
POLICY BRIEFING

How to reduce irregular migrant labour in Greece



Introduction

Finding a way to reduce irregular migrant labour has become a major priority for policy makers in Europe. This briefing paper highlights the challenges and opportunities presented by the adoption of an alternative immigration policy in one of them, Greece. It makes the case for the adoption of a specific category of measures on seasonal temporary migration. These measures will boost local economies whilst help accepting, protecting, and empowering refugees and immigrants.

There are somewhere between 4.5 million and 8 million non-EU citizens working across the European Union. According to a mid-2008 Labour Force Survey, only in Greece working-age foreign workers are about 530.000. The LFS considers that an estimated 50% of migrants are illegally employed in the country. The EU has been unable to set a common framework for controlling the rights of entry and residence of foreigners. Member states continue to dominate labour migration and now the Greek government has to find a solution to the problem.

Greece, like all EU economies, faces a structural need for seasonal work for which labour from within the EU is expected to become less and less available. The current situation presents both a challenge and an opportunity for Greece. Large immigration flows have a positive impact in domestic aspects of economy and society. They benefit their host nations' economies. At the same time they create new and big demands for health and secure systems and labour markets. At the same time, 90% of refugees and immigrants in Greece use the country as a gateway to the European Union.

[A win win formula](#)

Key policy recommendations

The key policy recommendations to reduce irregular migrant labour are the following:

Greece should find ways to organize the immanent relation of migrants with the sphere of the local economy. The seasonable character of greek economy and the solutions it can provide in the immigration policy are crucial.

Simplifying procedures for immigrants who meet the criteria for entitlement. Although the required residence time for legalization without conditions is decreased from 12 years to 10 years, there is a need for the government to activate the agreement concerning 8 years.

Implementation of a provision which concerns 200,000 economic migrants who work in the country without a legal residence permit and insurance. According to the provision of the Greek Ministry of Labour and Social Security illegal immigrants should be identified within a

three month period and have a six months period to leave the country and to return if they want, after personal application and invitation of employers who employ them.

Coordination of government and social structures in order to utilize EU funding for integration.

Increase cooperation with neighboring countries and establish bilateral readmission agreements with the states of which Greece has high immigration flows. These two suggestions were already included in the project management of migratory flows submitted by Greece in the European Commission in 2010.

Strengths and limits

Greece's particular relation with immigration policy is characterized by the following strengths and limits:

1. In Greece irregular migrant labour was a driving force for local communities and economies. During the 1990s thousands of low-skilled and low-qualified immigrants gave life to abandoned, due to internal migration to large urban centres, villages and cities close to borders. With their work in a wide range of sectors (most notably agriculture, tourism and construction activities) irregular migrants created a new economy and social life. This seasonable character of employment can be an advantage for the country's effort to reduce irregular migrant labour.
2. Immigrants in Greece contribute to population growth. According to the Greek Ministry of Interior in 2005-2007 about 17% of children born in Greece had foreign nationality.
3. Greece is an entry point for illegal immigration and the busiest transit point. But at the same time the country has the comparative merit of being excluded from the Dublin Convention which provides for the immediate return of illegal immigrants into the country from which they entered Europe.
4. The financial crisis has a negative impact on the country's capacity to integrate economic immigrants. Even before the crisis Greece could not utilize EU funding for integration of migrants in European countries. In the midst of the financial crisis such a possibility is even more distant.

5. Greek authorities only provide data of police operations in which immigrants are treated merely as offenders of the law who try illegally to enter the country. Data for irregular migrant labour or unemployment rates in foreign population do not flow on a standard basis. The fact Greece has no cohesive immigration policy is profound in this lack of organized information.

6. Greece must find ways to overcome the bad reputation for the treatment of immigrants and the lack of a cohesive immigration policy. Greece indeed faces a huge problem with the numbers of immigrants who enter the country every day. But this can not be an excuse for the unwillingness to adapt policies which recognize the rights of foreign workers and improve their way of living in Greece. It is crucial for decision makers to make a distinction between a transboundary policy and measures inside the country that provide the realistic framework for reducing irregular migrant labour.

The existing answer

This policy brief highlights the importance of interlinking migration and development policy. Such a procedure will move us towards more effective management of migration and irregular migrant labour.

It will not be a straight-forward task. In 2011 300 non document immigrants started a hunger strike in Athens to seek legal residence status. Some of them had been working in Greece for several years but did not manage to succeed their legalization. It became a huge political crisis in a country long-criticized for its lack of cohesive policy for asylum seekers and economic immigrants. Greek authorities reached an agreement that led to an awkward situation of tacit renewable status of tolerance but not legalization.

The endemic problem of Greek bureaucracy and dysfunctional public sector have a direct impact in immigration policy. Irregular migrants have no access to health care, education and employment. These problems arise because of a number of reasons: lack of rules in service provision; unwillingness of employers to pay the insurance fees; unawareness of the procedure of entitlements both from provider and migrant. Usually immigrants are afraid of explosion and the detection by police's one-sided policy

Official policy moves toward a different direction and remains unwilling to give answers to the above issues. Greek authorities focus almost exclusively on the influx of new immigrants. According to Minister of Civil Protection during the last two months of 2012, 5.077 immigrants were arrested in the greek-turkish borders comparing to 3.806 immigrants for the same period in 2011. During the last week of March 2012 Civil Protection Minister Michalis Chrysochoidis announced the launch of a two-year plan to build detention center in 13 administrative regions of the country.

This is the second effort of Greece to expand its detention system. The first was held in 2009 and provided an extension of the maximum duration to detention to one year. Greece has often faced critics for the conditions of misery in the temporary holding centers for illegal immigrants near the Turkish border and on Greek islands. The Commissioner for Human Rights at the Council of Europe Thomas Hammarberg highly criticized Greece for its lack of immigration policy and suggested that the country should minimize the use of illegal immigrant detention centers.

The government tries in a one-sided way to come in terms with the problem of irregular immigrants.

This policy brief recommends a combination of cooperation with neighboring countries and the utilization of the proposal of the European Directive in seasonable work which is crucial for the Greek case.

According to the Directive of European Commission the economies of European union face a «structural need for seasonal work». Traditional sectors (agriculture etc) will continue to play an important role and attract low-skilled workers.

This gap can not be filled with Greek national workers because they consider seasonal work unattractive. The key point is to link the immigrants with these needs and provide them with documents and the right for legal stay in Greece. Seasonal workers will be able to come to a country, go back to their countries and then return to Greece. This process would facilitate reliable inflows of remittances and transfer of skills and investment. The Greek state has to make provisions to facilitate re-entry of seasonable workers during Spring or Summer.

The state also has to adopt measures including limitation of the length of stay, and an explicit obligation to return at the end of the period. It is critical to adopt fast-track procedures (30 days) for a work contract or a binding job offer that specifies a salary equal to or above a minimum level.

Employers must provide evidence that seasonal workers will have appropriate accommodation. An employer who has not fulfilled obligations resulting from the work contract must be subjected to sanctions.

The access of refugees and migrants to quality, essential health services is of paramount importance to rights-based health systems. Greek government should legislate access to healthcare and education for irregular migrants and their children and raise awareness about their rights. Greek authorities should also encourage the role of Civil Society and energize the numerous civil organizations in supporting immigrants.

With thousands of immigrants in the greek borders Greece has to learn to live with this situation, provide satisfactory solutions for irregular migrant labour and improve drastically its existing legal framework.

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