

The socio-economic characteristics, consumer behaviour, and social integration of economic immigrants in Athens, Greece

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Abstract

The present study is an empirical approach to examine the economic and social characteristics of economic immigrants in Athens, Greece, as well as the factors that influence their consumer behaviour and integration in the Greek society. Based on data, derived from a questionnaire survey of 273 immigrants randomly selected out of 957 registered economic immigrants of various nationalities living in Athens, the study examined the factors influencing the social integration of immigrants from the Greek society and their consumer behaviour. The sample population of the study composed of 122 women and 159 men. Their average age was 34.9 years old, their average income per capita was €756.3, and their average number of years of residence in Greece was 8.3 years. The factors influencing their social integration were analysed using a model of logistic regression. It was found that nationality exerts a significant influence on social integration. Immigrants from Eastern European countries showed higher percentage of accession than all the others. The length of residence, the personal relationship with the Greeks, which includes both the adoption of the Greek lifestyle and also the positive attitude of the Greeks towards them, exerts significant influence. The consumer behaviour of economic immigrants was analysed using least squares models. It was found that income exerts a positive influence on food expenditure and immigrants with higher education invest more money on their children education.

Key words: immigration; consumer; integration; Greece

1. Introduction

Immigration is the temporary or permanent movement of people from one place to another. According to the neoclassical economic theory the reason for this movement is based on the supply and demand for labour force. People living in places where the labour supply is larger than the labour demand move to places where the local population cannot meet the labour demand in these places. On the other hand, according to the Marxist theory, immigration is due to the abject socio-economic conditions prevailing in a labour's country of origin. In any way, immigrants move in search of better living conditions. Following the crumbling of the economies in the former Soviet block countries many immigrants moved to Western parts of Europe in search of jobs.

Many studies have shown concern with the processes through which societies and cultures are transformed as a result to immigration and with the reasons why people migrate to different areas. These studies have also been concerned with the role of the political conditions, climate, geography and religion as compared with social and historical circumstances of immigration. Generally, most studies report that the main reasons for immigration are the unemployment levels, the social discrimination and the poor quality of life that many people face in their countries (Iredale *et al*, 2003; Spencer, 2003; Edwards, 1989; Bade, 1987; Thomas, 1985; Castles and Kosack, 1985; Boehning, 1983).

Some nations are affected significantly by immigration because of the concomitant social and economic changes that come with it. Specifically, demographic changes increased the social and cultural diversity of many areas causing an expansion in the cultural and economic horizons of residents and also producing conflicts in interests, values and lifestyles. On the other hand, the economy of many countries is becoming more diversified as the service sector grows significantly because of the immigration. The dynamics of regional change and the uneven development observed in many countries have been the subject of many studies for immigration policy formulation and program implementation (Haug *et al*, 2002; Simon, 1999; Holmes, 1996; Jones, 1990).

Devising an immigration policy involves making political choices to ease community adjustments to structural economic changes. The development of these policies requires information on regional trends in economic and social conditions. This

information can be drawn from appropriate indicators describing the immigrants life and the conditions of their adjustment in the areas where they settle (Castles and Miller, 2003; King and Black, 1997). More specifically, Greece was the place of destination for many immigrants especially from the Balkan countries (Siadima, 2001). Many of these immigrants seeking a better future, they collectively abandoned their homelands and came to establish themselves in Greece, creating new realignments in its economy. Thus the need for a study of their consumer behaviour is imperative.

Immigrant consumer behaviour is an important research area in a number of fields including marketing, geography, and ethnic studies. While the distinct consumption patterns within an ethnic minority group have always been noticed, it has not until recently received significant attention from either academics or market practitioners. The catalyst for the increasing interest in immigrant consumption is the fast changing ethnic landscape in many metropolitan areas due to accelerated international migration. The size, geographical concentration, and purchasing power of many ethnic populations offer both opportunities and challenges to market practitioners. In academia, recent studies have examined the distinct characteristics and consumption patterns of ethnic minority populations, of which a large proportion are immigrants. Much attention has been focused on the relationship between ethnicity, ethnic identity, and consumption (Donthu and Cherian, 1992, 1994; Venkatesh, 1995; Hui et al., 1998; Rossiter and Chan, 1998; Laroche *et al.*, 1998; Chung and Fischer, 1999), and the impact of acculturation and assimilation on consumption practices (Webster, 1994; Lee and Tse, 1994; Eastlich and Lotz, 2000; Laroche and Tomiuk, 2001). Under the primordial view ethnicity is seen as a static demographic classification based on last name, common origin, race, language, or religion (Stayman and Deshpande, 1989; Webster, 1994). The focus of the academic research examining the consumption patterns and consumer behaviour of immigrants is either the relationship between ethnicity and consumer expenditure patterns for broad categories of consumer goods such as food (Wagner and Soberon – Ferer, 1990) and transportation (Paulin, 1998; Fan and Zuiker, 1994) or the relationship between ethnicity and family budgeting for typical household product categories (Fan and Lewis, 1990). Combining of literature concerning consumption and ethnicity, ethnic economies and consumer spatial behaviour offers a new conceptual framework to describe and analyse immigrant consumer behaviour. The meaning of researching the consumer behaviour of economic immigrants is an important question since economic immigrants constitute also a respectable part of Greek society and for

this reason, the determination and the recording of their behaviour are judged necessary.

The objective of the present study was to examine the economic and social characteristics of economic immigrants in Athens, Greece, as well as the factors that influence their consumer behaviour and integration in the Greek society.

2. Data and Method

A questionnaire survey of economic immigrants living in Athens, Greece was carried out during 2005. Investigators visited randomly 957 economic immigrants in the areas where they were working and completed the questionnaires on location. A total of 273 responses were collected.

The composition of the questionnaire was based on international studies (Deshpande *et al.*, 1986; Douthu and Cherian, 1992, 1994; Venkatesh, 1995; Hui *et al.*, 1998; Rossiter and Chan, 1998; Laroche *et al.*, 1998; Chung and Fischer, 1999; Wang 2004). The questionnaire comprised five sections namely demographic, educational, employment characteristics, reasons for immigration, and living conditions. The data collected were analysed by using descriptive statistics for calculating the means and standard deviations of continuous variables and the frequencies and percentages of discrete variables. The factors that influence the social integration of economic immigrants in Greece studied, by using logistic regression, while for the investigation of consumer behaviour of economic immigrants in Athens - Greece this study developed least squares models (OLS).

3. Results

Personal Characteristics

The sample of immigrants was made up of 273 individuals among whom 122 were women and 159 were men. The average age of the respondents was 34.9 years ranging between 19 and 80 years of age. The ethnic composition of the 273 respondents was as follows: 48.3% were of Albanian origin and constitute the overwhelming majority of the sample, 11% were from Arab countries, 7.7% from Romania, 7.4% from China, 6.6% from Bulgaria and 4.7% from Africa. In addition, 4.4% were from

Russia and the Ukraine, 4% from the Philippines, 3.7% from Georgia, 1.5% from Poland and just barely 0.7% were from Serbia.

The religious composition of the sample was as follows: The largest segment of the whole sample was Orthodox Christians (55.3%) and 28.6% were Muslims and only 7.7% Catholics. Seven percent of the respondents were Buddhists and on the whole a very small percentage 1.1% were Protestants and Confucians.

The geographical distribution of the immigrants according to their place of residence was as follows: 50.5% of the respondents resided in Central Athens, 30.4% in the Southern Suburbs, 7.7% in the Northern Suburbs and 5.1% in the Western Suburbs. The remaining 6.2% of the respondents resided in the remaining area of Attiki prefecture.

The educational level of the immigrants was mostly high school (50.6%), while for 25.1% was high education and for 16.8% was elementary school. Most of the individuals were not married (56.6%) and the number of children per responder was mostly two (27.5%), while for 14.7% from the total sample was one and for 8.4% was three. 43.2% of the total sample were sending their children to school.

From the entire sample of economic immigrants 43.2% send their children to school. From that portion 78.8% send them to public schools and 5.5% to private schools. Eighty percent declared that they send their children to a Greek school, while just 6.0% send them to a school of their ethnic origin.

Social Characteristics

Most of the individuals of the sample used their mother tongue at home. Ninety seven percent of the responders watch television and from those 90.8% watch Greek programs, while almost half of them (40.7%) watch also foreign programs. Eighty eight percent listen to Greek radio and 37.7% of them listen also to radios of their ethnic origin. Eighty four percent of the sample declared that they read newspapers. Sixty one percent answered that they read the Greek press and 63.4% of them read also foreign papers.

Most of immigrants (70.3%) keep up the traditions and customs of their country of origin and 74.5% follow the traditions and customs of Greece. Sixty two percent of the total sample felt integrated in the Greek society. From the total sample 37.7% answered that they participate in cultural activities, 45.4% in social activities, 22.0% in

political activities and 41.4% religion activities. To the question if they have Greek friends 82.8% answered that they have. To the question if they consume or cook Greek traditional food 89.7% answered that they do. To the question if they feel satisfied by the general behaviour from the natives towards them 89.7% answered positively.

Cross tabulation analysis (χ^2) showed that the more immigrants spoke the Greek language the less they reported problems in their social integration, unemployment, or economic exploitation ($p < 0.00$).

Economic Characteristics

The average monthly income per capita of the respondents was €756.3, while the average monthly family income was €1.053. Immigrants considered their monthly income non satisfactory (55.0%). Eighty three percent save up to 500€ per month. Most of the individuals were employed in construction activities (36.6%) and in household activities (39.9%). Furthermore, 93.8% of the respondents worked an average of 8.3 hours per day and 6.0 days per week. Most of the immigrants answered that they were in the same job for the last 10 years (84.0%). The percentage of the respondents who have national health and retirement coverage was 66.3%. Thirteen percent were homeowners, 75.8%, were in rent, and 11.4% were guests in relatives and friends. Sixty five percent had deposit accounts and 8.8% had loans. From those who have taken loans, 45.8% had taken a loan to buy a home and 54.2% had taken a consumption loan. The percentage of the immigrants who answered that they invest their money was 19.4%, out of which 21.2% invest in the bond market, 11.6% invest in the stock exchange and 92.3% invest in real estate.

Cross tabulation analysis (χ^2) showed that immigrants' satisfaction with their income level depended on how long they had worked in Greece. The longer they worked in Greece the more satisfied they were from their income ($p < 0.00$).

Table 1 shows the average expenditure of immigrants. Expenditure for food was 228.50€ which was the 21.71% of the average family income. According to the survey of the National Statistic Service of Greece, 13.2% of the natives family income goes for food expenditures, which is less by 8.5 units than that of the immigrants. This finding shows empirically that immigrants in Greece have less quality of life.

Table 1: Expenditure averages

Categories of Expenditures	N	Average Expenditure per Family Sample (€)	(%) of Income per Family Sample	(%) of Income per Family of Natives
Food	273	228.50	21.71	13.2%
Education	176	142.79	13.56	15,3%
Clothing	273	92.03	8.74	6,0%
Transportation	273	62.02	5.89	14.7%
Entertainment	273	87.19	8.28	10.0%
New Technologies	273	76.13	7.23	10/0%

Social Integration in the Greek Society

Initially, a binary logistic regression was analyzed to investigate the direct effects of immigrants characteristics variables on the social integration in the Greek society. The dependent variable was measured based on the sample's responses to a 2-point scale: yes, no to the following statement: " Do you feel integrated or not in the Greek society". The independent variables included the sex of individuals, ethnicity, length of residence in Greece, education, usage of mother tongue, usage of TV, friendship with Greeks, use of the customs of Greece and satisfaction from general behaviour from the natives towards the immigrants.

The key logistic regression is therefore:

$$\begin{aligned} \text{ODDS}_{\text{Social integration}} = & b_0 + b_1 \text{Sex} + b_2 \text{Dethn} + b_3 \text{Dedu} + b_4 \text{YOflInG} + b_5 \\ & \text{MLFamily} + b_6 \text{WGrChan} + b_7 \text{GrFriend} + \\ & + b_8 \text{COfGr} + b_9 \text{GrAtt} + ei \end{aligned}$$

Table 2. List of variables used in the social integration logistic regression model

Variable	Type	Description
<i>Sex of immigrants</i>	Nominal	1 if respondent are men; 0 if they are women
<i>Nationality</i>	Nominal	1 if they are from Eastern European Countries; 0 otherwise
<i>Education</i>	Nominal	(1if they have bachelor & above; 0 otherwise
<i>Residency</i>	Numeric	Years of Residence in Greece
<i>Mother tongue</i>	Nominal	1 if immigrants use of mother tongue with family; 0 otherwise
<i>Greek TV</i>	Nominal	1 if there watch Greek TV; 0 otherwise
<i>Greek Friends</i>	Nominal	1 if they have Greek Friends; 0 otherwise
<i>Customs of Greece</i>	Nominal	1 if immigrants follow and adapt the traditions and customs of Greece; 0 otherwise
<i>Greek Attitude</i>	Nominal	1 if immigrants are satisfied from the general behaviour from the natives; 0 otherwise

The equation for the effects of immigrants characteristics variables on the social integration is the following is analyzed in table 3:

Table 3: The effects of immigrants characteristics variables on the social integration

Variables	Model I	Odds Ratio
Constant	-7,114*** (-5,83)	-
Sex	0,524 (1,41)	1,69
Dethn	0,997** (2,17)	2,71
Dedu	0,724 (1,57)	2,06
YofLInG	0,043 (0,90)	1,04
MLFamily	-0,366 (-0,52)	0,69
WgrChan	0,851 (1,27)	2,34
GrFriend	1,481*** (2,86)	4,40
CofGr	0,989*** (5,04)	2,69
GrAtt	2,515*** (5,84)	12,37
Log-Likelihood	-100,024	
Hosmer-Lemeshow	8,239	
R	90,6%	
N	273	
*** Denotes significance p-value < 0,01 and ** Denotes significance p-value < 0,05 * Denotes significance p-value < 0,1		

The analysis of the regression model showed that 90,6% of the variance of *Social integration* was significantly explained by the immigrants characteristics variables. Specifically, *Social integration* was significantly associated with *Nationality* ($p < 0,05$), *Greek Friends*, *Greek Attitude* and *Customs of Greece* ($p < 0,01$). *Nationality*, *Greek Friends*, *Customs of Greece* and *Greek Attitude* were associated with 0,99; 71,481; 2,515 increase of *Social integration* respectively. These results suggest as *Nationality* exerts significant statistical influence on social integration. Immigrants from Eastern European countries show higher percentage of integration than all the others. The personal relationship with the Greeks, which includes both the adoption of the Greek lifestyle and also the positive attitude of the Greeks towards them, exerts significant statistical influence on social integration.

Expenditures on Food Product

In the current model the method of Ordinary Least Squares Estimators (O.L.S.) has been used. Expenditure on food product is the dependent variable. It is a variable containing the amount of household expenditure for food products from immigrants. Independent variables include the age of individuals, education, income, children in the family, evaluation store quality, evaluation store price, choice of Greek shops, choice of street markets (Plath and Stevenson, 2005).

The key multivariate regression is therefore:

$$\begin{aligned} LnExpfood = & b_0 + b_1Age + b_2Dedu + b_3lnY + b_4Hkids + b_5CrQualit \\ & + b_6CrPrice + b_7ChGrShop + b_8StMarket + ui \end{aligned}$$

Table 4. List of variables used in the expenditure on food product equation

Variable	Type	Description
<i>Age</i>	Scale	The age of responders
<i>Education</i>	Nominal	1 if they have bachelor & above; 0 otherwise
<i>Income</i>	Numeric	The logarithmic monthly income per family
<i>Children</i>	Nominal	1 if the family have children; 0 otherwise
<i>Quality</i>	Nominal	1 if immigrants buy higher quality products; 0 otherwise
<i>Price</i>	Nominal	1 if immigrants buy from low prices stores; 0 otherwise
<i>Greek Shop</i>	Nominal	1 if immigrants buy from local stores; 0 otherwise
<i>Street Market</i>	Nominal	1 if immigrants buy from street market stores; 0 otherwise

The equation for the effects of immigrants characteristics variables on the expenditure on food product is the following is analyzed in table 5:

Table 5: The effects of immigrants characteristics variables on food expenditures

Variables	Model II
Constant	1.619*** (3,44)
Age	-0,002 (-0,59)
Dedu	0,037 (0,42)
LnY	0,375*** (5,37)
Hkids	0,361*** (4,30)
CrQualit	0,325*** (3,40)
CrPrice	0,315** (2,07)
ChGrShop	-0,185* (-1,80)
StMarket	0,176* (1,91)
N	273
R²	0,272
R²(adj)	0,25
F	12,36***

*** Denotes significance p-value < 0,01 and

** Denotes significance p-value < 0,05

* Denotes significance p-value < 0,1

The analysis of the above model showed that 27% of the variance of *Expenditure on food product* was significantly explained by the immigrants characteristics variables. Income exerts a positive influence on food expenditure. When income increases by 1% then food expenditure increases by 37%. Families with children spend more money on food than families without children. Also, immigrants who prefer high quality products, or choose to shop in low price markets, or choose local shops and street markets tend to spend more on food products than those who do not.

Expenditures on Education

Also, in the current model the method of Ordinary Least Squares Estimators (O.L.S.) has been used. Expenditure on education is the depended variable. It is a variable containing the amount of household expenditure for education. Independent

variables include the level of education, religion, income, number of children and manual work.

The model for the effects of immigrants characteristics variables on the expenditure on education is the following:

$$\begin{aligned} LnExpeducation = a_0 + a_1 Dedu + a_2 Drel + a_3 lnY + a_4 Nkids + \\ + a_5 KWHand + ui \end{aligned}$$

Table 6. List of variables used in the expenditure on education model

Variable	Type	Description
Education	Nominal	1 if they have bachelor & above; 0 otherwise
Religion	Nominal	1 if they are Christians, 0=other;
Income	Numeric	The logarithmic monthly income per family
Children	Numeric	Number of children
Manual Work	Nominal	1 if immigrants are manual worker; 0 otherwise

The equation for the effects of immigrants characteristics variables on the expenditure on food product is the following is analyzed in table 7:

Table 7. The effects of immigrants characteristics variables on expenditures on education

Variables	Model III
Constant	1,326* (1,90)
Dedu	0,464*** (3,28)
Drel	0,255** (2,01)
LnY	0,333*** (2,94)
Nkids	0,301*** (4,95)
KWHand	-0,202 (-1,06)
N	175
R²	0,225
R²(adj)	0,202
F	9,87***

*** Denotes significance p-value < 0,01 and

** Denotes significance p-value < 0,05

* Denotes significance p-value < 0,1

The analysis of the above model showed that 23% of the variance of *Expenditure on education* was significantly explained by the immigrants characteristics variables. Immigrants with higher educational background invest more money on the education of their children than those who have a lower level of education. Christians spend more on child educational purposes than immigrants from other religions. When income increases by 1%, the educational expenditure increases by 24%. As child numbers increase in a family, educational expenses also increase. Manual immigrant workers spend less on child education than those working with their intellect.

4. Conclusions

Greece was the place of destination for many immigrants especially from the Balkan countries during the 1990s. Unfortunately, the legal framework regarding immigration to Greece at that time was inadequate to confront the flux of immigrants and many immigrants lived in Greece illegally. Appropriate law measures were taken in 2001 that specified the requirements for the entrance and the establishment of immigrants in Greece.

Factors related to the immigrants' characteristics such as the knowledge of the Greek language, the better educational level, the length of residence and the personal relationship with the Greeks, adoption to the Greek lifestyle were found to affect the social and economical integration of the immigrants in the Greek way of life.

Apparently, immigrants with a good knowledge of the language, longer residency, and better education achieve a better treatment from the Greek society. Therefore, immigrants of low skills and educational level will not be able to integrate in the Greek society. For that reason, it is significant for the immigration policy to take into account those weaknesses and to help these people to adapt to their new life for the sake of a good and productive Greek socio-economic life through special vocational courses mainly to teach the Greek language.

The consumer behaviour of economic immigrants was analysed using least squares models and it was found that income exerts a positive influence on food expenditure and immigrants with higher education invest more money on their children education.

5. References

- Bade J.J. (1987), *Population Labour and Migration in 19th – and 20th – Century. Germany*, New York: Berg Publishing.
- Boehing W.R. (1983), *The ILO and contemporary International economic migration*, International Migration Review, Vol 5.
- Castles S. and Kosack G. (1985), *Immigrant workers and class structure in Western Europe*, Oxford University Press.
- Castles S. and Miller M.J. (2003), *The Age of Migration, Third edition*, New York: Palgrave Macmillan Publishing.
- Chung, E. and Fischer E., (1999), “It’s Who You Know: Intracultural differences in Ethnic Product Consumption”, *Journal of Consumer Marketing*, Vol. 16, pp. 482 – 501.
- Deshpande, R., W.D. Hoyer and N. Donthu, (1986), “The Intensity of Ethnic Affiliation: A Study of the Sociology of Hispanic Consumption”, *Journal of Consumer Research*, Vol. 13, No. 2 (September), pp. 214- 220.
- Donthu, N. and Cherian J., (1992), “Hispanic Coupon Usage: The Impact of Strong and Weak Ethnic Identification”, *Journal of Psychology and Marketing*, Vol. 13, pp. 501 – 510.
- Donthu, N. and Cherian J., (1994), “Impact of Strength of Ethnic Identification on Hispanic Shopping Behavior”, *Journal of Retailing*, Vol. 70, pp. 383 - 393.
- Edwards J. (1989), *Language, Society and Identity*, New York: Blackwell Publishing.
- Eastlick, M. and Lotz S., (2000), “Objective and Multidimensional Acculturation Measures: Implications for Retailing to Hispanic Consumers”, *Journal of Retailing and Consumer Services*, Vol. 7, pp. 149 – 160.
- Fan J. and Lewis J., (1999), “Budget Allocation Patterns of African Americans”, *Journal of Consumer Affairs*, Vol. 33, pp. 134 – 164.
- Fan J. and Zuiker V., (1994), “Budget Allocation Patterns of Hispanic Households”, *Journal of Consumer Affairs*, Vol. 33, pp. 89 – 96.
- Haug W., Compton P., Courbage Y. (2002), *The Demographic Characteristics of Immigrant Populations*, Council of Europe Publishing.
- Holmes C. (1996), *Migration in European history Volume II*, UK: The International Library of Studies In Immigration- Edward Elgar Publishing.

- Hui, M.K., Laroche M. and Kim C., (1998), "A Typology of Consumption Based on Ethnic Origin and Media Usage", *European Journal of Marketing*, Vol. 32, pp. 868 – 883.
- Iredale R., Hawksley Ch., Castles S. (2003), *Migration in the Asia Pacific. Population, Settlement and citizenship Issues*, USA: Edward Elgar Publishing.
- Jones H.R. (1990), *Population geography*, New York: Paul Chapman.
- King R. and Black R., (1997), *Southern Europe and the new immigrations*, Great Britain: Sussex Academic press.
- Laroche, M., Kim C. and Tomiuk M., (1998), "Italian Ethnic Identity and its Relative Impact on the Consumption of Convenience and Traditional Foods", *Journal of Consumer Research*, Vol. 15, pp. 125 – 151.
- Lee, W. and Tse, D.K., (1994), "Changing Media Consumption in a New Home: Acculturation Patterns Among Hong Kong Immigrants to Canada", *Journal of Advertising*, Vol. 23, pp. 57–70.
- Plath, A. and Stevenson T., (2005), "Financial Services and Consumption Behavior Across Hispanic American Consumers", *Journal of Business Research*, Vol., 58, pp. 1089 – 1099.
- Rossiter, J.R., A.M. Chan., (1998), "Ethnicity in Business and Consumer Behavior", *Journal of Business Research*, Vol. 42, pp. 127 – 134.
- Siadima M. (2001), *Immigration in Greece during the 1990's: an overview*, King's College London.
- Simon J.L. (1999), *The Economics Consequences of Immigration*, University of Michigan press.
- Spencer S. (2003), *The Politics of Migration, Managing Opportunity, Conflict and Change*, Institute for public policy research, Blackwell publishing.
- Stayman, D.M. and R. Deshpande, (1989), "Situational Ethnicity and Consumer Behavior", *Journal of Consumer Research*, Vol. 16, pp. 361 – 371.
- Thomas B. (1985), *The Economics of International Migration*, London: Mac-millian Publishing.
- Venkatesh, A., (1995), "Ethnoconsumerism: A New Paradigm to Study Cultural and Cross – Cultural Consumer Behavior", In: Costa, J.A., Bamossy, G.J. (Eds.), *Marketing in a Multicultural World, Ethnicity, Nationalism, and Cultural Identity*. Sage Publication, Thousand Oaks, pp. 26 – 27.

- Wagner, J. and Soberon – Ferrer H., (1990), “The Effect of Ethnicity on Selected Household Expenditures”, *Journal of Social Science*, Vol., 21, pp. 181 – 198.
- Wang, L., (2004), “An Investigation of Chinese Immigrant Consumer Behaviour in Toronto, Canada”, *Journal of Retailing and Consumer Services*, Vol. 11, pp. 307 - 320.
- Webster, C., (1994), “Effects of Hispanic Ethnic Identification on Marital Roles in the Purchase Decision Process”, *Journal of Consumer Research*, Vol. 21, pp. 319–331.

TRAFFICKING IN GREECE

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Introduction

Trafficking in human beings has taken on great proportions worldwide over the last twenty years. “Traditional” slave trade and slavery have evolved into a “modern” business, especially under the forms of compulsory labour and sexual exploitation¹. It is estimated that trafficking in human beings constitutes the third largest “criminal business” after illicit trafficking of narcotics and arms².

Social exclusion, ignorance of the language or economic destitution, among other social factors, make women, minors and foreigners vulnerable to, and potential victims of, this abhorrent crime; a crime that has a severe impact on personal and physical dignity and integrity³.

It should be noted that trafficking concerns men, women and children. It takes the form of forced labour, sexual exploitation, trading of human tissues and organs, recruitment of children into armed conflicts or even the trade of children into sex tourism industry. The victims are victims of slavery deprived of their fundamental rights, freedoms and dignity.

Trafficking is usually transnational and directly connected to organized crime. Criminal organizations show an amazing flexibility in finding new routes, new modi operandi and new ways to overcome the law. For instance, lately we speak of a new form of trafficking, the “**smiling trafficking**”, where victims are promised of their freedom provided they recruit new members in that vicious circle. The business is

¹ Council of Europe (2006), The Council of Europe Convention on Action against Trafficking in Human Beings, Handbook for parliamentarians, p. 7.

² “Human Trafficking Exposed”, Population Today v.30 no.1 (Jan 2002): p.1,4.

³ Hellenic Ministry of Foreign Affairs, Trafficking in human beings-New legislation and measures, http://old.mfa.gr/english/foreign_policy/trafficking/index.html (5/6/2007).

a lucrative one, rating third only after trafficking of drugs and arms. This is why the combat against Trafficking is hard⁴.

In our analysis, we are going to focus in the following points:

1. We will try to find a definition of “Trafficking”,
2. we will see why trafficking is connected with Greece,
3. we will see the anti-trafficking legislative tools that Greece has established, and
4. we will focus on all the aspects of Greek anti-trafficking policy.

1. Trying to find a definition

Trafficking is a complex concept often reduced to (or confused with) similar concepts, such as, for example, prostitution or illegal immigration.

The Palermo definition, which was finally adopted in December 2000 in order to provide a more complete and coherent view of the phenomenon, defines trafficking as follows (article 3):

- a) ““Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, or abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of sexual exploitation. Exploitation shall include, at a minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- b) the consent of the victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

⁴ Speech of the Secretary General of the Greek Ministry of Justice Mr. Panagiotis Panouris at the American Congress, Washington, 13/3/2007.

- c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article.
- d) “Child” shall mean any persons under eighteen years of age”.⁵

It is not the role of this presentation to proceed to a detailed appraisal of the definition with regard to its critical concepts, what it includes or excludes, what it assumes and implies...

The aforementioned definition makes clear that the “trafficking” involves three main stages:

- a. recruitment,
- b. transportation from the country of origin to the country of destination and,
- c. exploitation.

As it was correctly pointed out, out of the forms of trafficking that aim at the commercial exploitation of a person, the form dominant in Greece involves the introduction of the person into prostitution and her exploitation. The use of the term “sexual exploitation” to describe this state is inadequate, since it masks the double nature of the exploitation. The woman forced into prostitution is sexually exploited by the client and economically exploited by the trafficker. In other words “The trafficker does not exploit the person he forces into prostitution *sexually*. He exploits his/her sexuality *economically* – and this is an important difference. The woman forced into prostitution is turned into an object of sexual exploitation by the client. It is the client who uses the trafficked person sexually”⁶. If for the trafficker the woman or the minor have a value in exchange, for the client they have a use value, a utility. Therefore it might be more apposite to describe the form of exploitation in question as commercial or sexual-economic exploitation.

⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children. The Protocol supplements the United Nations Convention against transnational organized crime (along with the Protocol against the Smuggling of Immigrants by Land, Sea and Air) Greece signed the Convention and the Protocol against Trafficking on 13 December 2000.

⁶ Grigoris Lazos (2002), *Prostitution and Trafficking in Modern Greece – the Prostitute* (in Greek), Kastaniotis publ., Athens, p. 127, footnote 143.

2. The linkage between Greece and trafficking

The geopolitical changes of the 1990's were dramatic. The Europe of today is very different compared to what it used to be a few decades ago. Africa and Asia have faced similar dramatic changes and many natural disasters. As a result, an increased migration wave has greatly affected Greece. Its geographical position - surrounded by countries emerging from authoritarian regimes - its economic stability and growth, its living standards and the fact that it is a member of the European Union rendered Greece attractive to criminal networks engaged in trafficking, both as a transit and as a destination country.

Despite the substantial evidence that trafficking of migrants is a grave and growing problem, Greece had for many years no legislation specifically criminalizing the trafficking of human beings for forced labour, including forced prostitution. Greece's Aliens Act, Law 1975/1991 - in force until June 2001 - included penalties in cases where the transport of undocumented migrants was for an "**illegal profit**"⁷.

The timely recognition of these changes made Greece one of the pioneers in the field of anti - trafficking legislation. Law 3064/2002⁸ introduced many new articles into the Greek Criminal Code and made criminal offences for example:

- trafficking in persons for sexual or economic exploitation,
- trade of human tissues or organs,
- recruitment of children to be engaged in armed conflicts.

These days, a new draft law was brought before the Greek Parliament, containing amendments to the Criminal Code especially for the punishment of the adults who sexually prey on children abroad.

In 2003, the Presidential Decree 233/2003⁹ introduced measures for the assistance and protection of the victims of Trafficking. Recently the Law 3386/2005¹⁰ introduced, among other measures, a reflection period for the victims in order to decide whether they want to cooperate

⁷ Aliens Law No. 1975/1991, art. 33.

⁸ Of. Journal 248/A/15-10-2002.

⁹ Of. Journal 204/A/2-9-2003.

¹⁰ Of. Journal 212/A/23-8-2005.

with the law enforcement authorities providing at the same time for the relevant legal aid and the necessary residential permits.

As it has also been mentioned, Greece is also a signatory party both to the Palermo Convention and to the Council of Europe Convention on Action against trafficking in human beings.

So, from the above it is understood that the legislative tools in Greece are in place. By implementing these tools substantial practical achievements can be demonstrated.

3. From Theory to Practice

The Greek Government realized the need to intensify its efforts. In May 2004, the Minister of Justice set up an ad hoc special Committee. This committee has the mandate and objective to coordinate the implementation of Law 3064/2002 on the “Suppression of the Trafficking in Persons” and all the efforts and activities, which the governmental agencies and NGOs undertake in that aspect.

In this Committee participate the Secretary Generals of eight competent Ministries¹¹. Many experts from all involved Ministries are assisting the Committee in its strenuous task.

This special Committee developed a National Action Plan (NAP) presented to the public in August 2004.

This plan covers the whole range of counter-trafficking actions, i.e monitoring the phenomenon; establishing databases, collecting statistics; screening procedures to identify victims; establishing shelters; supporting to victims including providing legal assistance, granting of residence & work permits, voluntary repatriation; support in the countries of origin; educating police forces; educating law enforcement and judicial authorities; awareness - raising campaigns.

In accordance to the above the involved governmental and non governmental agents - all under the auspices of the interministerial Committee - have taken the following specific actions and measures:

¹¹ Especially the SDs of: the Ministry of Justice, the Ministry for the Interior, the Ministry of Economy, the Ministry of Foreign Affairs, the Ministry of National Education, the Ministry of Health, the Ministry of Employment and the Ministry of Public Order.

3.1. Prosecution

As far as **Prosecution** is concerned:

- The Ministry of Public Order (Hellenic Police) operates 15 counter-Trafficking in Persons task forces throughout Greece. Further to their operational role on the ground, the mandate of these task forces is to exchange intelligence and information with prosecutors, NGO shelters and other competent partners and to collect complete data, which leads to a concise database.
- Better inter-agency cooperation streamlines victim protection (screening and referral procedures), and serves as a roadmap for a proactive law enforcement, capable to address the heinous and elusive nature of Trafficking in Persons. Our intention is to impose sentences that will reflect the severity of the crime and deter criminal networks.
- The Ministry of Public Order (Hellenic Police) is implementing an operational simulation project to combat Trafficking in Persons under the code name “ILAEIRA”¹². The project commences a large scale national and cross-border operation, which also involves the countries of Southeastern Europe. The project is under the auspices of the Vice President of the European Commission (Justice and Home Affairs) Mr. Franco Frattini and the interministerial committee and will bring a new era of high impact operations and the dismantling of criminal networks¹³.
- It was also recognized that the demand of the services should be targeted. To this effect article 323A on “Trafficking in Persons” of Act No 3064 of October 2002, in its paragraph 3 provides that: «Anyone who knowingly accepts the work of a person, who is subject to the conditions described in paragraphs 1 and 2, will be punished with imprisonment of no less than six months». The above provision is of great importance given that it targets

¹² In Greek mythology, Ilaeira or Hilaeira was a daughter of Leucippus and Philodice. She was one of the Leucippides, along with her sister Phoebe. She and her sister were kidnapped by Dioscurus, Castor and Pollux, who were charmed by their beauty.

¹³ Hellenic Ministry of Public Order and Hellenic Ministry of Justice, “Official presentation of Plan “ILAEIRA” to fight human trafficking”, 6/12/2006, Press Release, <http://www.ydt.gr/main/Article.jsp?ArticleID=149140&LanguageID=2> (5/6/2007).

demand. The same applies to the new draft law combating sex tourism. According to the relevant provision anyone who knowingly uses the services of a child, will be punished with imprisonment up to two years.

3.2. Protection

As far as **Protection** is concerned:

- **National referral mechanism:** The Greek Government established a national referral mechanism focusing on victim's identification through, thus ensuring the proper application of victim protection measures.
- **Legislative improvements:** The new immigration law provides for a one month reflection period (two months for minors) for potential victims, which have not yet been identified by the prosecutor. During this period the potential victim receives psycho-social support, empowers her/him self, along with legal, administrative support and general information about his/her rights. Such incentives encourage cooperation with the authorities in prosecuting traffickers.
- **Victim Hot-lines:** The National Centre for Social Solidarity (Ministry of Health) operates a 24-hour telephone hot-line, number 197, for immediate assistance to the victims of trafficking¹⁴.
- **Shelters:** Six state and NGO-operated shelters currently assist trafficking victims in Athens, Thessaloniki and Ioannina¹⁵.
- **Humanitarian repatriation:** Victims' voluntary repatriation is offered in cooperation with the International Organization for Migration, (IOM) and in close contact with competent agencies in the countries of origin.
- Free **legal support and administrative assistance** is offered to trafficking victims. Our legal aid NGO projects provide administrative and legal support to victims as well as

¹⁴ <http://www.ekka.org.gr/>

¹⁵ For example, the one shelter in Ioannina was established by the Research and Support Centre for Victims of Maltreatment and Social Exclusion (EKYTHKKA – CVME), in cooperation with the University of Ioannina.

information about their rights. Addressing that same issue, the Police have printed a “know your rights” leaflet translated in 13 languages.

- The **role of NGOs** in combating trafficking is precious. The establishment of a “permanent forum” for the exchange of views and information between the ministries and NGOs was critical. In this framework in November 2005 was signed a Memorandum of Understanding between the jointly competent Secretaries, 12 NGO’s and International Organization for Migration (IOM). This institutionalisation of the vital role of NGOs, has lifted many coordination problems, and has facilitated NGO access to the screening and referral process¹⁶.
- **Children and unaccompanied minors:** On 27 February 2006, an Agreement was signed between the Governments of Greece and Albania for the Protection and Assistance of Children Victims of Trafficking¹⁷. Greece intends signing similar agreements with other countries of origin of the children-victims in the Balkans and Eastern Europe. Such anti-trafficking agreements with neighboring countries are an effective means of regional cooperation. Greece has also joined the Transnational Action against Child Trafficking project in Albania, promoting the cooperation between HellenicAID and USAID¹⁸.
- The Ministry of Foreign Affairs (HellenicAid) through cooperation with the NGO “Smile of the Child” is also working on the issue of trafficked missing children and with the cooperation of the Hellenic Police is to introduce an amber alert programme.
- In addition to the provisions of the above Agreement, the Hellenic Ministry of Public Health and Social Solidarity operates 20 shelters for unaccompanied children. The Ministry of Health is also a major partner in the EQUAL project and has signed Memoranda of Understanding with several NGOs.
- The spread of HIV/AIDS among victims trafficked into prostitution makes victim support and repatriation a public

¹⁶ “Human Trafficking”, magazine published by Arsis NGO, vol. 4, July 2004, p. 10.

¹⁷ see the article of Dimitra Pipidou, *ibid*, p. 7.

¹⁸ For more information see the allocation of the Greek Deputy Minister, Mr. Evripidis Stylianidis on 13/11/2006,

<http://www.mfa.gr/www.mfa.gr/GoToPrintable.aspx?UICulture=el-GR&GUID=%7B8A0ED09A-AC7D-4C5C-9961-1BD9DC482090%7D> (5/6/2007)

health issue. Greece places great importance to the sexually transmitted diseases through victims and for that reason has adopted a multi-language NGO project providing information and offering basic treatment to foreign visitors and possible victims of trafficking and we also intend to enhance our cooperation with UNAIDS on this issue.

3.3. Prevention

Finally as far as **Prevention** is concerned

- **Educating law enforcement officials:** The 15 counter trafficking police task forces and the counter trafficking in persons Prosecutors receive continuous specialized training. Seminars are conducted in cooperation with the International Police Association, the Union of Police Officers and other NGOs, and cover thirty four (34) Greek cities.
- **National team of trainers:** Similar education seminars are funded to address prosecutors and judges. A group of law enforcement officials received specialized training for a period of two years in the framework of the EU AGIS project.
- **Addressing root causes in source countries:** Support in the countries of origin and relevant regional cooperation can be very effective. For this reason we have financed programs for the support of the victims after their repatriation to their countries of origin (Georgia, Belarus, Moldova and Armenia).
- **International and regional cooperation:** The Greek NGO “KEPAD” (Human Rights Defense Center), implements a project entitled Ariadne that aims at establishing a Balkan network of 18 counter-trafficking NGOs for the fostering of regional cooperation among NGOs and the promotion of synergy between NGOs and respective states.
- **Cooperation with International Organizations:** In cooperation with Organization for Security and co-operation in Europe, the Stability Pact for Southeastern Europe and the Black Sea Economic Cooperation, the alternative seat of the Stability Pact in Thessaloniki is coordinating and hosting several local and regional initiatives. One such initiative is the International anti-trafficking contact point in Thessaloniki.

- The EU EQUAL anti-trafficking partnership headed by IOM Greece, has also embarked on a research project on the various facets of trafficking in Greece.
- Hellenic Aid and the Greek NGO “European Public Law Center”, under the auspices of Organisation for the Security and Cooperation in Europe and the Stability Pact implement the HERA project¹⁹.
- Greece hosted the signing of the Declaration of Athens on “Business Community against Trafficking in Human Beings” by representatives of the international business Community under the auspices of the United Nations, the World Bank, the International Organization for Migration and other actors, aiming at the adoption of a Code of Conduct against human trafficking, in the context of corporate social responsibility.
- Greece, as a non-permanent member of the United Nations Security Council, paid attention, when possible to discussions on anti-trafficking measures. One such occasion was during the thematic debate on the implementation of SC Resolution 1325(2000) on “Women, peace and security” last October.
- In the framework of the like-minded countries of the Human Security Network, Greece has assumed the role of co-leader with the Thailand presidency in cluster 3, concerning the issue of trafficking.
- **Awareness raising campaigns:** It is widely considered the awareness raising campaigns a very important preventive measure to make possible victims more aware of trafficking and less likely to be deceived by traffickers. The General Secretariat for Equality is sponsoring a TV campaign aiming at raising awareness of the general public.

4. Trafficking in Figures

Let focus now on some concrete data indicating trafficking in Greece²⁰:

In 2006

¹⁹ <http://www.eplc.gr/hera/home.html> (5/6/2007).

²⁰ Source: Ministry of Public Order, <http://www.ydt.gr/main/Section.jsp?SectionID=13438> (5/6/2007)

- 70 trafficking cases were investigated by the Hellenic Police, 66 of which for sexual exploitation and 4 for labour trafficking. In 20 of these cases criminal networks were involved.
- 206 offenders were prosecuted and will stand trial
- 83 victims were found
- 39 victims were identified, sheltered and assisted while the remaining safely returned on their own wish to their countries.

In April 2006 two offenders were convicted for twelve (12) and ten (10) years of incarceration respectively, while in February 2007 an offender was convicted for 19 years of incarceration.

Comparative table of cases, perpetrators and victims for the years 2003-2006

	2003	2004	2005	2006
CASES	49	65	60	70
PERPETRATORS	284	288	202	206
VICTIMS	93	181	137	83

Persons being assisted for the years 2004-2006

Country of Origin	2004	2005	2006
Albania	7	-	-
Bulgaria	4	1	5
Kyrgyzstan	-	-	1
Lithuania	3	2	-
Moldavia	2	2	5
Nigeria	-	4	2
Rumania	17	43	7
Russia	4	3	15
Serbia	-	-	1
Ukraine	6	2	3
Uzbekistan	3	-	-
TOTAL	46	57	39

Conclusion

From all the above, we reach the following conclusions:

1. Greece showed a huge delay establishing legislative tools in order to deal with trafficking.
2. By looking better the aforementioned tables, we can see that there is a non-conformity between the number of the victims and the number of the persons that have been assisted. The Greek authorities, unfortunately, do not give any explanation about this.
3. It can not be claimed that Greece has eliminated the problem. No country has achieved that goal yet. It is, although, true that Greece, in a short time, has made great progress in fighting this crime and we hope to continue to do so.
4. Forth mentioning is the crucial role that the NGOs and the civil society play.

And this is actually the most important: To get the society involved. We need informed and active citizens. Citizens, who will recognize the problem, who will not be passive and tolerant to the street begging kid, to women and men exploited, who will not turn their eyes elsewhere thinking “this is not my problem”. The government structures can succeed, only if, people care more for their neighbour, people become more and more aware, thus decreasing the demand, the trigger in the criminal networks’ hand.

Relevant Bibliography

- Becker Jo, Children as Weapons of War, Human Rights Watch Report 2004, Human Rights and Armed Conflict
- Dutsch Sabine (2002), « Le trafic d'êtres humains », Presse Universitaires de France
- Hugues Donna, "the Natasha Trade – The Transnational Shadow Market of Trafficking in Women", *Journal Alliance Affairs*, 2000
- Human Rights Watch Report 2002, Albania
- ILO (2005), A Global Alliance Against Forced Labor
- ILO, Organisation Internationale du Travail, Le travail des enfants: un fléau persistant et omniprésent, Juni 2002
- IOM, Victims of trafficking in the Balkans-A study of trafficking in the women and children for sexual exploitation to, through and from the Balkan Region (2001)
- IOM, Migrant trafficking and human smuggling in Europe- A review of the evidence with case studies from Hungary, Poland and Ukraine (2000), International Organization for Migration, Vienna
- IOM Counter- Trafficking Service, Changing patterns and trends of trafficking in persons in the Balkan region- assessments carried out in Albania, Bosnia and Herzegovina, the Province of Kosovo (Serbia and Montenegro), the FYROM and the Republic of Moldova, July 2004
- Keller – Herzog A. & Szabo S., Globalization and Development Express No. 8, CIDA, 1997
- Severin, K., "Migrant Trafficking through the Baltic States and Neighboring Countries". Papers given at an IOM Regional Seminar, Vilnius, Lithuania, 17-18 September 1998

- Stulhofer Aleksandar, Raboteg-Sarie Zora, Marinovic Lovorka (2002), Trafficking in women and children for sexual exploitation, Center for Transition and Civil Society and International Organization for Migration, Zagreb
- Trafficking in Human Beings: Implications for the OSCE. Review Conference, September 1999, Office for Democratic Institutions and Human Rights, Background Paper 1999/3, Warsaw, Poland
- UNICEF/UNHCHR/OSCE-ODIHR (2002), *Trafficking in Human Beings in Southeastern Europe*, publ. by UNICEF

The European Union Immigration Regime and the Greek Immigration Policy: How Relevant?

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Contemporary Greece: Structures, Context and Challenges

Abstract

It has been widely acknowledged that Greece is a “new: immigration country. This paper attempts to look at to what extent EU legal developments have influenced the domestic Greek context- both in terms of legal developments as well as their implementation. For this purpose, the formation of the three immigration laws passed in 1991, 2001 and 2005 is examined in detail with “europeanisation” serving as a theoretical framework. Empirical evidence on the interaction of various actors points to the conclusion that “EU” influence has been formally strong where binding EU instruments were at place- minimizing the effects of “socialization”.

I. Introduction

Since the late 1980s Greece has been rapidly transformed from an immigrant-sending to an immigrant-receiving country. From the 1970s Greece started receiving her own national economic immigrants from Western European countries (Sitaropoulos, 2003, p.14). Return migration exceeded immigration in 1975 (King, Fielding and Black, 1997). The collapse of the communist regime in 1989 dramatically accelerated migration inflows. The country was overwhelmed by immigrants from the Balkans and the former Soviet Union. A striking majority came from the neighboring Albania (55,6% of immigrant population according to the 2001 census), making Greece the only country in the EU with such a large percentage of a single ethnic group. The number of immigrants (legal and illegal) residing in Greece amounted, according to estimations, at the end of 2004, to 950.000, comprising, with the national ethnic immigrants, 10,3% of the total population. (Baldwin-Edwards 2005). The same number for 1991 was, according to the census that took place on the same year, 270.000. The later suggests that the number of immigrants in Greece had been quadrupled in 13 years (ibid).

This new phenomenon for the Greek experience has coincided with an enhanced cooperation at the "EU" level in the field of immigration and asylum (expressed through "strong" and "soft" law instruments as well as accelerated forms of socialization). The absence of any previous experience in that form of immigration (i.e. that of an immigrant-receiving country) and the subsequent institutional vacuum at the Greek national context were followed by various, mostly spasmodic attempts to make up for the new phenomenon. The parallel chronological developments in the specific field at the European Union and the obligations that followed EU membership point to a *vertical influence* of the latter on the Greek immigration policy.

The paper takes a short look at the legal developments of the “European”¹ level. Based mainly on empirical evidence at the Greek context, it attempts to trace *to what extent* the “EU” has shaped the Greek immigration policy. The body of the research is based upon the theoretical framework of “europeanisation” as institutionalism. A rough presentation of the developments on the “EU” level serves as a general framework. The three immigration laws of 1991, 2001 and 2005 that were respectively voted in Greece, as well as the three legalization programs that took place and their implementation effects are then examined, with the theory of europeanisation serving as a tool of partial explanation. The interaction of different actors (i.e. policy considerations, political parties, public opinion, institutional framework, bureaucratic processes and actual implementation) in shaping these laws are taken into consideration. The deduction of this paper is that domestic concerns, actors and institutional legacies were intercepted with EU legal developments- with the former being more influential than the latter. Another rough conclusion (since this work is still in progress) is that, in the Greek case at least, the EU influence on the domestic context of legal developments was evident where “strong” EU instruments were already in place- minimizing the effects of “socialization” expressed in non-binding forms.

¹ For reasons of convenience the term “European” is used to describe both the developments that took place *before* the establishment of the TEU, as well as those that took place outside the “EU” framework, i.e. the Schengen Convention (1985), an intergovernmental at first form of agreement between five countries which was largely influential and later incorporated (1997) to the Amsterdam Treaty.

II. Theoretical Framework

Divisions between “old” and “new” immigration countries have been widely acknowledged in the literature. Some researchers (Baldwin-Edwards, 1997, Freeman, 1995, Geddes, 2003) argue that the “EU’ factor has been influential in shaping immigration policies in countries such as Spain, Italy and Greece (all of which have been rapidly transformed into “immigrant-receiving” countries from 1990s onwards). This is mainly attributed to the absence of policies in the specific field, contrary to “Northern Europe”- since, as Baldwin- Edwards (1997) notes, division between “old” / “new” immigration countries coincides roughly with “Northern”/ “Southern” European countries dividing line. Recent research regards the former Eastern European countries, now members of the EU, as “laboratories” in the process of external pressure of “European” immigration policies on the domestic context (Geddes, 2003, Lavenex & Ucarer, 2002).

Research on the “EU” influence at the “domestic” context is roughly divided in the “restrictive” as opposed as “liberal” influence of the EU on the national immigration policies. The bulk of this literature draws extensively on the literature of “europeanisation”.

Europeanisation as an interdisciplinary theory, far from providing answers, poses rather questions. The latter tend to be approached mainly through empirical evidence from specific case studies-, which however do not exclude the existence of an ideational theoretical framework *per se*².

Consequently, this paper is based on evidence “on the ground” from shaping factors in the development of the three legal instruments at the national

² For a further analysis see Radaelli, 2004

Greek context, under the light of the parallel decisions that took place close to the time examined at the “EU” level. Different actors that were involved in the forming of Greek immigration laws are taken into consideration and are examined through their positions - as the latter were expressed in parliamentary discussions, *avis* that were published and led to different amendments of the laws, public opinion etc. The relevant institutional framework is also taken into consideration both as a factor of shaping as well as implementing these laws by their transformation into concrete policies.

A possible drawback of this approach is the focus on “europeanisation as institutionalism” as opposed to “europeanisation as governance” and “europeanisation as socialization” (Radaelli, 2004). However, since, as it has already been pointed out, the transformation of Greece into an “immigrant-receiving” country took place *unexpectedly* and *rapidly*³, the experience of immigration as a *shock* for the Greek domestic context excludes by definition the process of “socialization” or “anticipation” that pre-determine adaptation to policies before the latter are formally formed. From this, it follows that the more time it elapses between this *structural shock*, the more distant the hypothesis of socialization as a shaping factor of immigration policies becomes. Socialization, however, is a double process that involves the interception of “EU” and “national” actors (in the theoretical divide “EU”/“Domestic”). The distinction between europeanisation as socialization and as a learning process that stems from learning procedures, which take place inside the national context, proves thus often to be more complicated than it seems.

Under this light, europeanisation as institutionalization seems an appropriate theoretical framework to explain the institutional changes that took place during the first steps of the formation of Greek immigration policy. The implementation of these legal changes, however, as well as the formal legal developments that followed cannot be easily examined in this framework.

³ A point supported extensively by empirical data.

Another, issue that arises is when the reference to the “EU” as an “external” factor of influence on the domestic context is not a “scapegoat⁴”, but a real force of adaptational change. In other words, the mere reference to the “EU” and the obligations that arise from EU membership do not necessarily mean that “Europe” is the main actor for the institutional change that takes place.

The answer to this dilemma may lay in the examination of a set of other factors, such as the “political cost” of a decision as well as the actual demands and obligations that arise from- mostly- binding EU legal instruments. Where political cost is involved, the EU may indeed be a safe “explanation” for institutional or implementation changes-although this should always be examined parallel to the actual claims that arise from EU membership.

III. EU Framework

In 1991 the first Greek immigration law was voted in the parliament (1975/1991). The previous law that existed since then dated from 1929. After two presidential degrees providing for the regularization of illegal immigrants, law 1975/1991 was followed by laws 2910/2001 and 3386/2005.

Immigration as an *explicit* policy area in the EU treaties emerged only in the Maastricht Treaty (Baldwin-Edwards, 1997). Until then developments were taken place at the Ad Hoc Immigration Group, a forum operating under secrecy, outside parliamentary and judicial scrutiny (ibid.).

A parallel development was the Schengen Agreement (1985), a text worked out through intergovernmental procedures, outside the Community framework. The Schengen Convention was signed in 1990 and came into force in

⁴ Radaelli, 2004

1995. In 1997 it was incorporated in the Amsterdam Treaty (into force on May, 1999). Greece became a member of the Schengen Convention in 1992 (along with Portugal and Spain). Notorious for its restrictive nature, the Schengen Convention aimed at the creation of a “Fortress Europe”.

a) The Schengen Agreement

Basic Elements⁵:

- Common rules for Control at external borders of the Schengen Area
- Adjustment of conditions for border crossing visa policy
- Sanctions against air companies which carry people without proper documents
- Criteria for which country should handle asylum applications
- Exchange of information on asylum seekers

TABLE1: EU developments in immigration from 1992 Maastricht Treaty) until 1997 (Amsterdam Treaty)⁶

1) Expulsion and Illegality

- Recommendation Regarding Practices Followed by Member States on Expulsion 1992

⁵ Baldwin-Edwards, 1997

⁶ For the purposes of this paper the field of asylum is omitted. The Table is included in Baldwin-Edwards, 1997. Communications are not included.

- Recommendation Regarding Transit for the Purpose of Expulsion 1992
- Recommendation Concerning Checks on and Expulsion of Third-Country Nationals Residing or Working without Authorization 1993
- Recommendations Concerning the Adoption of a Standard Travel Document for the Removal/Expulsion of Third- Country foreign Nationals 1994
- Recommendation Concerning a Specimen bilateral Agreement between a member State of the EU and a Third- Country 1994
- Resolution on concerted action on expulsion 1995
- Recommendation on combating Illegal employment of Third-Country Nationals 1996
- Resolution on Unaccompanied Third- Country Minors 1997

2) Immigration

- Resolution on family reunification 1993
- Resolution on Employment 1994
- Resolution on admission for self-employment 1994
- Resolution on admission for Study 1994
- Resolution on Third- Country nationals with Long-Term Residence

There are two rough points that arise from the above classification:

- The non-binding nature of the instruments
- The qualitative emphasis on *restrictive* rather than *positive* immigration measures.

3) Visas

- Regulation 1683/95 Establishing a Common Visa
- Regulation 2317/95 on Countries Requiring Visas

In contrast, regulations are binding legal instruments.

b) The establishment of the Amsterdam Treaty

The establishment of the Amsterdam Treaty brought the incorporation of the Schengen Agreement in the EU framework (although with limited the role for ECJ). From the Amsterdam Treaty onwards as far as immigration is concerned there has been a proliferation of legally binding instruments (regulations, directives) and non-binding ones (communications, programs). The Treaty communitarised immigration and asylum (although intergovernmental procedures were active until 2004). From 2004 the Commissions exercises the legislative initiatives and the Council decides on unanimity which issues will be subjected to qualified majority voting.

TABLE2: EU quantitative developments in immigration since the coming into force of the Amsterdam Treaty (May, 1999)⁷.

1) External Borders

- 5 Council Decisions
- 1 Council Directive (2004/82/EC of April 29 on the Obligation of Carriers to Communicate Passenger Data

⁷ Table based on the JAI- Acquis European Commission DG Justice, Freedom and Security (update October 2006). It follows the divisions set out by the EU Acquis. Asylum is again omitted for the purpose s of the paper. For lack of space legal instruments are not explicitly mentioned. Instead, the paper includes a quantitative enumeration.

- 2 Council Regulations (EC No 2007/358/EC of October 2004 establishing a European Agency for the Management Of Operational Cooperation at the External Borders of the Member States of the European Union, EC No 2252/2004 of December 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by member States)
- 1 Council Recommendation
- 1 Common Decision
- 1 Decision of EP/Council
- 1 Resolution of Representatives of Governments of member States (Res. 2000/C 310/01 Supplementing the Resolutions of 23 June 1981, 30 June 1982, 14 July 1986 and 10 July 1995 as regards the security Characteristics of Passports and Other travel Documents)

2) VISA

- 10 Council Regulations
- Common Consular Instructions on Visas for the Diplomatic Missions and Consular Posts (OJ C 3131 of December 2002, p.1 and OJ C 326 of 22 December 2005, 2005, p.1)
- 8 Council Decisions amending the Common Consular Instructions
- 2 Council decisions
- 2 Commission Decisions
- 2 Council Recommendations
- 1 Commission Recommendation
- 1 Recommendation of EP/Council

3) Immigration

i) Admission

- 3 Council Decisions (last amended by 2004/867/EC)
- 3 Council Directives:
 - Council Directive 2005/71/EC of October 2005 on a specific Procedure for Admitting Third-Country nationals for the Purposes of Studies, Pupil Exchange, Unremunerated Training or Voluntary service
 - Council Directive 2003/109/EC of November 2003 Concerning the Status of Third-Country Nationals Who are Long-Term Residents
 - Council Directive 2003/86/EC of 22 September 2003 on the Right to family Reunification

- 1 Directive of EP/EC (2004/38/EC of 29 April 2004 on the Right of Citizens of the Union and their Family Members to Move and Reside Freely Within the Territory of the Member states amending Regulation (EEC) No 1612/68, and Repealing Directives 64/221/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/365/EEC, 93/96/EEC
- 1 Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a Uniform Format for Residence permits for Third-Country nationals
- 1 Regulation of EP/EC (EC) No 491/2004 of 10 March 2004 Establishing a Programme for Financial and Technical Assistance to Third Countries in the Areas of migration and Asylum (AENEAS).

ii) Fight Against Illegal Immigration and Return

- 10 Council Decisions + 1 Council Framework Decision
- 2 Commission Decisions
- 6 Council directives
 - Council Directive 2004/82/EC of April 2004 on the Obligations of Carriers to Communicate Passenger data
 - Council Directive 2004/81/EC of April 2004 on the Residence Permit Issued to Third-Country nationals who are Victims of Trafficking in Human Beings or who have been Subject of an Action to facilitate Illegal Immigration, who cooperate with the Competent Authorities
 - Council Directive 2003/110/EC of November 2003 on Assistance in Cases of Transit for the Purposes of Removal by Air
 - Council Directive 2002/90/EC of November 2002 Defining the facilitation of Unauthorized Entry, Transit and Residence
 - Council Directive 2001/51/EC of June 2002 Supplementing the Provisions of Article 26 of the Convention Implementing the Schengen Agreement of 14 June 1985
 - Council Directive 2001/40 EC of 28 May on the Mutual Recognition of Decisions on the Expulsion of Third-Country nationals
- 1 Council Regulation (EC) No 377/2004 of February 2004 on the Creation of an Immigration Liaison Officers Network
- 4 Readmission Agreements between the EC and Third Countries (Albania, 2005, Democratic Socialist republic of Sri Lanka, 2005, Macao Special Administrative Region of the People's Republic of China, 2004, the Government of the Hong Kong Special Administrative Region of the People's Republic of China)

c) Human Rights Related Instruments

Regulation (EC) No 1652/2003 of 18 June 2003, amending Council Regulation (EC) No 1035/97 of 2 June 1997 Establishing a European Monitoring Centre on Racism and Xenophobia

d) Schengen Horizontal issues (SIS)

- 33 Council Decisions
- 4 Council Regulations

e) Other European Union Instruments and Documents

- Action Plan of the Council and the Commission on How Best to Implement the Provisions of the Treaty of Amsterdam on an Area of Freedom Security and Justice- Text Adopted by the Justice and Home Affairs Council of 3 December 1998
- The Hague Programme: Strengthening Freedom, Security and Justice in the European Union
- Council and Commission Action plan Implementing the Hague Programme on Strengthening Freedom, Security and Justice in the European Union

The bulk of immigration instruments is considerably bigger than the developments which took place before the incorporation of the Schengen Acquis to the Treaty of Amsterdam. In addition, the above JAI's classification does not include framework decisions such as the Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings. The

same applies for Council Directive 2000/43/EC of 29 June 2000, implementing the principle of equal treatment on grounds of racial and ethnic origin and Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation, both of which are based on EC Article 13 and are mentioned under the classification “Fundamental Rights” on the JAI webpage. In addition, the JAI Acquis does not include Commission Communications, (i.e Green Paper on an EU Approach to managing Economic Migration, 2005), or European Council Conclusions (i.e. Tampere, 1999). The later, although non-binding for the member-states, provided a guiding framework for binding developments in immigration (i.e. Council Directive 2003/109/EC of November 2003 concerning the status of Third-Country nationals who are Long-Term Residents, Council Directive 2003/86/EC of 22 September 2003 on the Right to Family Reunification). However, these non-binding instruments, although influential for EU developments on immigration were not *directly* transposed into binding decisions in the domestic level of EU countries. Their influence, which should not be underestimated, since they served as a basis for substantial developments, was limited to EU binding decisions (which in their turn influenced the domestic context). The JAI Acquis, as it is published by the European Commission DG JFS, is about restrictive rather than inclusive immigration instruments, repeating the same rationale of immigration developments before the Treaty of Amsterdam- albeit with some positive improvements (ie. Council Directive on Family reunification, as opposed to Resolution on Family Reunification, 2003). The logic of “Fortress Europe” is prominent, throughout the measures of strengthening the external borders, the development of the SIS II with inclusion of biometric data and so on.

III. Immigration Developments in Greece

a) Legal Developments and Institutional Inertia from 1991 to 2001

In 1991 the first immigration law was voted. The previous Greek law on immigration dated from 1929 (law 4310/1929), revealing the absence of any experience in the specific domain (Greece was an immigrant-sending country) and a subsequent institutional vacuum. Changes however were dramatic as the massive influx of immigrants, due to the collapse of the communist regime, in 1989 rapidly transformed Greece into the country with the highest immigration influx in Europe. In the early 1980s aliens recorded in Greece constituted 1,8% of the Greek population. Between 1991-2000 migratory movements have been estimated to have contributed by 96,9% to the population increase in Greece (Sitaropoulos, 2003). An astonishing majority of the newcomers came from neighbouring Albania. According to the 2001 Census, 55,6% of the total immigrant population were of Albanian origin. This makes Greece unique, since no other European country had such an overwhelming single immigrant majority, rising, partly due to the tensions between the two countries, security concerns. In addition, contrary to other southern European “new” immigration countries, (Portugal, Spain), immigration to Greece was not tied to any colonial past. It comes as no surprise that the sudden overwhelming of newcomers was experienced as a shock, both by local populations, as well as policy elites. The relevant institutional framework was absent at the time and the Greek political culture, notorious for its bureaucratic nature and inertia, proved unable to respond to the new challenges. Public opinion, as far as immigration is concerned, was one of the most hostile in Europe. A 1985 survey on the rise of fascism and racism in Europe showed that the Greeks were tolerant, xenophilic

and generally free of racial prejudice⁸ (Karyotis, 2005). Contrary, in 1993 a research by the University of Athens revealed that almost 79% of Greek citizens considered immigrants as a danger to society (ibid.). Another survey by the Athens Labour Center (EKA) showed that 61% of Greeks thought that immigrants had a negative impact on society (only 5,8% considered that their influence was positive) (ibid). The results are not surprising given that according to the 1991 national census 95% of the Greek of the registered Greek population was linguistically, ethnically and religiously homogenous⁹. An astonishing number of immigrants came from a single country, neighbouring Albania- a phenomenon unknown to any other European country- maximizing perceptions of immigration as a security threat. On the other hand the influx of foreign workers (albeit as temporary workers for the ad hoc economic needs of the country) had been supported earlier by the Federation of Greek Industries (SEV) (ibid.). The sudden developments came at the absence of any institutional framework (notorious for its slow adaptational character) while Greek political elites were unprepared to handle the situation. NGOs, immigration societies, civil rights organizations and independent authorities (the Greek Ombudsman was only founded in 1998) were absent from the policy-making procures.

It was under this domestic framework that the first contemporary Greek immigration law (1975/1991) was formed, debated and finally came into force. As it has been widely acknowledged, the first Greek immigration law was a *draconian, restrictive* legal instrument, which aimed expressively at the prevention and control of entrance of immigrants through the strengthening of the external borders of the country and the facilitation of expulsions. The restrictive nature of law 1975/1991 is expressed form its title: “Entrance-Exit, Sojourn, Work, Expulsion of immigrants, Process of Recognition of immigrants, refugees and other Arrangements”. The aims of the law are obvious from its very first provisions: articles 3-5 were about “police control of border entries”. Article 5 in

⁸ European Parliament (1985), Committee of Inquiry into the rise of Fascism and Raciism in Europe, Luxembourg, pp. 43-44

⁹ National Census, 1991

particular was about the establishment for the first time, of patrol squads along the Greek borders for the control of the entrance of immigrants and the prevention of illegal immigration. The pre-occupation of the Greek state with the control of immigration is also apparent in Article 6 which proclaimed that the entrance of an immigrant in Greece could be prevented even in cases where he/she possessed a valid visa document, if the relevant Greek authorities certified that his/her case fell under the excluding provisions of the same article. The law provided also that the criteria for the inclusion and exclusion of aliens were to be determined by an inter-ministerial decision. The government wished to exclude the publication of the above decision in the Official journal under a secrecy clause, which was finally dropped due to severe criticism from the opposition parties in the parliamentary debate of the bill (Sitaropoulos, 2003). It was also the first time that a special section on aliens' expulsion was included in the Greek immigration law (ibid). As far as residence permits were concerned, their duration (with the exception of those granted for education purposes) ranged from three months to one year. Aliens who wished to stay in Greece after a five year period, might do so only after a special application lodged by them and approved by the minister of Public Order (Sitaropoulos, 2003). It is thus obvious the Greek legislator considered immigration as a temporal phenomenon and failed to provide the relevant framework for an inclusive immigration policy. In that respect Greece has fallen behind other Southern European countries ("new" immigrant countries all of them), which, however, had been transformed to "immigrant-receiving" ones, shortly earlier than the former. Immigrants who entered the country without the necessary certification were *de facto* considered as unwanted and were not allowed by the border authorities to enter the country¹⁰(Article 6.8). Immigrants who did not possess the specified documents were automatically expelled without having the right of appeal to the court. The possession of false documents was punishable with severe penalties ranging from 3 months to 5 years in prison (Sitaropoulos, 2003).

¹⁰ This was not the case for immigrants of Greek nationality: the authorities in charge did not have the right to prevent them from entering the country

Similarly to Southern European countries, however, the influence of the Schengen Agreement on the domestic Greek framework, expressed in the provisions of law 1975/1991 and the parliamentary debate of the bill, is evident. Article 33 of law 1975/1991 introducing for the first time severe penalties (imprisonment for at least one year coupled with heavy fines for each clandestinely carried alien) constitutes a clear transposition of Articles 26-27 of the Schengen Convention, demonstrating the country's efforts to harmonize its policies with the obligations arising from the latter. In the Parliamentary debate¹¹ the Schengen Convention became a point of reference that served as a justification of the provisions of the law. Migration flows were presented by the conservative party of New Democracy (ND) (which introduced the immigration law) as a "security threat". The perception follows the rationale behind the Schengen Agreement (revealing thus a process of "europeanisation" of Greek policies vis-à-vis the "EU", although the Schengen Agreement was at the time outside the Community context and was only incorporated to it in 1997). Domestic factors, as they have already been analyzed above, were determinants that shaped the perception of immigration as a security threat (or even a "national threat"¹²) that should be answered through restrictive measures. Under this light the Greek restrictive response to immigration influx seems inevitable, and rather a product of both "external" as well as "internal" factors.

At the same time the discussion of the bill in the Parliament was tense and its approval moved across partisan lines: the socialist and communist opposition voted against the bill which was introduced by the conservative government. According to political parties of the left, the bill should have been focused more on human rights issues and less on policing and expulsions. The restrictive nature of law 1975/1991 was condemned by leftist parties. Answering criticism on the restrictive nature of the law, Theodoros Anagnostopoulos, Minister of

¹¹ Parliamentary Proceedings, Greek parliament, Sessions 10/10/1991, 15/10/1991, 16/10/1991, 17/10/1991, 22/10/1991

¹² Term used by a New Democracy MP during the discussion

Public Order, (ND) argued that the specific provisions were necessary for the harmonization with the provisions of the Schengen Agreement (Greece signed the Schengen Agreement in 1992).

It comes as no surprise that the first Greek immigration law failed to respond both to the issues that arose from the immigrant inflows to the country, as well as to the prevention of their entrance. Apart for the draconian measures that it introduced (which proved to be ineffective) it lacked sufficient structures: it contained over twenty “legislative authorizations” that provided for the promulgation of a series of Ministerial Decisions and Presidential Decrees, subject to no parliamentary scrutiny for determining the details of their provisions (Sitaropoulos, 2003) revealing thus an institutional vacuum that led to inadequate policies. Rather than being a social and economic issue, immigration was considered to be an issue which was supposed to be tackled by policing authorities, with the law strengthening the powers of the administration to the extend that it opposed basic constitutional rights.

Far from solving the “problem” of immigrant influx, the strengthening of the external borders and the heavy involvement of the police led to a dramatic increase of the number of illegal immigrants in the country. By 1995 around 1.000.000 illegal aliens (mainly of Albanian origin) were expelled from the country (Baldwin-Edwards). Most of them returned shortly after their removal. Responding to the social realities and following the example of other Southern European countries the socialist Greek government decided in late 1997 to proceed to a legalization programme of illegal immigrants regulated by two Presidential Decrees (P.D. 358/1997 and P.D 359/1997). Spain had proceed with its first regularisation programme in 1991 which provided legal statues for 112.000 immigrants residing illegally in the country, Portugal embarked on its first

legalization in 1992 with the registration of 38.364 aliens and Italy in 1986 legalized for the first time 118.000 aliens¹³.

b) First Regularisation Attempt

Despite the proclamation of human rights issues during the parliamentary debate of law 1975/1991, the council of ministers of the Greek socialist government, decided on 27 June 1997, that the two regularization Presidential decrees would not apply to foreign workers originating from Albania, Bulgaria, the Former Yugoslav republic of Macedonia and Turkey. According to the governments the decision was taken to prevent mass migration from Albania into Greece¹⁴. Domestic concerns seemed to prevail on immigration policy-making, with the perception of aliens as a “security/national threat” being strong. Trade unions, however, and employers (mainly farmers) reacted firmly against the decision of the Greek government. The Greek General Confederation of Labour (GSEE) sent a letter to the then prime Minister demanding the withdrawal of the proposition. On the other hand, opposition of Greek public opinion on the legalization of immigrants was strong. According to a 1998 survey by VPRC, 58,5% of Greek citizens opposed the process¹⁵. The 1997 Eurobarometer reveals that 72% of Greeks “tended to agree” that “all illegal immigrants should be sent back to their country of origin” (ibid.). Despite public opinion opposition, the Government bent to the demands of trade unions and employers and decided not to include the envisaged exception. The Ministry of Employment played central role in the regularization process (Linos, 2001), revealing a gradual movement from the securitisation of immigration (although still present) to factional perceptions of market needs. Immigrants were finally considered as a source of economic profit for the state through their contributions to the social system: the latter was a pre-condition for their legalisation.

¹³ Data included in *Policies of Immigrant Integration: The European Experience*, (in Greek), (IMEPO, September 2006).

¹⁴ www.eurofound.europa.eu/eiro/1997/07/inbrief

¹⁵ Linos, 2001

The legalisation of illegal immigrants however had limited effects due to the excessive formal demands of the PDs as well as administrative shortcomings of the Greek bureaucracy. The special Commission which was founded by article 16 of law 2434/1996 for the drawing of the PDs was composed from representatives of different ministries¹⁶ signaled a change from the exclusive competence of the Ministry of Public Order in the issue. The results however were minimal in practice. Within a period of five months immigrants were obliged to submit to the Greek Labour Force Employment Organisation (OAED) various papers from different authorities ranging from travel documents to social insurance contributions (EKA), penal code certificates, (Ministry of Justice) certificate of non-inclusion in the list of undesirable aliens (Ministry of Public Order). The PD provided for the distinction between “white cards” temporary residence card (i.e. given to aliens who had not provided all the necessary papers) and “green card” limited duration residence card (for aliens who had no “white card” due to administrative problems). The deadline for the ‘green card’ submission was extended twice: until October 1998 and then until 30 April 1999 (Sitaropoulos, 2003). The duration of the “green cards” was dependent on the nature of employment of the immigrant and as well as market considerations (ibid.).

Not surprisingly, the first regularization process was far from successful: although there was a target for the regularization of 500.000 aliens, only 371.641 managed to apply for a “white card”, while the number of those who managed to get finally a “green card” was even lower: 148.000 by 2000 according to official data (Sitaropoulos, 2003). The number of immigrants that were left outside the first regularization attempt of the Greek state was significant given that according to *estimations* in 1997 the number of illegal aliens in Greece was close to 700.000 (Fakiolas, 2003).

¹⁶ Sitaropoulos, 2003

c) From 2001 to 2005: Changes and Institutional Legacies

It was under this domestic context that the second Greek immigration law 2910/2001 was voted in the Greek parliament. Entitled “Entry and Residence of Aliens in the Territory of Greece. Acquisition of Greek citizenship by naturalization and other provisions”, the new law was proclaimed as a modernization process that would harmonise the Greek policies of immigration with the European and international framework. Contrary to law 1975/1991, which had only 36 articles, the new law contained 81 articles in fifteen sections (Sitaropoulos, 2003). Indeed, after almost ten years of immigration experience, and one attempt of regularization of illegal immigrants, the new law introduced certain institutional changes, while providing for a second process of legalisation of aliens. A significant institutional change which reveals a difference in the perception of immigration was the transfer of competence from the Ministry of Public Order to the Ministry of the Interior. Following the example of other European countries Greece transferred the responsibility of immigration to the regional administration. The new law provided for the establishment of a new Directorate of Aliens and Immigration (Sitaropoulos, 2003). The main executive organ for granting residence permits to aliens became the Secretaries General of the Greek Regions (ibid.). The law provided for the creation of a three-member Immigration Committee, of consultative nature, which would consist of three members (two officials of the regional service of aliens and one representative of the police). The creation of a special immigration institute (IMEPO). was also proclaimed. For the first time the law provided for the entrance of self-employed immigrants- although entrance for the rest of the aliens was dependent on his/her recruitment by a Greek employer. In addition, it reduced the period required for the grant of an infinite stay permit from 15 to 10 years, although it increased the time needed for a two year permit from 5 to 6 years. The new legal instrument perpetuated however the system of short-term residence permits, although at the

time the tendency in other Southern European countries¹⁷ (which experienced immigration influxes relatively earlier than Greece) had been the provision of longer residence permits (with the former procedure proving ineffective and creating more illegal immigrants). Law 2910/2001 provided also for the recruitment of temporary workers- a provision absent in law 1975/199- and reduced the period of time for family reunion from five to two years. The economic considerations behind the inclusive provisions of law 2910/2001 were evident from the central role played by OAED. The number of immigrants that would enter the country depended on estimations from the specific organization on an annual basis for the labour needs. According to the estimations of OAED the number of immigrants that would enter the country would be regulated by an interministerial decision. A special provision (Article 18) which allowed for part-time employment for alien students, was added to the new law- signaling an improvement from the previous one. Despite the market-oriented development, however, Greece was the only European country which tied residence permit to constant and uninterrupted employment¹⁸. This was an unrealistic demand excluding aliens who did not have a permanent job or ceased to work. The new law introduced a new system, according to which the alien should be recruited abroad in order to be allowed to enter the country. The task was undertaken by Greek embassies and consulars which established special employment offices. The provision was criticized as burdensome and ineffective by specialists¹⁹. As far as family reunification is concerned the period of time for this right was reduced from five to two years (Article 28.1). However, the provision excluded the parents of the immigrant and his/her wife/husband who cohabited with the alien in his/her country and were dependent upon him/her. The previous law provided for the specific members of the family of the immigrant, while at the time they were included in the Commissions Proposals for a Council Directive on family reunification.

¹⁷ Baldwin-Edwards, 2001

¹⁸ (ibid.)

¹⁹ Sitaropoulos, 2003, Baldwin-Edwards 2001

Following the same institutional paths established by law 1975/1991, law 2910/2001 introduced a double system of residence and work permits. Residence permits were issued by the Regional Secretary General while employment permits by the Prefects. The process was criticized as ineffective even before the approval of the bill into law (reports by MMO, the Greek Ombudsman). Indeed, it proved to be such due to its unrealistic provisions, staff shortages and inherent slow structures of the Greek bureaucracy.

Similarly, restrictive provisions introduced due to the participation in the Schengen Convention were perpetuated and became even more severe: the fines for the transportation of illegal aliens became stricter²⁰ (at least one year of imprisonment and fines ranging approximately from 3.000 to 13.000 euros). Severe fines were also provided for employers who employed illegal immigrants or who lent accommodation to unregistered aliens. Exclusionary terms for a denial of entry such as inclusion in the list of “undesirable aliens”, “risk for public security”, or “public health” were also present.

Despite governmental claims that it constituted a big leap towards modernisation, law 2910/2001 was severely criticized for not taken into account human rights considerations. Immigration activists (mobilized at the time, contrary to the early 1990s), labour unions, the Greek Ombudsman and immigrant institutions (MMO) argued that the law lacked basic social provisions. As a consequence, the three year restriction for the access to the alien’s family members to the labour market in the bill was finally dropped from the law, while following the suggestions of the Greek Ombudsman, the government decided to provide for the education of undocumented immigrants’ children^{21,22}.

The vote of the bill moved again along party lines: the main conservative opposition party (New Democracy) considered the involvement of OAED and the

²⁰ Sitaropoulos, 2003

²¹ Draft Immigration Bil, Final law 2910/2001, Greek Ombudsman Report on the Bill, MMO report.

²² Human Rights Watch, World Report 2002, Greece

estimations of the market's needs unrealistic, while it objected to a second regularization programme²³. The discussions in the parliament made clear that the socialist government of PASOK which introduced the new law considered immigration as a temporary rather than permanent phenomenon. The Greek Minister of Interior (Vasso Papandreou) argued that immigration should be of temporary nature due to the fact that the majority of aliens came from neighbouring Balkan countries²⁴.

Law 2910/2001 nevertheless provided for a second regularization of illegal immigrants. Contrary to the 1998 programme it included family reunification provisions (Sitaropoulos, 2003). By 2 August 2001, there had been submitted 351.110 applications (ibid.). However, this regularization programme proved as well to be ineffective in practice due to the bureaucratic procedures of the system (despite the fact that the relevant competences had been transferred to the regional authorities).

d) From 2005 Onwards: Developments and Challenges

In 2005 a new immigration law was voted partly in order to correct the shortcomings of the previous legal framework as well as to incorporate the relevant European developments. It included some improvements in comparison to the previous law, following at the same time to a great extent the same institutional paths established by law 2910/2001.

i) Administrative Changes

Law 3386/2005 under the title "Entry, Residence and Integration of Third-Country Nationals in the Greek Territory" comprises of 98 articles under 20 sections. From that point it appears to be a more comprehensive legal instrument

²³ Parliamentary Proceedings, 2001

²⁴ ibid.

in comparison to the previous immigration laws. An important administrative development that has been highlighted is the establishment of a single administrative process the unification of the resident and work permits into a single document. This was a significant (although not a quick) improvement, aiming to correct the bureaucratic problems that the previous process created. The need for the specific process had been already stressed from various experts (Baldwin-Edwards) in their proposals for the improvement of the provisions of the draft bill of 2001- albeit without any effect. The duration of the permits was extended from one to two years, following the example of other European countries. Longer duration applied also to temporary residence permits, extended to one year from the previous six-month duration and to victims of human trafficking (from 9 months to a year). The period for the submission of the application was extended from two to three months- although the extension is only marginal given the institutional shortcomings of the administrative system.

Law 3386/2005 assigned the responsibility of issuing and renewal of residence permits to a single office, the Region (article 11). It also provided (albeit after a period) for the possibility of conversion of residence permits from dependent employment into independent activity, demonstrating some flexibility in comparison to the previous law.

Another institutional development was the extension of the members of the Committee of Migration in each region from three to five (4 officials of the relevant Aliens and Immigration Bureau of the region and one police official). Another committee was established at the center of each region consisting of the Secretary General of the Region or the Director of Aliens and Immigration Bureau, the Director of the Labour Inspectorate, a representative of the Employment Manpower Origination, a representative of the Union of Municipal Self-Administration of Greece, a representative of the regional trade union, a representative of the local chambers, as well as a representative of the General

Confederacy of Unions of Agricultural Associations. The main task of that committee was the drafting of an annual report on the current regional needs in labour force that could be covered by third – country nationals, submitted to the Ministry of Labour and Social Inclusion. The maximum number of residence permits for working reasons would be decided, based on the above report, by an interministerial decision (Ministry of Interior, Public Administration and Decentralisation, Foreign Affairs, Labour and Social Protection).

ii) Incorporation of EU Directives

Law 3386/2005 incorporated Council Directive 2003/109/EC concerning the status of third country nationals who are long-term residents, Council Directive 2003/86/EC on the right to family reunification and Council Directive 2004/81/EC on the residence permit issued to third country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

The incorporation of EU directives to the domestic legal framework brought substantial changes that were absent from the previous laws. Aligning with European provisions, as expressed in the form of directives, the law limited the period of time required for the acquisition of long-term resident permit from 10 to five years. Immigrants admitted under the provision of family reunification were granted autonomous right of residence after five years of legal stay in the country.

However NGOs have repeatedly stressed the heavy economic burdens placed upon the immigrant as a condition of family reunification (which were criticized as being among the strictest in the EU given the realities of the Greek labour market). Another issue that has been underlined is the restrictions of the

movement of the immigrants (who are obliged to stay and work at the region where their permit has been issued²⁵).

The bill did not originally provide for the enforcement of Council directive 2003/109/EC before 2010. Under heavy criticisms from NGOs though and the possibility of the involvement of the ECJ, the Greek government incorporated the above Directive to law 3386/2005.

Following on the same institutional shortcomings of the previous regularization processes the “third chance” of legalisation (at it came to be known) that was included in the new law proved to be ineffective. Despite the fact that the original target had been the regularisation of 100.000 illegal immigrants (out of the estimated 500.000), by the end of the deadline (31/12/2005) there had been submitted only 36.000 applications²⁶. The Ministry of the Interior extended the deadline until 28/2/2006. This too proved to be ineffective and the deadline was again extended until 2/5/2006.

The law provided for the first time for the social integration of the immigrants (following from the transposition of the relevant Council Directive) as well for the granting of residence permits for victims of human trafficking (Council Directive 2004/81/EC). In order to get a long-term residence permit the immigrant was obliged to pay 900 euros and to attend classes of 125-hour duration. Again this drew the criticism of NGOs, independent authorities etc, raising again the issue of the way EU Directives are transposed into national law.

During the parliamentary discussion of the bill, opinions moved again according to party lines. The conservative government of New Democracy stressed the fact that the new bill harmonized domestic policies with the EU framework. The Socialist Party from its behalf asked for the provision of more

²⁵ Although this has been dropped in the January 2007 amendment.

²⁶ Data from the Ministry of the Interior

rights for the immigrants. George Papandreou the leader of the main opposition party (PASOK) asked for the right of participation of immigrants in local government elections after five years of legal residence. Left parties criticized the restrictions that the new bill imposed on the movement of the immigrants (the latter were obliged to stay and work in the region where their residence permit was issued). The Coalition of the Left (Synaspismos) criticized the requirement of fluency in Greek language and knowledge of Greek history and culture for the application for long-term residence. MPs from the Communist party argued against temporary residence permits, claimed that this would perpetuate the uncertain statuses of many immigrants. The focus of the discussion, contrary to 1991, was not about security concerns- revealing a significant change (at least in the thinking of policy-makers) in the rationale vis-à-vis immigration. The bill was approved on the final day of parliament's final parliament session- a fact that drew criticism from various NGOs, authorities and policy experts. The latter argued that their contribution to the final law was marginal.

According to a 2005 survey of the European Monitoring Centre on Racism and Xenophobia on the other hand 87,6% of Greeks were negative towards immigration (highest percentage in Europe). A Eurobarometer survey (2006) also showed that 57% of Greeks believed that "immigrants do not contribute a lot to their country" (EU25: 52%).

IV. Conclusion

Greece has showed significant (albeit slow mainly due to institutional shortcomings) changes in the issue of immigration. From the initial shock of the sudden influx of thousands of immigrants in the early 1990s, the country has progressively moved into a more comprehensive approach, which involves the inclusion of the immigrants in the social structure.

Policy-making was influenced by the involvement of various actors (NGOS, Independent Authorities, Immigrant's organisations etc)- although their effects have not been that strong. European Union on the other hand was an actor of influence, both in the first phases of the formation of immigration policy as well as in current developments. It interacted with domestic concerns in a complex way. The Schengen Agreement and the security rationale that sprung from it coincided with the considerations that arose in the domestic context at the time, imposing obligations, and justifying at the same time policy choices.

Institutional changes and decentralization took place both as a learning process from domestic failures, as well as from relevant examples set by other European countries. During the first phase of the formation of Greek immigration policy, the developments in the EU were marginal (with the exception of the Schengen Agreement, outside, at the time of the community framework). Commission Communications, the Conclusions of the Tampere European Council (1999), the Hague Programme etc, although very important developments were not expressed in concrete legal instruments, acting rather as a guide to political elites.

Council Directives and EC Regulations on the other hand were translated due to their binding nature into legally binding provisions (with a wide range of variations for the former). Policy outcomes were however obstructed due to institutional inertia, policy legacies and lack of relevant expertise.

In overall, Greece has adopted its policies vis-à-vis immigration, with EU improvements towards a stronger "common immigration and asylum policy", as well as the learning process in the domestic context, suggesting the further "europeanisation" of the process.

V. Bibliography

Primary Sources:

Archives of the Greek Parliament

Parliamentary Plenary Sessions, 1991: (10/10, 15/10, 16/10, 17/10, 22/10)

Parliamentary Plenary Sessions 2001 (6/3, 13/3, 20/3, 27/3)

Parliamentary plenary Sessions 2005 (1/6, 29/6, 2/8)

Eurobarometer, 2006

Hellenic League of Human Rights

Human Rights Watch, World Report, 2002, Greece

JAI- Acquis, European commission, DG Justice, Freedom and security (update October, 2006)

Ministry of the Interior, Public Administration and Decentralisation: Data on applications of immigrants (2005)

The Greek Ombudsman

INE/GSEE: Comments of GSSE on the draft bill about Entrance, Residence and Integration of Third Country Nationals in the Greek territory (3/6/2005)

The Greek Ombudsman, Report on the draft bill Entrance, Residence and Integration of Third Country Nationals in the Greek territory, July 2005

V.Zigoura.*The European Union Immigration Regime and the Greek Immigration Policy: How Relevant?*

Hellenic League of Human Rights, Report on the immigration draft bill (1/8/2005)

www.antigone.gr (Greek NGO)

www.eurofound.europa.eu/eiro/2007

European Monitoring Centre On Racism and Xenophobia (2005 Report)

Secondary Sources:

Baldwin- Edwards, Martin, (1997), "The Emerging European Immigration Regime: Some Reflections on Implications for Southern Europe", *Journal of Comon Market Studies*, 35 (4), pp. 497–519.

Baldwin-Edwards, Martin, (February, 2001), *An Analytic Comentary On the Grek Imigration Bil, 2000*, Mediterranean Migration Observatory Series

Fakiolas, Rossetos, (2003), "Regularisiong Undocumented Immigrants in Greece: Procedures and Effects", *Journal of Ethnic and migration Studies*, Vol. 29, No. 3, pp. 535-561

Freeman, Garry, (1995), Modes of immigration Politics in Liberal States, *International Migration Review*, Vol. 29, No.3

Geddes, Andrew, (2003), *The Politics Of Migration and Immigration in Europe*, Sage

Lavenex, Sandra and Emek M. Ucarer (eds.), *Migration and the Externalities of European Integration*, Lexington Books

Linos, Katerins, (2001), *Understanding Greek Immigration Policy*, Kokkalis graduate Student Workshop

Karyotis, Georgios (2005), *Irregular Migration in Greece: Sacrificing Xenios Zeus on the Altar of Security*, Paper prepared for the 2nd LSE PhD Symposium

King, R.; Fielding, A.; Black, R., (1997), The International Migration Turnout in Southern Europe, En. King, R. Black (eds), *Southern Europe and the New Immigrations*, Brighton: Sussex Academic Press

Policies of Immigrant Integration: The European Experience, (in Greek), (September 2006), IMEPO

Radaelli, Claudio M, (2004), *Europeanisation: Solution or Problem?* European Integration Online Papers, Vol 8, No 16

Sitaropoulos, N., (2003) *Immigration Law and Management in Greece: Towards an Exodus from Underdevelopment and a Comprehensive Immigration Policy*, Ant. N. Sakkoulas