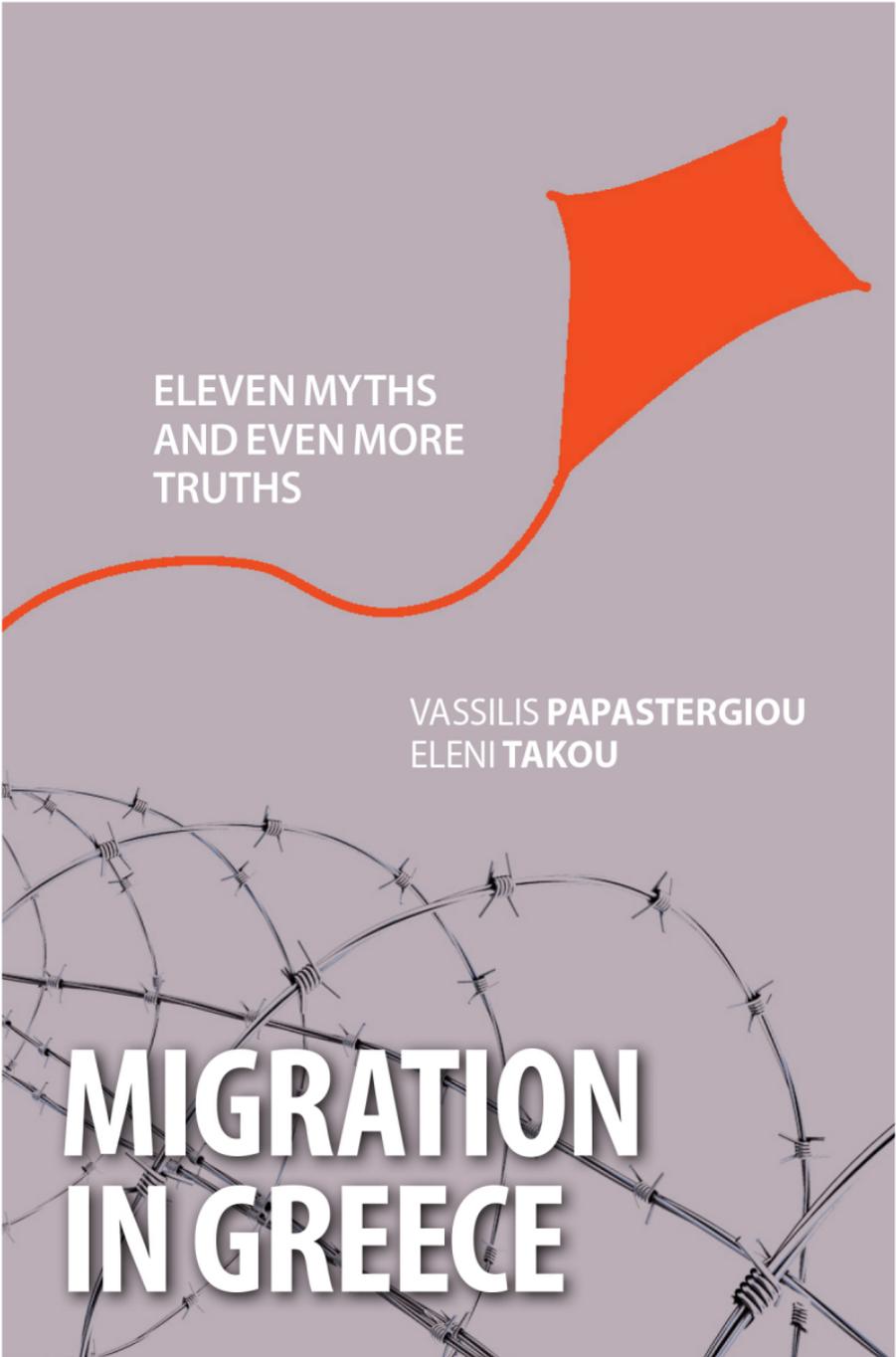


ROSA LUXEMBURG STIFTUNG
OFFICE IN GREECE

ELEVEN MYTHS
AND EVEN MORE
TRUTHS

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**MIGRATION
IN GREECE**

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About this edition

For at least twenty years, the migration issue in Greece is an issue which has been permanently coming to the forefront in different guises, taking up a central spot in public discussions. Those discussions are mostly dominated by distorted notions, while true facts are obscured, as migration is an issue that is instrumentalised by politics and exploited by the media. The actions of the main representatives of mass media and systematic interventions by the extreme right have led to the creation of social myths and at times even of situations of “moral panic”, which makes it more and more difficult to comprehend the phenomenon’s complexity and of course address it in a sober manner.

This booklet has two goals. First of all, to deconstruct the numerous social myths that revolve around migration in Greece with well-founded facts, thus contributing to a well-rounded and multi-faceted understanding of the migration issue. Second, to propose, through this deconstruction, a realistic but also fair policy on migration, a true left-wing policy. A policy that takes the reality Greek society is facing today as a starting point and combines realism in the good sense of the word with the respect for human rights.

Therefore, we have selected eleven of the most commonly known myths concerning immigration in Greece and using data and studies, we identify the truth in each topic. Towards the end we present, in broad strokes, the basic features of a fair and realistic migration policy.

“There is no more room for others”

Numbers play an important role in the political dispute concerning the migration issue. The public debate is dominated by the terrorism of numbers, as the extreme right throws preposterous numbers on the table. Golden Dawn refers to 3,000,000 foreign nationals, with LAOS’s¹ “calculations” going into the same direction.

What is the truth?

According to the 1981 census of the Hellenic Statistical Authority, 117,000 foreign nationals lived on Greek territory at that time, the majority of whom were Western Europeans.² In 2001, after the first wave of immigration from Eastern Europe, a new census showed that the number of foreign nationals living in Greece had risen to 762,191,³ most of them from Albania, who had hastened to be counted in the census, believing that it would possibly guarantee them a residence permit.

According to data from the Ministry of the Interior⁴ and the Hellenic Police,⁵ 620,000 immigrants with a legal residence permit, 217,000 omogeneis,⁶ 126,000 EU-citizens and 48,000 asylum seekers lived in Greece in 2009, that is to say at the beginning of the crisis. Obviously, it is not possible to determine the exact number of immigrants without documents. Taking into account the data and estimates from different state

1 [Editor’s note:] Popular Orthodox Rally (Λαϊκός Ορθόδοξος Συναγερμός – ΛΑΟΣ): political party of the extreme Right, under G. Karatzaferis.

2 Newspaper *I Kathimerini*, 30 January 2001.

3 Hellenic Statistical Authority, *2001 Census*.

4 Ministry of the Interior in reply to the Ombudsman’s document with ref. no. 2816/2009; cited by Grigoris Tsioukas in “Foreign national populations in Greece: categories and numeric data”, magazine *Synchrone Themata*, issue 107 (Oct-Dec 2009), p. 51.

5 Hellenic Police in reply to the Ombudsman’s document with ref. no. 2780/2009; cited by Grigoris Tsioukas, op.cit.

6 Foreign nationals of Greek descent.

services, the Hellenic Migration Policy Institute calculated the number of immigrants living in Greece illegally at the beginning of 2008 to being between 172,250 and 209,402 individuals.⁷ Later estimates from other sources refer to higher numbers, with 350,000 being the highest estimate.⁸

Recently, as part of the process of parliamentary scrutiny, it was estimated that the number of migrants living in Greece legally reaches 537,237.⁹ Of course, one would have to add the number of omogeneis, EU-citizens, recognized refugees and asylum seekers to the number of legal immigrants. Thus we can observe, that the number of legal immigrants decreased by 80,000-100,000 in three years. The reasons for that should be attributed to the economic crisis. Many residence permits were not renewed due to lack of social security stamps or sufficient family income, whereas a significant number of Albanian immigrants have repatriated.

Due to the suffocating pressure of the economic crisis which drove them to unemployment or atypical employment, tens of thousands of migrants who had lived in Greece legally and for a long time, have since lost their status of legal residence in this country. This happened due to the lack of the needed number of social security stamps or due to insufficient means to support their reunited family.

The 2011 census has shown a serious downward trend in the size of the immigrant population: in a general population of 10,815,197 there were 199,101 citizens from EU member states (which now also include Bulgaria and Romania), 708,003 third country nationals and 4,825 individuals without nationality or with indefinable nationality.¹⁰ According to the census, the largest percentage (52.7%) of foreign nationals living in Greece are

7 Hellenic Migration Policy Institute, *Estimation of the number of foreign nationals who live in Greece illegally*, Athens 2008.

8 Thanos Maroukis, "Update report Greece: The number of irregular migrants in Greece at the end of 2010 and 2011", Database on Irregular Migration, Update report, available at goo.gl/vuJp5j.

9 Response of Deputy Interior Minister H. Athanasiou to a question by MP E. Koundoura, 26 February 2013.

10 Hellenic Statistical Authority, *2011 Census*.

Albanian citizens, 8.3% are Bulgarian citizens, 5.1% Romanian, 3.7% Pakistani and 3% Georgian citizens.¹¹

We can observe that the 2011 census recorded an immigrant population above 900,000. Even if we accept that the census' results are not exact regarding the overall immigrant population and that many undocumented immigrants ("without papers") were not counted, it is still clear that the economic crisis has caused the number of foreign nationals to shrink. This trend surely intensified during the following two years as the crisis worsened.

The process of social marginalization, to which hundreds of thousands of individuals have been exposed due to the economic crisis and their illegal residence in the country, has to be prevented and arrested. These people were on the path of integration into Greek society, which has now been cut short.

The number of foreign nationals in Greece as a percentage of the total population (8.5-11%) is indeed higher than the European mean, which ranges at about 6.6%.¹² But we have to keep in mind that the number of foreign nationals in Greece is growing – and significantly so – because Greece grants citizenships only sparingly, even to foreigners who have been living and working in Greece for many years. To illustrate: between 2000 and 2008 29,600 people were naturalised in Greece (almost exclusively omogeneis) while during the same period of time countries with an equally large or smaller population in comparison to Greece, granted citizenship to a far greater number of people: Austria granted citizenship to 339,300 people, Sweden to 334,700 and Belgium to 266,400 people,¹³ drastically reducing the number of foreign nationals in these countries.

If Greece applied a naturalisation policy that was closer to the European reality, the number of foreign nationals would be smaller, while the country would reap the multiple benefits that would result from a better integration of immigrants who have been living in Greece for many years, especially the children of the second generation.

11 as above

12 Data from the Eurostat website (goo.gl/Tq5L2p).

13 as above

2

“They are all illegal immigrants”

The extreme right refer to all foreign nationals currently living in Greece collectively as “illegal immigrants”. They claim that nobody can be considered legal, because they all originally entered the country illegally. Sadly, this (completely flawed, as we will see below) argument was recently reproduced in the Hellenic Council of State¹⁴ decision regarding Law 3838/2012.

What is the truth?

The great majority of foreign nationals living in Greece today are legal immigrants. They were legalized through a series of consecutive laws adopted by the Greek state (2910/2001, 3386/2005, 3536/2007) the constitutionality of which was never drawn into question. Besides, next to those who were legalized through the transitional provision of the above mentioned laws, many entered the country legally with visas and settled in Greece as spouses or children of legal immigrants, or as professionals or students.

The term “illegal immigrant” is a deprecated and offensive term as no person is (or could ever be) “illegal”. Apart from this value-based objection, the use of the term also betrays a significant ignorance on a factual level concerning migration and the migration population. Therefore it must be made clear that the migration population is divided into five main categories based on residence status.

14 [Translator’s note:] The Hellenic Council of State is also the Greek Supreme Administrative Court.

THE CATEGORIES OF FOREIGN NATIONALS LIVING IN GREECE TODAY

Third country nationals:	Citizens of a state that is not a member state of the European Union. These are mostly people who leave their country of origin hoping to find better working conditions and overall better living conditions in the country of final destination.
Refugees and asylum seekers:	Third country nationals who have a well-founded fear of persecution in their country of origin (on account of race, religion, nationality, political opinion, or because they are a member of a special social group) or are in danger of suffering grievous harm (death penalty, execution, torture or inhumane treatment) if they are forced to return to their country of origin.
EU citizens	Residence that is derived from the possession of a citizenship of an EU member state ("EU citizenship"), based on the right of free movement of persons within the territory of the EU.
Omogeneis	Persons who do not have a Greek citizenship and thus are not Greek citizens, but are deemed to be of Greek "ethnic descent" (countries of the former USSR, Albania).
Undocumented migrants, migrants "without papers"	The term "illegally residing foreigners" refers to foreign nationals who entered and reside in Greece illegally without having been granted legal resident status, as well as those who lost their legal status because at a certain point in time they stopped fulfilling the requirements for legal resident status that might have been granted them in the past.

● **Third country nationals.** Persons whose migration is basically motivated by economic reasons or by living conditions in general: from the escape from poverty and misery to the search for better employment. Another main reason for migration are university studies. 290,000 migrants lived in Greece in 2009 who had residence permits for dependent work. There were also 260,000 migrants, members of immigrant families, who had a dependent work permit and last, there were 70,000 migrants with different types of permits: students enrolled at Greek universities, foreign nationals performing independent economic activities, athletes, artists, etc.¹⁵ Consequently, a very large percentage of immigrants have entered Greece legally (with an entry visa).

Main countries of origin of third country nationals

Albania, the Ukraine, Pakistan, Georgia, Egypt, Russia, India, Moldova, the Philippines, other countries (Syria, former Yugoslavia, Bangladesh, Armenia, China, the USA, Nigeria etc.)

Total: 537,237

● **Refugees and asylum seekers.** This is the category of persons who migrate due to the fact that they fear persecution in their country of origin on account of race, religion, nationality, political opinion, or because they are a member of a specific social group.¹⁶ By definition it was impossible for these people to enter Greece regularly, as they had to leave their country under exceptional circumstances. This is recognized by international law and something that we can comprehend fully, if we take into consideration, for example, the massive movements of refugees away from war zones.

15 Ministry of the Interior in reply to the Ombudsman's document with ref. no. 2816/2009.

16 The legal foundation of the aforementioned protection is based on the Geneva Convention of 1951 and the New York Protocol of 1967 relating to the status of refugees. See: P. Naskou-Peraki, *Το νομικό καθεστώς των προσφύγων στη διεθνή και ελληνική έννομη τάξη* (The legal status of refugees in the international and Greek legal order), Sakkoulas, Athens-Komotini 1991.

● **EU citizens.** The freedom of movement for workers is one of the four “fundamental freedoms” established by the founding treaty of the European Union. Tens of thousands of Greeks have benefited from this possibility and have settled in other, mainly Western European, countries. Respectively, as we saw earlier, about 200,000 citizens from other EU countries lived in Greece in 2011. Out of these, about 70,000 came from Bulgaria and about 45,000 from Romania.¹⁷ If we consider the fact that until 2007 Greece conducted deportations towards both of these countries, it would be good to reconsider the intention and fairness of such practices.

Country of nationality	Bulgaria, Romania, Poland, United Kingdom, Cyprus, Germany, Italy, the Netherlands, France, the Czech Republic, other countries (Slovakia, Hungary, Sweden, Austria, Belgium, etc.)
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Total: 200,000

● **Omogeneis.** The concept of “omogeneis” is a Greek peculiarity. Omogeneis are people who do not have Greek citizenship, meaning, that they are not Greek nationals, but according to Greek administration are of Greek “ethnic descent”. After the geopolitical changes between 1989 and 1991, a large number of people, mainly from the former USSR and Albania, that were defined as “omogeneis” settled on Greek territory. Today, many of them have been naturalised, often after a waiting period of many years. But, as we saw, in 2009 there were 217,000 holders of the special identity card for aliens of Greek descent living in Greece,¹⁸ i.e. omogeneis who had not yet been naturalised.

17 Hellenic Statistical Authority, 2011 Census.

18 Hellenic Police in reply to the Ombudsman’s document with ref. no. 2780/2009.

● **Undocumented migrants.** The category of people who today do not have the necessary documents for legal residence in the country and form the main target for the rhetoric of fear that is cultivated systematically. The xenophobic rhetoric the extreme right employs mentions 1.5 to 2 million “illegal immigrants”. It is a rhetoric that, through a very active presence in online social networks, but also through its propagation on television channels, often influences the estimates done by other political parties and agencies, sometimes even of the state apparatus and dominates in public opinion. Valid estimates that were already mentioned above, limit this number dramatically, with the maximum estimate being around 350,000.¹⁹

All persons living within the Greek territory shall enjoy full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs.
The Constitution of Greece, article 5

We should also specify that in many instances today’s immigrants “without papers” are people who were in possession of residence permits in the past, but could not renew them, mainly because of economic reasons or employment reasons. Even if the above mentioned conditions do not apply, we have to comprehend that in many cases these people come from countries with severe social problems and that their decision to emigrate was an attempt to get away from conditions of extreme poverty, just as Greek emigrants did, especially at the beginning of the 20th century.²⁰

In any case, according to the Constitution of Greece, “all persons living within the Greek territory shall enjoy full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs”. Consequently, the protection of the dignity of these persons has to be independent of their residence status, of whether they have a residence permit or not.

19 See footnote 8.

20 For Greek emigration at the beginning of the 20th century see here, p. 47-48 .

The lack of homogeneity of the migrant population that is deprived of papers that would make their residence legal necessitates their registration and identification. What is therefore needed is a coordinated and systematic effort that must not be equal to the implementation of repressive measures.

From the above we can see that the migration population is divided into many categories according to country of origin, residence status, manner of entry into the country, etc. Neither the generalized aphorism of “illegal immigrants” nor the false notion that there are no legal immigrants, but only legalized ones, reflect reality. On the contrary, they really only reproduce racist stereotypes that reflect – in the better cases – ignorance and disregard – deliberately or not – of the (inadequate) regulations regarding the legalization of immigrants that have existed for the last years.

3

“The new minority issue”

"The country is disappearing. The country has not faced an invasion of such magnitude since the Dorian invasion 4,000 years ago [...] this is a bomb placed at the foundations of society and the state". One would believe that such a statement could only have been issued by the Golden Dawn party; however, it was actually heard from the lips of the Minister of Citizen Protection Nikos Dendias in an attempt to justify the scope and intensity of operation "Xenios Zeus".²¹ The legalization of such rhetoric due to its adoption by the government is of course not irrelevant to Golden Dawn's war cries concerning this topic. One year later, Golden Dawn MP Eleni Zaroulia, while addressing Leonidas Grigorakos, Deputy Minister of the Interior, screamed: "You are creating a minority issue! You are dangerous!"²²

What is the truth?

Data from the Hellenic Statistical Authority shows that the small population growth that was recorded in Greece for the period 2004-2010 was exclusively due to the natural population growth among foreign nationals, as their birth rates are much higher than their death rates. The number of deaths among the Greek population on the other hand is much higher than the number of children born to Greek mothers.

Specifically, during the period of 2004-2010 the births to Greek mothers amounted to 647,803, while the deaths of Greek citizens amounted to 737,872. On the other hand, during the same period of time the births

21 Statement by Dendias on SKAI television, 6 August 2012 (goo.gl/SgFWKH). The Operation "Xenios Zeus" was initiated in August 2012 with stated objective to "push back illegal immigrants from Evros and send those who are already here back to their countries of origin". See respective information on the website of the Hellenic Police (goo.gl/X7wrUK).

22 The respective video is available at goo.gl/PFOwyz.

to foreign national mothers amounted to 140,366 (17.8% of total births), while the deaths of foreign nationals amounted to just 13,401 (1.8% of total deaths).²³ Consequently, we can conclude that a) the positive natural population turnaround in Greece is due to births to foreign national mothers and that b) migrants are a major factor or workforce renewal, the basic antidote to the natural ageing of the population.

Let us consider the developments in the years 2011-2012. In 2011, births went down and deaths went up, with the total number of deaths surpassing the total number of births by 4,671. This is due to the fact that the total number of deaths among the Greeks surpassed the total number of births to Greek women by 20,848, while births to foreign national women surpassed the number of deaths among foreign nationals by 16,177. The situation intensified dramatically in 2012, when the total number of deaths surpassed the total number of births by 16,297. The number of deaths among Greek nationals surpassed the number of births by Greek women by 29,101, while the number of births given by foreign national women surpassed the number of deaths among foreign nationals by 12,804.²⁴

A rational approach to the population issue

There are two ways of approaching this information. One approach, based on fear and which is well known among right and extreme right circles, would focus on the “threat” that this development supposedly poses to the nation and conclude in (of course unsuccessful) pleas to increase the birth rate among Greeks.

A more rational approach would consider that the numbers themselves already indicate the path the Greek migration policy should choose: the increased number of children born to immigrant families is an opportunity for Greece. The state should adopt a more open policy concerning the citizenship of those children. If every sixth child born in Greece today is a child from an immigrant family, then the Greek state ought to treat

23 Manolis Drettakis, “The country’s population growth is exclusively due to birth by foreign national mothers”, newspaper *I Avgi*, 3 September 2012; the information was derived from the Hellenic Statistical Authority (goo.gl/wFQM80).

24 Manolis Drettakis, “Unprecedented decline in births and increase in deaths”, newspaper *EFimerida ton Syntakton*, 6 September 2013 (goo.gl/VX14jD).

that child as a future Greek citizen and guarantee his/her possibility to be granted Greek citizenship. Otherwise, the Greek state will be responsible for creating a generation of young people without a full set of rights in the country. The social repercussions of such an obvious unfairness and inequality can be nothing but serious and painful for society.

It should be noted that the rejuvenation of European societies through migration – be it in the form of births or in the form of young immigrants entering the country – is a recognized necessity. According to the Green Paper,²⁵ 227 million economically active persons in Europe will be reduced to 201 million in 2015 and to 160 million in 2050 without migrants. In order to maintain the same retirement age and to secure the survival of the insurance funds from 2010 until 2013, 20 million migrants will be needed.²⁶

25 Green Papers, which are published by the European Commission, are documents intended to stimulate debate and launch a process of consultation, at European level, on a particular topic.

26 Green Paper "Confronting demographic change: a new solidarity between the generations" (COM/2005/0094).

“The law on national citizenship is an immigrants-magnet”

In the spring of 2013 the then Deputy Minister of the Interior, Charalambos Athanasiou stated on a television programme: "We grant 10,000 citizenships every year: 2-3 small towns worth",²⁷ unable to hide his conviction that this way we grant Greek citizenship to enemies. This statement was part of the intense discussion caused by the decision by the Plenary Session of the Council of State that ruled two basic provisions of Law 3838/2010 to be unconstitutional: the participation of immigrants in municipal elections and that children of immigrants become Greek nationals automatically, if their parents fulfil certain criteria. In the statement of reasons accompanying the Supreme Administrative Court's decision we can read that nations and peoples "are not invertebrate organisms and ephemeral creations, but form a timeless unit", which would be disrupted by the possible "addition of an unforeseeable number of persons of various origins".²⁸

27 On the television programme "Erevna" on Mega tv, 3 March 2013.

28 The Supreme Administrative Court's decision ruled the two basic innovations introduced by the new law on Greek citizenship (3838/2010) concerning solutions to issues arising from migration as being unconstitutional. The first innovation regarded granting certain categories of third country nationals who reside in Greece legally as well as omogeneis the right for the first time to vote and be voted (for positions of municipal councillor) in municipal elections. This provision was already implemented in the local government elections in November 2010. The second innovation establishes, through amendments to the Greek Citizenship Code, special procedures for the acquisition of nationality by children of immigrants (the so called "second generation"), in an automatic way if their parents have been living in Greece permanently and legally for at least five consecutive years, or by successfully completing the attendance of at least six classes of a Greek school in Greece. See Decision 460/2013 (goo.gl/BeHqRg).

What is the truth?

The Supreme Administrative Court, embarking even on quantitative assessments/evaluations, took it upon itself to supersede the lawmaker and to transform the judges' political beliefs into constitutional mandate, overstepping their authority and ultimately giving in to the extreme right rhetoric about an "illegal law" which constitutes an "illegal immigrants-magnet".

Let us consider the true dimensions of the matter. The acquisition of Greek citizenship through naturalization requires seven years of consecutive legal residence in the country and a series of other requirements, which legal immigrants that have entered the country only recently do not fulfil. The acquisition of citizenship is impossible for any newly-arrived refugee or undocumented immigrant – aside from this not being their main objective anyway. Also, during the period of application of the law in question, the number of naturalizations declined, whereas the vast majority of naturalizations were of co-ethnics.

Reform of the Greek Citizenship Code: an important step towards the integration of the second generation children

In fact, the only impetus that was given to acquisitions of nationality stems almost exclusively from the implementation of article 1A of the Greek Citizenship Code. This article provides for acquisition of nationality by second generation immigrants through an application by two means: a) after five years of consecutive legal residence of the parents, b) after six years of attendance of a Greek school. Acquisition through application is less complex than naturalization: it is an automatic process and does not require any individualised procedure. When all requirements set by the law are met, the state is required to grant citizenship. The following table shows the number of acquisitions of nationality since the implementation of the Law (24 March 2010) until and including August 2012, as well as the number of applications where the decision is still pending.²⁹

29 The information was extracted from the reply by Deputy Minister Ch. Athanasiou to the question in parliament by MPs I. Dimaras and G. Avramidis (ref. no. 7524/21.3.2013). The overwhelming majority of acquisitions regard children of Albanian origin, a small percentage regards children with origins from Egypt, Syria, India, Armenia, Moldova, Serbia, Pakistan, Georgia, the Ukraine, the Philippines and Russia, while the rest is divided

ACQUISITIONS AND PENDING APPLICATIONS FOR NATIONALITY BY THE SECONDGENERATION

(Based on birth in Greece or attendance of a Greek school
March 2010-August 2012)

	Birth	School tendance	Total
Acquisitions	4,595	5,550	10,145
Pending applications	6,033	8,909	14,942
Total number of submitted applications	10,628	14,459	25,087

It should also be clarified that the awarding of Greek citizenship to children of immigrants who were born in Greece or have lived in Greece from a very young age is not connected to issues of managing non legal migration. For the vast majority of these children, Greece is the only home country they have ever known. And it has of course nothing to do with the astronomical numbers the champions of the “pure nation” so “skilfully” leak.

This booklet is written during a transitional juncture: ever since the Supreme Administrative Court’s decision was leaked to the press in November 2012, the state has, strictly illegally, frozen all relevant provisions, without waiting for the official announcement of the decision.³⁰

among 35 other countries of origin.

30 On the day following the leak, the Ministers in charge were called upon in an announcement issued by the General Secretariat of the Government to “issue the necessary instructions for an immediate implementation of decision of the Supreme Administrative Court, which was announced yesterday”. In the document ref. no. 965/15.11.2012, Ch. Athanasiou calls all competent services not to accept new applications for the acquisition of nationality, not to review the relevant files and not to swear in foreign nationals who ask, or have already asked to acquire Greek citizenship “in view of the upcoming announcement of the decision of the Supreme Administrative Court regarding the review of the constitutionality of articles 1a and 24 of Law 3838/2010”, validating the institutional derailment initiated by the Supreme Administrative Court.

The leaking as such is of course troubling, but the most serious problem is nonetheless, that the government took political action based on that leak, something that is contrary to the definition of a well-governed state. In addition, the delay in taking the initiative regarding the establishment of new regulations, based on that decision, for the bestowment of citizenship on minors who have been born in Greece and/or have attended a Greek school, creates a vacuum, which leaves the legal status of thousands of minors up in the air, making them especially vulnerable.³¹

This tactic was of course met with the harshest criticism, as was the decision of the Supreme Administrative Court as such, as it transports the children, which are second generation immigrants back to a perpetual and inescapable status of being foreign nationals,³² leaving them exposed to exploitation and infringement of their rights.

Migration and Social Integration Code: an(other) fruitless strategy

At the time of writing and after multiple delays, in October 2013 the government published a draft law for a “Code of Immigration and Social Integration”. This initiative attempts the consolidation of the existing highly fragmented legislation, while an attempt is also being made to simplify, to a certain extent, the procedures of issuing the residence permits of immigrants who reside in Greece legally. At the same time, though, the Code confirms that the government is focused on the issue of residence permits for “second generation immigrants” rather than on a real and meaningful policy of integration, which would culminate in them finally becoming Greek citizens. It is the government’s goal to further exclude these children from the right to Greek nationality.

The ruling position on matters concerning nationality is not only conservative and unconstructive, but also hypocritical. “Our country suffered an unarmed invasion by hundreds of thousands of illegal immigrants. Neither our society nor our economy is able to bear them. Our cities can

31 See, Konstantinos Tsitselikis, “The migration issue as variable geometry of rights and exclusions”, presentation at a conference of the Hellenic Psychological Society. 22 April 2012 (goo.gl/BiHgF3).

32 See among others, Dimitris Christopoulos, “At risk due to the crisis. Strategies of the rights defending Left”, Alexandria, Athens 2013, p. 98 and following.

no longer remain under a state of occupation” stated Antonis Samaras at the New Democracy party conference in the summer of 2013. Only a few days later he welcomed Giannis Adetokunbo to the Maximos Mansion, the official seat of the Greek Prime Minister. . .³³

The case of the naturalization of the young basketball player Giannis Adetokunbo, so that he could play in the NBA, is indicative of the hypocrisy of the Greek government with regard to (also) this topic. Having been born in Greece to immigrant parents and with Greece being the only home country he has ever known, Giannis undoubtedly fulfilled the requirements for the acquisition of Greek nationality according to Law 3838/2010, as analysed above. But before he could complete the relevant procedures, the Ministry of the Interior had already “frozen” them. The only reason the Greek state considers that he is entitled to acquire the Greek citizenship is the exception made due to his abilities as an athlete. In any other case he would merit the same treatment as the other second generation immigrant children: political and social marginalisation.

33 See relevant announcement of the Hellenic League for Human Rights; goo.gl/bu5p2W.

5

“Immigrants have it too good in Greece – We should make their lives difficult to make them leave”

It is something we have heard multiple times and in many renditions. From the statement that the country is an open unguarded field and that immigrants enjoy preferential treatment to the comment that the detention centres are like “hotels”, that asylum is granted lavishly and so on and so forth. The above opinions might be expressed that explicitly only by representatives of the extreme right, however they still permeate public opinion and can be found scattered throughout the public discourse.

What is the truth?

The exact opposite. There can be no mentioning of “having it good”. For many years now, the Greek migration policy can be summarized as a strategy of “non-policy”. Erratic actions that are mostly communicative in nature, administrative break-down and months-long detention under inhumane conditions made up the strategy of the Greek state, which contained two silent messages.

The first message, which was addressed to immigrants and mainly to potential immigrants, is simple and is now established at every level of public administration: “Do not come to Greece anymore, the situation is unbearable”.

The second message was addressed to the other European countries and used the de facto bankruptcy of (among others) the migration policy as an argument to alter the European migration policy.

Both messages come together in a strategy that, although it is never stated explicitly, is still implemented: “The worse the better”.³⁴

The truth is, whether we like it or not, that the more adverse conditions for immigrants will not reverse the migration flow. People who decide to leave their country and decide to brave the process of illegal migration, obviously come from countries with even more severe social problems and more extreme poverty than what they would face in Greece. Borders were never insurmountable barriers: they were always filters. Let us have a summary look at two spearpoint issues regarding the treatment the Greek state welcomes immigrants with: the asylum system and conditions of detention.

Severe shortcomings of the examination process of asylum applications are the difficult or impossible access to the asylum process, as well as the lack of any procedural or substantial guarantees. The problems that have been identified are especially the lack of interpretation, the quality of the interviews and decisions and the severe delays.

1. Examination system of asylum applications. For many years Greece had a very low acceptance rate of asylum applications. During the period 2004-2009 for example, the acceptance rate of applications for asylum was steadily below 1%. Even if we add the other forms of international protection (subsidiary protection, humanitarian status) it hardly reached 1.5%.³⁵ The European average for the same period of time was much higher and reached 17%.³⁶ This comparison shows that the examination system of asylum applications was exceedingly unfair. We can point out – at least – three basic shortcomings.

First, the applications are not examined by a truly independent

34 See, Dimitris Christopoulos, “Europe, Greece and migration: is there a way out of the ruins?”, presentation at the public debate “Which migration policy does Europe need in these days of crisis?”, organized by the Rosa Luxemburg Stiftung – Office in Greece, Athens, 4 December 2012; published on the Rednotebook portal (ggo.gl/YwCtqn). See also the respective video, goo.gl/N252ua.

35 Information from the Eurostat website, goo.gl/j9BEjy. It is worth also looking at the respective statistics published by the Hellenic Police, goo.gl/NbCdXZ.

36 Eurostat, as above

authority. In the first instance the applications are judged by officers of the Hellenic Police and in the second instance by committees that consist to a large extent of state employees – a fact which does not guarantee unbiased judgement. The best proof of that are the low acceptance rates of applications for asylum.

Second, the review of the application takes place with significant delay. It is indicative that there are applications for asylum today that have not yet been reviewed, even six or seven years after they were submitted. In the end, this practice is tantamount to the denial of international protection.³⁷

Third, the asylum seekers' access to the administration to submit their applications was never smooth. Especially in Athens, the course of action of the Department for Political Asylum of the Subdirectorate for Asylum of the Hellenic Police actually discourages applicants.³⁸ As a result of this illegal practice, people who really are entitled to international protection never submit their applications for asylum.

An important judgment of the European Court of Human Rights against Greece

In 2011, the European Court of Human Rights issued the *M.S.S. vs. Belgium and Greece* judgment. The case revolved around the appeal of an Afghan national, who had applied for asylum in Belgium after he had entered the EU through Greece. Belgium had transferred the asylum seeker back to Greece, in accordance with the requirements under the Dublin II Regulation. The ECHR ruled that the asylum seeker had suffered inhumane and degrading treatment due to the conditions of his detention at a detention centre next to the airport of Athens. It also ruled that the Greek asylum system presents systemic and structural problems, especially regarding the ability of true access, reception conditions and the process: insufficient information on the processes being followed, absence of a reliable system of communication between

37 It is indicative that at the end of 2010 47,000 applications had accumulated, where a decision from the second instance had been pending for many years.

38 See relevant eye-witness report of the Group of Lawyers for the Rights of Migrants and Refugees titled "Campaign for access to asylum." (goo.gl/CHDAhW).

the authorities and asylum seekers, lack of training of the staff who have been chosen to conduct the individual interviews, lack of interpreters and inexistence of legal assistance for asylum seekers. After the M.S.S. case, many member states suspended the transfer of third country nationals to Greece according to the requirements under the Dublin II Regulation³⁹ and examined the applications themselves. For the first time in its post-war history, Greece is again viewed as a refugee sending country and not a receiving country.

After international and national pressure, a law was adopted, which provides for the formation of an independent asylum service. The service started operating in June 2013. It is first of all positive that the new service receives more asylum applications and that their examination takes place without delay.⁴⁰ There are still many issues though, with one of the main problems being, that the new service only operates in Athens. It will take some time to be able to carry out a safer evaluation of the service. But the operation of a fair and effective system for the examination of asylum applications is not only one of the country's international obligations, but also a basic sign of solidarity towards the persecuted refugees.

2. Detention, detention conditions. According to Greek law, any person who is illegally present on Greek territory can be put in administrative detention. Detention is optional and not obligatory.

It is imposed, when the foreign national is considered to be a threat to public safety and order and also in cases where it is deemed a necessary measure to ensure his or her deportation from the country.

In reality, Greece implements detention indiscriminately, without examining the essential prerequisites for enforcing it. That way though, people who have not committed any punishable act are incarcerated indiscriminately and their only offence being that they do not possess

39 The so called Dublin II Regulation (or Regulation (EC) 343/2003) of the EU determines the country to give asylum to an applying asylum seeker. According to the Regulation, a migrant has the right to apply for asylum in the European country he or she entered first. Migrants who enter Greece and subsequently travel to another country to seek asylum have to be transferred back to Greece, according to the Regulation.

40 See, United Nations High Commissioner for Refugees- Greece regional office, "Current issues in refugee protection in Greece" (goo.gl/lyxhJX).

legalization papers. Sadly, the administration also implements detention even in the case of socially vulnerable groups such as minors and pregnant women. Detention of persons from countries they cannot be deported to due to the unstable situation in those countries, is also very common.

Most troubling is also the fact, that administrative detention is also enforced on political asylum seekers. According to the most recent legislation (Presidential Decree 113/2013), the time of detention can reach up to 18 months – and we are talking about persons who in their majority cannot be deported and will simply be released when that time span has elapsed. Thus, detention lasting for many months under conditions that show no respect for human life and dignity and all that for nothing.

Unfortunately, our country has failed to improve the conditions at the detention centres for foreign nationals. Sentences from international courts and reports by international organisations are ongoing.⁴¹ What is also remarkable is the recent decision by the single-judge formation of the Igoumenitsa Criminal Court of First Instance,⁴² which acquitted the defendants accused for escaping, as the judge deemed that they were acting out of necessity, as their detention conditions constituted torture. This decision symbolises the most remarkable and expressive confession of failure of the Greek state to guarantee dignified conditions in detention centres.

Unfortunately, in public debates, the most obvious facts are still not mentioned. Let us have a look at some of the main ones: First, this type of detention is of an administrative and not penal nature. The detainees are migrants and not criminals. Second, especially migrants with a right to political asylum do not enter the country illegally; what is illegal is removing them or forcefully keeping them from entering the country. Refugees are a small but nonetheless important percentage of undocumented migrants. Third, if the removal from Greek territory is

41 Indicatively, S.D. vs Greece 53541/07, R.U. vs Greece 2237/08.

42 Decision no. 682/2012. See, respective announcement of the Group of Lawyers for the Rights of Migrants and Refugees (goo.gl/P6HIC5).

Migrants – Indicators of liquidity and floating



Source: Constantinos Tsitselikis' presentation at the seminar "Migration policy in Greece and Europe in times of crisis", organised by the Rosa Luxemburg Stiftung – Office in Greece, Athens, 3 December 2012 (with additional adaptation by the authors).

situations within the legal no man's land

integrations

→ non-existent

Pending asylum applications 1st + 2nd grade
60,000 → temporary legality

Loss of legality + expectation of legalization

Irregular entries and/or
residence ≈ 150,000

Possibility to suspend
deportation based on law
3907/2011 (temporary legality)

Loss of legality – loss of “papers”

80,000-100,000, high rate
of integration. Constantly
changing number. Expectation of
re-legalization. Small possibility
of re-legalization (exceptional
grounds, Law 3386/2005)

Common characteristic: Threatened detention and removal

Semi-permanent residence 3-10 years

Minors with
humanitarian status,
without prior legality: 1,500

Lack of any kind of legalization

Irregular entries/illegal residence:
200,000-350,000

Plus: new entry [50,000-150,000
arrests per year]

Minus: real exit towards other
countries

Minus: repatriations

Minus: deportations/removals
[≈12,000/year]

Detention, deportation

Detained in police stations,
1,800 of whom in the 6 new
detention centres. Release
after 3 months, 6 months, one
year, 18 months. Continuous
flow. 95% of deportations
impracticable. Continuous
convictions for illegal detention
and inhumane conditions.

Temporary residence 0-3 years

Unaccompanied minors,
underage asylum seekers,
underage detainees: (?)

not achievable or non-feasible as such, long-term detention is not only pointless, but also illegal.⁴³

Issues that are hushed up

Detention is an administrative measure; the detainees are not criminals.

Those who are entitled to political asylum do not enter the country illegally.

Detention is not only pointless, but also illegal, if removal is non-feasible.

Nobody can obviously doubt that the handling and management of immigrants who have entered the country irregularly is an issue that comes under the responsibility of the state. But these responsibilities have to adhere to general rules regarding certain issues such as access to the asylum process, adequate access to fundamental rights (e.g. medical treatment) or to general rights (e.g. detention conditions and legality of confinement).⁴⁴

43 Kostis Papaioannou, "Xenios Zeus: God of torture", newspaper *Ta Nea*, 17 April 2013, available on the blog Antiphono (goo.gl/h36ZSo).

44 Konstantinos Tsitselikis "The black iceberg", on the internet portal Protagon, 9 April 2013 (goo.gl/2YkxQd).

6

“Immigrants are a public health time-bomb”

In April 2012 and on occasion of the Health Regulation for the “protection of public health”,⁴⁵ the Ministers of Citizen Protection and Health defined the “migration issue” as a “a public health time-bomb that is ready to explode and has to be addressed with seriousness, responsibility, against any form of populism”. The Health Regulation defined the infectious diseases that are a “threat to public health” and established among others the “mandatory referral of patients and high risk group persons to the country’s health services, so that the required examinations can be conducted and the necessary course of treatment be prescribed”.⁴⁶ The ministers in charge on the one hand referred to the appalling living conditions of “illegal immigrants” in the centre of Athens and the rapid increase in HIV cases, on the other hand they associated “illegal immigration” with the existence of over 600 brothels operating without licence. Shortly before that, migrants deprived of legalization documents had been associated with diseases that no longer seem to affect the Greek population, such as malaria and tuberculosis. The Health Regulation in conjunction with articles 58 and 59 of Law 4075/2012 introduced the health state of vulnerable persons as a self-sufficient reason for administrative detention and/or their deportation. One year later and after intense reactions from a wide spectrum of social and scientific private agencies and following the international outcry, Health Regulation GY/39A was repealed with the consent of the National Public Health Council. Nevertheless, on 26 June

45 Health Regulation GY/39A (Official Government Gazette 1002, vol. 2, 2012), “Regulations that concern the restriction of the transmission of infectious diseases”.

46 See relevant press release concerning the interview of the two ministers (goo.gl/yZ4WfV).

2013, the day after the Minister of Health of the new government, Adonis Georgiades, assumed office, he brought the regulation back into force, simultaneously bringing back into the political agenda the extreme right rhetoric defining all migrants as public health time-bombs” that threaten the prosperity and well-being of Greek society.

What is the truth?

Certainly, this political choice, which associates the protection of public health with migration under the terms we saw above,⁴⁷ is defined by utmost cynicism. What is even more interesting, though, is that this opinion is not backed by any epidemiological evidence, while the forced health examinations for sexually transmitted diseases are contrary to all relevant international regulations. In the spring of 2012, the implementation of the Regulation in the case of HIV-positive women was characterized by a multitude of malfeasances: arrests, forced medical examinations, detention, publication of photographs, denunciation, in short, a scandalous infringement of rights. Disease was penalized, thus targeting and stigmatizing the most vulnerable population groups, such as migrants, asylum seekers, intravenous drug users, sex workers and the victims of human trafficking.

The sources the Ministers call upon to fortify their cases are the exact sources that refute them by disclosing that what they have been claiming is unscientific and lacks proof. The official reports by the Hellenic Centre for Diseases Control and Prevention (KEELPNO) and the European Centre for Disease Prevention and Control (ECDC) prove that the number of

47 “We are putting the health and lives of people, Greeks and immigrants, at risk. If this public health time-bomb explodes in the heart of Athens and other large cities, the consequences will be incalculable”: Michalis Chrisochoidis, Minister of Citizen Protection, at the joint press conference (goo.gl/yZ4WfV). “The public health time-bomb called AIDS is no longer limited to the immigrant ghettos, as it was until recently. It has now escaped the ghettos. I, personally, but also all the competent government authorities worked very hard to prevent this, to keep it from escaping. That is why I have been shouting for the last months: Don’t go with immigrant women who work as prostitutes illegally”. Andreas Loverdos, Minister of Health, in an interview on the radio station of the Greek public service broadcasting NET, as quoted in a publication by the newspaper *Ethnos*, 20 November 2013 (goo.gl/sIEkG1).

tuberculosis cases has been steadily declining over the last years and that the rate of infection in Greece is distinctly lower than in other European countries. All the monthly reports by the KEELPNO in 2012 containing data on epidemiological observations, show, for example, a clear decline in tuberculosis cases in relation to the average number of cases in the period 2004-2011.⁴⁸

In addition, malaria is only transmitted from person to person under very special circumstances. With regard to HIV-carriers, the KEELPNO confirmed that the unprecedented increase must be attributed to the users of intravenous drugs. Finally, the accusation that there is a link between immigrants who lack legalization papers and the existence of unlicensed brothels, is also unfounded, because the existence of unlicensed brothels is mainly due to the unjustified increase in regulations concerning sex workers being established in buildings (e.g. stipulated minimum distances), which have nothing to do with the presence of immigrants.⁴⁹

Health Regulation GY/39A contains an extensive list of diseases which threaten public health. These include influenza, tuberculosis, malaria, polio, syphilis, hepatitis, and other sexually transmitted infectious diseases, including HIV. The regulation also specifies certain groups as a priority for testing, including users of intravenous drugs and sex workers, migrants without legalization documents coming from countries where such “diseases are endemic”, and people living in conditions that do not meet minimum hygiene standards, including the homeless.

Not immigrants are a threat to public health, but the conditions they are detained under

The statements on public health and safety have recently sadly been used as pre-election political communication material. What was enlightening was a statement by Doctors of the World and Doctors Without Borders

48 See indicatively, the following reports by the KEELPNO: January 2012: goo.gl/ehJ0wl, February 2012: goo.gl/CUNEvx, March 2012: goo.gl/u15w2t.

49 According to Law 2734/1999.

who come on a daily basis face to face with cases of immigrant patients and homeless persons in the slum areas of Athens as well as at the borders. According to what they have witnessed themselves, the immigrants are not ill when leaving their countries of origin. On the contrary, they become ill in Greece because of the appalling living and hygiene conditions, exactly like Greek people.⁵⁰

A relevant report by the Doctors Without Borders⁵¹ shows that 63% of diseases immigrants in the Evros region present with, are due to the detention conditions. The seven most common diagnoses in the period between December 2010 and April 2011 included upper respiratory tract infections, musculoskeletal disorders, diarrhea, gastrointestinal disorders, lower respiratory tract infections, psychological symptoms and skin conditions. These specific seven most common diagnoses make out 63% of all medical cases and are due to and/or associated with the living conditions in detention, which are commonly described as being appalling: overcrowding, lack of hygiene conditions, problems of access to clean water, lack of adequate ventilation, yard exercise and food quality.⁵² Thus, what is most worrying with regard to the immigrants' health and consequently public health, are first and foremost the intolerable detention conditions.

The regulations that forbid and legally prosecute those who provide medical care to immigrants without legalization papers, lead to their inhumane and degrading treatment and infringe on their right to social assistance and health protection. In addition, these very regulations are a threat to public health, as they exclude immigrants "without papers" from access to hospitals and medical treatment, including all the consequences this might have for everyone living in the country, be they Greeks or not.⁵³

50 See the documentation report of the Hellenic League for Human Rights (goo.gl/eRICms)

51 See goo.gl/VmCpxL.

52 Most of the psychological symptoms (85%) are either caused or intensified by detention in combination with the uncertainty concerning the current or future legal status and the specific inhuman conditions at the detention centres.

53 See relevant report by the Hellenic League for Human Rights (goo.gl/6CKQXD).

With regard to the Health Regulation, and although the detention for public health reasons is permitted in certain circumstances, this does not justify the detention of persons for the sole reason to perform mandatory medical procedures. In particular, mandatory health examinations and forced treatment of patients is explicitly forbidden by international treaties, as well as the Constitution of Greece.⁵⁴ In exceptional circumstances mandatory health examinations can be stipulated only for asylum seekers,⁵⁵ whereas for immigrants as a prerequisite for entry into the country, but not as a prerequisite to remain in the country.⁵⁶ In any case, mandatory treatment can only be considered if there is evidence of an imminent threat to public health, i.e. a possible case that will adversely affect people's health: this threat must be real and not presumed, whereas any medical action without the patient's consent is illegal.⁵⁷

A realistic and also humane approach to the issue requires first of all the repeal of regulations on the basis of which the state of health of vulnerable people in itself constitutes a reason for administrative detention or deportation. The imposition of restrictions of autonomy to the disadvantage of people or groups of people according to their allocation to certain categories (e.g. to the disadvantage of migrants, asylum seekers, persons living in conditions of poverty, intravenous drug users, sex workers, victims of human trafficking, etc.) constitutes discrimination, victimizes and stigmatizes persons or whole groups, with the excuse of the protection of public health, while it is in contradiction to the Constitution and international law.

It also requires the repeal of regulations that prohibit and prosecute (with the exception of emergency medical care) the treatment of immigrants without legalization papers. These regulations lead to inhumane and degrading treatment of immigrants and infringe on their right to social assistance and health protection. Ultimately, these regulations

54 Specifically, article 47, para 3 of Law 2071/1992 regarding the rights of hospital patients, article 5 of Law 2619/1998 which ratified the European Convention on Human Rights and Biomedicine, while it patently infringes on the patient's right to autonomy, which is defined in article 5 of the Constitution.

55 Based on article 9 of Directive 2003/9/EC.

56 Based on article 31, para 2 of Law 3991/2011 (International Health Regulation of the WHO).

57 See respective documentation reports of the Hellenic League for Human Rights (goo.gl/4zgzUe).

themselves threaten public health, as they exclude immigrants “without papers” from access to hospitals and medical treatment with all the consequences this can have for everyone living in the country, be they Greek or not.⁵⁸ A necessary element in the protection and promotion of public health is the unimpeded access for all to public health care facilities, therefore also for all immigrants residing on Greek territory.

58 See respective report by the Hellenic League for Human Rights (goo.gl/6CKQXD).

“They come here and take our jobs”

As the crisis Greece is experiencing continues and intensifies, the issue of the employment of immigrants on the labour market keeps resurfacing in an intense way. The reticence and mistrust that already existed are growing to a gigantic scale, as the economy of the host country suffers further due to the crisis, the standard of living declines, opportunities for employment are reduced and unemployment rises. That is when nationalist and/or conservative mindsets are rekindled, according to which immigrants deprive the local workforce of their jobs.

What is the truth?

All extreme right parties in all countries in the world repeat the same slogan: It is the foreigners who invade our countries who are to blame for the unemployment rate. Of course, no extreme right wing party has ever examined the flip side of that coin: the fact that immigrants, who live and work in other countries, are nationals of that very country that is being “invaded”. Thus, the Greek extreme right bellows that immigrants are to blame for the unemployment in Greece, failing to mention the presence of millions of Greeks abroad, be it in Europe, or America or Australia.

What is more, and as the data that we will examine below show, in almost every case foreign immigrants were employed in positions Greeks never competed for.

Local and foreign members of the workforce do not compete for the same jobs and positions.

If we exclude the construction sector, then there has been no evidence of serious competition for the same jobs and positions between foreigners and locals in the recent history of migration in Greece, nor of any significant impact on the level of wages and salaries. The main reason is that immigrants were basically employed in positions of unskilled and

manual labour, which were not popular with the indigenous workforce. Migrant labour has been uninsured to a large extent, while the respective jobs were dangerous, badly paid and unattractive to locals.

The low cost of migrant labour created a demand for more labour force, which in turn led to the creation of more jobs for the local workforce. A large number of people employed in the primary sector of the economy transferred to other sectors (mainly to the services sector), while many thousands of women broke free from domestic labour and joined the labour market.

During the decade between 1998 and 2008, which was marked by the increase and legalization of the migrant population in Greece, the number of jobs in Greece increased by 541,000. 322,000 of these regarded women. During the same period (1998-2008) the yearly GNP growth rate was 3.5%, while unemployment decreased from 11.4% to 7.9%.⁵⁹ Therefore, the contribution of the migrant population to the increase of the GNP, the fall in unemployment and the improvement of the economic values cannot be seriously called into question.

The onset of the crisis in 2008 surely changes the circumstances. The ongoing austerity and economic depression has propelled unemployment from 7.5% to 27.9%.⁶⁰ In 2008 there were 300,000 unemployed, while now there are 1,400,000, without any increase in the numbers of foreign nationals. It should also be noted, that unemployment rates are higher among immigrants than among the indigenous workforce. This is due to the fact that for the first time there is competition for the dangerous and badly paid jobs. Therefore, the overall unemployment rate, which, as we saw, is 28%, translates into 24% unemployment among Greeks and 40.3% unemployment among foreign nationals.⁶¹

In any case, the immigrants who are more fully integrated into the labour market are those who suffer the most from the economic crisis, as they are the first to lose their jobs – as we saw, unemployment affects immigrants more severely than locals. The only way out left to the immigrants is the retreat back to looking for jobs in the “atypical” labour market.

59 Data from the Hellenic Statistical Authority.

60 Data from the Hellenic Statistical Authority for June 2013.

61 Manolis Drettakis, “Foreigners don’t take our jobs, but loose even the ones they have”, newspaper *Avgi*, 1 September 2013 (goo.gl/AW8jIY).

The “new” immigrants on the other hand, are the ones who are affected less in comparison with the “older” immigrants, who, to a large extent, had strived for and succeeded in achieving greater job security.⁶²

It is consequently clear that, for the indigenous population, the crisis on the labour market is first and foremost associated with economic austerity and the economic crisis and not with migration.

62 See A. Papadopoulos, L.-M. Fratzea, “Social and professional mobility of immigrants under the prism of their integration into the local labour markets”, magazine *Geographies*, issue 22 (2010).

“Our lives and our properties are in danger”

In November 2012, Prime Minister Antonis Samaras publicly spoke about the “re-occupation” of the city centres which “had been occupied” by illegal immigrants and had been surrendered to their “illegal activities”,⁶³ establishing, yet again, a direct link between migration and criminality and its – alleged – increase. It is a wide-spread perception that is well embedded in the public opinion, while its cultivation by the mass media, especially television, in some cases even sparks situations of “moral panic”.

What is the truth?

The Hellenic Police publishes information on the ethnic origin of all those arrested for different offences. This statistical data does show that there has been an increase in the participation of immigrants in certain categories of offences, in relation to their proportion to the general population.⁶⁴ This increase can be detected especially in certain categories of misdemeanours (infringements against the law on intellectual property, forgery, begging etc.). Still, if we do not want to stop at a descriptive presentation, we have to move forward and examine the situation closely and interpret it based on the facts and the specific circumstances under which each act was committed.

The infringements against the law “on intellectual property” for example, regard mostly those who are caught for selling “pirated” CDs and DVDs, mainly immigrants from Africa. Nevertheless, it is obvious that these foreign nationals occupy a certain – certainly low – position in the pyramid of this specific activity, the top of which is obviously not occupied by themselves. In addition, it is easy to comprehend that this activity

63 Speech by the Prime Minister in front of the parliamentary group of New Democracy, 4 November 2012 (goo.gl/Ubwn1n).

64 Relevant information available on the Hellenic Police website (goo.gl/TmmOnw).

is one of a very limited number of possibilities for a relatively dignified occupation for somebody who is living “without papers” and has perhaps therefore not caused a public outcry.

Moral panic: the twisted perception of an – often isolated – social incident, its exaggeration and the resulting hyperbolised social reaction towards the behaviour and social practices that differ from the dominant values.

The condition of illegality is also one of the main reasons for the increased participation of foreign nationals in crimes “regarding documents”, i.e. the production and use of forged legalization papers. If, for the last eight years, the state has not provided any possibility for legalization, the use of forged papers to avoid arrest, almost seems the only possibility. Accordingly, the increased participation of foreign nationals in begging is not difficult to explain.

It is true though, that according to information from the Hellenic Police, the participation of foreign nationals in violent crimes (manslaughter), thefts and breaches of the law on drugs has increased.⁶⁵ Before submitting to the charm of interpretations regarding the “criminal nature” of foreign nationals, one should take the following into consideration:

First, the large majority of perpetrators (Greeks and foreign nationals) in these categories of crimes are men in their “productive” age. No logically thinking person would collectively incriminate the age or the sex for those crimes; in addition, we have to consider that men in a young/pro-

65 Regarding the statistical presentation of violent crime, see also the special Ombudsman’s Report, *The phenomenon of racist violence in Greece and how it is handled*: “The allegedly wide-spread and dangerous criminality of immigrants that has supposedly caused a dramatic increase in severe and especially violent criminality in the country [...], does not correspond to reality: according to a press release by the Hellenic Police on 13 February 2013, “the last year 2012 is characterized by the least recorded manslaughters, thefts and break-ins/burglaries in Greece in the last three years (2010-2012)”. The truth is that the crime rate in Greece remains relatively low in comparison to other European countries. According to information from EUROSTAT regarding the quantitative and qualitative depiction of criminality in EU member states, Greece is still appearing as a “non dangerous country” (goo.gl/lusnSW).

ductive age are overrepresented in the immigrant population in Greece.⁶⁶ So, if the sample is weighed according to age and sex, the deviation of the percentage of perpetrators from the ratio of immigrants in the general population is much smaller.

Second, to the police and population, immigrants are much more visible. When a punishable act is committed, the police gravitate much more toward immigrants than to the indigenous, due to prejudice and the visibility of that particular part of the population. Sadly, prejudice often plays a part in the justice system as well, where, in addition to everything else, immigrants are often denied a guaranteed fair trial (appearance with a lawyer present, adequate interpretation). All of the above result in more controls, more arrests and more convictions of immigrants.

Consequently, the intensity and quality of police surveillance is a determining factor in the statistical recording of criminality and its correct interpretation. The nature of closer police surveillance, regarding both quality and quantity, and the emphasis on the surveillance of certain social groups, automatically leads to the detection of more crimes, and consequently to their statistical overrepresentation.⁶⁷

Third, poverty and illegality are the best conditions and the “raw materials” for the recruitment of immigrants “without papers” into criminal networks, usually into the lower ranks (e.g. the last stage of drug trafficking). In these ranks and positions the foreign nationals are more visible and vulnerable towards arrests, which does not mean that these criminal networks are run – in the higher ranks- by foreign nationals.

The accusations regarding a “criminal nature” as well as the characterisation of “subhuman beings” that the extreme right spews forth today against immigrants in Greece are one and the same as the utterings of the extreme right wing all over Europe. In the past, similar accusations were directed against Greeks and Italians in America, making it obvious that this extreme right rhetoric is not associated with any characteristic of the people that find themselves in the cross-hairs, but has social characteristics.

66 Ministry of the Interior in reply to the Ombudsman’s document with ref. no. 2816/2009.

67 See, Vasilis Karidis, *Η αθέατη εγκληματικότητα. Εθνική θυματολογική έρευνα* (The unseen criminality. National victimological study), Sakkoulas, Athens, 2004.

9

“The Albanians have integrated into Greek society, but the Asians and Africans are a different matter”

In the last years there has been a part of the extreme right that has tried to temper its openly xenophobic rhetoric. Therefore, it concentrates primarily on cultural differences and invests heavily on islamophobia, following in the footsteps of the European populist extreme right. According to this approach, the problem are not the immigrants and refugees from Eastern Europe that have been integrated into Greek society, but the immigrants and refugees from Asia and Africa, who cannot be “assimilated”.

What is the truth?

In the 1990's, extreme right rhetoric had adopted the exact opposite argument. It was said then that the problem is not caused by the “peaceable” immigrants from Asia, but by the Albanians. Let us just remember the stir that was caused regarding the right of Odysseus Chennai to parade as bearer of the Greek flag in the student parade.⁶⁸

The geopolitical changes at the beginning of the new century, the wars in Iraq and Afghanistan and the international rise of islamophobia have brought about a radical change in the stereotype. Today, migration from Albania is viewed as generally “friendly”, even by the right, as Albanians are deemed to have been “integrated”. This concession conceals the fact, however, that this “integration” took place despite the numerous

68 See indicatively, respective report in the newspaper *To Vima*, “Greeks have forgotten what it feels like to live in a foreign place”, 26 October 2003 (goo.gl/IWQqUs).

hurdles, which were provided for two decades by the racism the extreme right cultivated, the bigotry of a large part of the media, the apathy of the Greek state, the unacceptable practices of the public administration and the blatant hostility of the Hellenic Police.

Today, the extreme right targets immigrants and refugees from Asia and Africa. This is happening because life itself and the ties that have been formed have weakened generic anti-migration and anti-Albanian propaganda. This trend is also in synch with the international rise of islamophobia.

This opinion is also completely unfounded. On the one hand because there have been no recorded manifestations of radical fundamentalist Islam – despite the stubborn denial of the Greek government to provide the Muslims living in Greece with the most basic conditions to perform their religious duties with dignity, which could have fuelled such tendencies.⁶⁹

On the other hand, despite all the shouting, numerical data show, that from the 1,000,000-1,200,000 foreign nationals in Greece, only about 10% are from Asia.⁷⁰ The majority of Asian migration is directed at industrially more developed countries in Western Europe, but also India, Saudi Arabia, Qatar and tomorrow probably China.

Asian (as well as African) migrants are simply concentrated in the centre of Athens and much more visible because of their physiognomic and social characteristics (e.g. type of dress). That is why they are the new internal enemy, after the Albanians, on which the extreme right and sometimes the right wing in general, focus their rhetoric.

69 The most blatant example being the refusal until today, to construct an Islamic mosque in Athens, after decades of administrative and political to-and-fro.

70 Source: Hellenic Statistical Authority, 2001 Census, Table 3: Foreign nationals according to nationality, sex and main reason for settling in Greece. Revision: Institute of Labour/Greek General Confederation of Labour-Confederation of Public Servants (G. Kritikidis).

“Isolated incidents and disgruntled citizens”

“Greek society is not xenophobic”, Minister of Public Order and Citizen Protection Nikos Dendias emphasized in an interview with Belgradian newspaper *Danas*, just on 11 September 2013. At the same time, while racist violence, tolerated by the Police, was spreading dangerously on the streets of Greece, the Minister in charge saw fit to point out, while responding to respective accusations by NGOs, that the police force’s efforts cannot be evaluated “based on 15 incidents”, but only in the totality of its work. The specific competent Minister stated with the same ease in front of the Greek Parliament on 23 August 2012 that the Hellenic Police had reliably documented 3 incidents of racist violence for the whole of Greece in 2010 and 22 in 2011.⁷¹ So, no need to be concerned...it is obvious that these are only isolated incidents.

What is the truth?

“Those who killed yesterday have been practicing for three years on the bodies of immigrants that were always brought here injured and we were shouting about the attacks carried out by these groups” of right-wing extremists, states Panagiotis Papanikolaou, registrar at Nikea hospital, after the murder of 34-year old Pavlos Fyssas by members of the neo-Nazi Golden Dawn party.⁷² This realization took place only a few days after yet another repetition by the management of the Ministry of Citizen Protection of the statement concerning “isolated incidents of racist violence”.

In its two years of operation from October 2011 until today, the Racist

71 See Parliament minutes (goo.gl/5TvGVc).

72 See goo.gl/bLLm06.

Violence Recording Network⁷³ has recorded over 350 incidents of racist violence by interviewing the victims, who in their overwhelming majority are refugees and immigrants.⁷⁴ Of course, this number is but the tip of the iceberg.⁷⁵ Nevertheless, this number and the emergence of the quality of the attacks through the above mentioned recording debunks the media myth regarding “isolated incidents”, “resentful citizens” or “intra-racial conflicts”.

So, the analysis of the qualitative characteristics of the racist attacks proves clearly, that the overwhelming majority of attacks were performed by specific organized groups that operate almost completely undisturbed.⁷⁶ Only few attacks are performed by a sole perpetrator. In most cases we are dealing with extremist groups either on foot or on motorcycles, often accompanied by large dogs. The perpetrators are often dressed in black and sometimes in military trousers, wear helmets or have their faces covered. Most attacks take place after sunset or in the early hours of the morning. The most common practice is a “patrol” of individuals dressed in black either on foot or on motorcycles, as a kind of vigilante militia who attack refugees and immigrants in the street, on squares or at public transportation stops.⁷⁷ In some incidences of especially brutal attacks, the victims recognized among the attackers individuals associated with Golden Dawn.

73 The Racist Violence Recording Network, which is coordinated by the National Commission for Human Rights (NCHR) and the United Nations High Commissioner for Refugees, was established to fill the void created by the lack of an official and reliable recording system of incidents and tendencies of racism and racist violence in Greece, according to the state’s international and European obligations. Today, it consists of 33 NGOs and other agencies of civil society and constitutes the most reliable source for information on racist crime in Greece. See rvrn.org.

74 During the same period of time, only 6 case files were established ex officio by the Public Prosecutor’s Office of the Court of First Instance of Athens. 6 cases of racial violence were pending at the Public Prosecutor’s Office of the Court of First Instance of Thessaloniki, while 7 case files were established at the Public Prosecutor’s Office of the Court of First Instance of Heraklion, on complaint by the injured parties. See newspaper *Ethnos*, 26 November 2013 (goo.gl/v8nJ8e). The difference in numbers is indicative of the lack of political will to tackle the issue of racist violence.

75 See relevant report by Giorgos Pouliopoulos, newspaper *To Vima*, 29 September 2013 (goo.gl/YnFuDu).

76 Giannis Elafras, “The racist attacks are completely organized”, newspaper *Kathimerini*, 16 September 2013 (goo.gl/YNKQ0Y).

77 See 2012 Report of the Racist Violence Recording Network (rvrn.org/?p=129).

Racist crime (hate crime): act punishable under criminal law which is in addition executed due to hatred against a person/group of persons, based on a specific characteristic – either real or according to the perception of the perpetrator. These characteristics vary according to the scope of the protection each state wants to achieve. In the Greek legal order this includes acts motivated by hatred against the victim’s race, skin colour, religion, national or ethnic origin, sexual orientation or gender identity.

These lines are being written during the arrest of the leading group of the Golden Dawn party under the charge of having created a criminal organisation, which committed felonies in an organized and coordinated fashion. This attempt to dismantle the various pockets of the Golden Dawn party comes tragically late, as the hundreds of racist attacks of the last two years have already led to at least three immigrants being stabbed to death in central areas of Athens.⁷⁸

The criminal prosecution of Golden Dawn is certainly a positive development, but is it the end of the road with regard to racist violence in Greece? Of course not. The Ministry of Citizen Protection that today plays a leading part in “cleaning up” Golden Dawn, is the same Ministry that, while violent attacks and even murders of foreign nationals take place, promotes legality of residence as the highest good in comparison to and at the expense of all other goods. In other words, the victims and witnesses of those violent attacks, who are often not legal immigrants, are deported. So, the victims are deprived of their right to legal protection, the perpetrators go about their business undisturbed while the whole of society is educated in the depreciation of human life and the impunity of crimes against people who are legally and institutionally invisible.

Let us also not forget that a year has merely passed since an advisor to the Prime Minister wrote: “At worst, what Golden Dawn does is unlawful assumption of authority, at times there might be a slap or two, meaning insulting and bodily injury. The masses of stabbed foreigners exist in the

78 Aphrodite Tziantzi, “The unknown dead of the assault divisions”, newspaper *I Efimerida ton Syntakton*, 26 September 2013 (goo.gl/nNT13o).

very imaginative and stupid propaganda of “progressive” journalism and in the interventions by Clarabell⁷⁹ and other “enlightened obscurantists”⁸⁰ members of parliament belonging to SYRIZA⁸¹/EKM⁸²/Villa Amalia.⁸³ Golden Dawn’s attempt to use the gaps in the state is punishable, but they are a mismatched size in comparison to the flood of illegal invasions and the criminality that stems from them.”⁸⁴

Regardless of the fact that the organisation is dismantled, far-right political culture is strong in Greek society irrespectively and dominant political choices entrench it further. What needs to be put into action urgently is the protection of victims and of core witnesses of racist attacks by not issuing a deportation order or by suspending that order and by granting them a temporary residence permit. Only that way can foreign nationals who reside in Greece illegally, i.e. a population group which is the main – but not the exclusive – target of these criminal attacks, maintain their right to access to authorities.⁸⁵ When a clear message goes out against impunity, then we can have more reasons to feel hopeful. . .

79 [Translator’s note:] Pejorative nickname for Zoe Konstantopoulou, member of parliament for the Coalition of the Radical Left (SYRIZA).

80 [Translator’s note:] The advisor used the made-up οχυμορον “φωταδιστής” (photadistis), which consists of the term “διαφωτιστής” (diaphotistis; somebody who adheres to the cultural movement of Enlightenment) and “σκοταδιστής” (skotadistis; an obscurist) and describes a person who believes in the ideals of Enlightenment and capitalism, but in an “unenlightened” rationalistic foolish fashion (Source: www.slang.gr).

81 [Translator’s note:] Coalition of the Radical Left (Συνασπισμός Ριζοσπαστικής Αριστεράς – ΣΥΡΙΖΑ).

82 [Translator’s note:] Unitary Social Front (Ενωτικό Κοινωνικό Μέτωπο – ΕΚΜ); became part of SYRIZA, when SYRIZA registered as a single party and not a coalition for the second general elections in June 2012.

83 [Translator’s note:] A neo-classical villa and former school building in the centre of Athens, which was occupied by anarchist squatters from 1990 until December 2012, when the squatters were removed by the police.

84 Failos Kranidiotis, “Now that the screws have tightened”, newspaper *Demokratia*, 30 December 2012 (goo.gl/T6pFbY). See also indicatively, question by Adonis Georgiadis in Parliament in 2012 regarding, whether a foreign national who had become a victim of racist attack was an illegal resident (goo.gl/CDdwhT).

85 Cleo Papapandoleon, “What has to happen in the justice system and the police. Direct and effective measures”, interview in the supplement “Enthemata” of the newspaper *I Avgi* (goo.gl/qqJnBZ).

“Our own fathers used to emigrate legally”

It is clear that the anti-immigration rhetoric of the extreme right in Greece had to measure up to the migration experience of a large number of Greeks at the beginning of the 20th century and in the postwar years towards America (North and South), Australia, Western Europe, but also Africa. How can yesterday's immigrants turn into the xenophobes of today? But even this hurdle can be overtaken, if one overemphasizes certain external differences between today's migration movement and the Greek emigration during the previous decades. Therefore, the argument is systematically emphasized that the Greek immigrants did not “invade” foreign societies uninvited, but that they emigrated in an organized fashion and legally and upon invitation by the host countries who were in need of additional labour.

What is the truth?

The above could truly be said about our fathers who emigrated to Germany, but it cannot be said about our grandfathers who emigrated to America at the beginning of the 20th century.

“Stinking Greeks”: the image of the Greek immigrant in America

The term “illegal immigrant” was even used then, at the beginning of the previous century to describe the massive and unplanned exodus of a quarter of Greece's economically active population (about 400,000 people), mainly towards the USA.⁸⁶ The phenomenon of migrants stowing away on ocean liners and trying to enter US territory illegally was hardly

86 Cleo Papapandoleon, “What has to happen in the justice system and the police. Direct and effective measures”, interview in the supplement “Enthemata” of the newspaper *I Avgi* (goo.gl/qqJnBZ).

uncommon. The treatment of Greek immigrants in the “New World” was not much different to the hostile and racist behaviour the extreme right is exhibiting towards the immigrants from Asia and Africa. According to publications from that time, Greeks were described as “criminal elements”, while the numbers seem to confirm their increased appearance in the crime statistics.⁸⁷ Their places of residence were called pollution sites, as some call migrants “public health time-bombs” today.

We notice, therefore, that there are many more similarities between the migrants who come to Greece today and our own grandfathers than we would like and than we talk about. The conditions of poverty that made them take the “big journey” are the same. The difficulties they faced regarding the law and their settling in their new home country are the same. And the inhuman reactions of racists in any era are the same. Therefore it is up to us to learn something from our recent history.⁸⁸

87 “The stream of immigrants not only from Greece but from the whole of Europe towards America is unstoppable. Neither the immigration act nor the severe punishments that are imposed on the illegal immigrants are enough to stem this flood”: “Illegal immigrants at the harbour of Pireaus”, newspaper *Empros*, 26 April 1929, (as quoted by Nikos Sarandakos in his blog, goo.gl/FukCOj).

88 See respective report in the column “los” in the newspaper *Eleftherotypia* (goo.gl/183H91).

Two contrasting strategies on migration

Extreme right strategy: Mass deportations and sealing the borders

The extreme right claims that the “only realistic” political answer to immigration are mass deportations and the “sealing of the borders”. This policy is not only inhumane, socially devastating (for the foreign nationals as well as for Greeks), unfair to the thousands of foreign nationals who have been living in Greece for many years, but it is also unrealistic.

Greece has signed a number of international conventions for the protection of human rights and refugees. It cannot possibly deny protection to people coming from war zones (currently, for example, from Syria), who are in danger of death in their country of origin. The respect of human rights and of the international conventions has to be a priority for every modern state and their violation can only have serious consequences.

The economic cost of deportations is not negligible. According to the Greek Managing Agency of European and Development Programmes, 4,373 third country nationals returned to their countries of origin between May 2010 and June 2012 as part of the programme of voluntary returns implemented by the International Organisation for Migration, at a total cost of 4,688,034.27 Euros and an average cost (per person) of 1,104.05 Euros.⁸⁹

The social cost of such a development would be even higher. Even if we assumed that the mass exit of foreign nationals from Greece were possible, the adverse effect on the country’s social life would be especially intense. A whole generation that had been educated in Greek schools and that grew up in Greek cities, would leave the country at their most produc-

89 See indicatively the tv report “Stinking Greeks” in the tv programme “Reports without borders” by St. Kouloglou (goo.gl/4iloDa).

tive age to live in countries that are truly alien to them. The already meagre school population would decrease. Entire economic sectors and areas of social life such as agricultural production and home care for elderly people would collapse. The ageing of the population would intensify drastically, as the population growth, as we saw above according to all studies, depends first and foremost on the birth rate among immigrants.

As for the “sealing of the borders” that is a statement which simply is impossible to realize. First, because such an action would be contrary to the international conventions for the protection of refugees, who must always find an open entryway. And second, because, in view of the country’s extensive coast line, the manpower and costs necessary for such a project would be far beyond the capabilities of the Greek state.

In addition, the countries of origin of the undocumented immigrants are quite unwilling to welcome them back. This is a reality, whether we like it or not, that does not only concern Greece, but every European country.

Such trains of thought are therefore not only extremely dangerous, but also highly unrealistic. All modern societies are familiar with the phenomenon of migration. We are called upon to form a humane and at the same time realistic migration policy, in contrast to the extremely conservative and highly irresponsible rhetoric, which dominates today. In other words, a left-wing policy.

A realistic and left-wing migration policy

Often, people with good intentions reproach the Left because, according to their opinion, it settles for the statement of general humanitarian opinions and does not propose specific solutions of the migration issue.

The awareness that the right and extreme right exploits the gap and peoples confusion regarding the issue of migration only intensifies the embarrassment.

However, there is a left-wing solution to the migration issue and it is much more realistic than the approach followed by the right-wing and extreme right-wing, which, as we saw, leads to multiple dead ends. A left-wing proposal could first of all only be based on the respect for human rights, respect of the law, the constitution and international conventions. Words that play a key role in the preparation of a different strategy for the

issue of migration are: legalization, registration, fair examination process of asylum applications, integration, citizenship, international cooperation.

As we saw, many thousands of foreign nationals live in Greece today, who entered the country many years ago but still do not have legalization documents. These people often were in possession of a residence permit in the past, but subsequently lost that privilege (often because of unemployment and the subsequent lack of social security stamps or due to other reasons). These people have to be given another chance to regain legality, as common sense dictates.

In other cases again, the long-term residence in the country did not lead to the possession of legalization documents, due to the inflexibility of the law. We also have to remind that the only generalized chance for legalization of foreign nationals the Greek state provided was in 2001 based on Law 2910/2001. It is now undeniably high time for people who have been living in Greece for many years (often for more than a decade) to be given the opportunity for legalization and for their applications to be examined quickly and fairly. Such a development can have many positive effects: financially (these people would pay insurance contributions and taxes), socially (they would not be living in a state of fear, isolation and illegality, with all the negative side-effects this has for everyone, Greeks and foreigners), culturally, morally and with regard to our values (they will strengthen and enrich Greek society).

In cases where the entry into the country happened only recently and where ties to Greek society are weak and the prospect of integration low, it should be evaluated, if a return to the country of origin is possible. In many cases this would be impossible due to the situation in that country (e.g. a return to Syria or Somalia under the current conditions), meaning that the respective migrants deserve international protection. Basic prerequisites for something like that would be a fair examination process of asylum applications and an independent asylum service, which has already started its operation in Athens, but still urgently needs to be adequately staffed.

In cases, where a return to the country of origin is not possible due to the reasons mentioned above, the first step has to be registration and a suspension of the return. A decision that guarantees those persons' stay in Greece without the risk of being arrested and detained, and having access to the labour market. This solution prevents the impoverishment

of people “without papers”, something which clearly will have a positive effect on the whole of the society.

The return to their country of origin should be guaranteed for all of those who do not fulfil the above mentioned criteria. This should be achieved through international cooperation on a political and economic level and with respect to the dignity of those people.

A strategy to facilitate integration into Greek society, with Greek citizenship as the ultimate goal, has to be laid down for those who have been living in Greece legally for many years. For example, those, who have lived legally in Greece for five years should actually be in a position to obtain a “long-term resident’s permit”. This permit has already been established in Greece since 2006, through the transposition of the relevant EU directive⁹⁰ and gives holders the right to settle and work in any EU member state. In practice, however, until today Greece has not made it easy for immigrants to obtain that permit, which would also increase mobility inside the territory of the EU, especially in times of crisis. On the contrary, the Greek state has established stumbling blocks and has made it nearly impossible for anyone to obtain this “long-term resident’s permit”. It is characteristic, that today the holders of this permit are estimated to be a mere 600 people.

The government announced recently that it would facilitate the granting of this permit to a larger number of foreign nationals, namely to all those who are entitled to have it. It remains to be seen if and how this announcement will be implemented.

The recent disappointing decision by the Supreme Administrative Court, which deemed basic provisions of Law 3838/2010⁹¹ to be unconstitutional, in fact blocks the way to a more open policy on the topic of citizenship. It should be noted that the negative stance the New Democracy party took vis-à-vis the Law 3838/2010 obviously played an important role in the creation of an atmosphere which was reflected in the final decision of the Supreme Court regarding the unconstitutionality of certain provisions of that Law. The final wording of the Supreme Administrative Court’s decision still leaves leeway for regulations that would ultimately not cancel the transition from the “right of blood” to the “right of the soil”

90 Magazine *Epikaira*, issue 116, 5 December 2012.

91 The “long-term resident’s” permit is regulated by Presidential Decree 15/2006, which incorporated EU directive 2003/109/EC.

and would allow, under certain conditions, the acquisition of the Greek citizenship by children of migrants who live in Greece.⁹² Instead of favouring such a solution, the government showed that it preferred to give “long-term resident’s” permits to the second generation. The government seems to hope that second generation children will choose to emigrate to Europe, before they have reached the age at which they can apply for Greek citizenship. The consequences of this choice are obvious. A choice that reveals the government’s indifference to keeping in Greece and utilizing the human capital of young people, which this country (to a certain extent at own financial cost) raised and educated. The Left in Greece has to continue fighting this battle with tenacity and realism. We cannot possibly settle for the idea of a generation of young people with restricted rights in Greek society. We cannot possibly destroy a generation following the obsessions of the Right and the extreme right.

Ultimately, a solution solely on national level is not imaginable, as the movement of populations happens on a massive scale and is not directed at one country, but towards Europe. The migration issue cannot be dealt with adequately outside of a European framework. Strong pressure for the equal burden-sharing and the reform of the framework is needed on many levels: a daring review of the Dublin Regulation, involvement of the EU in the processes of refolement, upgrading the Greek-Turkish Readmission Agreement to a European-Turkish Agreement.⁹³ Consequently, international cooperation is imperative regarding burden-sharing, but also sharing the benefits of migration and also in order to reduce extreme poverty and armed conflict in the countries of origin of the migrants. Without such an outlook, the phenomenon of migration will always be urgent, it will happen on a massive scale and be unpredictable.

92 See here, footnote 28.

93 “The decision as such, of the Plenary Session of the Supreme Administrative Court, allows the lawmaker to salvage, if he so wishes, fundamental options of Law 3838/2010, especially since the Plenary Session did not follow the recommendation of the 4th Department of the Council of State (Supreme Administrative Court) on the issue of acquisition of citizenship “after individual examination” upon adulthood. One thing is certain: the Plenary Session of the Supreme Administrative Court, despite the regresses, does not see right of blood as the constitutional one-way road the middle-aged representatives of Greek racism, judges and others, wanted”: from a statement by the Hellenic League for Human Rights (goo.gl/zz4q35).

All of the above show, in broad strokes, a realistic but also fair migration policy; a left-wing policy. This proposal might have its flaws and we should always be open to criticism and debate, but without forgetting something important: there is no perfect solution to the issue of migration. With this in mind and being aware of the fact that migration will exist as long as the conditions that cause migration still exist (e.g. unequal distribution of wealth, poverty, wars), it is worth searching for those proposals that combine realism, fairness and the respect for human rights.

MIGRATION IN GREECE

ELEVEN MYTHS AND EVEN MORE TRUTHS

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Are there too many immigrants living in Greece so that there is no more room for others? Are they all “illegal immigrants”? Is the law on citizenship an “illegal immigrants’ ” magnet? Are foreigners, although we treat them in the best possible way, time bombs that threaten public health? Do they take our jobs and threaten our lives and properties? Albanians have integrated; are Pakistanis a different story? Is racist violence limited to a few isolated incidents? Did our own fathers emigrate legally?



We have repeatedly heard this and much more in the form of statements and not questions. But as deeply as they might be embedded in the public opinion, the above stereotypes prove to be tenuous: a level-headed review shows that not only they are dangerous (as they are often associated with extreme right-wing schools of thought), but they also do not correspond with the truth. We selected eleven of the most popular myths regarding migration in Greece. Utilizing information and studies, we highlight the actual truth in each topic, and at the end we outline the basic points of a fair and realistic, i.e. a left-wing policy on migration.