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MIGRATION AND NATIONAL SECURITY: THE QUEST FOR AN EFFECTIVE GREEK MIGRATION POLICY

Polychronis Kapalidis & Dr. Fotios Moustakis



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MIGRATION AND NATIONAL SECURITY: THE QUEST FOR AN EFFECTIVE GREEK MIGRATION POLICY

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Συγγραφείς: ***Polychronis Kapalidis & Dr. Fotios Moustakis***

Εκδότης: Academy for Strategic Analyses (ASA)

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Abstract

Greece is the main gateway to Europe. The purpose of this paper is to examine the impact of migration in Greek national security, while suggesting potential reforms that could lead to effective control and management of migrants. Through a review of the existing literature, the paper develops a workable definition of National Security, which in this case includes five components: National Cohesion, Social Cohesion, National Defence, Economy, and Demographic Character. Following the analysis on the impact of migration in these five components and the analysis of the legislative efforts of previous Greek governments the paper conceptualizes Greece's new national migration policy, framed around three pillars: effective border control, effectual integration of migrants in the Greek society, and enumeration and management of existing migrants, and concludes, suggesting that a more concerted effort is required by EU officials to confront with the issue.

KEY WORDS: migration, national security, European security, border control, integration



INTRODUCTION

“Just as the weather moves from areas of high pressure to low, so too transnational migration flows from areas of high political, social or economic insecurity to what migrants tend to perceive as areas of lower insecurity” (Heisler & Layton-Henry, 1993, p. 148). The events of October 2013 in the Italian island of Lampedusa (Al Jazeera, 2013) and the recent decision by the Greek Presidency of the EU to adopt measures to tackle illegal migration¹ have raised discussions, once again, over the issue of how illegal migration is dealt with by European States.



¹ On 1 January 2014, Greece took over the Presidency of the Council of the European Union.



The on-going debate as to whether the responsibility of confronting the problem rests on the state, from where migrants enter Europe, or whether there should be a collective action from Europe and the European Union requires an immediate answer. Should states that are unable to exercise effective control over their borders leave the Schengen Zone or should the existing Schengen Treaty be implemented as suggested by scholars and policy-makers (Mahony, 2011; Waterfield, 2011)?

The paper uses Greece as a case study to establish its argument that illegal migration should be commonly confronted both by individual states, whose national security is directly affected by migration flows, and collectively by the EU, which is the indirect recipient of these flows. On the state level, as Fiona Adamson (2006, p. 168) suggests the impact of migration on national security depends on the efficiency of the state's policy to control these flows according to its interests. Thus, the paper discusses the situation in Greece during the period of economic crisis and attempts to find potential solutions to the problem, enclosing suggestions. To this end, it also briefly examines the interconnectedness between migration and national security by looking at how specific components of national security are affected by migration flows, in the Greek case study.

The paper assesses the impact of migration on Greek national security, while it examines the efforts made by Greek governments in cooperation with the EU to tackle the issue. Finally, the paper concludes by suggesting a twofold approach where, on the one hand, a new national migration policy in Greece is presented, and on the other, based on the concept of collective action, suggests the opening of a broader dialogue over the Schengen Treaty.



UNDERSTANDING THE CONCEPTS OF MIGRATION AND NATIONAL SECURITY

The concepts of migration and national security are certainly not new. Despite their prolonged existence there is no consensus over their definition, especially with regards to the latter. Regarding the former, it is also difficult to define a migrant. While the UN define a migrant as someone entering a country for twelve months or longer, individual states have varying definitions on what constitutes a migrant from their perspective (Adamson, 2006, p. 170). Heisler and Layton-Henry (1993, p. 149) define international migration as 'the large scale movement and settlement of people from one country to another'. As Adamson suggests, the lines that define the various categories of migrants are difficult to be defined (Adamson, 2006, p. 171). Hence, even the very definition of migration itself could be considered problematic.

In theory, the various categories of migration can easily be distinguished. Whether migration is described as forced vs voluntary, or economic vs political or even legal vs illegal² the clear distinction in theory becomes problematic in practice. While economic migrants leave their countries of origin in pursuit of employment or other economic opportunities, the latter, which constitutes asylum seekers and refugees, leave their country in order to flee from political persecution, war, or even fear for their own life (Adamson, 2006, p. 172). Even though international law distinguishes between political and economic migration by assigning categories to 'individuals who are seeking to cross borders to escape political persecution or violent conflict, as opposed to those who cross borders in search of economic opportunities' (Adamson, 2006, pp. 173-4), in practice, disentangling the political and economic factors that contribute to migration flows is often difficult (Neumayer, 2005).

Secondly, the distinction between legal and illegal migrants is based on the way they enter a state. Many enter through formal, legal channels, such as economic migrants, while others enter through illegal channels, including those who are trafficked or smuggled or even enter a state using forged papers. Elspeth Guild (2009, p. 14) defines a legal migrant as someone who has passed through the formal processes of the state and is recognised by the state to be entitled to

² For a more thorough analysis on the various categories of migration see Adamson (2006). The paper utilizes the terms 'economic' and 'illegal' migrant, which will be used during the analysis of the case study.



stay in it. In the same context, an illegal³ migrant 'is someone who has not fulfilled the state's rules for admission or stay' (Guild, 2009, p. 14). In this case, the difference is based on the host state's knowledge of the individual. This state-centric division is criticized by scholars, on the basis that, it reinforces the state's claim to a monopoly on the legitimacy of movement across borders (Soguk, 2007; Guild, 2009).

Realists interpret the notion of national security as 'the military protection of state sovereignty and territorial integrity against military threats' (Hammerstad, 2011, p. 238). They support that, states maximize the welfare of their own citizens through upholding 'national security' (Betts, 2009, p. 61). Following Morgenthau (1948), individual states must prioritize their own survival and national security. If a state fails to prioritize its national security, then, it would jeopardize the national security of a neighbouring state, as well. On the other hand, the Copenhagen School, represented in the work of Buzan et al. critically engage with the notion of national security through their analysis of securitization⁴, stating that 'it may work to silence opposition and has given power holders many opportunities to exploit 'threats' for domestic purposes, to claim a right to handle something with less democratic control and constraint' (Buzan, et al., 1998, p. 29). Their concept of societal security⁵ moves away from the classical security theory⁶, where the state is the referent object, aiming to 'construct a broader agenda for international security studies' (Buzan, et al., 1998, p. 19).

In this context, moving away from the clear-cut and strict notion of state-centric security, the paper adopts a broader concept of national security, which is a combination of state-centric and societal security. By defining the nation as 'a named human population sharing a historic territory, common myths and historical memories, a mass, public, culture, a common economy and common legal rights and duties for all members' (Smith, 1991, p. 14), the interpretation of national security is therefore not limited to the realist definition of the concept where the state is the referent object of analysis. The approach to national security, followed by Critical Security Studies scholars (Krause & Williams, 1997; Buzan, et al., 1998), with its widened agenda, and which places the individual as

³ The use of the term 'illegal' is highly contested by scholars and the international community (Guild, 2009). They prefer less obviously normative terms such as 'irregular' or 'undocumented' migrants. For the purposes of this paper the term 'illegal' is adopted.

⁴ According to the Copenhagen School *securitization* denotes the process wherein "an issue is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political order" (Buzan, et al., 1998, pp. 23-4).

⁵ Societal security is defined as a concept that "concerns the ability of a society to persist in its essential character under changing conditions and possible or actual threats" (Waever, et al., 1993, p. 23)

⁶ The concept of societal security was introduced by Waever et al. as a consequence of the changing security agenda in Europe since 1989, when the progress of integration constructed a new macro level above the old states (Waever, et al., 1993, pp. 1,2)



the referent object of analysis, best describes the conceptualization of the term. Thus, national security, in a more specific context, is the resultant of individual components that constitute a prerequisite for survival, progress and development of the nation.

Hence, the five components of national security that will be utilized to analyze the impact of migration on Greek national security are national cohesion, social cohesion⁷, national defence, economy and demographic character. These components constitute a mixture of state and societal security, as well as internal and external security⁸(Bigo, 2001; Guild, 2009). As Bigo (2001) aptly concludes, the boundaries between these two types of security are by no means as clear as it first appears. Migration has a notable impact on all these components, since the physical entity of a state and the security of its society may be challenged from imported elements; the migrants. Thus, the aim of national security is to protect the nation from these threats and vulnerabilities, and to protect the history, the society, the economy, the laws, and the welfare of its citizens.

⁷ This specific notion of social cohesion includes the fields of public order and security, penitentiary system, xenophobia-racism and public health.

⁸ On the one hand in internal security, institutions are engaged with social affairs, health ministries, police, criminal justice departments, whereas external security, although more limited, is concerned with the physical integrity of the state (military and foreign ministries) (Guild, 2009, p. 7).





THE IMPACT OF MIGRATION ON GREECE'S NATIONAL SECURITY

Greece⁹ is regarded as 'one of the most important transit routes of people in despair, criminal goods and services into the EU' (EUROPOL, 2007, p. 23). This statement from the EUROPOL report aptly describes the complexity of the migration issue in Greece. The type of migrants that target Greece could be distinguished in two main categories; firstly, economic migrants in search of prosperity and better living conditions, mainly from Albania¹⁰ and the other Balkan states as well as the former Soviet Union, and secondly, refugees and asylum seekers from the Middle East, Asia and Africa, mainly aiming to reach other European states. Both of these two categories were introduced in the Greek society, in 1991, when the restrictive migration policy became more liberal, allowing large number of foreigners to arrive to the country¹¹. Considering that Greece, in its core, is described as an 'ethnic democracy', where the Greek *ethnos* is the predominant factor that binds society together, it is logical that Greek culture and language must be assimilated by all foreigners in order to be accepted in society. However, the shift that has occurred in Greek migration policy now challenges the state's national security.

Through the analysis of the impact of migration on the five components of national security, the paper attempts to find sustainable solutions to the issue of migration in Greece, during this period of economic crisis. Firstly, regarding the state's national cohesion, the largest and long-term risk for Greece posed by the entry and stay of illegal migrants is the alteration of its ethnologic character. The creation and growth of minorities threaten the ethnic composition of the population, and its national identity. Sarandos Kargakos, a Greek historian, during his speech (2007) at the Hellenic Institute for Strategic Studies (HISS) aptly described the relation between migration and national cohesion:

"The vast number of, approximately, two million immigrants living legally and illegally in Greece, if it is left untouched and not minimized, it risks to break our social structure and injure key aspects of our national cohesion.... According

⁹ Greece is a favourable destination for migrants due to, primarily, the state's geopolitical position, which makes the country the main gateway to Europe, (Lowen, 2012; Kasimis, 2012; Musumeci, 2012) and secondly, the country's economic development (prior to 2010), political stability and security. Their entry, stay and employment is further facilitated by the weakness and ineffectiveness of Greece, as a host and transit country, to control its borders (CSD, 2011, p. 281).

¹⁰ The majority of permanent migrants in Greece, estimated around 60%, is of Albanian origin.

¹¹ Prior to 1991, "the law made nearly impracticable the entry and stay of economic migrants seeking jobs" (Triantafyllidou & Gropas, 2007, p. 142).



to sociological studies in France, occurred after the installation of hundreds of thousands of immigrants from the Maghreb and other former French colonies, a country with deep national roots can integrate and assimilate only around 2 to 2.5 per cent of alien population in relation to its own. Otherwise it will create frictions and social groups like 'pariah'¹²..... I'm afraid that Greece will soon hold camps similar to Guantanamo."

The problem is particularly serious, when combined with national claims and irredentist aspirations, historically raised by neighbouring states, such as Albania, Turkey, FYROM and Bulgaria.

Regarding the state's social cohesion the influx of criminal foreign elements in Greece has reached new heights, leading to an outbreak of specific offenses such as theft, robbery, human and drug trafficking and murder. These offenses which challenge public order and security, could be categorized according to geographic location, where human and drug trafficking, and the smuggling of weapons occurs primarily in border areas, while, thefts, robberies and homicides are committed in the Attica region. In 2013, the Hellenic Ministry of Public Order and Citizen Protection conducted a national survey regarding the number of foreign offenders against Greeks as well as foreigners during the period between 1998 and 2012; the results of which indicated that the total number of foreign offenders has increased dramatically within the specific time period¹³ (Kathimerini, 2013). The increased number of criminal offenses conducted by aliens in Greece has resulted in problems within the penal system, as well. Most prisons and penitentiaries in the country are overcrowded¹⁴, with obvious implications concerning the welfare and safety of prisoners. As a corollary, apart from the deteriorating living conditions within the prisons, fierce bloody riots, and sometimes sensational group getaways occur occasionally.

The outbreak of criminal offenses conducted by foreigners has raised widespread reaction within the Greek society, creating a feeling of 'xenophobia', that has contributed to the rise of several racist movements¹⁵. The shift in the social behaviour of Greeks towards migrants can be identified in several surveys that

¹² The notion of 'pariah' derives from India, where it initially meant 'a member of one of the oppressed social castes'. In its contemporary meaning it describes an outcast, a demographic group, or community that is generally despised, a person rejected from the society or home.

¹³ The number of foreigners that committed a crime in 1998 was 6,094, while in 2012 it reached 20,265. (Kathimerini, 2013).

¹⁴ In 2006 the capacity of Greek correctional facilities was approximately 5,284 prisoners, while the number of detainees was 9,964, of which 4,281 were foreigners (and of whom about 50% Albanians); in 2012 even though the capacity of correctional facilities was increased around 9,300 people, the total number of detainees reached 12,700, of which 67% (7887) were foreigners (and of whom more than half were Albanians) (Ministry of Justice, 2012).

¹⁵ As Waever et al. aptly state (1993, p. 45) "the fear of being swamped by foreigners is easy to mobilise political agenda as a security issue".



have been conducted from time to time since 1989. While the problem of illegal migrants was not that evident, Greeks showed an impressive tolerance towards aliens and their rights. In recent years, when the problem became more evident, Greek society became more reluctant towards them, leading to increased xenophobia and racist reactions (HRW, 2012).





These feelings have not only been expressed in several cases through violent confrontation, but have played a key role in the political agenda, not only in Greece, but in several other European countries which continue to face similar issues with migrants. States such as France, Spain, Italy, Norway, Hungary and even Switzerland and Germany have witnessed in one way or another 'the return of the far right' (Carlin, 2013; Haddad & Piven, 2013). In Greece, the far-right party 'Golden Dawn'¹⁶ received 6.92 per cent of the votes in the 2012 parliamentary elections, making it the first ever far-right party to enter the Greek parliament in the state's contemporary history (Ministry of Domestic Affairs, 2012). In recent gallops, such as that taken in June 2013, 'Golden Dawn' increased its percentages to 13.5 per cent of the votes, making it the third most popular party in the country (VPRC, 2013).

Furthermore, the vast flows of illegal migrants in Greece, coming from countries with substandard health systems also pose serious risks with regards to the transmission of infectious diseases. The most common diseases among illegal migrants, which include hepatitis or tuberculosis and diphtheria can be easily transmitted within the detention centres, as well as in places where they work illegally, without the appropriate control from the Hellenic Health System. In addition, the prevalence of HIV/AIDS and other sexually transmitted diseases are ever present due to clandestine prostitution. In recent years, there has been an outbreak of these diseases especially in the centre of Athens and other major cities in Greece such as Patra, Igoumenitsa, Heraklion, and Ioannina, due to the unhealthy living conditions of migrants, most of whom live in 'ghettos' (HRW, 2012; SKAI, 2012a; EPLO, 2013).

In other areas, migration flows have a more indirect impact on national defence. First of all, it could be argued that the recruitment of illegal migrants by spies and other agents is probable and possible. These migrants may be tasked to carry out acts of terrorism, espionage, incite riots mainly within minority groups or even sabotage, in the form of forest fire. Mesout Gilmaz, the ex-Prime Minister of Turkey, admitted that Turkey's intelligence agency (MIT) recruited agents to carry out a plan of arson in forests in Greece during 1993-1996 (Rovva, 2011). Secondly, the vast number of Muslim migrants situated in Athens, who have founded the Muslim Association of Greece (MAG), could be regarded as a strong domestic cell of potential threat, especially in the event of war against an Islamic state. For example, a recent threatening letter towards MAG has raised reactions from Muslims all around Greece who state that 'every Muslim is at any moment ready to defend his faith, without fear and not caring about his own life' (Chatzinikolaou, 2013; Ekathimerini, 2013a).

¹⁶ 'Chrysi Avgi' in Greek



The impact of migration on the economy is a multifaceted problem with potentially conflicting parameters. The main affected areas are state funds¹⁷ and the labour market¹⁸. The economic crisis that affected Greece around 2010 has further aggravated the ability of the government to confront the issue of migration; especially with regards to the control and detention of illegal migrants. Modern Greeks, following the trend of urbanization, head to major Greek cities in pursuit of labour, depriving the labour workforce from the countryside. Thus, on the positive side migration contributes to the strengthening of certain types of jobs in the labour market, that are considered non-desirable, messy, and cumbersome such as farming, and shepherding. On the other hand, it reinforces the unemployment of Greeks in some sectors such as builders, where migrants offer their services for considerably lower wages, and leads to the increase of an informal economy and the loss of revenue to the state from irregular activities such as smuggling of cigarettes, alcohol and so forth. Moreover, the Greek banking system has been further weakened due to capital outflows, generated through labour remittances directed to overseas banks, mostly in Albania.

Finally, during the 2001 census in Greece the population of the country was shown to have increased significantly¹⁹. This notable population growth is attributed to continuous migration flows²⁰. However, on the contrary, over the last 15 years, the endogenous Greek population has been confronted by a serious demographic problem arising from low birth rates and an ageing populace. It can therefore be argued that if these migrants were keen on integration, then the threat to the demographic character of the Greek society would not be so severe. Then again, as Waever et al. (1993, p. 45) suggest, the problem 'is amplified when migrants seek to maintain their identity rather than adapting to that prevailing in their adopted country'. The fact that foreigners in Greece make up approximately 12 to 15 per cent of the total population, (a trend that is set to rise) should be an alarming factor for government officials with regards to national security.

¹⁷ According to the Ministry of Public Order, it is indicative that between May 2010 and June 2012, 4,373 illegal migrants were voluntarily repatriated to their country of origin with a total cost of 4,688,034.27€, which raises the average cost of repatriation approximately around 1,100€ per migrant (Vlachodimou, 2012).

¹⁸ On the one hand Greece appears favourable for absorbing migrants, due to the country's development, at least until 2010, and on the other provides specific job opportunities for migrants, due to the overall socio-economic trends.

¹⁹ For analytical statistics see p.12.

²⁰ As Triantafyllidou and Gropas (2007, p. 150) state, there have been increasing reports and articles on the growing number of children of migrant origin in state schools, emphasizing that in certain cases they have become the majority, influencing the quality of schooling.



GREECE'S MIGRATION POLICY: IN PURSUIT OF SOLUTIONS

The transition of Greece from an emigration, to an immigration country, with a continuous influx of migrants since 1991, may aptly be portrayed through the official statistics of the Hellenic Statistical Authority (EL.STAT.)²¹. While in the mid-1980s the number of foreign residents was estimated at 65,000, during the 1991 census, there were 167,000 foreigners situated in Greece (Triantafyllidou & Gropas, 2007, p. 143; Mavrodi, 2007, p. 157). The increase in migration flows became apparent in 2001, when during the census, the number of foreigners rose to 797,091, while it is expected to have risen even further in the last census of 2011²² (Triantafyllidou & Gropas, 2007, p. 143; EL.STAT., 2012). Nevertheless, the actual size of the foreign-born population is estimated to be significantly higher, as several analysts believe that there are between 1 million and 1.5 million migrants in Greece, making up as much as 12 to 15 per cent of the population, thus implying that more than half of the migrant population in Greece²³ is unauthorized (Triantafyllidou & Gropas, 2007; OECD, 2010; Kasimis, 2012).

During the early 1990's, there was no legislative framework for the handling and control of migration in Greece. The government followed the trend, and shifted from a 'zero immigration' policy in 1991, that remained in force until 2001, to more liberal legislations, which aimed at tackling the influx of migrants. (Mavrodi, 2007; Triantafyllidou & Gropas, 2007; Triantafyllidou, 2010, p. 193; Kasimis, 2012). The major developments regarding Greece's migration policy can be observed in Table 1. The paper focuses on the last two legislations of 2010 and 2011 (the 'Ragoussis' Law²⁴ and the 'Papoutsis' Law) respectively. These radical legislations, that have raised great concerns around their implementation, provide the basis for the development of the suggested reforms in an effort to drastically tackle the issue of migration.

The debate about the 2010 legislation focused on two provisions; firstly, it allowed children who are 'born to immigrant parents legally living in Greece for

²¹ For detailed facts and figures see Triantafyllidou & Gropas (2007) and E.C.C.L. (2009).

²² Official data regarding the number of migrants in Greece in the 2011 census has not yet been published by EL.STAT.

²³ For further details on the situation in Greece, in comparison with other states ranked in the 'Very High Human Development' group, see Table A of the 2009 Human Development Report (UNDP, 2009, p.143).

²⁴ Named after the former Interior Minister Yannis Ragoussis



at least five years to be granted Greek citizenship provided that they had studied at a Greek school for a minimum of six years', and secondly, it allowed migrant residence permit holders to participate in local elections (Ekathimerini, 2013b). It was regarded as a radical legislation since it granted automatic citizenship to approximately 200,000 foreigners, which instantly increased the electoral body by 8 per cent. The implementation of these two provisions of the 'Ragoussis Law' was halted on 05 February 2013, when the Council of State, almost unanimously, declared them unconstitutional²⁵ (To Vima, 2013). The Council justified its decision based on the premise that the unconstitutional law has purely formal provisions (such as a designated period of legal residence, studies in Greek schools for a set number of years, clean criminal record, etc.), without a case-by-case examination of the applicant's ties to the Greek nation (To Vima, 2013).



The turbulent situation, the pressure generated by public opinion and the media, and the effort to tackle the rise of the far-right party 'Golden Dawn', led the Greek government to fully activate the 'Papoutsis Law', in early 2012. The practical implementation of the law was summarized in the Operation 'Xenios Zeus'. According to the current Minister of Public Order, Nikos Dendias (2013), the operation has the following objectives: firstly, to push back 'illegal immi-

²⁵ According to the Greek Constitution the right to vote and stand for election is reserved to Greek citizens.



grants from Evros and seal the land and sea borders with Turkey'; and secondly, to send 'illegal immigrants back to their countries of origin'. Official statistics provided by the Hellenic Police (HEL.AS.) (2013) suggest that the operation has been successful so far, especially with regards to its first goal.

It is worth noting that in Evros, even though 35,258 illegal migrants were captured between August 2011 to January 2012, the number declined to 1,710 people a year later (August 2012-January 2013), therefore signifying a substantial drop in illegal entries by 95 percent (Hellenic Police, 2013). From 1 August to 31 December 2012, 77,526 aliens were prosecuted and 4,235 were arrested in Athens, on the grounds that they did not meet the legal requirements for residence (Hellenic Police, 2013). Albeit these figures seem impressive, it does not mean that the problem is solved. The fact that trafficking networks are shifting to the sea borders with Turkey, and the remaining twenty reception centres are still to be completed, suggests that there is still a long way to go for government officials to achieve their objectives.

Consequences of the 'Dublin II Regulation'

The situation is further worsened by the EU regulations that bind Greece. In particular, the objective of the 'Dublin II' Regulation (EC No. 343/2003), signed on 18 February 2003, is 'to identify as quickly as possible the Member State responsible for examining an asylum application, and to prevent abuse of asylum procedures' (E.C., 2003). Based on the principle that only 'one member state is responsible for examining an asylum application', it was agreed that, this country would be considered the first to be physically entered into by the migrant (E.C., 2003). Taking into account that, approximately 90 to 95 percent of all illegal migrants who enter the EU, enter through the Greek-Turkish land and sea borders, it is easy to understand the extent of the problem and its implications for European Security.

Adding to the obligations that derive from the 'Dublin II' Regulation, the fact that Turkey refuses to fully implement the re-admission agreement signed with Greece, further exacerbate the problem. The current number (as of December 2013) of pending asylum applications is approximately 40,000, a number that will only grow while this specific EU regulation continues to be implemented (UNHCR, 2013a). This number of pending applications, although decreased since 2011 (55,000), is still considered inordinate, and will continue to be inflated because of cumbersome bureaucracy, corruption of state officials and the complicated and time-consuming process for granting asylum followed by the Greek authorities. Hence, typically, the time taken to receive a response to a request for asylum is up to 2 years. Meanwhile, the asylum seeker is able to walk free and, since he/she is not allowed to find a job, lives parasitically, trying to secure a





small income to live or pay the freight charges to the trafficking networks - a factor which amplifies the existing 'stock' of migrants in the country.



GREECE'S NEW MIGRATION POLICY: EVALUATING THE PAST, FRAMING THE FUTURE

In 1991, large numbers of foreigners were thrust upon the Greek society. However, the Greek government has responded spasmodically and opportunistically to the challenges posed by both economic and illegal migrants, with the current economic crisis in Greece further hampering and complicating any efforts made by state officials. Today more than ever a durable solution must be found vis-à-vis the country's migration issues. A migration policy, adjusted to the Greek reality, must be structured on three pillars: *effective border control to stop the influx of illegal migrants, enumeration and management of existing migrants situated in Greece, and effectual integration of migrants into the Greek society.*



Based on the findings so far, a comprehensive pack of prohibitive and precautionary measures for a new national migration policy in Greece must be implemented, which incorporates an integrated policy, aiming to address both economic and illegal migration issues. This new policy must be founded on the following assumptions: with regards to integration²⁶, citizenship should be used as

²⁶ in line with Rebecca Santana's (1998) statement.



a reward for those who have already integrated into Greek society, rather than being used as an impetus for integration. With regards to illegal migration, it should be understood that Greece, primarily because of its location, will continue to be a receiving country or a country of transit, for illegal migrants. Hence, migration, either economic or illegal, will continue to affect national security, and should therefore be treated as a national issue.

In this context, a prerequisite for the successful planning of this new policy would have to be the determination of what constitutes the current acceptable migration absorption limit of the country, taking into consideration the number of permanent and temporary foreign residents, and the extent to which it serves national needs (demographic, economic, etc.) and creates no risk to national interests. In addition, apart from the effective border control and management of the negative impacts of illegal migration, the policy should aim to exploit and enhance the corresponding positive impacts that foreigners have on local communities, such as contribution to local economy and labour market. Finally, since migration is both a national and international phenomenon, state officials should pursue effective cooperation on the matter, with neighbouring states and the EU.

One of the three main pillars of the suggested new migration policy is integration. Most of the economic migrants and several refugees currently situated in Greece are positively being integrated in the Greek society (Ekathimerini, 2013b). Be that as it may, they have been reluctant in applying for citizenship, given that under the current legislative framework such a demand would be time-and-cost consuming with a high probability of a negative outcome. A study conducted in 2004 demonstrated that lower educated (mostly Albanians) were not keen on being integrated, while other migrants with higher education, (mostly Pontic Greeks)²⁷ were keen on becoming Greek citizens (Triantafyllidou & Gropas, 2007). Although it may seem as an issue of minor importance, its relevance becomes perceptible in terms of structuring the legislative framework around the preconditions for granting citizenship to migrants. Hence, the 'Ragoussis Law' could be considered a step in the right direction, but the timing, and the way in which it was presented led to strong reactions from the public and the media, who felt that the Greek nation-state was threatened.

Consequently, the suggested Citizenship Act, which would aim to effectively integrate foreigners into the Greek society should include the following preconditions: A minimum of ten years, instead of the current seven year requirement,

²⁷ According to a qualitative study by Kassimis and Kassimi, Albanians have the lowest level of education and Pontic Greeks (former Soviet citizens) the highest. For further information see Kassimis, C. and Kassimi, C. (2004) 'Greece: A History of Migration', *Migration Information Source Journal*, June 2004.



of legal residence in Greece; a minimum of eight years, instead of five, of legal residence of a child's parents in Greece, required for the child to be granted Greek citizenship; under the same prism, this child will be able to choose its desired citizenship at the age of 18; and finally, any foreigner who has completed nine years, instead of the current six, of attendance in Greek schools, or obtained an offer to join a university, would also be able to choose its citizenship. Finally, due to the specific context of the Greek Constitution²⁸, naturalized foreigners would not be able to participate and vote in local elections.

Furthermore, the foreigner must undergo other processes that would prove his 'genuine bond' with Greece, as well. Thus, the applicant must have a proven knowledge of the Greek language, certified with a state language exam; must have a proven knowledge of the Greek Constitution and the Citizenship Act, certified with a state culture exam; must be loyal to the Greek state; and finally, males must complete the mandatory military service. Even though a few of these measures were stated in previous legislations, they were not fully and effectively implemented, leading the Greek Council, responsible for examining these applications, to deny citizenship to most of these foreigners. State officials must accept that it is necessary to implement all EU directives, while maintaining the unique characteristics of the Greek nation-state.

Apart from those, mostly economic migrants, who seek to be integrated into the Greek society in order to secure a better future for them and their children, there is a large number of, mostly illegal migrants of Muslim origin, who regard Greece as a 'transit country' to Europe, and do not wish to be integrated. Unlike the former, these migrants do not make a positive contribution to local communities and live parasitically in 'ghettos' (Antypas, 2011; AlphaTV, 2013). This segment of the population that chooses not to integrate with the wider community is a possible cause of instability and violence not only for Greece but for Europe as well (Laggari, 2011, p. 24). As aptly assessed by the former U.S. Ambassador in Greece, Daniel V. Speckhard (2011), in a secret U.S. diplomatic report, published in The Guardian, through WikiLeaks 'the large number of migrants entering Greece also poses risks....{since} the teams of Muslim population, currently located in Athens' city center, may be vulnerable to Islamic radicalization, thus creating the necessary conditions for riots'.

Therefore, the measures suggested for addressing this crucial issue of illegal migration could be divided into two main categories: prohibitive and precautionary.

²⁸ According to the Greek Constitution the Nationality law of Greece is based on the principle of *jus sanguinis* (Latin for 'right of blood'), where citizenship is not determined by place of birth but by having one or both parents who are citizens of the state (Kokkali, 2012).



***Prohibitive measures: border and domestic control***

Adamson (2006, p. 180) suggests that 'effective border control requires increased levels of interstate cooperation'. James F. Hollifield (2004) further extends this statement by suggesting that 'international cooperation on migration and border control can be seen as essential to maintaining a state's capacity to regulate population flows, and is therefore a vital component of a state's national security policy'. The recent developments in the Evros region show the effectiveness of coordinated efforts between the HEL.AS., the Border-Guard Force, the Armed Forces and FRONTEX (Carerra & Guild, 2010; Barber, 2011). These measures should be established on an ongoing or permanent basis, and should not be regarded as temporary and opportunistic. The forces should be supported and equipped with the necessary personnel together with modern means of surveillance, control, communications and transport.

However, due to the ongoing operation in Evros, trafficking networks have shifted to the sea route, thereby trafficking migrants into the Greek islands; a factor which indicates that a more coordinated strategy needs to be implemented. A special force which would deal exclusively with illegal migration and its by-products (trafficking of women for prostitution, and the illegal trading of products) needs to be founded. Such a force would be under the jurisdiction of the Ministry of Public Order and would include personnel and equipment from the HEL.AS, the Hellenic Coast Guard, the Border-Guard Force, the Economic Police and the Armed Forces, and would co-operate and train with a better staffed and equipped FRONTEX. Apart from establishing effective border control, this force would also focus on systematic and intensified domestic control, aiming to identify, arrest, and repatriate illegal migrants, along with controlling the residence and movement of lawfully situated, temporary residence permit holders.

Precautionary measures: national cohesion, criminality & labour market

A propos national cohesion and national defence, foreigners arriving in Greece from neighbouring states, be they economic or political migrants, should be regarded as temporary residents, and be dispersed all around the Greek territory, and certainly away from regions where they could be a threat to national cohesion. In the case of illegal migrants, state officials should take measures to prevent the concentration of large national groups in certain regions, such as Athens. The strategy of reception centres, situated all around the Greek territory is certainly a step in the right direction. Finally, over and above the prohibitive measures taken to intercept the entry of illegal migrants, authorities should try



and enhance the feeling of safety to residents in sensitive border areas, such as the Greek-Albanian and Greek-Turkish borders, through better policing.

The public and media discourses on the positive impact of migration in Greece are of crucial importance, in an effort to shift the society's xenophobic perception of migrants (Triantafyllidou & Gropas, 2007, p. 148). In one of Europe's most xenophobic states, the rise of the far-right party 'Golden Dawn', amidst the economic crisis comes as no surprise (HRW, 2012; UNHCR, 2013b). Moreover, severe penalties should be imposed to those seeking to substitute the implementation of the law and the administration of justice towards migrants. After all, Greece is traditionally an emigration country and should, therefore, be more tolerant of migrants.



In general terms, the problem of increased crime caused by foreigners should be dealt through coordinated efforts that aim to strengthen the HELAS force, particularly in the main urban centres, such as Attica and Thessaloniki, and by controlling the sea and land routes used by trafficking networks. The suggested establishment of a special force could be a potential answer to the issue. Furthermore, the penitentiary system needs to be improved with the construction of new high-security prisons. Under the prism of co-operation, state officials should sign more bilateral agreements for prisoner extraditions and enhance current interstate relations for police co-operation in order to control 'imported'



crime. Finally, the Schengen Information System (SIS)²⁹ should be fully exploited, and co-operation with other EU states' law enforcement agencies should become a key characteristic of this new migration policy.

So as to continue the successful policy of legalizing economic migrants who are active in the labour market, through the issue of 'white' and 'green' cards, state officials should update the preconditions of the law, taking into account that job vacancies, due to the economic turmoil, are now very limited. In this context, the authorities should properly assess the current acceptable migration absorption limit of the country, in relation to the workforce, taking into account the number of existing temporary workers. Apart from this quantitative assessment, a qualitative assessment is also needed, in order to define the criteria for allocating job vacancies in the labour market. Prior to the economic crisis, there was a large demand for unskilled workers, such as builders; however, this demand has now dramatically decreased. Hence, the legislative framework should clearly state that only skilled workers are eligible for a 'white' and possibly a 'green' card at a later date.

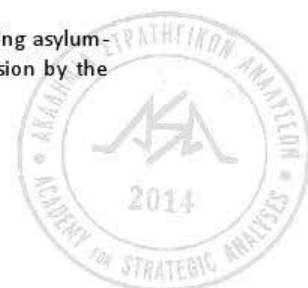
From Bilateral Relations and Agreements to Recommendations

The need for cooperation, in an effort to address the issue of illegal migration, is central to public and academic discourse all around Europe. Hence, state officials must focus their efforts on the signing and implementation of bilateral agreements with Greece's neighbouring states, primarily with Turkey. The latter should take all the necessary measures in order to prevent illegal migrants from crossing its borders into Greece. According to the FRONTEX Annual Risk Analysis on migration in 2012, the Eastern Mediterranean Route³⁰ 'is currently and very likely to remain one of the areas with the highest number of detections of illegal border-crossings along the external borders of Europe' (FRONTEX, 2012, p. 4). The same report regards Turkey as a centre for trafficking migrants into the EU via Greece, and suggests that the difficulties³¹ in implementing the return

²⁹ The SIS is the largest shared database on maintaining public security, support police and judicial co-operation and managing external border control. For further information see SIRENE-Schengen information system at <[http://www.consilium.europa.eu/policies/council-configurations/justice-et-affaires-interieures-\(jai\)/sirene-schengen-information-system.aspx?lang=en/](http://www.consilium.europa.eu/policies/council-configurations/justice-et-affaires-interieures-(jai)/sirene-schengen-information-system.aspx?lang=en/)> , accessed at 12/08/2013

³⁰ Term taken from the 'FRONTEX Annual Risk Analysis 2012' to describe the land and sea borders between Greece and Turkey. For further information see FRONTEX (2012)

³¹ As stated in the Migration Policy Group Report (2011) "only 10% of irregular migrants (including asylum-seekers) apprehended in Greece after crossing over from Turkey are accepted for readmission by the Turkish authorities".



agreement between the EU and Turkey³² is a major drawback for the EUs' migration policy (FRONTEX, 2012, p. 13)³³.

Furthermore, under the prism of cooperation and burden-sharing, the 'Dublin II Regulation' should be amended, so that asylum applications could be examined by a central EU agency. It is not practical on the one hand, for EU states to follow the same legal framework set by the 'Dublin II Regulation', while on the other, the final decision about the application itself, continues to lie in the jurisdiction of the state. The suggested EU agency would have offices in every EU state and would examine all asylum applications using a common framework. Even if such a scheme is not feasible, it would be useful if asylum applications were not required to be examined in the first point of entry, but could rather be distributed to other EU member states as well. If such a proposal was to be adopted, the period required for an application to be examined would dramatically decrease, and migrants would be able to escape the limbo of an 'asylum seeker' that currently pervades for years.

Hence, Greece's migration policy needs to be reconsidered to address the social and economic challenges of migration (Triantafyllidou & Gropas, 2007, p. 151). In this context, a new national migration policy summarized in Table 2, aims to manage efficiently, both economic and illegal migrants already situated in the state, and tackle vast migration flows through the effective control of the borders. These reforms are proposed in order to generate a public dialogue, not only in Greece, but throughout the European Union, around a more effective and comprehensive legal framework on migration. Migration is a problem that not only affects Greece, but the entire European continent. As the former French Prime Minister Nicola Sarkozy aptly stated 'We have the euro, we have reformed the European economy; we would like to see the same thing done to Schengen' (BBC, 2011).

³² Turkey and the EU have recently signed a re-admission agreement on 16th December in return for launching visa liberalisation talks for Turkish citizens. As a result, in principal Turkey has agreed to accept migrants who illegally entered into EU territories via Turkey.

³³ Similar agreements should also be signed with Albania, FYROM and Bulgaria.



CONCLUDING REMARKS

More than twenty years after the sudden swell of migration flows in Greece, the country still strives to accept its role as a host society. As Kasimis (Kasimis, 2012) suggests, state officials have not managed to design effective and applicable policies that will be able to efficiently deal with the problem of unauthorized migrants in Greece, as well to control and manage the entry of skilled migrants, which the country needs to attract. Recently, policy-makers, the public and the media are increasingly linking migration to national security. The perception that the vast influx of migrants has contributed to the on-going economic crisis has led society to perceive migrants as a threat. The impressive rise of the far-right political party 'Golden Dawn', whose main policy is the expulsion of migrants from Greece, confirms this statement.

It could be argued that the ethnologic and demographic character of the Greek nation-state is threatened by foreigners, who currently constitute approximately 12 to 15 per cent of the total population. Increased rates of criminal offenses conducted by foreigners pose challenges to public order and security and the penitentiary system, contributing to increased levels of xenophobia and racism amongst the Greek society. In addition, regarding national defence, the MAG could be evolved into a strong domestic cell of potential terrorist threat. Finally, in terms of the impact of migration in the Greek economy and labour market, it became evident that Adamson's (2006, p. 185) view that 'migration flows do not always harm states', is well founded.

In this context, the paper has attempted to identify the shortcomings of Greek migration policy, and suggest potential reforms that could be adopted by policy-makers. So as to establish a theoretical framework for this analysis, the paper reviewed the existing literature on migration and its impact on security. It comes as no surprise that, after the events of 9/11, migration has become a key component in discussions, both with academics and policy-makers. In an effort to define what constitutes a migrant, the paper looked at the varying definitions of the term, and examined the concept of national security. The pre-determination of these concepts was mandatory in order to establish the links between migration and national security. This analysis is significant for understanding the political dynamics and the decision-making process surrounding migration and national security. Finally, with the presentation of a comprehensive pack of prohibitive and precautionary measures, the paper attempted to treager a broader discussion on the matter.



Unfortunately, Greece has found itself at the sharp end of Europe's illegal migration problem and despite its best intentions and efforts to deal with this challenge, it requires the EU to make a concerted effort and to provide significant assistance. Even though, it is now Brussels' turn to rise up to the challenge, the indication is that Greece is likely to remain self-reliant on the front line of the EU's illegal migration problem for some time.



Table 1: Major Migration Policy Developments in Greece

Year	Major developments in Greece
1991	Law N.1975/1991 – granting full responsibility for managing the status and rights of aliens to the Ministry of Public Order, principally aimed at immigration control
1996	Law N. 2452/1996 – Law on Refugees entailing a complete revision of procedural conditions for granting asylum presenting Greece as a 'safe third reception country'
1997	Presidential Degrees 358/1997, 359/1997 – defining procedures for the issue of temporary and permanent residence permits (white and green card)
1999	Presidential Degree 61/1999 –extending time limits on the procedural stages for the examination of asylum claims and the exercise of appeals against negative administrative decisions and the creation and appointment of a six-member administrative appeals board for review of cases of rejected asylum seekers
2001	Law N. 2910/2001 - Second Basic Greek Law on aliens passed on the responsibility for dealing with immigration issues to the Ministry of Internal Affairs
2003	Signing of Dublin II Regulation
2005	Law N. 3386/2005 – simplified the 2001 regularization programme and incorporated relevant EU directives
2007	Law N. 3536/2007 - further simplified the regularization process and extended the submission period of required documents
2010	Law N. 3838/2010 - granted birth-right citizenship to children of migrant parents and voting rights to local elections
2011	Law N. 3907/2011 – Practical measures to tackle the problem. Launch of Operation 'Xenios Zeus'



**Table 2: Greece's New Migration Policy**

Categories of migrants	Fields of national security	Measures	Recommendations
Economic	National-Social Cohesion	Adopt and apply an integration policy, adjusted to fit the Greek reality and respect the nation-state character of Greece	Through the amendment of the 'Ragoussis' Law
Illegal	National Cohesion, National Defence	Shielding of the land and sea borders, in cooperation with FRONTEX, the Hellenic Coast Guard, and the assistance of the Armed Forces, along with the support from local communities, if necessary, using modern technological tools	Through the creation of a special force that would deal exclusively with illegal migration
Economic-Illegal	Public Order, Economy	Immediate recording of migrants currently situated in Greece, in order to plan and apply realistic and effective measures based on updated data	Official statistics must be provided as soon as possible by EL.STAT.
Illegal-Asylum seekers	Public Order	Rapid construction of the remaining reception/ detention centres, dispersed all around the Greek territory, in cooperation with local authorities and communities	
Illegal	Public Order, Economy	Enforcement of stricter sanctions and zero tolerance to corrupted government officials and trafficking networks, along with relentless persecution of their by-products	Through the creation of a special force that would deal exclusively with illegal migration
Asylum seekers	Public Order, Social Cohesion, Economy	Immediate amendment of the 'Dublin II Regulation', either: -with the creation of a common EU asylum agency, that would have the exclusive responsibility to examine all asylum applications submitted in any	



		<p>EU state or;</p> <p>-under the concept of burden-sharing, cancellation of the precondition that asylum applications are bound to be examined in the first state physically entered by the migrant, so they could be distributed to other EU member states.</p>	
Illegal	Public Order, National Defence	Signing of substantial bilateral agreements with neighbouring countries for joint efforts to confront illegal migration	Especially in the case of Turkey, the state's EU accession procedures may be used as leverage for the implementation of signed agreements



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