

# FINANCIAL CRISIS AND GREEK IMMIGRATION POLICY

**Fani Dimitrakopoulou, Antonis Kontis**

## ABSTRACT

It is well established in the literature that financial crises are related to an intensification of racism, xenophobia and discrimination. In times of economic turmoil, when there is an increase in the unemployment rate of the general population, widespread is the notion that immigrants are competitors for scarce jobs, a burden to the welfare system, a potential threat to the safety of the citizens and a problem to the society in general, because of their reluctance to integrate. Furthermore it is argued that these anti-immigrant sentiments, which are quickly increased and spread among the public, may be caused or reinforced by politicians not only of the extreme right but also of mainstream parties who actually use this kind of rhetoric. Due to this situation, in times of economic turmoil countries tend to respond reactively by adopting more restrictive immigration policies, as an open policy is considered to function as a magnet that will increase immigration inflows. The purpose of this paper is to deepen the understanding of the immigration policy of Greece, which has recently introduced legislation that indicates a significant change to the previous dominant approach to immigration. It is shown that, despite the recession and the consequent rise of anti-immigrant attitudes, there was a paradigm shift of the Greek immigration policy towards a less restrictive and more inclusive direction.

## Key Words

xenophobia, immigration policy, traditional paradigm, reformative / modernizing paradigm

Fani Dimitrakopoulou is a lawyer and a PhD candidate in Migration Studies at the Department of Political Science and Public Administration of the National and Kapodistrian University of Athens ([fanidim83@hotmail.com](mailto:fanidim83@hotmail.com), 42-44 Aiolou Street, Athens, Greece)

Antonis Kontis is a Professor at the Department of Political Science and Public Administration of the National and Kapodistrian University of Athens and the Director of the Institute for Migration and Diaspora Studies (EMMEDIA) ([akontis@pspa.uoa.gr](mailto:akontis@pspa.uoa.gr), 42-44 Aiolou Street, Athens, Greece).

## **I. INTRODUCTION**

The collapse of the Iron Curtain in the late 1980's led to an upsurge of immigration to the Greek territory, which continued during the years that followed. Throughout these years and up to today flows may have changed character and origin but they kept increasing. Under these circumstances Greece was forced to introduce a legislative framework for the management of immigration and the integration of immigrants.

The financial crisis in Greece created an economic and social storm as it resulted to the loss of many jobs both by immigrants and nationals. As history has proved, in such times countries tend to reactively introduce all the more restrictive immigration policies that *“would not only affect the entry avenues but also the integration paths for immigrants”* (Finotelli C. 2014, p. 2). The paper aims to elaborate on the evolution of the Greek immigration policy and the changes introduced in that area in the context of the crisis. The first section is a brief overview of the literature regarding the evolution of immigration policies in times of austerity. The section that follows includes an analysis of the Greek political discourse and the public opinion on the subject. A presentation of the Greek immigration policy in the fields of residence permits, citizenship and asylum as well as a comparison of these policies before and after the crisis will follow. The final objective is to determine if the economic crisis has impaired the immigration policy in Greece by triggering a restrictive turn.

## **II. ECONOMIC CRISIS AND ANTI-IMMIGRANT ATTITUDES**

Immigration has always been a matter of social and political interest, as it is traditionally perceived as a threat to national identity and as a factor that increases crime and the sense of insecurity. That is particularly the case in countries like Greece, which used to be racially and religiously homogenous, with no previous immigration experience. Under circumstances of severe economic turmoil, the public interest towards immigration is even more intense, as there is a competition for scarce jobs and social provisions.

According to the group conflict theory, the root of anti-immigration sentiments lies in the economy. Specifically, in cases that there is a perceived competition between two groups of individuals –for example between nationals and immigrants- for scarce goods, negative attitudes towards the perceived “rival” are possible to emerge (Billiet J et al, 2014; Jackson J.W., 1993). The scarce goods that fuel that kind of rivalry are mainly of economic character, as they might be well-paid and secure jobs, social benefits, health assistance etc (Barbero I, 2015, 246; Billiet J et al, 2014, p. 137)<sup>1</sup>. The cultural differentness of immigrants comparing to the native population and their visible distinctiveness make them an easy target for scapegoating, a group that is spotted and categorized as the “others”, the “competitors”.

The negative perception of immigrants is detected in an individual as well as in a collective level. In the first case, immigrants are considered as a threat by those with similar characteristics and profile, who they feel more vulnerable to competition (Mayda A.M, 2006; O’ Rourke K.H and Sinnott R, 2006; Dustmann C and Preston I, 2004). At the same time, anti-immigration sentiments might not be related to a perceived posed threat to individuals but to the group. As Billiet J. et al (2014, p. 138) put it *“The trigger for hostility toward immigrants is the threat to the group’s resources or status, rather than to those of individuals”*.

A switch to the attitudes towards immigrants is becoming more and more prevalent in the European countries facing an economic downturn. The presence of immigrants in a country has always raised concerns about the fragmentation of the society, the loss of identity and, after the 9/11 attacks, about security. The economic crisis brought the matter in the spotlight in a more intense way, fuelled the public discourse and reinforced the political backlash. As the goods that constitute the object of competition become even scarcer in times of a financial crisis, the hostility towards immigrants is increasing and spreading quickly among the public. Immigrants are additionally perceived as competitors for jobs and as a burden to the welfare system.

As a result, the support to parties of the radical right, which have been traditionally using an inflammatory anti-immigration rhetoric, is strengthened. At the same time

---

<sup>1</sup> I. Barbero (2015, p. 246) uses the term “social-structural racism” to describe the situation *“where subjects and groups struggle for the scarce goods (labor, social benefits, health assistance) on the basis of national/cultural difference”*

mainstream parties across the whole Europe have started to adopt a more negative stance towards immigration, even though in a more moderate way comparing to those belonging to the extreme right. As M. Lesińska (2014, p. 39) points out “*political leaders in many European countries started to claim that immigrants abuse welfare, pose additional burden to heavily indebted governments, pose threats to social and political order [...] these critical statements have entered mainstream political discourse*”. Therefore, the social, economic and political crisis in the European countries and the emergence of more powerful anti-immigration sentiments across the public, led to a shift of the mainstream parties rhetoric which, in turn, reinforced these sentiments even more. Under this context, more restrictive and less tolerant policies that aim to limit immigration are introduced (Lesinska M, 2014).

One question emerges inevitably: Is that the case in Greece, where the outburst of the crisis and its devastating effect to the labor market resulted to an unprecedented increase in the unemployment rate of the whole population?

Of course, immigration issues had always been of particular interest in Greece, which until the 1990s was extremely homogenous, as people had the same nationality, the same religion, the same language, the same culture. In the context of the crisis, the suspiciousness of Greek people towards immigrants was reinforced. The sluggish economic conditions coincided with an increasing hostility towards immigrants. According to M. Baldwin-Edwards (2014, p. 11) “*after the mass immigration of the 1990s, racism and racial violence had already emerged by the early 2000s as a small but serious problem [...] With the onset of the economic crisis, xenophobia and racial violence escalated substantially*. Even the EU Home Affairs Commissioner Cecilia Malmström connected the racism against immigrants to the economic crisis (Imerisia, 2013).

### **III. THE STANCE OF POLITICAL PARTIES AND PUBLIC OPINION TOWARDS MIGRATION**

From the years that followed the consolidation of democracy in Greece until recently, the political scenery was dominated by two political parties, the centre-left PASOK

(Panhellenic Socialist Movement) and the centre-right New Democracy (ND). The acute economic crisis and the consequent discontent of citizens over the recession and the austerity measures brought out new political forces and changed the political equilibrium. Since 2012 one-party governments are no longer the rule as they were substituted by coalitions of, sometimes incompatible, partners.

At the same time, in the midst of a socio-political turmoil, immigration became a highly politicized issue, addressed in the public discourse by all the political parties.

Antonis Samaras, the president of the mainstream party ND and the Prime Minister of Greece from June 2012 until January 2015 introduced an anti-immigrant stance since 2010, which continued during his election campaigns as well as throughout his term. Specifically, as E. Tampakoglou notices (2014, p. 116-118), in his May 6 and June 17 pre-election campaigns Mr. Samaras used the term “smuggled migrants” (the Greek term is ‘lathrometanastes’, a novel word that describes in a dismissive way the immigrants who enter the country illegally), he called the immigrants “tyrants” of the Greek society, he associated immigration to recession and youth unemployment and he committed to abolish the citizenship law that facilitated the acquisition of citizenship for particular categories of immigrants as it “*would make Greece a pole of attraction by illegal immigrants*” (Tampakoglou E, 2014, p. 118) . In October 2013 Mr Samaras connected immigration to unemployment, by stating that “*there are as many unemployed people in Greece as there are illegal immigrants*” (The Press Project, 2013), a phrase that reminded a slogan used in 1978 by the far-right French party National Front. Furthermore, regarding the change of the citizenship law towards a more inclusive direction, ND had formed objections. It is quite indicative the statement of the spokesman of the party Mr Karagounis in May 2015 that “*whatever the government plans to legislate in the field of citizenship constitute an open invitation to ‘lathrometanastes’ to enroll their child in the first grade and automatically obtain a residence permit for themselves and their families. It is the worst thing to do for Greece and for the social cohesion, while hundreds of thousands of ‘lathrometanastes’ are waiting to pass the Greek borders*” (Tovima 2015)

Furthermore, AN.EL. (Independent Greeks), a conservative party currently participating to a coalition government with SYRIZA (Coalition of the Radical Left)

under the leadership of Panayotis Kammenos, has also an anti-immigrant rhetoric. The party strongly opposed the 2010 law on citizenship and submitted a bill regarding the acquisition of citizenship, which reflected the party's formal position on the matter. The bill emphasized the importance of the nation, which is constituted by people of Greek origin with national consciousness, and accused the citizenship law to be causing an uncontrollable influx of 'lathrometenastes'. The leader of the party has also characterized immigrants as a problem for the country and declared his opposition to the acquisition of citizenship by the second generation (Kathimerini, 2015). Consistently to this position, the party's Members of the Parliament voted against the amendment of citizenship law introduced in 2015.

In the meantime the extreme-right party Golden Dawn had already increased its popularity, as its xenophobic and anti-immigrant discourse appealed to the Greek society, and had a remarkable electoral success at the elections of May and June 2012, when it entered the Greek parliament for the first time.

This type of rhetoric was sometimes adopted by members of parties with traditionally pro-immigrant attitude. For example, Michalis Chrysochoides, the former Minister of Citizen Protection and member of PASOK, after initiating a sweep-operation of the Greek Police in order to remove illegal immigrants from the country, stated that "*we need to disarm the bomb of immigration and solve the problem immediately. We need to take all necessary measures to ensure that Greece will not be that country that anyone can enter and commit crimes*" (Ethnos 2012).

This negative attitude to immigration is shared by a large part of Greek society as anti-immigration sentiments become more and more prevalent. In Greece of the crisis, xenophobic attacks became more frequent and the extreme right party of Golden Dawn, until recently marginalized, gained support and even managed to enter the Greek Parliament. According to a research, Greeks consider immigrants as a burden to the country as they take jobs and consume social benefits (70%), they link immigration to criminality (51%) and they want fewer immigrants to enter the country (86%) (Pew Research Center 2014, p. 26-29).

### **III. THE GREEK IMMIGRATION POLICY**

#### ***What is immigration policy***

Before we embark on a review of the Greek immigration policy, it is important to clarify the meaning of the term. Immigration policy includes the “*laws, rules, measures, and practices implemented by national states with the stated objective to influence the volume, origin and internal composition of immigration flows*” (Czaika M and de Haas H. 2011, p. 5). Therefore, immigration policy is constituted by more than one diverse and distinct policy components. According to the distinction made by T. Hammar (1985), there is a difference between “immigration control” and “immigrant policy”; the former refers to the measures that regulate the entry and stay of immigrants while the second one is concerned with the integration of the already settled migrants into the host society. For the purposes of this paper, the laws regarding the legal stay and the access to citizenship will be examined thoroughly. Furthermore, in order to provide a more complete image regarding the reform of the Greek immigration policy as a whole, a short reference to the Greek asylum policy will be made. However, policies that are not designed to affect immigration and immigrants, but only have an incidental effect on them, are out of the scope of this study.

#### ***The Greek policy regulating legal immigration before the crisis***

During the 20<sup>th</sup> century, Greece was a traditional country of emigration. In the 1970s there were some first immigrant inflows to Greece. In the late 1980s and in the beginning of the 1990s, the end of the Cold War and the socio-political changes in the neighboring countries of the Balkan Peninsula and Eastern Europe led to an unprecedented and unexpected increase of the migratory influx in Greece. Until that period, Greece did not have a legal framework to manage immigration to its territory<sup>2</sup>. Therefore, the

---

<sup>2</sup> The legislation regulating immigration at the time was a law voted in 1929 (Law 4310/1929) aiming at regulating the arrival of refugees from Asia Minor.

circumstances called for the adoption of a policy with a view to regulate the entrance and accommodation of immigrants in Greece.

The first law attempting to regulate such matters was the L.1975/1991, which reflected the dominant perception of immigration in Greece as a *“historical accident”* (Pavlou M, 2009, p. 42) of temporary character<sup>3</sup>. The Law was extremely restrictive, aiming at:

- i. the impediment of immigration, by making the legal entrance and settlement of foreigners in Greece nearly impossible as well as by intensifying the border controls and
- ii. the removal of the undocumented immigrants residing in the country.

The way immigration was understood by the political authorities at the time is colorfully illustrated at the explanatory report to the law (1991), where is stated that *“All of a sudden, the Greek territory is overrun by foreigners who, by entering, residing and working illegally, create enormous social problems to the State, while inevitably trying to resolve their one problems by resorting to crime (drugs, robberies, thefts etc)”*

According to A. Kontis (2016) this type of legislation is indicative of the *“traditional paradigm”* of immigration policy. According to this paradigm, the main goal of immigration policy is the protection of the national identity as well as the homogeneity of the nation, factors that actually shape the content of the policy. This perspective also leads to a skeptical stance regarding any positive effect of immigration to the host country. Therefore, strict controls for those entering the territory and limited access to rights for the legally residing immigrants are in order.

However, as the number of the undocumented immigrants was growing, despite the strict framework, a first regularization program was introduced in 1997 and implemented in 1998<sup>4</sup>, but its results were poor and the number of immigrants who acquired a residence permit was lower than expected<sup>5</sup>.

---

<sup>3</sup> The period from 1991 until 2001 is characterized by A. Triandafyllidou (2010, p. 98) as the *“premature”* period of Greek immigration policy. M. Pavlou (2009, p. 42) calls the period until 1997, when the first regularization program was introduced, as *“the period of illegality and refusal”* and the period between 1997 and 2000 as *“the period of temporary tolerance and fear of crime”*.

<sup>4</sup> By the presidential decrees 358/1997 and 359/1997

<sup>5</sup> To a large extent this was related to the systemic deficiencies of the Greek public administration, the lack of adequate and well-trained personnel and the insufficient planning.



In 2001 another law for the management of immigration was put into effect. The law 2910/2001<sup>6</sup> suggested a more realistic approach to immigration as immigrants were no longer unwanted, as long as they served the workforce needs of the Greek economy (Triandafyllidou A. 2010, p. 106). Even though there were provisions for the issue of work and residence permits, the long-term planning for the integration of immigrants residing legally to the country was missing. The most significant change this law introduced, which indicated a minor shift from the traditional paradigm, was the transfer of the responsibilities regarding the management of legal immigration from the Police authorities to the Ministry of Interior and to the local authorities. The law also laid down a second regularization program, which also did not have the anticipated outcomes.

Only a few years later the Law 3386/2005<sup>7</sup> was voted, with a view to “*rationalizing the country’s immigration policy, simplifying the procedures and fighting red tape, as well as harmonizing the Greek legislation with the new EU Directives ...*” (Gropas R and Triandafyllidou A, 2009, p. 198). After 15 years of immigration experience during which the numerous immigrants living in Greece had developed ties with the country, the legal framework, by introducing an orientation towards integration, signified a greater deviation from the traditional paradigm. In this context, two EU Directives (for the long-term resident status<sup>8</sup> and the family reunification<sup>9</sup>) were transposed into the Greek legal order. Unfortunately, these policies were not «*accompanied by serious public investment-expenditure and couldn’t meet their proclaimed objective goal: Integration*” (Pavlou M, 2009, p. 43). In general, despite the stated objectives of immigrant integration through the provision of rights and equal participation, the Law 3386/2005 did not actually manage to succeed these goals and differentiate substantially from the previous status. Furthermore, in the years 2005 and 2007 two more regularization programs were put into force.

---

<sup>6</sup> According to A. Triandafyllidou (2010, p. 98), this was the period of “*adulthood*” for the Greek immigration policy.

<sup>7</sup> A. Triandafyllidou (2010, p. 98) characterizes this period as the period of “*maturity*” for the Greek immigration policy.

<sup>8</sup> Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents

<sup>9</sup> Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification

Despite the better planning, once again the insufficient capacity of the Greek Public Administration hindered their implementation.

### ***The changes to the policy regulating legal immigration after the crisis***

In the midst of the economic crisis, Greece adopted the Law 4251/2014 (also known as “Code for Migration and Social Integration”) which codifies for the first time, in a single document, almost all the provisions related to the residence status of third country nationals.

This law was a novelty and signified a change for the Greek immigration policy. The aim of the law was to reform the previous legislation by providing an integrated framework for the management of immigration as well as by simplifying and accelerating the relevant procedures. According to the explanatory report to the law (2014), the new framework is based on four pillars:

1. Simplification of procedures, with a view to reducing the administrative costs and the workload of the competent authorities and providing better services to immigrants who, consequently, will have a better knowledge of the legal and administrative procedures. To that end:

- the duration of the initial residence permit was increased from one (1) to two (2) years,
- the duration of the residence permit renewal was increased from two (2) to three (3) years,
- the types of residence permits were decreased from fifty (50) to twenty (20) and
- the operation of the One-stop Shops for the facilitation of the issue and renewal of residence permits was reinforced.

2. Reform the access to labor market for immigrants and create an investment friendly environment. The relevant measures include:

- More favorable provisions regarding the residence permit for working. For example, the permit is renewed regardless of the existence of a work contract.

Furthermore, the immigrant has the right, upon renewal, to sign contract for execution of work or provision of services.

- Introduction of fast-track procedures for the issue of residence permits for third country nationals who want to invest in Greece as well as for their families.

3. Promoting the long-term resident permit, that enhances integration by providing expanded rights for immigrants and equal treatment with citizens in some areas of social and economic life.

4. Ensuring that second generation immigrants can stay in the country legally, even after they turn eighteen. For that reason, a special residence permit, called the “second-generation” permit, has been established.

What is more, a residence permit for exceptional reasons has been established, which gives the opportunity to immigrants residing in Greece for a long time and having ties with the country to legitimize their residency, in cases they have never managed to receive a residence permit or they did not meet the criteria to renew it. Under this provision, the possibility of some vulnerable groups being deported is averted.

This law signified the shift of the Greek immigration policy towards the “reformative / modernizing” paradigm (Kontis 2016). The proponents of this paradigm recognize the inevitability of migration and see it as an opportunity with positive contribution to the host country. This paradigm is based on the principles of liberty, justice and human rights and, consequently, emphasis is put on the promotion of the social and political rights of immigrants as well as on citizenship attribution, as a means to integration.

The Law 4251/2014 was voted by the coalition government of ND and PASOK, under the Prime Minister Antonis Samaras, the leader of ND.

### ***The Greek Citizenship Law***

The principle of jus sanguinis was predominant in the Greek legal order regarding the acquisition of citizenship by birth. For many years, children who were born and grew up in Greece could not obtain the Greek citizenship, unless at least one of their parents was Greek<sup>10</sup>. What is more, the terms and conditions for naturalization were difficult to be

---

<sup>10</sup> either by birth or by naturalization

met (long residence requirements, high fees etc) and the procedure was not transparent and consistent with the rule of law, as authorities were not required to justify a negative decision or to decide on the applications within a specific period of time. Meanwhile, there was a statutory differential treatment for the foreigners of Greek origin, as their access to the Greek citizenship was facilitated.

A major shift in the Greek citizenship policy occurred in 2010, under the PASOK government, when the law 3838/2010<sup>11</sup>, amending the Citizenship Code, was put into force. This law abandoned the nearly exclusive reliance on the *ius sanguinis* principle, as it introduced elements of *ius soli* and included provisions for the second-generation of immigrants. According to this law, children of foreign parents acquired the Greek citizenship:

- at birth, if one of his / hers parents was born in Greece and resided permanently in the country since then,
- by a declaration of their parents, if they were born in Greece and their parents were residing legally in the country for five consecutive years.
- by a declaration of their parents, if they successfully attended at least six grades of a Greek school and they resided legally and permanently in the country.

Furthermore, regarding the terms for naturalization, the law lowered the residence requirement from 10 to 7 years, as long as the foreigner had already received the long-term resident status, and abolished vague criteria that left important discretion to the Administration, such as “the moral quality and personality” of the applicant.

Most importantly, the law reformed the naturalization procedure, as it provided that the Public Administration has the obligation to respond and duly justify any negative response to a naturalization application as well as it set specific deadlines in which the competent authorities should act.

The law emphasized the importance of political identity as a decisive factor for the determination of citizenship. As it is referred in the explanatory report to the law (2010) “*without undermining the importance of the Greek descent for the formulation of the Greek people, this new perception links the citizenship and the consequent political participation rights to the acquisition of the Greek political identity or, as is also known,*

---

<sup>11</sup> also known as “Ragousis law” after the former Interior Minister Yiannis Ragousis

*the formulation of a Greek political consciousness. Identity or consciousness that are not relied to blood, origin or to the acquisition of some national-religious characteristics but to the full and active participation to the social and economic life of the country, on the one hand, and the ability of full and active participation to the life of the Greek Democracy with respect to its principles, on the other”.*

In general, the law signified a shift to the Greek citizenship policy towards a more liberal direction, consistent to the dominant paradigm of the other European countries and towards the ‘reformatory / modernizing’ paradigm, as this was described above. With these provisions, the legislator seems to recognize and accept the reality of the permanent character of the presence of immigrants in the Greek territory and lays down measures that facilitate their integration and their personal and family planning.

However, in 2013, the Council of State<sup>12</sup>, the Greek Highest Administrative Court, deemed some provisions of the law unconstitutional<sup>13</sup> and ruled that the criteria for the granting of citizenship were not sufficient as each case should be examined individually to ensure a genuine bond with the country and the Greek society.

As the Council of State is not a Constitutional Court, its ruling did not abolish the law, which kept standing. Even though the winner of 2012 elections Antonis Samaras committed to repeal the law and the government spokesman Simos Kedikoglou announced that the law which grants citizenship and voting rights to second-generation immigrants, would be “replaced with new legislation compatible with the decision of the Council of State” (Ekathimerini 2012), the controversial provisions were not abolished, even though in many cases the Public Administration refused to implement them.

In 2015, the government of SYRIZA amended again the Citizenship Code, with a view to harmonizing its provisions with the aforementioned decision of the Council of State. According to the new law<sup>14</sup>, children of foreign nationals, who were born in Greece, will be entitled to acquire Greek citizenship if they are enrolled in the first grade and attend a Greek school in the year when the appropriate statement is submitted. Another requirement stipulates that one of the two parents should have legally resided in Greece for the last 5 years before the birth of the child.

---

<sup>12</sup> Decision No 460/2013 (plenary session)

<sup>13</sup> regarding the granting of citizenship to the second generation, as described previously

<sup>14</sup> Law 4332/2015

The law tries to overcome the situation created by the deemed unconstitutionality, while ensuring the integration goal for the second generation. According to the explanatory report to the law (2015) “*the new provisions do not attribute the Greek citizenship at birth but because of the birth at the critical time when the child is enrolled in the Greek school [...] when the child mostly needs for the first time to be included as a part of the Greek people.*” And the report continues “*the goal of the legislator is twofold: the first one is to ensure that the Greek citizenship will be acquired by persons whose living plan is foreseen, in a well-established and personalized manner, to be executed in Greece [...] The second one, of equal importance is to ensure that the acquisition of citizenship by the child will happen during childhood. This is an absolute priority...*”

### ***The reform of the asylum system***

As it was pointed out in a landmark Decision of the European Court of Human Rights<sup>15</sup> as well as in another Decision of the Court of Justice of the European Union<sup>16</sup>, the Greek asylum system was characterized by deficiencies resulting to violations of the fundamental rights of the international protection applicants. As a result of these decisions, Greece was no longer considered as a safe country for the examination of asylum applications, as required by the Dublin Regulation and, consequently, Member States suspended the transfers of asylum seekers to Greece.

Since 2010 Greece has taken up a comprehensive reform of its asylum system<sup>17</sup>, with a view to conform to its obligations deriving from its participation to the European Union and its international commitments. The new legal framework was adopted in 2011, under the PASOK administration, with the Law 3907/2011. This law reformed the Greek asylum system by introducing: i. a new specialized body in charge of processing asylum applications at first instance, the Asylum Service, ii. a new Appeals’ authority and iii. a

---

<sup>15</sup> case M.S.S. versus Belgium and Greece [Court (Grand Chamber), 21/01/2011, Application No 30696/09],

<sup>16</sup> Case N. S. (C-411/10) v Secretary of State for the Home Department and M. E. and Others (C-493/10) v Refugee Applications Commissioner and Minister for Justice, Equality and Law Reform [Judgment of the Court (Grand Chamber) of 21 December 2011]

<sup>17</sup> Greece first introduced a national “Action Plan on Asylum and Migration Management”, submitted to the Commission in August 2010 and revised in January 2013. These action plans are not legally binding but they only provided the guidelines of the policies that should be adopted and implemented

body responsible to provide first reception services to third country nationals who are intercepted while crossing the border irregularly, the First Reception Service.<sup>18</sup> The core change that the new law brought about was the transfer of the competencies related to the asylum procedure from the Police authorities to the aforementioned Services, which are staffed with civil personnel and have as sole responsibility the management of the asylum system. The recently introduced by the SYRIZA-ANEL administration law 4375/2016<sup>19</sup> aims at enhancing the capacity and the effectiveness of the Services involved.

#### **IV. CONCLUDING REMARKS**

In times of economic turmoil and social unrest, governments tend to introduce more restrictive immigration policies. The rise of unemployment and its effect to the living and working conditions of the citizens intensifies the anti-immigrant and xenophobic attitudes. Due to their diversity, immigrants are an easy enemy to be targeted and blamed for, as those who ‘steal’ our jobs, burden the social system, commit crimes and cannot integrate. Far right parties gain support and even politicians from mainstream parties use anti-immigration rhetoric. Once the negative stance towards immigration is a common place in political discourse, hostility and suspiciousness towards immigrants is further reinforced among the society and the voices that call for a limitation to immigration are increased. This shift in opinion causes a shift in policies and legitimizes more restrictive legislation. That was the case in Spain, for example, which reacted in the crisis by introducing policies that made the access to the country difficult for workers as well as restricted integration (Finotelli C, 2014).

Since 2009 Greece has been going through a protracted and damaging economic crisis. The austerity measures that were adopted impeded growth and raised unemployment. According to what has just been mentioned, one would expect that Greece would introduce more restrictive policies on immigration.

---

<sup>18</sup> The law also transposed into the Greek legislation the Directive 2008/115/EC ‘on common standards and procedures in Member States for returning illegally staying third country nationals’.

<sup>19</sup> The law also transposed into the Greek legislation the Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection

However that was not the case. It is a fact that the stance of Greek society towards immigration has been hardened, far-right parties like Golden Dawn came up from anonymity and the rhetoric that portrays immigrants as a problem and a burden has gained ground and become mainstream in the political discourse. Even though there was a shift in legislation regarding residence status and citizenship since 2010, this did not become more restrictive. By comparison with the previous status, the new legislation lays down a more concrete framework, clarifies the procedures, restores the legitimacy of administrative action in accordance with the rule of law and facilitates the residence in Greece, the integration of immigrants and the acquisition of citizenship. Even the contested clauses for the acquisition of citizenship which were deemed unconstitutional by the Council of State were not abolished, while at the same time the other favorable provisions of the law were in force and implemented. The change in the Citizenship Code in 2015 overcame the deemed unconstitutionality but it did not signify a restrictive turn. Furthermore, a reform of the asylum system has been introduced since 2011.

Despite to what would be expected in a financial crisis context, in the last years there was a paradigm shift of the Greek immigration policy from the traditional to the reformative / modernizing. As A. Kontis (2016) points out *“Greece, with delays and setbacks, overcomes the hesitation and the reluctance and moves forward to adopt a modern conception for the immigration policy and the political nation”*. Of course, this does not mean that Greece has adopted a policy open to immigration. However, the new legislation is less restrictive comparing to the past.

But which are the reasons behind this unexpected shift in the Greek immigration policy? One possible explanation lies in the economic reasoning, as immigrants may become a driving force to boost the economy of the aging European countries. Furthermore, the emergence of left-wing parties like SYRIZA and DHM.AR. (Democratic Left) as mainstream political parties with alternative, pro-immigrant discourse may have also played a role to this direction. Future research may shed light on the driving forces behind the Greek immigration policy.



## References

Baldwin-Edwards, M. (2014) 'Immigrants, racism and the new xenophobia of Greece's immigration policy', *MMO Working Paper*, No. 11, July.

Barbero, I. (2015) 'Scapegoat citizens in times of austerity: the impact of the crisis on the immigrant population in Spain' *Social Identities*, is. 21, v. 3, p. 244-256.

Billiet J., Meuleman B. and De Witte, H. (2014) 'The Relationship between Ethnic Threat and Economic Insecurity in Times of Economic Crisis: Analysis of European Social Survey Data', *Migration Studies*, is. 2, v. 2, p. 135-161.

'Bid to repeal citizenship law divides coalition' (2012, November 14) *Ekathimerini*, retrieved from <http://www.ekathimerini.com/146136/article/ekathimerini/news/bid-to-repeal-citizenship-law-divides-coalition> (accessed 13-4-2016)

'Citizenship, a challenge for the government' (2015, February 4) *Kathimerini*, retrieved from <http://www.kathimerini.gr/802162/article/epikairothta/politikh/h-i8ageneia-dokimasia-gia-thn-kyvernsh> (accessed 13-4-2016).

Czaika, M. and De Haas, H. (2011) *The Effectiveness of Immigration Policies - A Conceptual Review of Empirical Evidence*, IMI Working Paper Series, No 33, April.

Explanatory report to the bill "on entrance-exit, stay, work, deportation of foreigners, procedures for the recognition as refugees and other provisions", 1991.

Explanatory report to the bill "on the amendment of provisions of the Greek Citizenship Code- Transposition into the Greek legal order of the Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State and the Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers", 2015.

Explanatory Report to the bill "Contemporary provisions for the Greek Citizenship, the political participation of homogeneous and legally residing migrants and other provisions", 2010

Explanatory Report to the bill "Code for Migration and Social Integration", 2014

‘EU Commissioner: Xenophobia in Greece is a result of the economic crisis’ (2013, May 16), *Imerisia*, retrieved from <http://www.imerisia.gr/article.asp?catid=26510&subid=2&pubid=113044173> (accessed 13-4-2016)

Dustmann, C. and Preston, I. (2004) *Racial and Economic Factors in Attitudes to Immigration*, London: Centre for Research and Analysis of Migration.

Finotelli, C. (2014) *Is the economic crisis seriously impairing integration? The case of Spain*, paper presented at IMISCOE 11<sup>th</sup> Annual Conference, Madrid, 27-29 August.

Gropas, R. and Triandafyllidou, A. (2009) “Greece” in Triandafyllidou A. and R. Gropas (eds) *Immigration to the European Union*, Athens: Kritiki.

Hammar, T. (ed.), (1985) *European Immigration Policy*, Cambridge: Cambridge University Press.

Jackson, J. W. (1993) ‘Realistic Group Conflict Theory: A Review and Evaluation of the Theoretical and Empirical Literature’, *The Psychological Record*, is. 43, v. 3, p. 395-413.

Kontis, A. (2016) *A review of Greek Immigration Policy*. Unpublished

Lesińska, M. (2014) ‘The European backlash against immigration and multiculturalism’, *Journal of Sociology*, is. 50, v. 1, p. 37–50.

Mayda, A. M. (2006) ‘Who is Against Immigration? A Cross-Country Investigation of Individual Attitudes Toward Immigrants’, *The Review of Economics and Statistics*, is. 88, v. 3, p. 510-530.

‘ND: Open Invitation to smuggled immigrants the bill for the citizenship’ (2015, May 5), *Tovima*, retrieved from <http://www.tovima.gr/politics/article/?aid=704441> (accessed 13-4-2016).

O’ Rourke, K. H. and Sinnott, R. (2006) ‘The Determinants of Individual Attitudes towards Immigration’, *European Journal of Political Economy*, is. 22, p. 838–861.

Pavlou, M. (2009) “Discourse and Policies for the Immigrants” in Pavlou, M. and A. Skoulariki (eds) *Immigrants and Minorities. Discourse and Policies*, Athens: Vivliorama.

Pew Research Center (2014) *A Fragile Rebound for EU Image on Eve of European Parliament Elections. EU Favorability Rises, but Majorities Say Their Voice is Not Heard in Brussels*, Pew Research Center Report, May.

‘Samaras: There are as many unemployed people in Greece as there are illegal immigrants’ (2013, October 21), *ThePressProject*, retrieved from <http://www.thepressproject.net/article/49215/Samaras-There-are-as-many-unemployed-people-in-Greece-as-there-are-illegal-immigrants-video> (accessed 13-4-2016)

‘Sweep operation in the Center announced by Chrysochoides’ (2012, March 3), *Ethnos*, retrieved from [http://www.ethnos.gr/politiki/arthro/epixeirisi\\_skoupa\\_sto\\_kentro\\_proaniggeile\\_o\\_xrysoxoidis-63632876/](http://www.ethnos.gr/politiki/arthro/epixeirisi_skoupa_sto_kentro_proaniggeile_o_xrysoxoidis-63632876/) (accessed 13-4-2016)

Triandafyllidou, A. (2010) ‘Twenty years of Greek migration policy’ in A. Triandafyllidou and Th. Maroukis (eds) *Migration in 21<sup>st</sup> century Greece*, Athens: Kritiki, p. 97-126.

Tampakoglou, E. (2014) ‘Mainstream Political Discourse and its Implications’ in Bevelander, P. and B. Petersson (eds) *Crisis and Migration. Implications of the Eurozone Crisis for Perceptions, Politics and Policies of Migration*, Sweden: Nordic Academic Press, p. 103-130.