through Turkey to the islands or to the north-eastern region of Thrace; and another from the former Communist countries at the northern Greek border (mainly from Albania but also FYROM and Bulgaria). Overall, internal and external migration controls have not addressed the challenge, not least because migration pressures are high, smuggling networks are growing and, at the same time, there are no channels for legal migration. Greece needs to adopt a proactive migration management policy in order to both regulate more effectively its labour market and combat irregular migration.

### Analysis:

#### *Greek Migration Policy Development*

Greece is now home to more than 1 million immigrants from non EU countries, who account for nearly 10% of its resident population. Migration has taken place largely through unauthorised entry and residence or through legal entry but unauthorised residence and informal work in the country. Migration took off at the end of the 1980s and especially at the beginning of the 1990s rather unexpectedly, when most of the migrants came from neighbouring countries such as Albania and Bulgaria, although the number of co-ethnics from Albania and the countries of the former Soviet Union –Georgia, Russia, Armenia and Kazakhstan– was also considerable. Consequently, the migratory movements towards Greece can be linked to a large extent to the collapse of the Communist regimes in Eastern Europe and the Balkan Peninsula. Migration continued at a significant pace during the 1990s and the early years of the 21<sup>st</sup> century despite the parallel existence of a relatively high domestic unemployment rate (10%-12%). The sectors in which migrants are employed, however, are different from the sectors in which unemployed Greeks with secondary or higher education are likely to seek jobs. In Greece, as in other Southern European countries, migrants not only filled job vacancies that natives were unwilling to take but also created ‘demand’ in sectors like caring, cleaning, small repair and construction work, gardening and catering services. The plentiful and relatively cheap immigrant labour in these domains triggered the demand from urban and rural households that would not have hired help otherwise.

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Greece did not have a legal framework to control and manage migratory inflows until the beginning of the 1990s. The first law attempting to regulate such matters was voted in 1991 and focused mostly on stricter controls at border areas while making the legal entry and settlement of foreigners who aimed at working in Greece nearly impossible. Despite the severity of the Greek migration law –which among other things prohibited any contact between undocumented aliens and public services– the influx continued. The large number of undocumented migrants residing and working in the country (estimated at already half a million in the mid-1990s) led to the first legalisation programme voted in 1997 and implemented in 1998. More than 370,000 people participated in the first phase of the regularisation programme of 1998, which gave them access to a White Card whose validity was aimed specifically for an intermediate period that would give the applicants the chance to apply for a Temporary Residence Permit (Green Card). However, the bureaucratic and administrative problems in the implementation of the programme were such that only 212,000 individuals applied for the second phase of the programme and it is not known how many among them managed to obtain Green Cards.

The first comprehensive migration law was voted in 2001 with two main aims; a mid term management of the phenomenon (including border control, issue and renewal of stay and work permits, as well as matters of naturalization of foreign residents) and implementing a new regularisation programme. Another 360,000 people applied to legalise their status during this programme but the percentage of successful applications remains unknown. There was substantial overlap between the two regularisation programmes as many of the applicants that did not manage to submit their papers for a Green Card or had seen their applications fail submitted again during the 2001 programme.

In 2005 a new law was approved in Parliament which simplified the issue and renewal of stay permits (work permits were abolished) and introduced a third regularisation programme (with approximately 200,000 applicants, although the percentage of successful applications has not been disclosed by the authorities). The new law provided for the incorporation of the European directives on family reunification and the status of long-term residents into the national legislation.

Finally, since the law was still subject to significant shortcomings related to the overall processing of applications for new entries or for the renewal of expiring permits, an amendment was approved in February 2007 (law 3536/2007) with a view to simplifying procedures. This last Act introduced another mini-regularisation programme giving another opportunity to those who had failed to renew their stay permits because they lacked welfare stamps, by paying in cash the missing welfare contributions.

Most migrants in Greece come from neighbouring countries. More than half of Greece's foreign population comes from Albania while the second largest group is Bulgarian. While Albanian citizens accounted for approximately 60% of the total immigrant population both in 2001 and in 2007, Bulgarians accounted for nearly 8% of the legal migrants registered in 2007, followed by Rumanians (4.5%), Ukrainians (4.3%), Georgians (2.7%), Pakistanis (2.5%), Russians (2.4%) and Moldovans (2.1%).

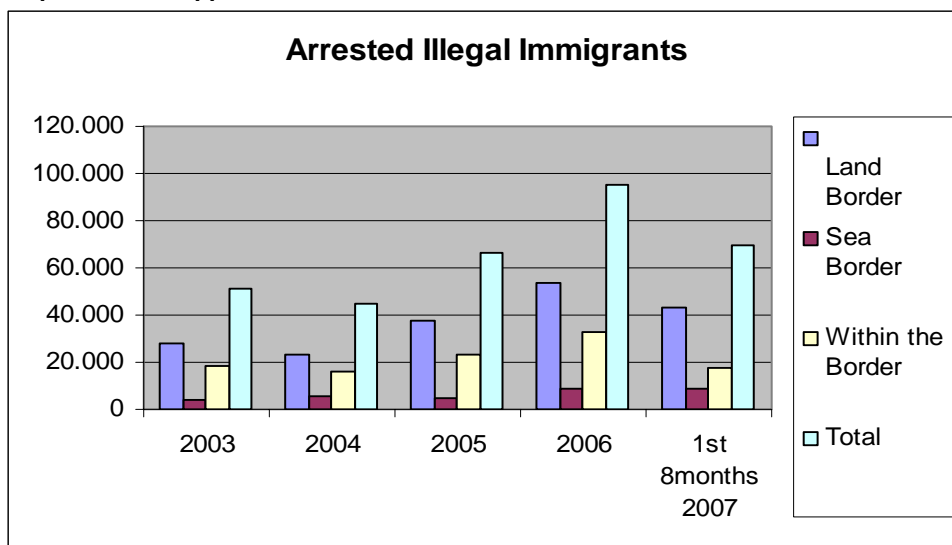
**Table 1. Estimate of total immigrant stock in Greece, 2007**

	Numbers	Source of data
Valid stay permits	480,000	Ministry of the Interior, valid permits on 15 October 2007
Estimate of stay permits in process	250,000	Ministry of the Interior, November 2007
Estimate of co-ethnics from Albania holding Special Identity Cards (EDTO)	200,000	Minister of the Interior quoted in the press, January 2007
Co-ethnics from former Soviet Union (have received Greek citizenship)	150,000	Census of General Secretariat for Repatriated Co-ethnics, 2000
Irregular migrants	167,000	Author's own estimate
<b>Total (including co-ethnics)</b>	<b>1,247,000</b>	
<b>Total (excluding co-ethnics)</b>	<b>900,000</b>	

*Unauthorised Entries and Migration Control*

Throughout the last 20 years a major challenge for migration policy in Greece has been the control of its borders. In 1998, the Border Guard Force (*Synoriofylaki*) was established to identify, arrest and send back irregular migrants. It does not only operate in prefectures that are near the borders but also in prefectures that receive a large number of illegal immigrants. Border Guard Force is currently staffed by 4,600 guards and 500 police officers.

**Graph 1. Aliens apprehended**



Note: data for 2007 refer to the period January-August 2007.

Source: Ministry of Interior, Police Command Office, Branch of Security and Order, Aliens' Directorate, 4th department, 15 October 2007.

In the period between 2003 and 2004, there were approximately 50,000 irregular migrants arrested either at the border or within Greek territory. Numbers have increased since 2005, when there were more than 66,000 arrests, rising further to 95,000 in 2006 and to nearly 70,000 for the first eight months of 2007. However, it is unclear whether the rising numbers reflect a rise in the number of people seeking to cross the Greek border illegally, an increase in the numbers of people who reside in Greece illegally or indeed an intensification of the enforcement efforts of the border guards both at the frontier and within the country.

### *The Turkey-Greece Irregular Migration Channel*

The main irregular migration route from Asia to Europe passes through Turkey into Greece, crossing the narrow straits that divide mainland Turkey from several of the Greek islands of the Aegean or crossing the Evros river on the north-eastern part of the border in Thrace, aboard small boats. Migrants cross at night, often accompanied by smugglers. Illegal migrants are more often than not intercepted by the Greek coastguard or border guard and are brought to local detention centres. They are given first aid, go through health controls and are initially interrogated by specialised coastguard or police officers with a view to establishing where they come from and who among them are actually smugglers.

**Map 1. Greece and Turkey**



Source: adapted from Greek Ministry of Mercantile Marine, department of Security, February 2007.

It is common for irregular migrants to conceal their identity with a view to avoiding being returned to their country of origin. After the pre-interrogation phase, smugglers are prosecuted while migrants spend up to three months in a detention centre while the Ministry tries to establish their identity. Once the three-month detention period is up, if the police have not been able to establish their identity –and either repatriate them or return them to the last transit country (in this case Turkey)– they are obliged to set them free issuing a deportation order inviting them to leave the country voluntarily within 30 days. In either case, irregular aliens are registered in the EURODAC system<sup>1</sup> and if apprehended again their full record is available through the EURODAC database.

<sup>1</sup> EURODAC is a computerised database to register and exchange among member states the fingerprints and other identity data of asylum applicants and persons who have been apprehended while unlawfully crossing an external frontier of the EU.

In practice, in many cases irregular migrants continue their journey by ferry from the islands, on foot or by truck (if they have crossed at the Evros river) with a view to joining relatives, friends or co-nationals in the Greek capital, Athens. They either settle there and join the informal labour market or move on to another EU member state.

The numbers of intercepted irregular migrants entering Greece through its sea borders is not particularly high, and is largely made up of Afghanis, Iraqi Kurds and Pakistanis, followed by Turkish Kurds, other Iraqis, other Turks and Iranians, while the smugglers are mainly Turks and Greeks.

Recent studies suggest that Middle Eastern smuggling and trafficking of people through Turkey is operated mainly by informal organisations that can better be described as networks of local agents that operate as independent individual groups. These networks are held together by the mutual interests of smugglers and their customers to complete the journey and are characterised by interpersonal trust relations as well as national, ethnic, kinship or friendship connections.

**Table 2. Top five nationalities of illegal immigrants apprehended at Greece's sea borders**

Country\Year	2001	2002	2003	2004	2005	2006	2007 (1)	Total
Afghanistan	1,851	1,254	653	928	634	1,264	3,239	9,823
Iraq	2,677	1,100	166	139	304	348	471	5,205
Palestine	80	73	325	647	445	624	903	3,097
Somalia	10	139	439	234	298	182	921	2,223
Egypt	3	4	29	450	821	296	21	1,624

(1) Data for 2007 refer to the period 1 January to 14 October 2007.  
Source: Greek Ministry of Mercantile Marine, October 2007.

Regardless of the fact that the officials of both the Greek Police Headquarters and Ministry of Mercantile Marine claim that their operations and their staff work with full respect for immigrants' human rights, there has been evidence of the opposite. In particular there have been reports by the European NGO Pro Asyl and a related inquiry by the Greek Ombudsman which give grounds for concern that irregular migrants are often obliged to return to Turkey (being put back on their boats by force and carried to Turkish waters or being obliged to cross back over the river Evros at the north-eastern border in Thrace) without having been provided with first aid and without having been informed about their right to request asylum in Greece. Occasionally they have reportedly been beaten or threatened to force them to disclose information about their smugglers.

The authorities argue that most asylum seekers are actually irregular migrants seeking to obtain a 'pink card' which allows them to stay and work legally in Greece for up to six months or until their application is processed. This view indirectly justifies why irregular migrants are not provided with the opportunity to seek asylum. The implicit argument is: 'if they are there to cheat the system, the police ought not to allow them to seek asylum in the first place'.

#### *The Northern Greek Border*

The second main irregular migration channel into Greece is through Greece's northern land borders. Recent studies have shown that there are actors within each smuggling network in the area specialising in different tasks: the leader, the recruiters (of immigrant customers), the transporters or guides, the explorers, the hotel/house/flat owners and corrupt public officials who complete the smuggling chain. Irregular migration from the North takes many routes, including from Turkey via FYROM and Bulgaria and also from Greece via Albania to Italy. Not all irregular migrants use the services of smuggling

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networks, some simply cross the border on their own or enter the country legally and overstay their visa.

Police and border guard patrol operations to combat irregular migration on the northern border have to date attracted less media attention than sea border controls, which is surprising considering that the northern Greek border was the main point of entry for undocumented migrants especially in the 1990s. The explanation perhaps lies in the fact that many of the undocumented migrants who crossed the northern borders did so alone or in small groups by foot or car along unguarded paths. A second explanation is that many of these irregular migrants used forged passports and documents and hence entered 'legally' while in actual fact their entry and stay were unauthorised.

#### *Internal Controls*

Internal controls were frequent during the 1990s, targeting mostly Albanian immigrants. In the early to mid-1990s massive deportations, mainly of Albanian citizens, became common police practice and were often used as a means for exerting pressure on the Albanian government with regard to the latter's treatment of the Greek minority in Albania. Between 1991 and 1995 250,400 foreigners were expelled, almost all of them (241,000) of Albanian citizenship. Checks were enforced usually at public places, took place under public view and people were loaded on buses and directed to Albania without sometimes having the possibility of even notifying their relatives.

These operations cost Greece –and the EU, that partly subsidised these measures as a means of controlling irregular migration towards Europe– a considerable amount of money without having the desired effect of actually holding migration in check. Apart from being inhumane and ineffective, these measures also reinforced the commonly-held view of migration as a crime and of all migrants as criminals. They were abandoned to a large extent in the mid-1990s.

Internal controls have changed in the past few years and now take the form of random inspections in places where illegal immigrants are likely to be found, such as buses travelling from cities near the border to Athens and Thessalonica. However, they also occur in public places where people gather, such as metro or bus stops, public gardens and squares.

#### *Readmission Agreements*

External control policies in Greece have paid increasing attention to cooperation with neighbouring countries and readmission agreements have been signed with Albania and Bulgaria and a Protocol of Readmission with Turkey, while there are local cooperation agreements regarding the Greek-Macedonian (FYROM) border. The Protocol with Turkey is not being currently implemented by Turkey (less than 2,000 individuals have been readmitted out of a total of 4,000 requests by the Greek authorities concerning over 28,000 people).

Overall, the philosophy of enforcement of external controls has changed since the 1990s: Greece does not seek to fence off its borders from the inside but rather to act in cooperation with neighbouring countries that are important sending or transit countries, in exchange providing programmes for seasonal migration and development aid. Perhaps things could improve further if more joint control actions were to take place in the

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framework of the FRONTEX agency<sup>2</sup> or with the assistance of international organisations like the IOM (International Organisation for Migration), as in the case of Albania and Italy, with a view to effectively combating human smuggling and trafficking and offering information to interested migrants about the dangers of illegal border crossings and undocumented stay/work in Greece.

#### *Managing Legal Migration and Combating Informal Employment*

There is as yet no purposeful coordination in Greece between external or internal border controls and the overall policy for managing migration flows and stocks. There is an increasing awareness among state authorities that migration cannot be stopped as long as dramatic socio-economic inequalities persist between sending and receiving countries and there is the demand and opportunity for informal work in the European labour markets. But little action has been taken to open up legal channels for migration.

Migration laws have repeatedly introduced 'invitation procedures' for economic migrants that are excessively time consuming (the whole process usually lasts between 12 and 18 months and employers have to issue a contract to the migrant worker while she/he still is in the country of origin) and, as such, ill-suited to respond to the needs of the labour market. The invitation procedure –as it stands– cannot adequately respond to the needs of the Greek labour market and in particular of the sectors where immigrants are employed (construction, catering, small factories and retail services) which are dominated by small firms. Hence, the impossibility of managing labour migration through the existing legal channels indirectly encourages irregular migration and informal employment.

Another of the system's important problems is the huge delay in issuing and renewing stay permits for work purposes (ranging between three and 18 months) due to insufficient coordination between too many agencies involved, in addition to other administrative and resource problems. These delays create what has been called 'befallen illegality' for a large number of migrants who have settled legally in Greece for several years.

**Conclusions:** Greece needs to kill two birds with one stone if it is to control irregular migration in the years to come. The country needs to adopt a pro-active migration policy that caters for the needs of the domestic labour market while discouraging informal labour and unauthorised entries. More specifically, there should be better coordination between internal and external control efforts and the overall regulation of the labour market: combating unauthorised entry and residence at the border and inland has to be combined with (a) speeding up and rationalising the processing of stay permits, (b) re-organising the 'worker invitation' procedure allowing the entry of migrants who can ensure the 'sponsorship' of a citizen or legal resident for a one-year permit in search of employment, and (c) facilitating seasonal employment and encouraging –through financial and institutional rewards– seasonal migrants to return to their countries of origin at the end of the peak season in agriculture or tourism. Irregular migration in Greece cannot be kept under control without a more effective management of labour migration through legal channels.

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<sup>2</sup> There is a FRONTEX joint operation currently being implemented in Greece named POSEIDON (I and II, see [http://www.frontex.europa.eu/examples\\_of\\_accomplished\\_operati/art8.html](http://www.frontex.europa.eu/examples_of_accomplished_operati/art8.html)). It is a combined land-and-sea effort targeting Greece's land borders with Turkey to the east, Albania and Bulgaria to the north, as well as the Aegean Sea, and employs patrol boats and land cruisers, fixed and mobile radar, and aerial surveillance. Each phase of the Poseidon operation has led to the apprehension of less than 1,000 irregular migrants and a total of nearly 30 smugglers. Moreover, around 350 illegal immigrants were diverted back to their country of origin and a few hundred forged and/or falsified documents were detected.

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Border control operations such as those undertaken jointly with other EU member states and FRONTEX have not been particularly successful considering the number of apprehensions during such operations in relation to the resources employed (financial and human resources and technological equipment). Besides, the scope and results of readmission agreements are questionable. While a priority for EU policy, such agreements impose a heavy burden on the non-EU transit countries and risk exposing irregular migrants (and potential asylum seekers) to human rights violations, including return to their countries of origin without respecting the 1952 Geneva Convention. It goes beyond the scope of this paper to discuss in detail the problems and potential of readmission agreements but it is at least clear from the Greek experience that the readmission Protocol between Turkey and Greece has exposed asylum seekers and irregular migrants to abuse by the authorities in both countries without effectively protecting the EU's external borders. A more effective strategy would be to reinforce information campaigns in the main sending and transit countries, and targeting migrants themselves and not only their governments.

Moreover, the link between irregular and regular migration should be studied more closely: what incentives would prompt irregular migrants to wait for an opportunity to migrate legally? How long would they wait? What other incentives can affect the timing of their decision to migrate (eg, longer permit duration, assistance for housing or allowances for their children's education)?

The EU could develop a 'points system', assigning points to individuals in relation to their education, skills, family ties with an EU member state, studies, prior residence in that member state and other conditions. The points could have various weightings for different sectors of occupation. The points system could also have an EU dimension, facilitating the mobility of workers across member states and contributing to common market integration.

There is also an urgent need to study actual conditions in the main sending countries and to better understand the motivations of different types of irregular migrants: the motivations of a sub-Saharan African and the risks that he or she is willing to take to migrate illegally are different from those of a Russian, Chinese or Egyptian citizen. Different levels of economic need (ranging from absolute poverty to the wish to improve one's standard of living) and different perceptions of what is an acceptable standard of living affect migrants' decisions. While people who are motivated by the wish to improve their economic situation or help their children go to University or start a business might be persuaded to wait for a year or two to migrate legally through a points system, people who flee environmental disaster and dire poverty cannot be effectively discouraged by border controls –here a different approach can be promoted, of seasonal migration for instance, where return to the country of origin is rewarded through a bonus at the end of the season–. Such measures need to address the problem of tackling irregular migration not only at the Greek border but also at all of the EU's external borders.

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