

# The Social Integration of Immigrants in Greece

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Until the end of the 1980s, the word 'immigrant' in Greece referred to distant relatives of Greeks who had left their country in search of a better life<sup>1</sup> in two waves: one at the beginning of the twentieth century,<sup>2</sup> and another in the 1950s and 1960s.<sup>3</sup> There were only a few immigrants in Greece itself.<sup>4</sup> These were mainly manual labourers from Egypt, Ethiopia, Pakistan and the Philippines.<sup>5</sup> Small wonder, then, that Greece saw little need for a large-scale legislative programme to regulate immigration before 1991. Foreign immigrants were governed by Law No. 4310, passed originally in 1929,<sup>6</sup> and revised in 1948, a text which dealt above all with migratory flows.

At the beginning of the 1990s, the first waves of immigrants arrived, mainly from the Balkans following the collapse of the Eastern bloc and the socio-economic changes which flowed from that. For the immigrants from these countries, Greece offered a number of attractive characteristics, including a prosperous economy with job opportunities and high salaries (relative to those paid elsewhere in the Balkans), the rule of law with stable institutions and economy; membership of the EU; and the fact that moving there or being deported from there was relatively cheap and stress-free in comparison to emigration to more distant countries.

At first, the large-scale arrival of these immigrants surprised the Greek state. Greece was confronted with a completely new situation for which it was unprepared. The first law, No. 1975, passed in 1991, was entitled 'The arrival, departure, residence and labour rights of foreigners, deportation, procedures for the recognition of foreign refugees and other measures'<sup>7</sup> and was aimed principally at restricting immigration, at better border control, and at the expulsion of illegal immigrants. From 1991 to 2001, the situation changed rapidly; whereas there were 167,000 immigrants registered in 1991, their numbers exceeded 800,000 ten years later. This new reality forced the government to adopt a new immigration policy, which it did in Law No.2910/2001 entitled 'The entry and residence of foreigners on Greek territory; acquisition of Hellenic nationality by naturalization and other

measures.<sup>8</sup> In the meantime, two presidential decrees (358/1997 and 359/1997)<sup>9</sup> were issued in order to put in place the first programme for regularizing those immigrants already in the country.<sup>10</sup> When it submitted the new law, No. 2910/2001, the Greek government had two objectives: on the one hand, it wanted to put in place a second programme for regularization, in order to deal with the massive arrival of immigrants without permits; on the other hand, it wanted to put in place measures which could deal with immigration in the medium term, including better border controls, the conditions under which foreigners could come to Greece to work or to study, and finally, naturalization of resident immigrants.

Law 3386/2005, 'The entry, residence and social integration of nationals of third countries on Greek territory'<sup>11</sup> represents the third key effort by the Greek legislature to regulate unresolved and badly managed migratory issues and to give illegal immigrants a third chance to be regularized. After fifteen years in which there had been immigrants in Greece, the Greek government had to take into consideration a number of facts:

- the permanence of the phenomenon of immigration;
- the real magnitude of the question both in qualitative and quantitative terms, that is, the number of immigrants and the consequences of their presence for Greek society and the economy;
- the need to regulate large-scale entries and residence by means of a programme of social integration above and beyond simple police measures;
- the need for society to adapt to the continuously evolving needs and obligations created by the permanent residence of foreigners;
- the weaknesses and gaps in the previous legislation, and
- the experience of the country and of the rest of the EU, and the EU's own powers in the matter.

Some of these matters were taken seriously by the Greek government and influenced the drafting of the law. Others did not. This law was completed by two other decrees, Nos 150/2006<sup>12</sup> and 131/2006<sup>13</sup>, the adoption of which was necessary in order to harmonize Greek law with EU Directive 2003/109/CE on the status of long-term foreign residents<sup>14</sup> and with EU Directive 2003/86/CE on family regroupment.<sup>15</sup>

In order for integration to work in Greek society, it is necessary to create appropriate conditions, both in order to promote peaceful coexistence between Greeks and foreigners, and in order that Greece fulfil its EU obligations. In the first case, the creation of a framework in which immigrants can integrate and function as an integral part of Greek society is necessary in order that

ghettoes do not develop and to prevent outbreaks of xenophobia and racism on the part of Greek nationals, reactions which are the result of the creation of barriers in society. In the second case, the changes in Greek immigration policy which have occurred in recent years, above and beyond the changes which have occurred on the ground, and Greece's transformation from a country of emigration to a country of immigration, reflect developments at EU level. Faced with similar problems created by the continuous influx of immigrants, Greece's EU partners decided to try to put in place common rules to facilitate the social integration of this sensitive segment of the population.

In this article, I first research the juridical framework which Greece has adopted to favour the integration of immigrants by means of Law 3386/2005. I use the word 'research' deliberately because the provisions for integration are few and far between, while some of them have had the opposite result from that desired. Then I will look at how these provisions have been applied in the administrative domain and how they thus become real policy. Finally, I will present issues which remain to be resolved if we want to speak of a real desire to integrate immigrants.

### **The Legal Framework for the Social Integration of Immigrants**

Before discussing the provisions of Law 3386/2005 which deal with the integration of immigrants, four observations need to be made. First, the integration of a person into society is permanent. It starts with birth and finishes with death. During the process of socialization, some factors play a preponderant role in deciding whether or not integration succeeds. This continuous procedure is not unilateral. It can take different forms depending on whether the society in question promotes or legislates in favour of integration.

Second, if we distinguish between the notions of integration and incorporation, we will come to the following conclusion: all areas of daily life which concern public life constitute factors of social integration. By contrast, those which concern private life concern social incorporation.<sup>16</sup> Employment, housing, language, education and civil rights are in the first category, while family regroupment, religion and the respect for cultural differences are in the second. Respect for the private life of foreign immigrants by the host country is a major contributory factor to integration. A state which preaches that it has a migration policy with a heavy emphasis on social integration must not neglect policies which favour incorporation.

Third, the law divides immigrants into two categories: legal and illegal. For those in the first category, the law provides for rights and duties. For the second, there are only prohibitions. Consequently, integration concerns only legal immigrants.

Fourth, immigrants constitute a sensitive segment of the population which, in order to integrate into society, must pass through a procedure of resocialization. This procedure presents difficulties considering that the foreigner is often called upon to adapt to a society whose characteristics are quite different from that in which he or she grew up. Because of these concrete difficulties, the creation of conditions which will facilitate this effort is essential for any state which understands that harmonious coexistence produces only beneficial results.

Before discussing the provisions of the law on the matter in hand, we must briefly describe the procedure of regularization which is the starting-point for social integration.

### **The Procedure for Regularizing Immigrants in Greece**

Delivery of a residence permit is the essential prerequisite for any state policy on integration. From the moment when the foreigner has a residence permit, they can legally remain and work in the country.

The law provides for two categories of applicants for residence permits: those who have the right to enter Greece and those who enter without having the required papers. For the latter case, there are transitional arrangements which provide the starting-point for regularization. This concerns only those who can prove that they entered Greece before 2005.

In the first category, nationals of third countries who want a residence permit must fulfil the following conditions: they must have entered the country legally and must be able to prove that they have resided in Greece either by means of a passport or using any other document recognized by international conventions. There must be no record of any threat to public order and no danger of any threat to health. The applicant must also be able to show that they have the necessary resources to be able to return to their country of origin.

In the second category, nationals of third countries have the right to apply for a residence permit as soon as one of the following conditions is satisfied: that they have entered and resided in Greece before 31 December 2004 ; that they represent no threat to public order or health; that they have registered with the tax authorities; that they have paid their social security contributions; that they swear a formal attestation about their employment in Greece, the members of their family who live with them, and that they have no criminal record.

People may apply for residence permits if a) they have a legal visa for entering the country; b) if they are applying for humanitarian reasons; c) if their applications for asylum have been rejected; d) if they are relatives of a

resident who is abroad; e) relatives of an illegal resident and adult children of legal residents if they have a visa on the family passport, or if they are listed on it as being protected members of the family.

The procedure which legal immigrants must follow in order to obtain a residence permit is as follows: the foreigner submits their application with all the relevant documentation to the local authority where they presently live. The decision on whether to grant the residence permit is taken by the secretary-general of the local authority. Permits are issued for one year and can be renewed for a two-year period after that. The procedure is essentially the same for illegal residents, who must prove that they have resided in Greece before 31 December 2004.

### Provisions in Greek Law for the Integration of Immigrants

Law 3386/2005 lays out the objectives of social integration and explains how it is to be achieved. It provides that integration entails both rights and obligations for foreigners. They are allowed to participate in the economic, social and cultural life of the country, and they are obliged to respect the fundamental values of Greek society. The principles on which integration is based are: a) avoidance of all forms of discrimination; b) equality; c) respect for fundamental rights; d) support for their own contribution to the social, economic and cultural life of the country; e) support for the immigrant's family; f) participation in the social integration process. These various principles are embodied in the Integrated Action Programme. This requires: a) a certified knowledge of Greek; b) a course on Greek history and civilization; c) work in the Greek labour market; d) active social participation. The requirement that the immigrant know Greek and Greek culture applies only to those who wish to apply for long-term residence permits. The decision on this was taken by three ministries acting together: the ministries of the Interior, of Public Administration and of Religious Affairs.<sup>17</sup> These ministries run and oversee the certification procedure and organize exams to test the applicants' knowledge.

Law 3386 has no provisions governing insertion into the labour market. Indeed, it creates a limited system for immigrants, reducing their mobility, flexibility and right to work. Work permits are issued for specific kinds of jobs and are not necessarily transferable to other jobs: the restrictions on immigrants are of course far more onerous than on Greek nationals. Immigrants wishing to start up their own businesses are also subject to special rules which require them to put up tens of thousands of euros first.

Education and training play an important role in the social integration of foreigners. The law provides that education is a right enjoyed without

restrictions by minors who are nationals of third countries residing in Greece. They need the same documents for enrolment in schools as Greeks do. Those without such documentation may also be accepted if they are refugees, or if their regularization is in the pipeline. Adult foreigners may also have access to the tertiary education system on the same basis as nationals. However, there are no provisions for the recognition of degrees from foreign universities.

### **The Political Framework of the Social Integration of Immigrants**

The letter of the law will remain hollow if the administration is not prepared to implement its provisions. This is the problem in Greece where the problem is not the lack of law but the failure to apply it.

Moreover, integration is a process which goes beyond mere formal regularization. It requires the participation of the state, which creates the necessary infrastructure, and of society which consolidates the state's efforts. Society is a living organism which can repel foreign bodies if they threaten to upset its internal balance. At this point, the role of the state becomes decisive. Beyond infrastructure, it needs to create the conditions which are necessary so that the blending of civilizations can be of benefit to all Greek society, that is, including its foreign immigrants. It must ensure that integration and coexistence are not threatened by individual cases but that any unpleasant events, having been condemned, should instead constitute the starting-point for thinking about immigration matters and setting off in the right direction.

Laws need to be the foundation stone for policy and they need to be flexible and durable. Unfortunately, the provisions for integration in Law 3386 are limited. The Integral Action Programme remains simply a written project. Of the four initiatives it lays down, only the certification of knowledge of Greek language and history can be implemented. But even the inter-ministerial decision which lays out the certification process makes it difficult to get the certificate. A foreigner who wishes to obtain a long-term residence permit is obliged to have a hundred hours of Greek-language lessons, and twenty-five hours of lessons in Greek history and civilization. At the end, they must take written and oral exams. It is difficult for immigrants to fulfil these conditions because the lessons must be taken in an adult education centre and not all regions of Greece have them. The immigrant also must write an essay on a matter of topical interest and also take comprehension and grammar tests, and a recorded oral exam. This alone is enough to deter a lot of immigrants and thus deprive them of the possibility of obtaining the long-term residence permit. Immigrants therefore remain in a situation of uncertainty with two-year residence permits, and this uncertainty does nothing to foster a sense of integration.

The law therefore lacks dynamism and a sense of perspective. These are serious flaws for a law which aims at solving such a serious social question. It also fails to make any provision for second-generation immigrants. There is a lack of foresight as to what to do with the children of immigrants who have either been born or who have grown up in Greece. These children cannot obtain Greek citizenship and they are even denied birth certificates. This puts the children at constant risk of expulsion, even though they are called on to pay taxes. It is obviously impossible to integrate them under such conditions. Like their parents, they are second-class citizens with limited rights, deprived of the equality of opportunity. The state bears a heavy responsibility for this.

### Conclusion

Greece evidently does not have a long tradition of immigration policy but this is no justification for the failure to pursue an overall policy of integration. The failure is the result of the weakness of the state to implement its plans, a reluctance to spend money and a desire to avoid the political cost of pursuing a policy which might provoke a counter-reaction in Greek society. The state wants to make integration difficult so that immigrants will be encouraged to leave. This is not a policy but the lack of a policy which hinders integration.

The reference in the title of the law to 'the social integration of nationals of third countries on Greek territory' therefore cannot be justified by the actual content of the law. On the basis that social changes need time and that integration is such a social change, the limited reference to certain provisions in the law could be the seed which will put down roots and grow, providing that the state cultivates it and protects it from natural catastrophes. However, in its practices, the state has shown that it has no intention of playing this role. It is a source of consolation that Greek society has shown itself, in its overwhelming majority, to be tolerant and hospitable towards immigrants and that it helps solve the problems which arise from coexistence with foreigners.

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### NOTES

- 1 The three main reasons which led to Greek emigration were: a) the rumour that there existed huge amounts of uncultivated land in America; b) the development of transport; c) personal, political and economic reasons. See L. Dollot, *Les migrations humaines* (Paris: PUF, Coll. Que sais-je, 1958), pp. 74–6.

- 2 In the period 1900–1920, Greece lost 8 per cent of its total population. Some 25,000 Greeks left the country every year for the ‘Promised Land’, leaving behind a country which was financially destroyed and wracked by political uncertainty.
- 3 In the 1960s, the flight of the population, above all to West Germany, reached 459,000, that is, 5 per cent of the population at the time. This flow differs from that of the period 1900–1920, in that it was intra-European and not overseas.
- 4 According to Eurostat, the number of foreigners in Greece in 1981 was 171,424 and 797,093 in 1991. Foreigners represented 1.4 per cent of the population in 1990, and 8.1 per cent in 2004.
- 5 See L. Stergiou Nicolaou, ‘Problématismes de la politique migratoire en Grèce et en Europe’, *Ekpedeussi & Epistimi*, 1, 3 (April 2006), p. 276.
- 6 The first law on ‘The installation and movement of foreigners in Greece’ was voted in 1925 and was in force for two years from 1927 until 1929. Law 4310 of 1929 had the following title: ‘Law on the installation and movement of foreigners in Greece, police control of passports, expulsions and deportations’. In addition to security matters, this law also dealt with employment and repatriation. It forbade foreigners from entering Greece without a work permit. There was a debate at the time on whether the restriction on the liberty of movement of persons were compatible with the terms of the 1927 constitution.
- 7 Official Journal of the Greek Republic, A 184 /4.12.1991.
- 8 Official Journal of the Greek Republic, A 91/2.5.2001.
- 9 Official Journal of the Greek Republic, A 240/28.11.1997.
- 10 371,641 immigrants applied for a ‘white card’ (residence permit for indefinite period), of which 212,860 were foreigners seeking regularization.
- 11 Official Journal of the Greek Republic, A 212/23.8.2005.
- 12 Official Journal of the Greek Republic, A 160/31.7.2006.
- 13 Official Journal of the Greek Republic, A 143/13.7.2006.
- 14 Official Journal of the European Communities, no L 16 du 23 janvier 2004.
- 15 Official Journal of the European Communities, no L 251 du 3 octobre 2003.
- 16 Institut de Travail de GSEE/ADEDY, Circonscription d’Attiki, *Recherche sur les formes d’intégration sociale des immigrés économiques dans la circonscription d’Attiki 2003–2004*, pp. 37–8.
- 17 See Ministries of the Interior, of Public Administration and of Religious Affairs, *Certificate of knowledge of the Greek language and of elements of Greek history and civilization for nationals of third countries desiring to obtain a long-term residence permit*, 23 November 2006.