

APOSTOLOS KAPSALIS

CRISIS, MIGRATION AND LABOUR IN GREECE

**CHALLENGES,
CONTRADICTIONS
AND MANAGEMENT
AMID PRECARIETY
AND A FRAGILE
SOCIAL EQUILIBRIUM**



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JANUARY 2020

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Introduction

Greece has been the subject of global interest for the last decade. Reports on the country often appear on the front pages of renowned daily newspapers, both inside and outside Europe, or feature in the news headlines on television and radio. These reports may concern the *economic* and *humanitarian crisis* of the country as a consequence of the global economic recession or the so-called *refugee crisis* and the mass inflow of foreign citizens mainly to the country's islands.

A small country has become known around the world for its accumulated problems as well as its defiance and contradictions. In late 2018, googling the term “economic crisis Greece” would produce more than 15 million hits within seconds while a search on the “migration” or “refugee crisis” in the country sum yielded almost four million results.

However, a basic triple question needs to be answered (Chapter 1): First, are the massive inflows that have taken place mainly through the country's sea borders in the last four years solely of a refugee nature? Second, are the intensity and character of such inflows capable of forming conditions of crisis at the social and economic levels? And, third, what is the connection of such phenomena to the general economic crisis that has been raging in Greece for a decade?

At the same time, it is crucially important to investigate the mobility trends and the forms they have acquired over time and space in the Greek case. Avoiding the methodological error of a static or photographic depiction of cross-border movements, an evolutionary examination of migration flows in the long term is doubly beneficial: On the one hand, it contradicts widespread myths regarding the fate of migrating populations in periods of crisis and, on the other, facilitates the preparation of the country in view of future, if not imminent, international challenges (Chapter 2).

It is true that the defenders of migrant rights in Greece have always linked their claims to statistical data and the qualitative characteristics of the employment of the foreign labour force. The findings of official and independent academic studies on the subject refute almost all the arguments of so-called “economic racism”, on which the attempts of xenophobic and nationalist political groups to secure a social footing are based. The examination of both the characteristics of employment and the impact of migrants’ work before and during the economic crisis is vital in order to fully comprehend the migration phenomenon in its totality (Chapter 3).

Finally, an in-depth examination is undertaken in Chapter 4 on the essence of national policies for migration and migrant employment, based on the conclusions drawn in the previous chapters. As particular and rather unique the migration history in Greece may be, the efforts of the competent authorities to regulate the phenomenon may not be as genuine as they may seem as they do not always reflect the particularities of the situation. Over the years, rather, the Greek migration management model has complied with the spirit of general social policy making and has, in fact, been based on multiple forms of discriminatory treatment. Nevertheless, it is for those reasons that the specific model remains vulnerable to adverse or unexpected financial and political developments, as happened precisely at the end of the 2000s with the emergence and impact of the recession and crisis.

1 Recession and mobility: a crisis within a crisis?

1.1 ► REFUGEE OR MIGRATION FLOWS?

The history of migration in Greece is primarily summarised in one cliché: A traditional country of economic emigration was suddenly transformed in the early 1990s into a country of economic immigration, whereas in the last three years it has seen strong migration flows on top of that. The events that triggered such inflows are reported to be the collapse of the regimes in Eastern Europe in the late 1980s, and the resurgence of armed conflicts in Asian and African countries in the current decade.

However, even though such oversimplified and stereotypical models often surface in the effort to comprehend cross-border movements, they do not contribute to the comprehensive understanding of contemporary challenges. As regards Greece, it is clear that the populations that have been entering Greece since the end of the 1980s from neighbouring European, and mainly Balkan, countries constitute mixed migration flows, in the sense that it is difficult to discern the boundaries between *economic* and *non-economic* pull and push factors for the country of origin and the country of settlement, respectively.

The strong ancient social and cultural bonds and the often close ties of kinship, the small geographical distances and easy access through (land) borders make Greece a country of first choice. Violent political developments, unemployment and poverty make up a mix of push factors in the mind of hundreds of thousands of young people from Albania, Bulgaria and Romania. After decades of restrictions and imposed immobility, many of them opted not

to seek a solution to the economic and social challenges of the new era in their country but to experience the exciting journey of discovery of an unexplored world that lies beyond.

Twenty or thirty years ago, the frequent disjunction between terms such as *migrants* and *economic migrants* or *refugees* in everyday discourse indicated the perception of the phenomenon in all its complexity. Something similar is happening today as well, although the need to increase protection for displaced populations would dictate the avoidance of the term “*migration*”. This is so because the vast majority (94%) of such populations come from countries that are referred to as the main sources of refugee flows, that is, Syria, Afghanistan, Iraq, Pakistan and Iran.

However, for example, an opinion from the Economic and Social Council of Greece (2016) entitled “Human flows in Greece: aspects and consequences of the refugee and migration issue”, as well as many other political and scholarly texts, has gradually established the viewpoint that it is rather preferable to talk about *transnational movements of a humanitarian nature*. Hence, it is generally accepted that it is extremely difficult to make a distinction, in the narrow sense of the term, between refugees and economic migrants, considering that the populations displaced due to humanitarian crises are mixed as is the (legal) verification of the actual cause of precarious mobility. In support of this viewpoint, three elements should be mentioned.

First, a large number (perhaps two-thirds) of the people who entered Greece in the last four years have not applied for asylum. In 2015, 98.5% of them decided not to submit a relevant application. In addition, in relevant research conducted in the Attica region, a significant number of foreign nationals (as high as 65%) stated that they would not apply for asylum, even if they were permanently confined to the country. Second, from 2006 to 2015,

half of the approximately 180,000 deportations from Greece concerned citizens of Albania, a state that is not among those warring countries that have supplied Europe with new humanitarian flows.

Third, this specific country, from where the large majority (seven out of ten) of “economic” migrants to Greece has originated over the years, still suffers from a population haemorrhage to other European countries due to its weak economy, extensive corruption and armed clashes (mainly in the north). In the four years from 2014 to 2017, the total of 180,000 Albanian citizens who applied for asylum in other European countries (30,000 in Germany in 2015 alone) have invoked, in relevant research, unemployment, the lack of health facilities and general economic and social reasons as the basis of their decision to become “refugees”.

In the long history of cross-border population movement in the area, Greece is once again undergoing another *phase*, either as a destination or an intermediate country. The complexity of such flows finally proves that the choice to either adopt or avoid a refugee-centred policy is a false dilemma. Of course, this would not justify disregarding the consequences that any of the strategies would have for the life of those who are entitled to asylum protection and for whom it is not legally necessary to originate exclusively from warzones, but it is sufficient to substantiate an *individual risk of persecution*. On the contrary, it is clear that in practice new forms and types of mobility will continue to arise, presenting new challenges and bringing to light yearlong pathologies in the fair treatment of migration in Greece as well.

1.2 ► A MIGRATION CRISIS SITUATION?

Undoubtedly, the statistics concerning contemporary humanitarian movements to Greece and Europe are staggering. Frontex data

shows that from 2007 to 2015 three million people entered the EU unlawfully, of which 58.4% or 1.8 million passed through Greece. From 2015 to 2018 alone, the number of foreign citizens who entered the EU was almost 2 million.

Based on the same sources, it is estimated that during 2015 the total number of third-country nationals who entered the EU exceeded one million, whereas based on UNHCR data the total number of entrants to Greece amounted to 856,723 persons. More than half of those people arrived in Lesbos, whereas other main points of entry were Chios, Samos, Kos, Leros, Agathonisi and Kastelorizo.

Of them, by the end of 2018 little more than 52,000 had applied for asylum, of which 35,000 live on the Greek mainland and the rest on the islands, whereas another 30,000 foreign nationals have been identified as refugees. Based on the most dominant scenario provided by demographic forecasts, from the recent migratory flow the total number of persons who will permanently settle in the country shall not exceed 100,000 in the coming years. In addition, they are expected to spread proportionally throughout the country.

Compared to a total of 1 to 1.2 million foreigners who have settled permanently in Greece over the years, already from the mid-1990s, the tens of thousands of recently arrived people cannot be considered to constitute a migration crisis. Besides, according to a certain viewpoint,¹ the country's total immigrant population has declined as a result of the economic crisis since 2009–2010, due to the high unemployment rates (also) among migrants.

However, apart from the limited number of new settlements, the particular social and political characteristics of Greece as a host

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1. See Chapter 2.

country for migrants have so far deterred the transformation of occasionally abrupt *crises or outbreaks of migratory flows* into a *migratory crisis*, in the sense of barely manageable and explosive new conditions for society and the political system. Apart from the positive impact of migration on the economy and employment (see Chapter 3), this is also due to specific factors, which may be summarised as follows:

First, the issue of migration has always been *underpoliticised* in the contemporary history of Greece. At no point in the 30-year period from 1989 to 2018 did the migration *issue* develop into a social *problem*; in other words, it has never become a dominant, major or central political and preelectoral matter of contention. In addition, it is very difficult for the views and initiatives of all conventional – governmental and parliamentary in general – parties to be accurately distinguished by political scientists along a *left-right* ideological axis.

Second, there is the basically harmonious – and sometimes even friendly – terms of coexistence of indigenous and foreign citizens. Such bonds are largely due to the *spatial invisibility* that characterises the residence, business activities and exercise of religious duties in the urban fabric and, consequently, to the absence of ghettoisation and geographical marginalisation. This is so despite the attempts by the extreme right to exploit the general social problems in neglected areas of large cities, where a large number of migrants live, in its desire to find a strategic exit from its decades-long political isolation.

Third – and consequently – the extreme right has failed to monopolise the issue of migration, which would in fact serve as a tool to increase its social influence. All relevant studies rather contradict the simplistic interpretation, based on the interpretative triptych “economic crisis–migration–rise of the extreme right”, that

xenophobic and neo-Nazi political formations are the result of a backlash against migration. As in other countries, in Greece the said scheme needs be reviewed within the context of a general contempt for democratic functions, for the political system and established liberal values across Europe.

The situation indeed differs on the islands of first entry, if only trivially. The great crisis relating to the provision of decent accommodation to large numbers of people in reception and identification centres (hot spots) is ongoing and consistent despite the general reduction in humanitarian flows. However, the attempted exploitation of the justified concerns on the part of local populations by marginal xenophobic forces for public-relations purposes has never taken the form of a general reaction among the inhabitants or business circles, not even amid the summer tourism season. In any case, the solidarity and humanity for which the inhabitants of Lesbos were nominated for the Nobel Peace Prize would overshadow any other approach in the media or in the real everyday life on those islands.



1.3. ► ONE MORE THORN IN THE SIDE OF A DEEPLY WOUNDED COUNTRY?

It is true that already since the beginning of 2015 the EU has been focusing on the prevention of the current humanitarian migration phenomenon rather than on policies to extend asylum or social inclusion to displaced populations. The decision to obstruct the “Balkan corridor” from Greece to the north was initially interpreted as a lack of solidarity towards a member state that has been called upon to face a large part of the consequences of an international humanitarian crisis, amid conditions of a deep national economic and humanitarian crisis.

With the prospects for the relocation of asylum seekers to other member states blocked, mainly for political reasons, the prevalent feeling in Greece is that an additional “migration memorandum” has been *de facto imposed* by the partners, based on a double interpretation. First, it is believed that the lenders assess the conduct of Greece as regards the application of the third memorandum (signed in August 2015) in relation to its “performance” in the migration issue, since the management of the latter has the characteristics of regular supervision. Second, there have been strong concerns regarding the significant economic demands posed by the reception, identification and hospitality provided to new entrants, in conditions of economic misery and capital controls.

Finally, the solution to this deadlock was apparently the EU-Turkey agreement, which was concluded in March 2016, according to which all persons who illegally enter Greece from Turkey shall return to the latter, whereas for each Syrian citizen subjected to this procedure, another one shall be relocated within the EU. The immediate application of the agreement, the Evros fence and the strengthening and upgrading of the intervention of Frontex, all of which constitute efficient measures in the imposition of a “closed

border” policy, have had an immediate double result: On the one hand, the immediate reduction of migration pressure on Greece and, on the other, the dramatic increase in dead migrants on its borders. Whereas the journey to Europe now takes place through new, more expensive and dangerous routes, Greece has the possibility to focus on policies regarding migration flow management as well as on the registration and housing of newly arrived citizens.

At this level, branches of international organisations or small non-governmental organisations in Greece that had mostly social movement-like characteristics over the years have drastically turned into central management bodies of the “migration issue”, hiring thousands of employees. Such frontline structures act in direct cooperation with the competent Ministry of Migration Policy and have increased resources, totalling several billions from European budgets or other international funding instruments, for the housing, education and social inclusion of refugees. New jobs in such structures are open to social scientists and the specialist unemployed indigenous labour force in general, even though their employment terms and conditions are often insecure and exploitative, leading to collective labour reactions and strikes.

In summary, Greece seems to have avoided the risk of another social-humanitarian crisis with a migration-related background, initially in a spirit of respect for the human rights of asylum seekers but, at the same time, with a mix of options that include, on the one hand, the adoption of a migrant-centred reading of the new reality and, on the other, a strategy of “zero migration”, this time though pursued with the support of the international community. Such a development is integrated in a general context of the stabilisation of the economy and deescalation of the unemployment situation in the country, elements that form a general social conviction that the hard part relating to the economic and “migration” crisis is likely to be over.

2 Causes and forms of mobility over time

2.1 ► POINTS AND EVENTS TRIGGERING MIGRATION FLOWS

As already mentioned (Chapter 1), there are several reasons why the case of Greece as a reception country for migrants cannot be easily included in a classic typology of economic migration between the centre and the periphery, at least in comparison to corresponding migrations that took place from the south to the north of Europe in the middle of the last century. This argument is also strengthened by the examination of the events that usually trigger migration flows, in connection to the general characteristics of the periods within which they evolve.

First, it should be clarified that, as all the available data and research shows, most migrants settled in Greece from 1989/1990 to no later than 1995. The same conclusion may be reached from an examination of the official record on the other side of the border. For example, from 1991 to 1995 a fifth of the Albanian population (approximately 400,000 people) emigrated, 90% of them to Greece.

In that first phase of migration, all the prospects for integration in Greece were unfavourable because the conditions that existed were not factors of attraction for (economic) migrants. In fact, the opposite was the case. Greece was undergoing an economic crisis, resulting in the increase in unemployment and the deregulation of the labour market, due to the adoption of austerity measures within the framework of a neoliberal economic policy. At the same time, amid a climate of increased nationalistic hysteria and racist

violence triggered by the constitutional name of the neighbouring country (FYROM, hence North Macedonia), the general xenophobic climate was also strengthened by the media's broadcasting of images of mass deportations of migrants and police "crackdowns" across Greece.

These conditions had significantly eased by the middle of the decade: already in 1997 Greece showed signs of economic recovery, took over the organisation of the 2004 Olympics while, in the following year, an initiative was implemented for the first time to register and "legalise" irregular migrants. The demand for foreign labour increased dramatically, whereas the social climate for the reception of migrants thus improved significantly. At the same time, the main countries of origin experienced new internal crises: a bank crisis in Albania, with the unemployment remaining above 20%, and a general economic crisis in Bulgaria, which was felt stronger in the north of the country. In addition, family and friend networks had been established in the reception country, which could guarantee the continuation of migration and, most importantly, provide safer movement, settlement and employment for more citizens coming from the two aforementioned countries.

Nevertheless, from the mid-1990s onwards, migration flows tended to slow down, particularly from the neighbouring Balkan countries of origin. The slight increase in the number of Asian migrants was both due to the improvement in the economic conditions in Greece and the continuation of the humanitarian crises in countries such as Pakistan, Bangladesh and Afghanistan. More specifically, the total migrant population initially stabilised and then rather tended to shrink.

Indeed, despite the continuous improvement of all the country's financial indexes, as experienced in the "golden" decade of development in the 2000s, migration followed the exact opposite

course. Eurostat estimates that the evolution of the immigrant population as a percentage of the total showed a marginal reduction of 0.4% from 2004 to 2005. The 2011 census, as well as independent demographic studies, confirmed that the total number of foreign nationals in Greece had increased by some tens of thousands since 2001. That, however, was due to births to permanently settled third-country nationals and was not a result of new entries.

When the signs of the global financial recession emerged in the real Greek economy in 2010, the initial assumption in everyday discourse and, to a lesser extent, in scientific research was that the country would see a mass return of migrants to their countries of origin. However, when the massive inflow of migrants is not directly linked to economic and social growth indexes, it is unlikely that an opposite course (outflow of migrants) will occur in periods of recession and hardship. Besides, the Greek migration case does not always follow the standard typology of permanent settlement–final repatriation. This particularity requires special attention and analysis prior to the examination of scenarios regarding the present and future of migration in Greece.

2.2 ► FORMS OF MOBILITY OVER TIME: FROM PERMANENT SETTLEMENT TO CROSS-BORDER MOBILITY

The very small number of settled citizens after the recent humanitarian flows of the last four years, despite the millions of persons entering Europe through Greece, confirms the viewpoint that many migrants primarily consider Greece to be a country of transit. In addition, *settlement* and *repatriation* have for many years proved to be rather relevant concepts in the Greek case, mainly due to the geographical and social/cultural particularities of its relationship with the main countries of origin of these migrants.

Indeed, contemporary migration is not completely characterised by stability over space and time. From the relevant literature and, to a lesser extent, official statistical data, it is clear that the permanent transnational mobility of the people who have settled in Greece within the framework of (informal) *cyclical* or *seasonal* migration routes from and to their countries of origin has been very persistent. Obviously, this phenomenon is more often observed in migrants from nearby or neighbouring countries, as the large majority of migrants to Greece are.

Periodical migration and long-term intense back-and-forth movement have become a structural characteristic of the Greek migration experience, significantly differentiating Greece from all other southern European countries of reception. In this way, on the one hand, the psychological and familial pressure for a definite return is mitigated by the possibility of frequent and low-cost visits and, on the other, the financial consequences of prolonged or shorter periods of unemployment in Greece are limited.

Such regular or frequent “comings and goings” on both sides of the border are a fundamental chapter of the migration story between Greece, on the one hand, and Albania, Bulgaria, Romania and other European countries, on the other. Many migrants ultimately manage to live between two countries, without it always being apparent which of the two is actually the country of usual or permanent residence.

As regards Albanian migrants, the available research shows that from 1997 to 2001 more than half migrated more than once, mainly to Greece and, secondarily, to Italy. Out of all Albanians who returned from Greece in the middle of the last decade, one in three stated that they migrated to Greece more than once previously and over half said that they intended to do so again in the near future, if the need arose.

In addition, similar phenomena can be observed in the case of Bulgarian migrants, whereas many of those who have returned to their country wish to make the opposite trip again, whenever it is needed. According to a certain perspective in the literature, those Balkan migrants who work in Greece's border regions (Epirus, Ionian Islands, Macedonia, Thrace, etc.) rather constitute a cross-border migration community that lives and works on both sides of the border permanently.

This practice of *intermobility* has been enhanced over the years by legislative interventions that legally facilitated it. These undoubtedly include the abolition of the visa requirement for Albanian citizens to Greece in 2010 and the waiver of the restriction on the settlement of Bulgarian and Romanian citizens for employment in Greece a year before that (2009), that is, two years after their respective countries joined the EU (2007).

Generally, at a European level, and particularly in the receiving countries in the south, over the years the phenomenon of periodic migration has been observed, which is characterised by *two-way migration*, particularly when the capacity of the member state in question permits it. Within this framework, it is rare for a person to relocate to a country for good, but, on the contrary, people initially travel with the intention of remaining for short periods of time and of "returning" frequently to their country of origin or the country of destination, respectively.

Such choices amid conditions of economic crisis are in principle integrated in an individual strategy to address the adverse consequences on labour and income, particularly when the professional and, in rare cases, geographical mobility inside the reception country are not feasible or do not yield the expected positive results.

2.3 ► THE PRESENT AND FUTURE OF MIGRATION IN GREECE

In the history of humanity, migrations are accompanied by certain myths that are often contradicted in reality, mainly because they are founded on assumptions and not on deep, long-term studies. One such myth, seen rather as a desire or a wish than as a result of thorough observation, concerns the fate of migration within the framework of recession and crisis. According to the relevant narrative, the invisible hand of the market will also automatically regulate the issue of the surplus labour force, since high unemployment among migrants (or even Greeks as well?) will force a large part of them to leave Greece.

However, as thoroughly analysed in Chapter 3, since 2013 the unemployment of migrants – mainly among men – actually fell at a rate that is equivalent (if not faster) than the rate of decline in unemployment among Greek workers. Thus, as mentioned above, *departure*, *return* or *resettlement* must be examined from the perspective of the geographical proximity of the country of origin of the various migration groups, so that such terms can be seen in their conceptual and a statistical context.

In order for certain forecasts to be made for the future of migration in Greece, it must be mentioned that until the end of 2000, despite their high rate of integration in the Greek labour market, the majority of immigrants never intended to take up permanent residence. This is surprisingly the case, despite the fact that, first, Greece has always been by far (90%) the first choice of destination and, second, that most migrants entered Greek territory for the first time approximately 20 years ago. Obviously, the strongest tendency towards permanent residence can be observed among migrants who, on the one hand, have stayed in the country for longer and who, on the other, stay with their families and, more specifically, have given birth to their children in Greece.

Apart from the alternative of cross-border mobility for part of the migration populations of Greece, it is the case for all migrants that certain factors mitigate, if not rule out altogether, any thoughts for a definite – or, at least, for not a wholly temporary – return to their countries of origin. One of them is the persistence, if not the deterioration, of conditions in the labour market and economy in such countries. It is clear that the economic recession has not only affected Greece but the migrants' countries of origin as well, to which a massive return of hundreds of thousands of emigrants would add serious problems.

Another difficulty concerns the insecurity of the residence status, since for the holders of short-term permits, prolonged periods outside the country (indicatively, of more than two months) would result in a definite lapsing of their residence status. This applies to all countries receiving migrants, though mostly for Greece at the heart of the crisis (2011-2012). Specifically, the OECD estimates that analyses of the massive departure of migrants are nothing more than speculations on a phenomenon that has, indeed, increased, though very moderately. Official Albanian statistical data and academic studies absolutely confirm the scenario of a small but temporary increase in the tendency of return to the country.

In particular, approximately 135,000 Albanians repatriated from 2009 to 2013, more than two-thirds of whom from Greece. Upon return, they retained their mobility dynamic. Many of the repatriates moved extensively within Albania and at least one in three stated they were ready to return immediately to Greece. However, no recent data exists on the number of those who did return or those who ultimately chose to live between the two countries. A similar picture is also provided by the other two neighbouring EU countries, namely Romania and, particularly, Bulgaria.

A third major reason for the putting off or reversing of the decision to return is the existence of strong social bonds in Greece. A large number of migrants have family in the country, including children attending all levels of education, and it is not unusual for them to own their own home. For the second-generation migrants born in Greece, the parents' proposal to return is actually seen as emigration to a country that is almost unknown or foreign to them. For these reasons, we should treat with caution the argument that the outflow of migrants' deposits from Greek banks confirms that there has been a mass exodus from the country on their part.

A very possible explanation for such phenomenon is that the crisis and unemployment have reduced the savings of migrants as these were used to cover everyday family living costs in Greece, just as was the case with Greek households. In addition, uncertainty regarding the banks, due to the risk of a haircut on deposits or of Greece's exit from the Eurozone (until 2015), ultimately led migrants to place more trust in the banks in their countries of origin, which could also in part explain the increase in money transfers to those countries.

In summary, while some thousands of long-term established migrants have returned to their countries of origin permanently or temporarily over the last eight years, a significant part of them comes and goes between their two homelands. At the same time, an almost equal number of newly arrived migrants and refugees is permanently settled in the country, regardless of whether they have formally acquired asylum protection or not. Economic, professional, geographic and family factors sometimes impose immobility on Greece, which contributes to further (professional and internal geographical) *mobility* or simply the consolidation of continual *cross-border movements*. For precisely the same reasons, hundreds of thousands of Greeks, mainly highly qualified young

people, have taken the road to emigration, often not for long periods of time.

Greece has also been a country in motion during the economic crisis, like the migrants' countries of origin. In such a volatile environment, any forecast on the future of migration is bound to be unreliable, both as regards countries east and north of the border. New versions of mobility are likely to appear as future crises arise.

For the time being, according to a very sound observation, another paradox of the migration reality in the crisis environment in Greece is the fact that "those who want to stay are forced to leave and those who want to leave stay". The national institutional framework on migration includes diverse regulations that contribute to containment and immobility rather than the recognition the inherent dynamics of contemporary migration.

3 Economic crisis and migrant labour

3.1 ► EMPLOYMENT

As in all countries, in Greece migrant populations experience the consequences of the economic recession and crisis more intensely in the labour market. This phenomenon may be attributed, on the one hand, to the fact that the majority of employed migrants are salaried workers and, on the other, to the tendency to dismiss migrants rather than indigenous workers in such periods. It has become clear over the years that the share of salaried workers among migrant employees (nine out of ten) is generally higher than that of Greeks (six out of ten).

An indication of migrants' shift to individual entrepreneurship in the face of unemployment and under-employment is provided by the fact that the total rate of those who work as employers or self-employed increased from 7.1% in 2008 to 11.2% in 2015, only to fall to 9.8% in 2018. At the same time, the proportion of migrants among the total of salaried workers in the country has fallen significantly, from 13.3% in 2009 to just 7% in 2018.

It should be noted, however, that the employment rate of migrants has been hit the hardest. Before the crisis, the employment rate among them was not only very high, but it was much higher than that of the indigenous population. More specifically, as regards male migrants, whereas their employment rate was among the highest in Europe in 2008 (88%, as opposed to 76% for Greeks) it dropped to 55% in 2013 only to slightly recover to 69% in 2018. For both male and female migrants in general, the employment situation has improved significantly since 2014, as the corresponding rates remain higher than those of the indigenous, which was the case for almost all of the previous decade.

Another explanation for the fall in the employment of migrants during the crisis is the general shrinking of activity in the economic sectors in which they are mainly engaged in Greece. It is important to underline that only a very small number of sectors and professions employed migrants in Greece over the years.

In particular, the vast majority of migrants (75%) is employed in low-skilled manual positions and in four sectors of economic activity, with no significant difference for second-generation migrants: construction, manufacturing, hospitality and private households. From 1990 to 2010, one in every two men was employed in construction and two in ten in manufacturing, whereas women had the same rates in private households and manufacturing, respectively. The strong sectoral concentration differs only in the case of young woman with a migrant background who have completed their basic education in Greece: 27% of them are employed in the hospitality sector and only 20% as private domestics.

In fact, in the two sectors with the highest employment rates for migrants, the share of migrant workers among the total has always been particularly high for both sexes. In construction, male migrants accounted for 32% of all workers, whereas three in four private domestics were female migrants.

Since 2009, this situation has changed considerably, especially as construction and manufacturing have been directly and very strongly affected by the economic recession. Household disposable income has shrunk dramatically, which makes it difficult to employ people to take care of children, older people and the sick. Thus, the share of migrants of both sexes in their main sectors of employment has been affected as well. Although little in terms of research or studies exists on the interprofessional mobility of migrants in response to the challenges of the crisis, the general trends are clear.

From 2008 to 2018, the employment rate for all migrants in the primary sector almost tripled from 4.8% to 11.7% (reaching 14.6% in 2016) and doubled in the restaurant-tourism sector, from 9.7% to 23.7%. The same may be observed on the basis of gender, whereas the employment rate of men in construction and of women in private households has fallen by half. In those two sectors, thus, only one in every five male workers (from one in three) is a migrant, whereas among private domestics female migrants account for only 54.7% (down from 75%) of the total employment in the sector.

3.2 ► UNEMPLOYMENT

In the good days, and mainly in the 2000s, the remarkable integration rate of migrants in the Greek labour market, as is confirmed by and can be interpreted from an analysis of their sectoral concentration, is even more striking if the unemployment situation of the specific population group is considered. Obviously, the basic cause of this situation is nothing more than the willingness of the latter to undertake the infamous “3D jobs” (dirty, dangerous, demeaning) in sectors and areas that indigenous workers, particularly those younger in age, have traditionally avoided.

However, the Greek example has differed from that of other migrant reception countries of the last 30 years, be they in southern or northern Europe. In particular, the unemployment of migrants from 2001 to 2008 is defined by two main characteristics when compared to the respective figures for Greeks, both male and female.

First, the pace and extent of the decline in migrant unemployment is stronger, from 11.4% to 6.4% (compared to 10.4% to 7.4% for Greek nationals). Among male migrants, the corresponding rate from 2001 to 2008 dropped from 7.5% to only 3.6% (com-

pared to 4.8% for Greek males) and among women migrants from 17.9% to 11.6% (compared to 11% for Greek women).

Second, the unemployment rate of migrants in general has always been lower than that of Greeks, with the exception of women migrants, where it is usually slightly higher than that of their Greek counterparts, though not for all years in the period in question. This overall picture is unique as regards the EU, even in comparison to other countries which have seen large immigration waves, such as the US, Australia and Canada. This conclusion not only applies to the comparison of unemployment rates between migrant and indigenous employees.

Indeed, the same conclusion is reached when the rate of migrant unemployment is compared to their share of the total labour force of their country of permanent residence and work. When this ratio is equal to one, it can be assumed that they have not been adversely treated as regards inclusion in and access to the labour market. According to Eurostat figures, in the middle of the previous decade, only in Greece was this ratio lower than one.

Indeed, national statistics from 2001 to 2008 confirm this Greek exception. For example, in 2008 migrants represented 8.1% of employees and only 7.1% of all the unemployed. The relevant rates for men differ by much more than one percentage point, that is, 9% compared to 6.7%, even though for women they are almost equal (differing by less than one point), with 6.9% compared to 7.3%, respectively.

During the crisis, the situation changed in all aspects. On the one hand, the unemployment rate of foreign nationals skyrocketed from 6.4% to 38.6% in 2013 (compared to 26.3% for Greeks) and even more intensely and faster than was the case for Greek nationals. Among male migrants, the unemployment rate jumped

from 3.6% in 2008 to 38% in 2013 (compared to 23% for Greeks) and among migrant women from 11.6% to 39.5% (compared to 30.4% for Greek women) in the same period.

Nevertheless, it should be noted that since 2014 the unemployment rate of mainly male migrants fell more intensely than that of Greeks. In 2018 the unemployment rate of the former was 18.6% compared to 15% for the latter, demonstrating the strong convergence trends between the two population groups after 2013.

Unfortunately, the situation for women varies considerably. While unemployment among Greek women has fallen gradually from 2013 to 2018 (from 30.4% to 23.1%), the rates for women migrants have remained very high: In 2018 they reverted to their 2014 levels (33.5%), despite the slight decline in the intervening years.

According to one viewpoint, the more favourable development of unemployment rates among male migrants as compared to that of female migrants is due to the fact that the basic employment sector of the former, namely construction, has shown signs of recovery, whereas the agricultural sector has also shown remarkable dynamics. Of course in these two sectors, the vast majority of workers are male and, more specifically, migrants. On the contrary, private households, where women migrants primarily seek work, still have little disposable income to hire domestics, whereas manufacturing has shown no signs of rapid growth so far.

3.3 ► THE IMPACT OF MIGRANT EMPLOYMENT

As already mentioned, one of the reasons why the migration *issue* has never emerged as a major social or political *problem* in Greece is the generally positive impact of migrant labour on basic economic fundamentals and on the employment of the Greek popu-

lation. The conclusions of relevant international and national literature deconstruct almost all the arguments of the supporters of “economic racism”, which are often condensed into arguments – or rather slogans – such as “foreigners take our jobs” and “foreigners push down wages”.

From the few relevant scientific approaches, it may be concluded that the impact of migration on the Greek economy is considered in principle to be positive overall. This seems to be mainly attributed to the intensive, flexible and low-cost employment of formal and mainly informal migrants. Taking jobs that would otherwise remain vacant, migrant workers contribute to the development of the Greek economy and to a certain extent to the increase in GDP (up to +2.8%).

Besides, it is common knowledge that the (cheap) intensive labour of migrants in the early years restrained the increase in costs and prices, which facilitated Greece in achieving the convergence criteria for its accession to the Economic and Monetary Union. In particular, with regard to the region, the settlement of migrants in rural mountain, lowland and island areas has been a catalyst for the survival and development of productive activities. Migrants covered labour shortages in several productive sectors in the countryside, such as construction, manufacture, tourism, home services and, of course, agriculture.

However, the positive contribution of migrant employment is not just confined to that level. At the same time, the indirect or secondary impact of the presence of migrants on the country’s economic system also includes the creation of new jobs, the large majority of which are usually taken by Greek employees. This was achieved in the Greek case by either preserving economic activities that would otherwise have disappeared (in agriculture and manufacturing) or by contributing to a different division of work

within the enterprise or the household (domestic work), thus leaving professional activities open to Greek men and, mainly, women.

As regards the countryside in particular, the residence and work of migrants contributed in two basic ways: first, they allowed producers and their families to work on other activities, such as trade, tourism or even salaried work, in nearby urban centres; second, they created new jobs, even in the public sector as well as in sectors or professions such as health, education, local administration and social protection, which has curbed the decline of the local population.

On the other hand, certain phenomena have appeared over the years regarding the substitution of Greek workers by foreign nationals, though these are clearly limited. They refer to the initial years of the massive settlement of migrants from the Balkans and concern almost exclusively low-skilled jobs as foreign labour enabled the further reduction of labour costs, mainly in sectors like construction. Econometric studies from the 1990s estimated that one-third of informal migrants may have displaced Greek colleagues, whereas the remainder increased the number of jobs for Greeks.

The same but non-widespread negative impact was also recorded in the 1990s regarding the income of two out of fifteen categories of Greek households made up of unskilled workers, when more than two-thirds of all Greek households benefited financially from migrant labour. During the 2000s, the conclusion was that the impact of migration on the skilled labour of the indigenous population was certainly positive, both in terms of the reduction of their unemployment rate and the increase in their salaries. Moreover, in sectors where Greeks and migrants coexisted (in manufacturing, construction and tourism-restaurants) the employment of the latter in high-risk or low-skilled jobs for low wages very often facilitated the professional advancement of the former and, consequently, the improvement in their wages.

Finally, a review of the very few studies concerning the social security system would suggest that the direct and indirect impact of migrants' work has been rather positive, at least in the short term. This contribution mainly stems from the creation of new jobs for all workers of the country due to migrant labour. However, it would not appear to confirm the argument that the sustainability of the social security system was generally enhanced thanks to the intensive labour of foreign nationals for two reasons:

First, the monthly average of declared days of employment for migrants is much lower than that of Greeks, as data from IKA (now EFKA) shows. In the good days, in the mid-2000s, the ratio was 14 to 18 days of insured work, respectively, on a monthly basis (totaling 25 days per month for the full-time employed). Second, and more importantly, because the average daily wage levels of migrants (€35) were significantly lower than that of their Greek colleagues (€48) for the same period.

It is obvious that the enhancement of the sustainability of the national social security system is inseparably linked not only to the employment of migrants, but also to the full adherence to the law on insurance in their labour relations.

3.4 ► THE BURNING ISSUE OF UNDECLARED WORK AND IRREGULAR RESIDENCE

In studies investigating the consequences of migration for the economy and employment, in most cases its positive impact is attributed to the possibility for the compression of the wage costs of migrants. Of course, as long as this view implies in particular a tacit as well as clear state choice, it is problematic for two reasons.

First, the possibility for wage compression is mostly identified with undeclared work, which, in turn, is usually based on the irregular residence status of foreign nationals.² Second, this view underestimates the losses for the tax and insurance systems, revenue which could contribute to economic development and enhance social justice. But let us summarise these two areas: the undeclared work of immigrants and the extent of their informal or irregular residence in the country:

- As regards *undeclared-uninsured work*, it is clear that only estimates can be made, not only because of the absence of a clear and comprehensive legal definition but mainly because the different methodologies applied by the state and by academic researchers. Moreover, the study of the phenomenon should consider two distinct periods, both before and after the outbreak of the economic crisis.

More specifically, in the first decade (1990s), in the absence of measures to regularise immigrants' residence status, the vast majority of them remained irregularly in the country and therefore engaged in undeclared work. The few relevant studies put the uninsured work rate among migrants at around 95%. The mass "legalisation" drives at the end of the decade and the economic development from the beginning of the following one have brought some improvement to the situation.

From around 2000 to the outbreak of the economic crisis, some migrant workers were able to work in the formal labour market, but this does not mean that all work and residence permit holders worked or were employed legally. In 2003, it was estimated that 11% of male and one in three female workers from Albania worked without insurance in Greece. The total percentage of uninsured migrant workers is believed to have amounted to least 33% from 1999 to 2003.

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2. See also Chapter 4.

In the middle of the decade in the Region of Attica, at least one in five migrant workers was totally uninsured, whereas the large majority of the rest was not always insured when they worked. In contrast, in the rest of the country and particularly in agriculture, at least half of the land workers were uninsured, even though the percentage of uninsured work in special population groups was much higher, ranging from 60% for people from Romania and Bangladesh to 93% for Bulgarian (often Roma) workers.

According to several academic studies, among the whole migrant labour force and in employment sectors across the state, only half of the workers are insured. Even though they work many more days and hours annually, they are insured for far fewer days than indigenous workers. This unfavourable insurance treatment of immigrants is also reflected in official labour force sample surveys, which are in principle avoided by undocumented foreign nationals out of fear of arrest and deportation. In 2008, even though one in every ten employees was a foreign national, they accounted for one in three uninsured workers.

In the third decade (2008-2018), the situation worsened. The increase of wrongdoing in the labour market has, besides, been one of the basic consequences of the economic crisis, even in countries with highly regulated labour markets, and much more in the case of Greece. In the two-year period from 2013 to 2015, Labour Inspectorate controls have shown that the percentage of fully undeclared migrant workers is four times higher than that of Greeks.

In a study conducted in Athens and Thessaloniki in 2012, only 55% of migrants stated that they had health insurance. In the middle of the decade, reports from the Hellenic Statistical Authority (Elstat) showed that nine out of ten uninsured foreign workers did not have health insurance, when the corresponding rate for Greeks was six out of ten.

- This situation is not irrelevant to the *legal status* related to and the preservation of legal *residence*, and hence *work* as well. A basic element that explains the very high rates of undeclared and uninsured work among migrants is the fact that a large number of them are confined to conditions of *illegality* or *semi-legality*.

For reasons that are discussed below (Chapter 4), throughout the 30-year period from 1989 to 2018 the share of undocumented migrants among the total population remained very high, in fact much higher than almost all other European countries that receive migrants. The undeclared and uninsured work of migrants is reinforced by an immigration policy framework that seems to ignore, if not support, the extent of the shadow economy in the country, particularly in sectors that rely intensively on the employment of foreign workers.

For almost the entire 1990s, the vast majority of newly arrived migrants lived and worked on the margins of the country's regular activity, as the state chose to turn a blind eye to the legality of the new reality. Hundreds of thousands of foreign nationals and their families were deprived of any kind of residence permit, were not registered in any official databases and were constantly at risk of arrest and deportation. In 1997, for every legal migrant from Albania there were 40 undocumented others.

At the end of the 1990s, two presidential decrees on the registration of and on the temporary issuing of residence status to migrants (1998) were of limited effectiveness. Even though 370,000 migrants registered, only half of them acquired short-term permits, since until mid-2001 the number of valid residence permits never exceeded 170,000. Based on this first incomplete attempt, a second legalisation effort in 2001 revealed the stark reality: 60% of those who tried to formalise their residence status had remained in the country illegally, even though

a significant portion of them had been in the country permanently for 12 consecutive years.

However, the bureaucratic difficulties in implementing this first mass “legalisation” effort created a third intermediate category of migrants, the *semi-official*, that is, those who waited for several months for the issuing of a short-term residence permit. In the mid-2000s, the total number of valid residence permits did not exceed 220,000, whereas there were 330,000 pending applications with several thousand residence permits expiring at any one time without their holders having the possibility to renew them. Thus, throughout the decade, and despite the corrective effort of a new mass “amnesty” campaign (2005), the share of foreigners illegally residing in the country remained extremely high.

According to the findings of a large number of relevant studies, we may estimate that: First, the number of undocumented migrants has remained very high over the years, numbering at least 300,000 people approximately. In general, this number has always corresponded to 35%-50% of foreign nationals who might or would be entitled to acquire a residence permit. Second, several persons constantly “come and go” in and out of the *legality–semi-legality–illegality* net as regards their residence status, depending on subjective or objective difficulties in meeting the (essential or administrative) requirements of the law from time to time.

This phenomenon constantly feeds the range of undeclared and uninsured work in all sectors of migrant employment. It has been calculated with relative accuracy that since 2005 there are always around 500,000 valid residence permits (of all types) in circulation and another 200,000 expired permits being renewed. For example, based on official state numbers, there were 450,000 residence permits in December 2005, 611,000 in 2009 and 440,000 in 2012.

Indeed, in the context of the economic downturn and the crisis, the process of renewing residence permits became more and more difficult, particularly for those categories that relied directly on waged employment. Therefore, while the number of valid residence permits has fallen significantly since 2009, this reduction was countered by the progressive increase in the share of residence permits that did not concern salaried work but mainly family reunification or other special categories (long-term residence, ten-year uninterrupted legal residence, etc.). At the peak of the economic crisis (2012), the OECD estimated that, out of a total of 1.2 million foreign nationals in Greece, more than 500,000 of them had irregular status. In other words, as many as in Italy, a country with a much larger (migrant and indigenous) population.

As of the time of writing (31 October 2018), out of a total of almost 549,000 valid residence permits, only a fraction concerns employment and permits that involve it indirectly or initially (mainly long-term). As the table overleaf also shows, the largest share, more than 40% of the total, concerns all aspects of family reunification. Without this facility for family reunification, the percentage of irregular stay would be much higher.

In any case, it would be premature to say that the fall in the number of valid residence permits confirms that a number of migrants have left Greece for good to avoid the consequences of the employment crisis. In such an adverse economic context, new forms of mobility have been created or have merely been revived and consolidated.

TABLE 1. VALID RESIDENCE PERMITS IN GREECE (BY TYPE), 2018

Type	Male	Female	Total
Residence permit of indefinite validity	16,125	3,516	19,641
Residence permit for special reasons	63	43	106
Residence permit for extraordinary reasons	2	1	3
Residence permit for work	9	3	12
Residence permit for family reunification	8,799	8,030	16,829
Humanitarian reasons	923	504	1,427
Independent residence permit	1,278	751	2,029
Parents of indigenous minors	152	386	538
Ten-year residence permit	48,782	29,246	78,028
Ten-year term	39,612	21,859	61,471
Second-generation	16,528	12,873	29,401
Public interest	46	11	57
Volunteer	2	9	11
Special programmes	7	12	19
Special reasons	58	112	170
Education	128	10	138
Exceptional reasons	12,254	9,531	21,785
Professional training	160	206	366
Investor	11	2	13
Investor-permanent residence	2,161	1,462	3,623
Long-term resident	7	3	10
Long-term EU resident	22,199	4,539	26,738
Special purpose employees	1,445	525	1,970
Work	42,391	19,060	61,451
Researcher	34	6	40
Family member of Greek – permanent	7,171	22,710	29,881
Family member of Greek – ad personam	297	1,410	1,707

Type	Male	Female	Total
Family member of EU citizen – permanent	451	393	844
Family member of EU citizen – ad personam	11	17	28
Family member of EU citizen	664	625	1,289
Family member	48,532	76,718	125,250
Family member of Greek	12,417	25,587	38,004
Family member of Greek citizen	5,320	18,464	23,784
Family member of Greek diaspora	15	52	67
Economically independent person	812	517	1,329
Student	288	413	701
Scholar	99	61	160
Family member of Swiss citizen	1	2	3
Greek-Canadian agreement on youth mobility		1	1
EU Blue Card	2	1	3
Total	289,256	259,671	548,927

4 Migration and migrant labour policies: between management and deregulation

4.1 ► THE MILESTONES IN THE DEVELOPMENT OF GREEK MIGRATION POLICY

In an attempt to codify a very large body of often fragmentary and disperse legislation on migration, the past three decades might very well be broken down into three equal periods of ten years each. There are three basic axes to Greek migration policy, although at times the focus may be – or appear to be – on one of those axes.

More specifically, the *top priority* for the Greek political system concerns the safeguarding of borders, the prevention of irregular migration and the organisation of systems for the legal but temporary/seasonal settlement and work of foreign nationals in the country. This aim has been confirmed at every opportunity throughout the last 30 years and has been a feature of all basic legislative measures on regulating migration.

The *second axis*, mainly of declaratory value, has been the social integration of migrants. It represents an aim that has not been described in detail nor analysed in the various fields of social policy (housing, health, insurance etc.). On the contrary, it has rather been perceived as the reflection of the whole context concerning employment and the general social life of migrants in the country.

The *third basic concern* of the state has been to regularise the residence and work status of migrants, to which most of the interventions adopted since 1997 are related. It would not be an exaggeration to say that the Greek migration policy mainly translates into successive opportunities for retrospective “legalisations”, the main characteristics of which have been insecurity, precarity and inadequate administrative procedures.

As already mentioned, the *first ten-year period* (1990-1999) was dominated by inertia and a defensive approach in migration policy. The legal basis, Law 1975/1991, included criminal penalties and police administrative procedures, which were obviously unable to prevent the mass entry of people to the country. Even though mass arrests and deportations took place on an everyday basis, the conservative government (1989-1993) and its centre-left successor took no measures whatsoever to register and integrate newly arrived migrants. The presidential decrees of 1998 constituted a first attempt to register and legalise residence status, but, as already mentioned, the relevant procedures concerned exclusively wage-earning foreign nationals and were of limited efficiency.

Therefore, thanks to the improvement in the economic conditions in particular, the centre-left government undertook, for the first time, after approximately 12 years of the migration phenomenon, a mass campaign to regularise the residence status of hundreds of thousands of migrants. The entire *second decade* (2000–2009) was characterised by procedures for the granting and renewal of migrants’ work and residence permits, at times with authentic national regulation and at others through the transposition of EU directives.

When Law 2910/2001 was adopted, which was based on the administrative process enacted by the two presidential decrees of 1998, other reception countries with similar characteristics (Italy or Spain) had already attempted at least four or five drives to regu-

larise the residence of undocumented foreign nationals. A significant element of migration policy was the new legislative framework that relocated the focus from a security-centred approach to that of integration through the regularisation of residence status. Along with registration and the issuing of permits, the fundamental rights of immigrants were catered to, such as family reunification under strict conditions and the establishment of a legal (invitation) migration system to cover temporary needs in specific sectors of the economy, mainly in agriculture.

In the same vein, the second attempt at the mass “legalisation” of irregular migrants was made in 2005, this time by the conservative government, which was followed by a complementary intervention in 2007. Although the state admitted the inadequacies of the existing institutional framework, the emphasis was placed, on the one hand, on the transposition of EU directives on family reunification and long-term residence status and, on the other, on the simplification of administrative procedures through the abolition of several bureaucratic obstacles regarding the renewal of residence permits.

In the years that followed, and with the exception of the adoption of several fragmentary regulations of minor significance, no further essential intervention has been undertaken to settle the migration issue. Of note is the state’s inertia despite the outbreak of the economic crisis in the beginning of the *third decade* (2009-2018) and the subjection of the country to a fiscal adjustment programme. In the middle of the decade (2014), however, the extremely neoliberal conservative government adopted the immigration code, a side effect of which has been, surprisingly, two achievements: on the one hand, a permanent procedure was established for a small number of undocumented foreign nationals to access legal status (for exceptional reasons) and, on the other, the maintenance of legal residence status was facilitated for permanently settled migrants as well as for second-generation migrants.

Finally, apart from regulations regarding the increased humanitarian flows, which have been detailed above (Chapter 1), the Syriza government proceeded with improvements to the Greek Citizenship Code and to the further facilitation of the maintenance of all types of valid residence permits. This latter pursuit, based on the 2014 code, is directly based on the interpretation of *labour* as a “legalisation” factor of residence status, which has been at the core of the Greek migration management model since 1998.

4.2 ► THE BASIC CHARACTERISTICS OF GREEK MIGRATION POLICY

The Greek migration experience is characterised by a *paradox*: considering that *labour* is a factor that initially acts as a “passport” to the acquisition of official residence status, the high integration degree of migrants in the Greek labour market, particularly in the good times, does not justify the long-term high rates of informal residence (Chapter 3) or the significant difficulty in acquiring and maintaining legal papers. More specifically, the explanation of this paradox is facilitated by the conclusion that, from the 1990s until at least 2014, all fundamental legislative interventions for the regulation of the migration phenomenon have had seven characteristics:

First, there was the element of *selectivity*. The state’s “amnesties” did not concern all illegally staying foreign nationals, but mainly (waged) workers and only some of them at that. For many years, the “legalisation campaigns” were almost exclusively addressed to those who could convince (but rarely force) their employer to officially declare their employment relationship. Besides, in practice, the employer’s declaration did not even deal with the totality of the employment relationship.

Second, was the requirement to prove a specific *amount of legal labour* each time. This requirement was based on a specific number of insurance stamps (declared days of work) on an annual reference basis, which ranges on average, depending on the subcategory of the foreign national or on the time of the application of the measure, at around 150, even though in many cases it even exceeds 200, out of a maximum annual total of 300 days of insurance.

Third, and by consequence, there was the official state tolerance of the phenomenon of undeclared work. A large part (often more than half) of the actual working hours of each foreign national was allowed (if not expected) to remain on the margins of legality. Thus, the phenomenon of *partly declared work* not only flourished but also thrived with the blessing of the state and employers, and often resulted in thousands of working migrants losing legal residence status, despite the fact that they were actually in full-time employment.

Fourth, there was the aspect of *temporariness* to the residence status. Legal residence status, which ultimately was temporary in nature, did not usually last for more than one or two years, thus contributing to the establishment of a climate of generalised *insecurity* regarding the conditions of employment and insurance of migrants.

Fifth, there was the migrants' *extreme dependence* on employers and, mainly, on their compliance with social security law. The (exceptional) requirement on migrants to obtain a written employment contract and the necessity to prove the required annual number of insurance stamps conveniently transferred the responsibility for legal residence status from the state or, at least, from migrants, exclusively to employers. In this way, the latter became institutional regulators of migration in Greece, pursuing their own particular economic or other aims as regards migration, be they short-term or strategic in character.

Sixth, there was the existence of *different routes* available to the migration population depending on their profession, employment sector, origin, date of entry and other characteristics. It would not be an exaggeration to conclude that the body of migration legislation provides individual legal and administrative routes to legality, increasing the disparities in rights and opportunities among the immigrant population.

Last, there was the *complexity of the administrative procedures* involved in the legalisation drives, even if, over the years, these have related not only to employment but to family reunification or to some other residence status. *Bureaucracy* and *migration* are almost identical concepts in the Greek experience, where there is often a complete mismatch in the skills and knowledge of the public officials involved and the adequacy and preparedness of the relevant services.

4.3 ► MIGRATION AND SOCIAL POLICY: PARALLEL ROUTES?

The combination of all these factors, according to the conclusions of the relevant literature,

- a. forms a picture of an “administration on suspension”
- b. traps those affected in a “constant circle of legalisation” and a “system of legal quasi-illegality”
- c. introduces a “vicious circle of informality” and an “institutional gap between legality and illegality”. In total, more than one million people participated in just two main legalisation drives from 1997 to 2007. Essentially, they were fewer in actual terms, since the same individuals applied for legalisation on more than one occasion having previously lost their residence permit for any or several of the dozens of possible (essential or administrative) reasons.

It is clear that these conditions of being held hostage, overflexibility and excessive insecurity regarding residence, employment and social security status are not due to a material failure. They are rather an element of a state structure that seeks to contain labour costs and reduce the social rights of a significant part of the labour force and of male and female migrants. This specific target is integrated in the general framework of a national development model that is based on illegality/informality in the labour market and on the selective observation of the rules provided by social legislation.

In fact, significant effort has been made to give the essentially labour-centred Greek migration policy characteristics of a neutral social arrangement, allegedly within the framework of the law on foreign nationals. On the other hand, by carefully reading between the lines, it is easy to see that the *settlement* of migration has, after all, contributed to the accomplishment of another target: the disruption of equal treatment in the labour market and the *deregulation* of industrial relations in sectors associated with “migration” work, before such a development was expanded to and generalised for all workers under the pretext of the subjection of the country to the “tutelage” of the fiscal supervision regime in 2010.

In fact, migration and social policy have never operated in parallel in the Greek case. Rather, they intersect at several points. From time to time, purported “migration” legal provisions setting out more “prerequisites” for the acquisition or maintenance of a residence permit have introduced specific rules that have deregulated the labour rights of foreign nationals.

The *para-labour law* for foreign nationals, the migration labour legislation that has been adopted over the years, deviates from common labour law across the whole spectrum of industrial relations, as regards access and types of labour contracts, dismissal and resignation, insurance and protection from workplace acci-

dents and even the exercise of collective rights or the access to control mechanisms.

Of course, many of the regulations in question have been eroded over the years, either within the framework of the transposition of EU directives or for other reasons, such as the adoption of the immigration code (2014), which also significantly simplified the basic conditions and administrative procedures that concern the regulation of immigration and the work of immigrants. Other, more important positive reforms for the renewal of permits include the abolition of the obligation to submit a written copy of the labour contract and the reduction in the required number of stamps to 50 (from a previous average of 150).

However, it was not until recently (2016) that an effort was made, using solutions from the distant past, to solve the problem regarding the widescale illegal residence and undeclared work of tens of thousands of agricultural workers. The revival of the six-month work permit, which constitutes nothing more than an postponement of the deportation of the worker in question and the preservation of a distinctive and precarious insurance regime in the agricultural sector, further strengthens the phenomena of overflexibility and dependence to the point of forced labour.

This new version of *paralegality*, that is, of the tolerance of partly legal labour relations amid full illegality in terms of residence, constitutes more incontrovertible proof that the challenges for Greece regarding migration lie ahead of it and not behind it.

5 By way of conclusion: dead ends in (Greek) democracy?

In early 2017 the European Court of Human Rights found against Greece in the much-discussed Manolada case as it proved that it had not taken all the necessary measures to avoid phenomena of slavery-like work and serious labour exploitation of immigrant agricultural workers.³ Two years later, no effective compliance measure, that is, an improvement in the terms and conditions of these workers' residence and work status, has been taken, which will lead to more convictions for the country.

The migrant flows from Turkey have declined but the constant entrapment of asylum seekers on the islands of first reception has created a humanitarian crisis situation. In a recent collective appeal to the European Committee of Social Rights of the Council of Europe, the European Council on Refugees and Exiles (ECRE) and International Commission of Jurists (ICJ) detailed several cases in which Greece has failed to observe its obligations concerning the care and protection of children, which has left the latter living in conditions of deprivation, insecurity and violence.

At the same time, a group of forensic scientists has identified at least 39 people who died from drowning or hypothermia in Thrace while crossing the River Evros in 2018 alone. From 2000 to 2018, at least one thousand people have died in Greek territory and another thousand are estimated to have died in the neighbouring country on Greece's land border with Turkey. This is precisely the

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3. In 2013, farm guards in Manolada, Iliia, shot at migrant strawberry pickers from Bangladesh, wounding 35, when they collectively demanded the payment of unpaid wages.

focus of increasing complaints by the Council of Europe's human rights section regarding illegal and violent pushbacks to Turkey, where the authorities on both sides are turning a blind eye, as recently confirmed in a relevant joint report by three NGOs, one of which is the Greek Council for Refugees.

For the defenders of migrants' rights (from both a movement-oriented or a humanitarian point of view), the perpetuation of such a problematic response to past and recent migratory challenges, amid a more general crisis of values and on the basis of a "winning time" strategy, is utterly doomed. The number of valid residence permits for "old" migrants has been on the decline in recent years in Greece as more new migrants enter the country on a daily basis. The questions regarding the social inclusion of migrants as a whole remains open, all the more since many of them are gradually reaching retirement age, with no established insurance rights either in Greece or in their country of origin.

In the Greek case, the challenges in the economic and migration realms do not lie behind but ahead. It is true that there exist no dead ends in contemporary democracies. Nevertheless, it is easy for democratic states to become stuck in rationales of low political cost but increased social risk. Greece has still the opportunity to prove that it does not fall under this category.

About the author

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He is a former executive secretary of the Greek Labour Inspectorate (2015) and his academic work is focused on the issue of undeclared work. He has also published a book on migrant workers in Greece (2018) and has published in journals and collective volumes on labour law, industrial relations, migration policy, labour market discrimination and the trade union movement.

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CRISIS, MIGRATION AND LABOUR IN GREECE

Challenges, Contradictions and Management amid Precarity
and a Fragile Social Equilibrium

A publication of the
ROSA LUXEMBURG STIFTUNG, OFFICE IN GREECE
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This publication is available for free online.

Athens

January 2020

ISBN 978-618-84465-7-1

This publication, like many of the activities of the Office in Greece of the Rosa Luxemburg Stiftung, was funded by the German Federal Ministry for Economic Cooperation and Development.