

COUNTRY REPORT
GREECE



Undocumented Migration

Counting the Uncountable. Data and Trends across Europe

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CLANDESTINO

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Undocumented Migration: Counting the Uncountable

Data and Trends across Europe

This interdisciplinary project is a response to the need for supporting policy makers in designing and implementing appropriate policies regarding undocumented migration. The project aims (a) to provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) to analyse these data comparatively, (c) to discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) to propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU. Twelve selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) are under study in this project. Three non EU transit migration countries used as key 'stepping stones' by undocumented migrants en route to the EU, notably Turkey, Ukraine and one Maghreb country, are also analysed. Where relevant, the project considers the factors affecting the shift between legal and undocumented status among migrant populations. The project work programme is complemented by two regional workshops with policy makers and academics, 12 fieldvisits each resulting in a series of meetings with key policy actors, NGOs and journalists working on migration in each of the EU countries studied. The CLANDESTINO database on irregular migration in Europe, the Project reports and Research Briefs are available at: <http://clandestino.eliamep.gr>

Each country report reviews all relevant data sources on irregular migration (e.g. apprehended aliens at the border or in the inland, expulsion orders, people registered through health or other welfare schemes for undocumented immigrants, municipal registers, statistical estimates from national and European statistical services), assesses the validity of the different estimates given and produces a new estimate for year 2007 for each country studied. The country reports cover the period between 2000 and 2007 and the database offers estimates for each country for years 2001, 2004 and 2007 (as the last year for which data or estimates were available when the study was conducted, that is in late 2008). This quantitative analysis is complemented by the critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of irregular status in each country. It is noted that the non-registered nature of irregular migration as a social phenomenon makes any quantification difficult and always produces estimates rather than hard data.

The Hellenic Foundation for European and Foreign Policy (ELIAMEP) is the coordinating institution of the CLANDESTINO consortium. CLANDESTINO Partners include the International Centre for Migration Policy Development (ICMPD) in Vienna, the Hamburg Institute of Economics (HWWI), the Centre for International Relations (CIR) in Warsaw, the COMPAS research centre at the University of Oxford, and the Platform of International Cooperation on Undocumented Migrants (PICUM) in Brussels.

The Hellenic Foundation for European and Foreign Policy (ELIAMEP), founded in 1988, is a non-profit, non-partisan, interdisciplinary research institute whose mission is: to provide a forum for public and political debate on issues of European integration and international relations and raise public awareness; to conduct independent, policy-relevant scientific research; and to train civil servants, journals, and young professionals on issues pertaining to

European integration. Migration has emerged as one of the key research and policy topics for ELIAMEP in recent years. Through a number of research projects and conferences in Greece and in other European countries, ELIAMEP has been actively contributing to the Europe-wide debates and efforts to devise policy responses aimed at addressing social and political challenges posed by migration within our rapidly changing European societies.

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CONTENTS

Part I: Setting the frame	5
1. The regular migration framework.....	6
2. Understanding irregular migration in Greece	10
2.1. Types of irregular migration.....	10
2.1.1. <i>Processes of migrants' entry in Greece</i>	11
2.1.2. <i>Processes of migrants' stay in Greece</i>	16
2.2. The main routes of irregular entry into Greece	20
2.3. Brief overview of the main nationalities of irregular migrants	22
2.4. Grey zones with regard to toleration of irregular stay/work	24
2.5. Pathways out of irregularity.....	26
2.6. The main public discourses on irregular migration.....	28
2.7. Understanding why irregular migration 'suits' Greece	31
Part II: Estimates, data and assessment of total size and composition of irregular migrant population	34
1. Most relevant data sources and studies.....	34
2. Estimates, data and expert assessments on stocks	41
2.1. Total stocks	41
2.2. Gender composition.....	55
2.3. Age composition	59
2.4. Nationality composition.....	61
2.5. Economic sector composition (most relevant sectors)	65
2.6. Former asylum seekers and refugee related groups.....	66
3. Estimates, data and expert assessments on flows	69
3.1. Demographic flows.....	69
3.2. Border related flows.....	69
3.3. Status related flows	73
Part III: Discussion and policy implications	75
Part IV: Specific Policy Recommendations for Irregular Migration in Greece	80
References	82
Annex I: List of interviews	87
Annex II: List of relevant institutions and organizations	88
Annex III: Interview Guides	89

Part I: Setting the frame

Large-scale immigration to Greece has only become an issue recently. For the greater part of the twentieth century, Greece was predominantly a country people emigrated *from*. However, there was a gradual reversal in the last three decades, with *net* inflows being registered. The inward flows in the 70s and 80s consisted of returning Greek guest workers, members of the Greek Diaspora from Egypt or elsewhere, as well as political exiles from the time of the Civil War of the 1940s.

Emigration trends from Greece started diminishing in the mid-1970s, in fact the National Statistical Service of Greece stopped collecting data on emigration from Greece in 1977. In the end of the 1980s and mostly in the beginning of the 1990s the size of the migratory influx in Greece grew exponentially and rather unexpectedly. This process took off after the events of 1989 in the former socialist countries. Most of the migrants came from neighbouring countries such as Albania and Bulgaria but the number of co-ethnic returnees from countries of the former Soviet Union was also considerable. Waves of economic migrants and asylum seekers have also been arriving from Eastern Europe, the former USSR, the Middle East and several Asian and African countries. In some cases (especially early on in the process), Greece was a stepping-stone on their migration route westward; increasingly though migrants settled down in Greece.

In a population of 11,192,849 people in 2007 according to the National Statistical Service of Greece (ESYE) (the most recent estimate of population in Greece by ESYE is for 2007), there were 678,268 migrants with stay permits in 2008 (of those approximately 363,700 still had a valid stay permit in March 2009 and another 314,568 were in the process of renewing their permits—the respective numbers in 2007 were 433,751 and 250,000). This report has estimated that there were 280,000 irregular migrants present in the Greek territory at the end of 2007. The irregular migration estimate refers to 2007 because it was only for that year possible to collect all the data necessary to produce the estimate.

In attempting to talk about the size of the irregular migration in Greece, it is necessary to go through the regular migrant stock. As we shall demonstrate though in this report, in Greece there are no reliable direct sources from which irregular migrants can be estimated. Calculating the regular migrant stock is not as straightforward and researchers frequently need to discuss migration in the continuum of irregularity-regularity in order to reflect the reality.

Part I of this report constructs a typology of irregular migration through an analysis of the structures regulating the entry and stay of migration in Greece. The interaction between migration policies aimed to tackle irregular migration and migrants' routes, projects and experiences is discussed next. In the context of an analysis of public discourses on irregular migration that follows the juncture between political agendas and social and economic realities is highlighted. Part II of this study critically explores the sources of data and estimates of irregular migration and, in particular, the validity and reliability of the methods used in their production. Simultaneously the estimate of the irregular migrant stock for 2007 is produced. Part III discusses the different agents and contexts under which estimates on irregular migration are used. In Part IV policy suggestions are indicated.

1. The regular migration framework

Greece emerged as an immigration country in the early 1990s¹ but did not really begin to address the phenomenon of irregularity until 1998. The vast majority of immigrants that arrived in Greece during the 1990s was working irregularly and had no papers². The abundance of expendable and cheap labour hands served the Greek economy and in particular the thriving of small and medium-small firms and interests (Lyberaki & Labrianidis 2001). Many crucial sectors of the Greek economy (agriculture, farming, constructions sector and public works, tourism, domestic services, healthcare) are dependent on migrant labour hands. On the other hand, migrants – especially Albanians who wanted to make some money quickly, go back to their neighbouring country of origin and did not envisage the long-term aspect of their migration venture – were equally content in the beginning. Politics did not do much to change this convenient intersection of interests. Years passed, migrants were slowly starting to bring their families and develop different expectations. This in turn challenged the expectations of Greek employers over cheap labour and governments were reluctant to follow-up institutionally the changing demographic and socioeconomic framework. The large number of undocumented migrants residing and working in the country (estimated at half a million in the mid-1990s already), however, led eventually to the first legalisation program voted in 1997 and implemented in 1998. The limited effectiveness of this first regularization scheme is evident from the fact that 143,000 out of the 371,000 1998 applicants for the six month duration White Card did not apply for the yearly long Green card. The L.2910/2001 was the first immigration law that tried to address the reality of stay of economic migrants in Greece while it extended the focus on entry regulations and expulsions of irregular foreigners from the previous L.1975/1991 that aimed to radically decrease migration altogether. The second regularization program that came along with L.2910/2001 came again without much planning as a favour to migrants (Fakiolas 2003). The experience of regularization, however, did not secure migrants from falling back to illegality. There was a race behind a permit renewal since the migrant had to resubmit his papers for renewal shortly after he/she received the much delayed permit (Triandafyllidou 2005). Nowadays, after another regularization program under the 2005 legislation (that extended the permits from 1 to 2 years) and the amelioration of the bureaucratic machine dealing with the stay permits, the regular migrant population has more or less stabilized. However, significant delays and the struggle to get the necessary social security stamps³ and maintain one's regular status are still part of the picture.

Albanians constitute by far the largest immigrant group in Greece representing over 50% in the total migrant population. The 2001 Census shows that 438,000 out of 762,000 (57% of the total) Third Country Nationals (TCNs) are Albanians. An important segment of Albanian citizens are Greek co ethnics (known as *Vorioepiotes* in Greece) and it is likely that they identified themselves as Greeks to the Census takers (see Part II) and therefore only a part of them might appear in the Albanians'

¹ Even though migrants were coming mainly via bilateral agreements of Greece with their respective countries from the 1970s and 1980s (e.g. Pakistanis, Egyptians) (Tonchev 2007). Phillipines, another quantitatively significant immigrant group, have been coming in Greece from the 1980s.

² There were 80,000-120,000 and 20,000-34,000 foreigners (about half were ethnic Greeks from Albania and former Soviet Union and EU nationals) with valid residence and work permits respectively in Greece before the 1998 legalization (Fakiolas 2003: 540).

³ These stamps refer to the social security fees contribution that migrants need to provide as evidence towards the issue or renewal of their stay permit.

count. They hold Special Identity Cards for *Omogeneis* (co-ethnics) (EDTO) issued by the Greek police and are therefore not included in the Ministry of Interior data on aliens in Table 1. The EDTO 3- and 10-year permits on 1.1.2008 were 33,000 and 152,000 respectively according to data recently made available by the Greek Police Headquarters, Ministry of Interior. Vorioepiotes enjoyed a privileged status compared to TCNs since they could renew their permit every 3 years instead of every year and had extended socio-economic rights. Their special ID card also allows for travelling into Schengen without a passport. Furthermore, it was prohibited to deport them. On the other hand, they were a step behind the co-ethnic returnees from the former Soviet Republics, generally referred to as *Pontic Greeks* who arrived in Greece in the late 1980s and early 1990s as economic migrants and were immediately granted Greek citizenship⁴. According to the special census administered by the General Secretariat for Repatriated Co-Ethnics in the year 2000, 152,204 Pontic Greeks had settled in the country. More than half of them (about 80,000) came from Georgia, 31,000 came from Kazakhstan, 23,000 from Russia, and about 9,000 from Armenia.

Polish, Bulgarians and Romanians until their accession to the EU constituted three of the biggest TCN migrant groups after the Albanians. Their stay permits are now issued by the Greek police office that deals with the EU citizens' permits and their deportation is prohibited. However, Bulgarians and Romanians by and large have not switched yet from their TCN permits to EU nationals permits; this is why they appear in the columns of stay permits in Table 1. As far as their employment is concerned, they tend to work in the shadow economy and, in particular, the sectors of agriculture, constructions and services⁵.

Looking at the valid permits of stay in April 2008 (Table 1a) one may observe that Albanians, Ukrainians, Georgians, Russians and Egyptians who have been in Greece for quite a while count for most of the regular migrant population in Greece. The fact that the residence permits of Ukrainians, Egyptians as well as Pakistanis, Indians, Bangladeshis, Moldavians and Phillipines have superseded or equaled their counts in the 2001 Census cannot be taken at face value; it is not valid to assume that the majority of these groups are regularized since most of them (especially the Asians) entered the country after 2001 (see Part II). Rather than an emergence of the respective national groups from undocumented status, this increase in permits shows an increase in their actual numbers. Afghans and Iraqis (Table 1a) who are mostly newcomers have a low share in the regular migrant population; the majority of them are asylum seekers as we shall see in Part II, Table 13.

An attempt to determine how irregular migration relates, as a discourse and as a number, to these regular permit data and census numbers will be made in Part I and II respectively. Part III shall discuss the effect that the discourse of irregular migration has on its estimates and vice versa.

⁴ Triandafyllidou A. (2001) The Hierarchy of Greekness (seminar for the Sociology department of the University of Bristol).

⁵ Characteristic are the cases of Romanians and Bulgarians entering and living in Greece legally and simultaneously working illegally on the agricultural sector cited in the press (Kathimerini, *Infertile struggle from migrants*, Wednesday 30 July 2008, p.3.).

Table 1: Migrant population in Greece according to 2001 Census and Ministry of Interior data

Country of Origin	Census 2001		Valid stay permits Oct 2007	Valid stay permits April 2008		EU Citizens' Valid Permits April 2008	
	Number	Percentage	Number	Number	Percentage	Number	Percentage
Albania	438,036	57.49%	303,225	274,390	63.51%		
Bulgaria	35,104	4.60%	27,182	18,154	4.2%	11,805	21.90%
Georgia	22,875	3.00%	12,990	12,825	2.96%		
Rumania	21,994	2.88%	15,884	10,574	2.44%	8,775	16.28%
USA	18,140	2.38%	1,946	1,893			
Russia	17,535	2.30%	10,704	10,564	2.44%		
Cyprus	17,426	2.28%				5,592	10.37%
Ukraine	13,616	1.78%	19,005	17,456	4.04%		
UK	13,196	1.73%				6,715	12.45%
Poland	12,831	1.68%	1,006	876	0.20%	6,922	12.84%
Germany	11,806	1.54%				4,063	7.53%
Pakistan	11,130	1.46%	12,126	11,084	2.56%		
Australia	8,767	1.15%					
Turkey	7,881	1.03%	1,005	1,069	0.24%		
Egypt	7,448	0.97%	10,356	10,090	2.33%		
India	7,216	0.94%	9,104	8,688	2.01%		
Philippines	6,478	0.85%	6,644	6,790	1.57%		
Italy	5,825	0.76%				2,218	4.11%
Moldavia	5,718	0.75%	9,906	8,767	2.02%		
Syria	5,552	0.72%	5,907	5,586	1.29%		
Bangladesh	4,854	0.63%	4,682	3,761	0.87%		
OTHER	68,385	8.97%		29,455	6.81%	7,810	18.60%
TOTAL	761,813	100.00%	481,501	432,022	100.00%	53,900	100.00%

Source: Ministry of Interior, Oct. 2007, April 2008 National Statistical Service of Greece, authors' compilation

Table 1a: *Valid permits of stay of TCNs*

Nationality	Valid permits April 2008
Albania	274,390
Ukraine	17,456
Georgia	12,825
Pakistan	11,084
Russia	10,564
Egypt	10,090
Moldavia	8,767
India	8,688
Philippines	6,790
Syria	5,586
Bangladesh	3,761
Armenia	4,233
Yugoslavia (Serbia-Montenegro)	3,662
China	1,962
Nigeria	1,717
Iraq	820
Sri Lanka	755
Morocco	528
Iran	432
Ghana	371
Sudan	221
Afghanistan	254
Grand total excl EU27, US et al developed countries⁶	398,846

Source: Ministry of Interior, April 2008

⁶ This Grand Total concerns the authors' calculation based on the Ministry of Interior data.

2. Understanding Irregular Migration in Greece

Who is an irregular migrant? According to the definition of irregular migration adopted in the CLANDESTINO project, an irregular resident is someone “without any legal residence status in the country he/she resides in and whose presence in the territory – if detected – is subject to termination through an order to leave and/or an expulsion order”(Jandl, Iglicka, Vogel 2008). Applying this broad definition of the term to the respective national context requires an analytical description of the mechanisms and processes through which migration is managed and experienced in the respective host country. The ways the landscape of migration policy interweaves with the migrants’ strategies in the particular economic environment of Greece create a particular context for the production of irregularity. Comprehending the issues relevant to this context is important towards mapping some of the impediments that a national context brings towards the mainstreaming of migration policy across Europe. Because, as we shall see in this report, irregular migration is firstly a matter that spills over the border control regime of the host country to the wider spheres of its migration and economic policy; secondly, it cannot be tackled by a host country alone, while a case-by-case bilateral approach is also permeable by wider international developments.

Bearing this in mind, this section is organized accordingly. It begins with the discussion of the types of irregular migration that are produced in Greece. As will become clear, the rules and structures setting the entry, the stay and the exit of the migrant produce the categories of irregularity of his/her existence. Next to be discussed are the pathways of irregular entry and the main countries of origin of irregular migrants which frame the interaction between migration policy regime and migrants’ projects in the regional context of South Eastern Europe. Where someone comes from and how is important when discussing the production of types of irregular migration. Then follows the discussion of how irregularity is accommodated in practice in spite of the existing pathways out of illegality; the stock of irregular migrants in Greece is not only a result of shortcomings in migration policy design and implementation but also a product of the structures of Greek economy. Lastly, critical to the construction of irregularity is the way in which it is discussed. The public discourses on irregular migration bring together the different parts of the migration system discussed above in a comprehensive way by showing the economic, social and political relevance of the Greek paradigm of managing irregular migration.

2.1. Types of irregular migration

Irregular migration means different things in different countries. In order to understand irregular migration in Greece, first, one has to explore the pathways through which migrants become irregular. Four types of irregular migrants are discerned here; namely, illegal entrants, visa overstayers (legal entrants on a short-term visa that expired), rejected asylum seekers, regularized migrants that fall back into illegality. These are a result of the interaction of migrants’ strategies with malfunctioning and narrowing avenues for legal entry in the host country, and unrealistic (considering the Greek labour market features and practices) immigration laws with regard to their stay.

In this respect, the following discussion of the policy landscape regulating the entry and stay of migrants in Greece is crucial in order to bring up the different categories of irregular migration.

2.1.1. Processes of migrants' entry in Greece

First, the mechanisms regulating the entry of the bulk of TCN migrants into Greece shall be discussed. The analysis will have a particular focus on four main channels to enter Greece legally, all of which are related to the migrants' projects, a certain type of permit and subsequently particular types of irregular migration. The first is to enter with a VISA for family reunion. The second is to enter with a visa for dependent work purposes; managing this entry channel is *metaklisi*, the system of inviting foreign workers. Seasonal labour is organized within the framework of *metaklisi* mainly through bilateral agreements between the host country and emigration countries. The third avenue is entering Greece as an asylum seeker. The fourth legal passage into Greece that involves the biggest number of users is visa applicants for the purpose of tourism⁷. A fifth and more minor pathway of legal entry in Greece is via a visa for the purpose of study.

The channel of family reunion is now in the limelight in Greece as it has been for older EU immigration countries for decades. It comes second in terms of the numbers of migrants it involves as can be deduced from Table 2, even though this is not the appropriate source to draw conclusions from with regard to the entry of migrants⁸. Ideally, the visas issued for this particular purpose should be used instead; however, the Ministry of Foreign Affairs could not provide us with such data. According to L. 3386/2005, a migrant is eligible to bring his/her family members only after the completion of at least two years of legal stay in the country. He/she has to prove the family relation with the persons he/she wants to invite before the Immigration Committee of the respective Region (*Perifereia*) and have an income⁹ that can support both the wife/husband and children. The problems with this policy vary. First, the yearly income that the worker needs to provide evidence for in order to 'bring' his/her family becomes quite high, way past the worker's minimum wages. Second, this policy fails to reflect the migrants' situation in many other respects. In particular, providing evidence for such an income is particularly difficult when the partner of the applicant is not 'already' working and therefore contributing to the declared income¹⁰. Furthermore, many migrants working informally often take part (or all) of their pay as cash in hand without any receipt. Demonstrating the validity of the problem is the fact that *Perifereia* is reported to routinely reject family reunification applications that demonstrate a yearly income of less than 10,200 euros (yearly minimum worker's wages adjusted with an added 20% for invited partner) (Int. 20).

Moreover, even in the case of a positive decision of the *Perifereia* General Secretary, the Greek consulate at the country of origin in question has the right to

⁷ The bulk of TCN migrants who enter the country legally, use this channel of entry. There are also other reasons for which the entry is regulated (for independent economic activity, for athletes, for business executives etc), but the numbers involved here are minimal and therefore they are not included in the discussion.

⁸ Firstly, it includes migrants that did not necessarily enter Greece legally with a visa for family reunion. Secondly, it includes dependants who were registered in their partner's and/or parent's permit and acquired their own permit of stay after the change of legislation in 2005.

⁹ A worker's minimum wage, that is adjusted with an added 20% (of the wage) for the support of the husband/wife and another 15% for every child.

¹⁰ Family reunification actually happens *ex post* in most cases; the family is already in the country and applies for regular entry via family reunification.

deny the issuing of the required visa without any justification¹¹. The latent and/or conscious efforts to narrow the entry of migrants through family reunification are not reflected only in legal provisions like the above, but also in the very operation of the procedure. The prevalent rationale of the Immigration Committee conducting an average of 60 interviews per week for family reunion permits is to restrict eventually the migration wave, as our interview with the Region of Attica administration reveals. The main concerns of the interviewed member of this Committee seem to be the native unemployment supposedly increased by the advent of migrants and the saturation point of the Greek economy and State that is neither willing nor prepared to host immigrants for good¹² (Int. 9).

Migrants entering Greece for the purpose of study is another legal pathway to enter Greece. The numbers it involves are much less than other categories should we look at the permits of stay issued for this purpose (Table 2). Entrants under this channel are only allowed to work part-time. Whether migrants come to Greece with a visa for study purposes, acquire a relevant permit and work full time instead, and thus are liable to withdrawal of their permit if detected, is a hypothesis that needs investigation.

Metaklisi, the legal pathway through which migrants entering for dependent work are intended to be channeled into Greece seems unable to meet the goal it sets. The red-tape it involves¹³ causes critical delays and therefore annuls any chances of the offer meeting the demand for foreign workers. Data collected from the Municipality of Athens¹⁴ and interviews with municipality officials (Int. 5) show that actually very few employers in the Athens metropolitan area chose to invite foreign workers through this procedure last year. It is characteristic that an invitation may last up to 18 months and in any case no less than a year in a municipality in the greater Athens metropolitan area (Int. 6). Secondly, employers are not likely to go through this procedure in order to employ workers when they can turn to the labour supply of

¹¹ Justification is required only in the case that the TCN applicant has been awarded with a refugee status.

¹² Her argument is that the Greek State cannot talk about migration policy and settlement of migrants when it does not really want to satisfy these people's social insurance and pension claims that derive from their work (Int. 9). The discussion that is so far avoided by the Greek governments about the future pension claims of immigrants that have been working in Greece (and their possible transfer to their countries of origin should they wish to retire there) is what the interviewed civil servant refers to.

¹³ Employers who wish to invite an immigrant worker need to apply to their Municipality until the 30th of June of every year informing the authorities of the number and specialization of employees they need for the following year. The Municipality sends the requests to the Region (Nomarhia) and the Perifereia sends the requests to the Organization for the Employment of the Labour Force (OAED) for a control of the Greek labour market vacancies on those positions. Following that, the OAED report on labour market vacancies is sent to the Regional Directorate of Foreigners and Immigration (Perifereia). The latter sends a report based on the employers' requests and the OAED defined vacancies to the Ministry of Employment and Social Protection based on which the Ministers of Interior, External Affairs and Employment determine the highest number of stay permits for employment that can be issued in the following year. The Inter-ministerial decision is then notified to Ministries, Regions (Perifereia), OAED, and the Greek consulates abroad. The prospective employers once more apply to the Municipality; the latter forwards the request to the Region; the Region verifies that the same employers had also applied before the 30th of June of the previous year and checks if the specialties of the requests are included in the Common Ministerial Decision and that the number of employees needed does not exceed the maximum number, and eventually sends the lists to the Greek consular authorities abroad. The consular authorities receive applications from prospective immigrant workers, compile name lists and forward them to the Regions that forward them to the Municipalities. Finally the interested employers make a selection from that list by making an application inviting a specific person.

¹⁴ The biggest in terms of inhabitants in the whole of Greece.

migrants already residing in Greece. Adjusting to the delays of the process would stifle economic activity; especially in the tourist and agricultural sector where the demand for workers has to be instantly satisfied. Third, the Labour Offices that according to law 3386/2005 should have been created in Greek consulates with the purpose of managing the process of *metaklisi* were never established (Int. 4 and Int. 2); this denies any chances that the employer could have had, theoretically speaking, to check and receive additional information about the worker that would come to fill his/her vacancies. On the other hand, as officials from the Ministry of Employment itself commented, “*what more would our offices do there? There are other offices in these countries doing this job anyway*” (Int. 21). Indeed, the system has functioned so far with prospective migrants acquiring visas from formal and informal employment agencies in their country of origin. However, the main criterion for getting such a visa is money, not qualifications offered by the worker and desired by the future employer. Secondly, it is a process that usually bypasses legal procedures; the majority of these visas are for purposes of tourism, and only after the migrant arrives in the country does he/she come into contact, for the first time, with the random employment niche that the agency has access to¹⁵.

The case of *metaklisi* for seasonal labour is mainly regulated by the existing active bilateral agreements for particular economic sectors. Albania (L.2482/1997), Bulgaria (L.2407/1996) and Egypt (L.1453/1984) are the countries with which Greece has such active agreements. However, this channel seems to be of limited quantitative importance. A glimpse at the permits issued for this purpose in 2007 confirms this (Table 2). Whether migrants overstay their visas for seasonal work is a matter that requires further exploration from empirical studies and administrative mechanisms that would collect such information and register it in appropriately formulated databases. In any case, recent empirical studies show that seasonal workers move from a job and an area to another according to the season (for example, from agriculture to tourism and services and from primarily agricultural areas to multifunctional countryside) and sometimes settle in one place and do more than one job (Kasimis & Papadopoulos 2005: 106, Kasimis 2008).

The malfunctioning and hardened legal avenues into Greece that have been so far discussed leave no option to migrants without the necessary means and networks to pursue a legal entry (with a visa for work, tourism, studies, family reunion or other) but to enter the country illegally. Migrants who **both enter and stay in Greece illegally** constitute the type of irregular migration that *results* from the above structures. This type has not been discussed much by Greek migration studies on its own merit. In fact, it is extremely difficult to draw estimates on the shares of legal and illegal entry for the whole of the TCN immigrant community in Greece from official data. Only expert empirical research on migrants has so far offered an indication of the patterns of entry to the country. Psimmenos’ fieldwork on Albanian immigrants (1995) that illegally crossed the Greek borders in the beginning of the 1990s and settled in Athens is one such study. The few studies that have a particular focus on this type of irregularity follow up the European literature relating the increase of irregular entries to Europe with the gradual strengthening of border controls and the

¹⁵ Maroukis, T., *Social capital in low status jobs: staying in, moving out and how? Reflections on the migrant-supplied care and domestic services industry in Greece*, paper presented at the ‘*Post-Immigration Minorities, Religion and National Identities*’ Conference organized by the Centre for the Study of Ethnicity and Citizenship, University of Bristol, Bristol (U.K.) 14-15 November 2008.

narrowing legal avenues¹⁶. The relationship between institutional prohibitions and smuggling is thus discussed in the Antonopoulos & Winterdyk (2006) study that focuses on the journey of irregular migrants into Greece and, in particular, the social organization of the smuggling market.

Table 2: *Categories of valid permits of stay on 15/10/2007*

CATEGORY	
Indefinite duration	5
Independent	5,884
Long time residence	1
Seasonal labour	5,342
Dependent Work A	283,332
Dependent Work B	1,454
Work Other	438
Work (business executives)	1,447
Researchers	35
Other	1,888
Family members of EU citizen	6,608
Family member of EU citizen (husband/wife)	45,337
Family member of TCN	123,790
Regularization 3386 91.11	505
Regularization 3536 18.4	650
Regularization KYA11702	529
Study	3,994
Study – other	262
Grand Total	481,501

Source: Ministry of Interior

The majority of apprehended illegal entrants in recent years is not and cannot be deported (for relevant data see Part II). This is why they are considered to be part of the stock of irregular migrants in Greece. Migrants intercepted by the Greek coastguard or border guard at the Greek border are brought to local detention centres. There they are initially interrogated by specialised coastguard or police officers with a view to establishing where they come from and who the smugglers are, among them. After this, smugglers are prosecuted and deportation decisions are issued for migrants. Most of the latter are kept in the detention centres (the maximum period of detention is three months counting from the day of the apprehension) while the Ministry tries to establish their identity through correspondence with the countries of origin or transit¹⁷. Migrants may however successfully object to their detention and/or deportation (using the services of a lawyer) and hence be left free with a deportation order asking them to leave the country within 30 days (L.3386/2005 art. 76 & 77). The same, though, happens eventually with the rest of the migrants whose identity is not established after 3 months of detention (Int.3). In the event that the police authorities manage to establish where the migrant comes from within the 3month detention period, he/she can be repatriated or returned to the last transit country (in most cases Turkey). However, this does not necessarily happen since many migrants come from countries that are distant and the cost of their escorted deportation is too much to bear for the Greek authorities (see the respective data in Part II, sections 2.4, 3.2). In addition, the implementation of the Readmission Protocol with Turkey (its

¹⁶ As various literature demonstrates, illegal networks of smugglers and traffickers bypassed border control, replaced the withdrawing formal market forces and responded to the growing demand of people's needs to migrate towards Europe (Icduygu & Toktas 2002, Duvell 2006, Jandl 2007).

¹⁷ It is common for irregular migrants attempting to cross the Turkey-Greece border to hide their identity. They do this in order to avoid being returned to their country of origin (Int. 1&3).

western borders comprise the main entry point of irregular migration into Greece as we shall see right below) does not function properly (out of the readmission requests submitted from Greece to Turkey for a total of approximately 21,000 people only some 1,200 persons have been actually readmitted to Turkey in the period 2003-2007) (Ministry of Interior data, and Int.3). On the other hand, informal readmission practices seem to fill in this 'gap'. There have been reports by the NGO Pro Asyl (2007), the Human Rights Watch (2008) and a related inquiry by the Greek Ombudsman (Int.10) according to which irregular migrants are often returned to Turkey by force without having been provided with first aid and without having been informed about their right to ask for asylum in Greece (for the unreliability this poses on the apprehension dataset of the Ministry of Interior and subsequently the estimation of the irregular resident stock see Part II section 1).

The type of irregular migration that regards migrants who lapse from a regular status into an illegal one is related not only to the policy structures regulating their stay to be discussed further below (regularization) but also to the available entry channels. The category of irregularity referred to here regards **visa overstayers**: migrants entering the country legally, usually with a 90 days duration visa for tourism, and becoming illegal once their documents (visas) expire. This type of irregular migrants is hardly discussed in Greek migration policy studies¹⁸. Imposing restrictions on visas for tourism under the existing conditions would affect negatively the tourist industry, one of the most important sectors of the Greek economy.

Data from the total of visas issued by Greek Consulates abroad show that the numbers and stakes involved here are high. The total of visas granted for 2003 was just under 500,000 and the main points of legal entry to Greece were Moscow, Skopje, Belgrade, Albania and Istanbul (Baldwin-Edwards 2004a). In 2007 the picture is similar with over half a million Visas¹⁹. The possible TCN overstayers out of this number would seem quite significant if compared with the annual irregular entries data (apprehensions data). Reflecting on this data, it would not be exaggerated to suggest that a considerable number of irregular migrants present in Greece enter through this legal avenue²⁰.

Entering in Greece with the purpose of seeking asylum is, in theory, another pathway of legal entry in the country. In practice, however, asylum seekers enter illegally in the country; the majority is apprehended by the Greek border guard and the asylum claim is registered well after their entry in the country (see Part II, section 2.6.). An asylum seeker is regular as long as his claim is examined by the Asylum Department of the Police Headquarters (Ministry of Interior). But, as it will be shown in Part II, this process is often interrupted and most **asylum seekers** are **rejected** the refugee status and eventually lapse into illegality. A literature on asylum seekers in Greece is slowly emerging. Papadopoulou (2004) for instance attempts to answer

¹⁸ Most studies that focus on the stay of irregular migrants in Greece do not distinguish between visa overstayers (who entered legally) and migrants that entered irregularly. Such is the Kassimati & Psimmenos study (2006), which is interested in the stay conditions of the Albanian and Polish undocumented migrants and, in particular, explores the social and personal identities that are formed through the interaction with the host social structures and institutions.

¹⁹ Visas issued: 426,136 in 2004 / 389,446 in 2005 / 494,717 in 2006 / 557,443 in 2007 (see http://europa.eu/documents/registers/index_en.htm).

²⁰ Having said that, there have been citizens from new member states that, since the early 2000s have been exempt from the visa requirement in order to enter Greece (Bulgaria since 2001, Romania since 2002, Poland even earlier than that, since 1995). A significant part of these migrants regard people that entered legally but stayed (beyond the foreseen 3month period) and worked irregularly.

“why do some forced migrants decide to stay and apply for asylum while others remain undocumented”. She addresses this asylum-irregular migration nexus and transit migration hypothesis with her study on Kurdish asylum seekers in Athens in 2001-2. Heath Cabot’s anthropological fieldwork (2008), that is still work in progress, explores this continuum between legality and illegality through the sociology of the institutional structures against which the category of the ‘asylum seeker’ is produced.

2.1.2. Processes of migrants’ stay in Greece

The pathway from regularity to irregularity has been primarily a result of the main mechanisms to confront the phenomenon of irregular migrants living and working in Greece. The control of irregular migration has been transferred from the inadequate regulatory processes of entry to the internal regulatory processes of stay through the stay permit system and its main lever, the immigrant regularization programs. Lapsing into illegality is a phenomenon that cannot be attributed to the lack of policies that manage the legality of the migrants’ workforce presence after he/she used or bypassed (or attempted to do so but was apprehended) the problematic channels of entry. It is due to the operation of such policies in the context of the Greek economy.

Regularized migrants falling back into illegality is a type of irregularity that has puzzled the Ministry of Interior. Indeed, policy and scientific concerns have been developed more systematically with regard to this type of irregularity than any other. Maybe this is because this type is more related with the systemic features of the Greek economy and State than the migrants’ own strategies. And, thus, coincides with the interest on the effects of migration in the host country that is at the centre of the few studies dealing with the quantitative aspect of irregular migration in Greece (Lianos, Sarris & Katseli 1996, Sarris & Zografakis 1999, Kanellopoulos 2006, Kontis, Zografakis & Mitrakos 2007). Maybe because the internal control of irregularity reflects structures of the State that are more familiar-to-manage. In other words, the State has more power and more mechanisms (despite their ineffectiveness) at its disposal to deal with irregular migration once the latter is within its territory.

However, the question that needs to be addressed is how do **regularized immigrants’ lapse into illegality**. The causes lie in the legislation regulating the stay permit system to be discussed below, the features of the Greek economy and labour market and the ways migrants interweave with both these structures (to be discussed analytically in sections 2.4&2.5 of Part I).

To start with, one needs to answer the question of how a migrant gets a stay permit in the first place according to the letter of the law and in practice. The evolution of the legislation in the last decade is also important in order to reflect the development of the above particular phenomenon.

The documents that are required to escort one’s application for the issue of a stay permit with the purpose of dependent work (the most usual type of stay permit) are the travel document, the visa with which he/she entered, a health certificate (these three are applicable to all types of permits), a copy of the contract of his/her employment and a certificate of having applied to the appropriate Social Security Fund for insurance cover. The requirements for the renewal of a permit are a copy of the migrant’s travel document, a copy of the valid work contract, a certificate of the social security stamps paid to the relevant Fund, a copy of the health insurance booklet, and a proof of completion of tax obligations.

The main reason for the high (at least until recently) propensity of regularized immigrants becoming again illegal has been their difficulty to acquire the number of

required social security stamps (or welfare stamps) from their employers²¹. A social security stamp equals to the social security contributions for a day's work. In sectors like the constructions, however, where builders work for different contractors/beneficiaries and/or employers/owners on different sites and the wages are set per square meter and not per day²², the number of stamps paid to the Social Security Fund is a matter of bargaining between the worker, the contractor/beneficiary and the owner. Given the difficulties of on-site inspection²³ and the necessity to check for the eventuality of worker exploitation in the above agreement, IKA has introduced a formula of calculating a posteriori the stamps to be paid according to the size (square meters) of the construction (Int.12)²⁴. The stamps required nowadays, in the post L.3386/2005 period, for the renewal of a permit are 200 per year (150 for construction sector workers). The previous law 2910/2001 had set the minimum amount of required stamps to 250 (art.66, par.2) raising thus substantially the degree of difficulty in acquiring them.

L.2910 of 2001 which actually is the first immigration law that aimed to deal with the large numbers of irregular migrants from the 1990s had many more shortcomings that mirror the perseverance of irregular migration in the last decade despite the regularization programs²⁵. For example, article 53 of that law prohibited the employment of migrants without a stay permit and therefore denied the majority of migrants (that bypassed the work invitation system of *metaklisi*) the pathway towards a job contract, and therefore the main requirement for acquiring a stay permit. This contradictory provision has been amended with L.3386/2005 and now employers may as well hire someone with a certificate of having submitted an application for regularization. However, a crucial problem that remains is that immigrants staying irregularly in Greece in the post 2005 period cannot apply for the (initial) issuing of a stay permit outside a regularization program (apart from exceptional cases), even if they fulfill the principal criterion (legal employment) set for regularization. In a context where the pathways of legal entry into Greece are largely blocked, irregular entrants, visa overstayers and rejected asylum seekers (i.e. migrants that do not use the worker invitation scheme of *metaklisi*) cannot work legally.

Another serious drawback of Law 2910 was that a migrant had to acquire two permits (a work permit and a stay permit) that had to be issued one after the other in one year. They both had to be renewed every year increasing the work volume of the overwhelmed Public Administration services. The red tape involved in the complex administrative process dealing with the processing of the permits resulted in immigrants receiving expired or close to expiration stay permits and therefore having to log again on the process for the renewal with a short or no break (Triandafyllidou 2005). L. 3386/2005 facilitated the process and decreased the delays by withdrawing

²¹ The view from the field of the migrants' communication with the Greek Public Administration suggests that the phenomenon of legal migrants lapsing back into irregularity will be on the rise again due to the persistence of informal economy and the unemployment expected from the recent global financial crisis (Int. 20).

²² Meaning that their employers (interested in moving on to another job deal to raise the earnings) want them to work as fast as they can since they would be paid the same if they worked for one or two days.

²³ The other way to find out the actual stamps paid for the workers is the latter denouncing their employer to the Labour Inspectorate for not having paid social security stamps.

²⁴ Therefore, this phenomenon reflects a structural problem of the labour market related with the constructions sector and concerns Greeks and immigrants alike. Immigrants, however, are in a more vulnerable position than Greeks in terms of bargaining power.

²⁵ The first regularization program was launched in 1998 under two Presidential Decrees and had a very limited success as we shall see below in section 2.5 of Part I.

the work permit and introducing instead a single stay permit with different purposes (dependent work, independent work, studies, family reunion etc) that migrants need to apply for. The duration of this stay permit is one year for the first time it is issued, and its renewal is extended to every two years until five years are completed and the migrant can apply for a long-term residence permit (L.3386/2005, art.12, par.6) and an indefinite duration permit upon the completion of 10 years of continuous regular stay (art.91, par.2). The bureaucratic structures through which the immigrant regularization operates remain though. They will be discussed more analytically later on in section 2.5 of Part I.

Contributing to the continuity of irregular migration was also the fact that a register in the list of unwanted persons (L.2910/2001, art. 49), usually for illegal entry and stay in the country, was a sufficient reason to reject one's application for a work/stay permit. Appearing on the undesirables list (due to illegal entry, exit, employment and stay) is no longer a reason rendering the migrant ineligible for a stay permit (L. 3386/2005, art.91 & L.3536/2007, art. 18).

The cost of applying for a permit remains a consideration. The application fee for a one year permit is 150 euros, while it rises to 300 euros and 450 euros for permits with two and three years duration correspondingly (L.3386/2005). A clause according to which the same amount had to be paid for every dependent family member of the applicant was withdrawn after protests from immigrant organizations and other institutions.

A positive evolution in terms of the short-term management of illegality is that builders, agricultural workers, domestic workers and private nurses who usually work for more than one employer, are exempt from the obligation to support their renewal application with a copy of the contract from their employer (L.3536/2007 art.6, par.1 & Ministerial Decree 13703/ 6.7.2007). They are obliged to submit though a certificate from their respective social security organization showing the days of work and the duration of the insurance. On top of that, L.3536/2007, in order to tackle the phenomenon of regular migrants failing to collect the necessary amount of social security stamps, allows the aforementioned categories of workers to pay the required number of missing stamps themselves. Simultaneously, it allows all other migrant workers to purchase up to 20% of the required stamps (art. 6 of L.3536/2007)²⁶. This means that the responsibility of contributing to the social security fund falls solely on the migrants' shoulders who have to negotiate informally the balance between social security stamps and wages with an employer that becomes 'invisible' in the whole process.

The clauses of the immigration law with regard to long-term permits and citizenship awards did not help, until recently at least, this situation either. According to L.3386, a continuous regular stay of five years in Greece renders the migrant eligible for applying for a long term stay permit²⁷. However, the definition of the continuity of the stay ruled out migrants that lapsed into illegality for more than 6 months within a year and more than 10 months in the period of five years (L.3386/2005, article 67, paragraph 4). In this respect, the law 3536/2007 (art.18, par.1) brings a positive legal evolution for migrants that have been here over a decade since it makes the calculation of a decade of regular stay easier and brings the road to

²⁶ The Ministry of Interior is not happy with this measure. Its officials recognise the reparative character of the measure. However, they also argue that there are limited choices at their disposal since the failure of acquiring enough social security stamps reflects a wider structural problem of the Greek labour market (Int. 2).

²⁷ Ineligible to apply are migrants who had a stay permit for studies and vocational training.

a stay permit of long time residence and/or indefinite duration closer: the time that people who lapsed into illegality between regularizations is counted as time of legality. However, an instable variable that is permeable by political conjunctures²⁸ is the interview the applicant has to give before the Immigration Committee that is entitled to examine and testify the applicant's Greek language literacy skills and knowledge of Greek history and civilization (L.3386/2005, art.68).

Moreover, it is not only the first generation of immigrants that is affected by all the above. The immigration laws are likely to jeopardize the legal status of the second generations of immigrants as well, and thus open the way to dormant yet potentially active pathways from regular to irregular status. In particular, the migrants' **second generations** that are not born in Greece²⁹ and have attended the Greek educational system face the danger of falling back into illegality when they reach adulthood and will be expected to have a stay permit that needs to be justified on the grounds of work, studies or other; they will no longer be dependants in order to get a permit for this purpose. The need for a job or an extension of their education will be pushed not only by financial needs and family or personal aspiration but by fear of illegality. A positive evolution, given the circumstances, is that this group of 2nd generation immigrants (when it turns 21 years old) has the option of getting a permanent stay permit if a previous 10 year regular stay can be proved. Alternatively, if these children had a stay permit since their 16th, they may apply for the 5 year long-term residence permit provided that they demonstrate a yearly income of 8,500 Euros for the first 3 years of their adulthood. This requirement seems unrealistic, though, given the high youth unemployment, the very low income yielded by part-time employment in Greece and the family aspirations that the second generation of migrants usually carries on its shoulders.

In a nutshell, as time moves on and regularization experience is accumulated, the realities of the Greek economy and its labour market are slowly taken into consideration and inform the legal and administrative threads of the process that were and still are to a certain degree dismissive of the economic, social and political context that migration occurs. **It takes time (social, political and economic time) to constantly adapt policies to the ever changing coordinates of a phenomenon that includes different migrant groups with different projects and migrating experiences.**

It is not only the legislative and practical difficulty of acquiring the stamps that leads regularized migrants back to irregularity. Evading the system of stay permits altogether is a path that some migrants willingly take regardless of the policy efforts in the opposite direction. The better immediate earnings (especially for cases of circular, transit migrants or newcomers that have no concrete plans of settlement), the obligations to pay back one's trip, the funding towards the next step in the migrant's journey, and the opportunities to work informally either through the immigrant community networks or through the relevant Greek niches (to be discussed

²⁸ The direct authority of the contingent government on the matter is institutionally ratified. According to Article 12 of L. 3536/2007, the Ministers of Interior, and of Education define the members of this Committee.

²⁹ A recent bill voted on December 12, 2008 by the Greek Parliament (<http://www.parliament.gr/ergasies/nomosxedia/EisigisiEpitropon/636/A-DIMOTIKI-EIS.pdf>) gives access to the status of the long-term resident (5 years duration) to TCN immigrants' children born in Greece. In order to qualify for this legal status they also need to demonstrate a) that they have attended and completed successfully the primary and secondary Greek education and b) that their parents remain in Greece.

later in Part I) do facilitate this route. Not to mention the accumulated negative experience of regularization over the years (for the evolution of regularization programs see section 2.5, Part I) or even the disbelief to a failing system that might not return their contributions upon retirement³⁰. Qualitative studies have shown that certain groups of migrants develop their own trajectories and networks outside the regularization process. On the other hand, the psychological sense of security, even if it is in limbo, can be a strong drive to strive to stay within the system. This sense, as the same studies show, is socially constructed and cannot be regarded as a rational individual choice over pros and cons. For instance, following the pathway of illegality or not is dependent on the family situation of the migrant in the host country (Kasimati & Mousourou 2007, Thanopoulou 2007), and on the social features of the occupations followed so far (Psimmenos 1995, Psimmenos & Skamnakis 2008, Maroukis 2008).

2.2. The main routes of irregular entry into Greece

Considering the geopolitical position of Greece as the southeastern border of the EU, clandestine entries have a particular weight on the composition of irregular migration in Greece. The main routes of irregular entry to the country to be discussed here (registered and unregistered irregular entry) reflect the international context around which migrants' projects mark out their trajectory. This is critical in the attempt to understand the ways these projects are developed before they interact with the external and internal migration policies of the destination (or the first to enter) EU country.

In the 1990s irregular migrants (the majority of them being Albanian citizens) entered Greece mainly on foot crossing the Greek-Albanian mountainous border (with or without the assistance of smugglers). The Ionian Sea linking Albania with the north-western Greek coastline and islands like Corfu constituted another route whereby many Albanians were smuggled into Greece by speed boat. The land and sea borders connecting northern Greece with Bulgaria, FYROM and Turkey constituted the other avenue of irregular migrant inflows (Antonopoulos & Winterdyk 2006: 453).

From the turn of the century onwards, however, the irregular migration pathway that attracts more attention³¹ goes through Turkey into Greece crossing the narrow straits that divide mainland Turkey from several of the Greek islands of the Aegean (e.g. Mytilini, Samos, Chios, Leros) or the Evros river on the northeastern

³⁰ The Greek social security system after decades of mismanagement, political interference, and failing employment policies that produce an unhealthy balance between the working and the retiring population (Sakellaropoulos 1992, 1999, Sotiropoulos 2003) found a life raft in immigration flows. However, the time to pay back to immigrants that have worked in Greece the social security contributions in the form of pensions and health services is approaching, and it is not clear how it could be resolved. The main reason why Greece is reluctant to pay back the welfare fees to the immigrant that wishes to retire in his/her country of origin is that it cannot assure that the latter will pay welfare contributions back to its emigrants (wishing to retire in Greece) for the years of work prior to their departure (Robolis 2008). Indeed, there is no bilateral agreement that could assure the transfer of pensions between Greece and its main migration sending countries.

³¹ A look at table 16 shows that the majority of border apprehensions continue to take place at the Greek – Albanian border.

part of the border in Thrace, on board of small boats³². Vessels carrying migrants from Egypt towards Crete is another route (Int. 1).

Having said that, there have been cases that smuggling networks, in response to intensification of patrols in the Aegean Sea and Greek-Turkish police cooperation, follow altogether different routes³³; indicative is the case of a group of migrants who started their journey from Kashmir and eventually were arrested by the Greek coastguard outside the Cycladic island of Syros after having arrived via the following route: they travelled by airplane from India to Sierra Leone and then Senegal; then from Dakar by boat went past the Canaries, the Gibraltar strait, and across the Mediterranean to Syros (Int. 1).

The setting up of the Greek Border Guard forces and the intensification of the coastguard patrols after 1998 made it more difficult for migrants to enter Greece without assistance. On top of that, the fact that the last decade's migrants are more likely than before to come from Asia, Africa and the Middle East (see more analytically next section) has made the role of smugglers even more critical. However, clearly not all irregular migrants use the services of smuggling networks. Many of the irregular migrants use false passports and documents (Int. 3 & 9) and hence enter legally but then overstay their visas. They are more likely to travel by plane. Data on apprehensions in airports is unavailable up to date. The share of those entrants with a visa who overstay the period it has been issued for and become irregular is also unknown.

The migration trip may last for months or even years since migrants need to cross more than one country to get to their destination and in some cases it is likely that they will need to work for some time while in transit³⁴ in order to fund the next part of their journey. Smugglers' networks may resemble mafia-like organisations that offer a meticulous schedule of the journey and contacts at intermediate transit stations (Int. 1). On the other hand, recent studies focusing on the Middle Eastern smuggling and trafficking of people through Turkey (Icduygu & Toktas 2002) suggest that they are more likely to be informal networks of local agents that take responsibility for the different legs of the immigrants' journey (e.g. crossing the Turkish border from Iraq, Syria, or Iran, moving north to Istanbul, then reaching the Aegean coast and then crossing the sea border to enter Greece). These networks are developed as a response to the growing migratory volume in the region and are often characterised by interpersonal trust relations as well as national, ethnic, kinship or friendship connections. This scenario has also been mentioned in the interviews with the Ministry of Mercantile Marine Security Department and the Police Directorate (Int. 1 & Int. 3). Additionally, there are cases of more professional smugglers who were smuggling illegal goods before they entered the human smuggling business (Int. 1). Finally, settled immigrants in Greece might also pay for their relatives' or co-

³² The dropping of the visa requirement for Bulgarian migrants who wish to come to Greece for a period up to 3 months in 2001 has decreased the incidence of irregular entries from the Greek-Bulgarian border.

³³ The Greek coastguard operates in cooperation with the Europol and police authorities in western and northern EU countries (e.g. Britain or France) where irregular migrants first apprehended in Greece are sometimes caught (Int. 1). They also cooperate with Turkish police in establishing the routes through Turkey and in dismantling the smugglers' networks (Int. 1).

³⁴ There are even cases of migrants who work for smuggler networks in order to raise money for the continuation of their trip (Pro Asyl 2007).

nationals' treacherous journey³⁵; the latter are then indebted to the former during their stay in the country.

Greece is not always the final destination of irregular entrants. In some cases, migrants 'buy' their journey not only to Greece but further north. They are smuggled to Italy (hiding in ferries), through Albania (hiding in trucks) or by plane (using fake passports) (Papadopoulou 2004: 173). The Greek port of Patra has become a transit station for many migrants and asylum seekers (mainly Afghans) who attempt to secretly board on one of the ferries heading to Italy³⁶. More typical is, however, the case of irregular migrants who have been apprehended at the Greek border and, with a deportation order at hand, continue their journey to Athens and join the informal labour market there, as well as friends, relatives and/or co-nationals.

2.3. Brief overview of the main nationalities of irregular migrants

As has already been mentioned, the types of irregular migration discussed above are a result of the interaction of migrants with narrowing and malfunctioning channels for legal entry in and exit from the host country and ill-defined immigration policies that attempt to 'catch up' with their own inadequacies and the changing migration environment. The routes of irregular migration forming this environment were discussed above. The different migrant groups with the different strategies and experiences that characterize this environment will now be analyzed.

In order to gain a better insight to the irregular migrants' strategies it is crucial to have an overview of their main nationalities. Where the migrants come from is related to their mode of entry and (frequency of) stay to the host country and therefore their regular or irregular status. During the 1990s, the overwhelming majority of irregular migrants came from one single country, Albania. 1991 and 1997 were the years of mass Albanian emigration towards Greece and other countries. The access from the difficult to guard mountainous north-western border of Greece was 'easy' in comparison to the eastern borders of the country and did not need to be mediated by smugglers. The historical links between Greece and Albania and their proximity were factors that qualified Greece as one of the major migratory destinations for a significant part of the Albanian population that migrated during the 1990s (Labrianidis & Lyberaki 2001). The large numbers of unregulated entries were escorted by high numbers of deportations for this ethnic group during the 1990s. There have been cases where Albanians went back and forth many times (Labrianidis & Lyberaki 2001, Maroukis 2008). Gradually, however, they settled down in the country. Fieldwork in 2000 and 2004 in Thessaloniki and Athens show that the majority as time goes by not only intends to settle down but has done so having brought most members of their family in Greece (Labrianidis & Lyberaki 2001, Lyberaki & Maroukis 2005). According to those studies Albanians are also more likely to be regular than irregular nowadays. This could be also deduced from the fact that in 2008 Albanian immigrants represent around 65% of the legal foreign population that resides in the country when they represented approximately 55% of the total immigrant population in 2001 (Part II, Table 10).

Bulgarians, the second biggest ethnic group of immigrants in Greece at the beginning of the 21st century, first came to Greece from the northern Greek border as

³⁵ While it cannot be ruled out that some operate as smugglers themselves (Maroukis & Triandafyllidou 2008).

³⁶ EnThesis, Christos Karapiperis, Migration and Refugees: the experience of Patra, 16 April 2008 <http://www.entthesis.net/index.php?news=737>

seasonal workers employed in agricultural work (Vaiou & Hatzimichalis 1997). Until the first regularization program of 1998 the vast majority of Bulgarian immigrants resided and worked in Greece illegally. After that point, a significant number of them managed to regularize. Many, however, continued to suffer from exploitative and informal employment conditions (Markova 2007). In the post-2007 period the Bulgarians, the biggest migrant group after the Albanians, are *de facto* regular. The same goes for Romanians, the fourth biggest ethnic immigrant group according to census and stay permit data (Table 10). The third biggest immigrant group, the Ukrainians, mainly consists of stay permit holders nowadays (Kasimati & Mousourou 2007).

Furthermore, a glimpse at certain nationalities indicates a gender imbalance. For example 96% of the Pakistani, 94% of the Bangladeshi, and 92% of the Indian immigrants are men. On the other hand, 4 out of 5 Filipinos and more than 70% of the Ukrainian migrants are women (Table 9).

The composition of the irregular migrants in Greece has changed at the turn of the 21st century. Migrants from Asian, Middle Eastern and African countries have a larger share in the irregular population than they used to (for a more detailed analysis on the data of irregular migrants see Part II). They usually cross the Greek-Turkish land and sea borders. The main nationalities among those intercepted on the Greek sea borders are Afghanis, Iraqi Kurds, and Pakistanis followed by Turkish Kurds, other Iraqis, other Turks, and Iranians. Some Egyptians and Syrians have also been registered. The irregular migrants apprehended at the Greek land borders are mainly Albanians and Eastern Europeans (see Tables 13 & 16).

Table 3: *Top five Nationalities of Illegal Immigrants Apprehended at the Greek Sea Borders*

Country \ Year	2001	2002	2003	2004	2005	2006	2007*	Total
Afghanistan	1,851	1,254	653	928	634	1,264	3,239	9,823
Iraq	2,677	1,100	166	139	304	348	471	5,205
Palestine	80	73	325	647	445	624	903	3,097
Somalia	10	139	439	234	298	182	921	2,223
Egypt	3	4	29	450	821	296	21	1,624

Source: Greek Ministry of Mercantile Marine, October 2007

* Data for 2007 refer to the period January 1st to October 14th 2007.

The migration projects of the newer irregular immigrants in Greece differ according to the ways they leave their countries of origin, the ways they come and their experience and networks in the destination country. Indicatively, according to the Tonchev et al expert survey the recent migrant flows appear much more divided in their intentions to settle down in Greece than the older ones³⁷. A significant percentage of the newcomers intend to move on to another EU country usually to join relatives. The picture, of course, differs should we focus on different migrant groups. Afghans, for instance, are usually asylum seekers fleeing persecution in their country without any established immigrant community waiting for them in Greece. Papadopoulou's survey on Kurdish migrants and asylum seekers in Athens (2004: 174-5) shows that some chose to come to Greece with a view to staying with family

³⁷ The majority of Albanians, for example, intends to settle down in Greece. The most important factor tying them up in Greece seems to be the existence of children and considerations relating to their education and future prospects. Obviously, other things matter too, such as family or property in Albania (Lyberaki & Maroukis 2005).

or friends that are already in the country while others see Greece only as a transit country and hope to move on to other countries with higher asylum approval rates. It should be noted, however, that migrants may remain in transit for a long time, even years, until they manage to fund and find the appropriate networks for the next part of their journey.

The illegal smuggling and trafficking networks through which the majority of these migrants have come to Greece renders them indebted to smugglers circuits that are active in their country of origin, the countries they passed from and/or the host country they currently reside. For example, police news appearing in the press more often than not make reference to irregular migrants (usually of Pakistani origin) that were kept hostage until they or their families back in their homeland are able to pay back the cost of their trip³⁸.

In any case, a significant indicator of the settlement projects of irregular and regular migrants that have managed to bring their families in Greece is the fact that children of immigrants compose one tenth, more or less, of the total school population in Greece (Data from IPODE, Ministry of National Education and Religious Affairs) (see Part II for an estimate on the irregular migrant school population).

2.4. Grey zones with regard to toleration of irregular stay/work.

Both the irregular migrants that intend to stay in the country and the ones that live in transit waiting for the opportunity to move on to another EU country manage to do so mainly because of the character of the Greek economy allowing them to. The environment of small and medium-small family business in Greece has provided an important vessel for informal economic activity (see section 2.6, Part I for the causes of irregular economic activity in Greece). As a result, the size of the informal economy at the turn of the century has been allegedly equivalent to one third of the GDP of Greece (Labrianidis & Lyberaki 2001: 98). Irregular immigrants due to their vulnerable legal status can offer cheap³⁹ and expendable labour hands that are easily absorbed in the web of the Greek informal economy. The sectors that eventually both regular and irregular TCNs are mainly employed are the constructions, the agricultural sector, the tourism industry (waiters/tresses, cleaners, kitchen assistants etc), and domestic and care services (au pairs, cleaners); that is sectors with features of a changeable, 'just-in-time' and seasonal demand that communicates with the offer through informal social networks and personal acquaintances. The ethnic group breakdown of the immigrants' insertion in those niches of Greek economy will be discussed in Part II.

Another factor which is conducive to an environment which is accommodating of irregular migration is also the fact that the Labour Inspectorate does not play its part effectively. The Labour Inspectorate as a mechanism intended to detect and deter irregular employment, assists migrant workers (as a mediator between them and the employer) to overcome employment disputes that might jeopardize their legal status (not being paid social insurance stamps etc). Its operation, however, has not proved successful over the years.

For what it is worth, the unreliable data from prosecutions and fines submitted by the labour inspectors all over Greece for cases of irregularly employed foreigners show a downward trend from 2003 up to 2007 (Table 4). On the other hand, a labour inspector interviewed pointed out that it is more often nowadays than before to find

³⁸ Kathimerini, *Even five minors were prisoners of smugglers' circuit*, Saturday 9 Aug 2008, p.12

³⁹ Research has indicated, however, that undocumented migrants do coordinate and set strict rules between themselves on the minimum wages demanded from their employers (Psimmenos 1995).

irregulars in the inspections (Int.7). It is questionable whether this contradiction is an indication of less enforcement of controls, or more targeted enforcement or more irregular migrant workers. The fact that the interviewed labour inspection office supervises a geographical area with a lot of farming, agricultural work and small industries whereby irregular migrants are most likely to be employed poses a certain bias in our case-study. In any case, further empirical study is needed in order to assess the role of the labour inspectorates on the issue of irregular economic activity.

Whatever the case maybe with detecting irregular migrant workers, the role of the Inspectorate does not seem to deter irregular employment which is widespread in certain sectors. The criteria and procedures through which the Inspectors' workforce is manned which are themselves vulnerable to clientelism, combined with limited manpower and unclear methods of conducting inspections are the main causes of the Inspectorate's apparent failure (Int.7). On the other hand, there are fragmented and random signs from different aspects of economic life that irregular migrants gradually show elements of empowerment when it comes to their working rights. Cases of migrant workers going on strike demanding collectively the betterment of their working conditions and wages is one such sign⁴⁰. The individual complaints from migrants filed to the institution of the Labour Inspectorate constitute another. One third to one fourth of all yearly official complaints on work disputes between employer and employee in the labour inspection office that was interviewed are submitted individually by immigrants usually without a permit or with the fear of losing it for lack of stamps (Int.7). However, a much wider sample (that falls out of the scope of this report) would be required here in order to draw valid assumptions on the empowerment of migrants.

Table 4: *Sanctions imposed by the Labour Inspectorate (SEPE) for cases of irregular employment of foreigners*

Year	Prosecutions*	Fines
2001	64	94
2002	14	21
2003	17	42
2004	16	99
2005	26	76
2006	8	17
2007	13	10
Total	158	359

Source: SEPE (Labour Inspectorate Force)

* Prosecutions and/or fines are against employers and their legal representatives. A prosecution refers to the press of charges to a detected case of irregular employment of foreigners; one prosecution and/or fine may therefore involve many irregular migrants.

Table 5: *Complaints at a Labour Inspectorate Office in Northern Athens*

Year	Total complaints	Complaints by foreigners	% of the total
2007	360	91	25.27%
2006	299	50	16.72%
2005	343	100	29.15%
2004	355	75	21.12%
2003	391	103	26.34%

⁴⁰ Indicative has been the recent strike of migrant strawberry pickers in the Peloponnese during the harvest period (Eleftherotypia, General strike on the strawberry fields of shame, 19.04.08).

2.5. Legal pathways out of irregularity

The Greek case shows that the mechanisms providing legal pathways out of irregularity might do so only for a limited period of time. The operation of the structures that address irregularity may end up reproducing it. Particular reference is made here to the operation of the Greek regularization system and, secondarily, to the asylum seeking process that latently plays this role for migrants.

During most of the 1990s coming out of irregularity usually meant coming out of the country altogether. Mass expulsion was the main policy provision to deal with the phenomenon of irregular migration in Greece. The first Greek regularization program was launched in 1998 (January-May). Regularization is the main means that Greece (following the other southern European immigration countries) implemented in order to address *a posteriori* the irregular migration phenomenon. The asylum process is the other pathway out of irregularity in Greece; it involves, however, much smaller numbers. It constitutes a process that in practice may serve as a temporary getaway from irregularity while it was meant to deal with an altogether different situation. The confusion here stems from the problematic clear-cut distinction between economic migrant and refugee. The several reasons for which one migrates cannot always be isolated from each other. The result is that asylum seekers are both migrants who do fulfill the relevant Geneva Convention criteria and migrants who out of desperation or following advice from migrant and/or smuggling networks apply with the hope of assuring legal stay in Greece. This has increased suspicion within the Greek Police Directorate delegated to run the process that the majority of asylum claims are unfounded (Int.3).

However, the ways that both the regularization and the asylum process have been applied in Greece have simultaneously produced pathways into irregularity. In particular, the continuum of the asylum procedure that in theory protects the asylum seekers against deportation is often discontinued in practice jeopardizing their legal status (see below Part II, section 2.6). As for the regularization process, the web of its problems is unfolded below.

To start with, the requirements of the first Greek regularization did not manage to reduce the irregular migrant stock substantially. Out of the 371,641 applicants for the White temporary Card only 219,024 applied for the yearly Green Card. According to Ministry of Labour and Social Security data, the number of applications for Green Card renewals in April 2001 was 84,621 and only 45,700 of them were approved. As Fakiolas (2003) put it, these numbers indicated the high propensity of regularized immigrants to lapse into illegality.

Under the second regularization program⁴¹ (June-July 2001) 361,110 immigrants managed to legalize their status and received their six-month temporary stay permits (Kanellopoulos 2006, Baldwin-Edwards 2004a). This number consisted of those who had not registered in the 1998 program, those who fell back into illegality after participating in that program and new migrants that entered Greece and had their stay facilitated by the large informal economy and the networks already established by older immigrants (Kanellopoulos 2006, Fakiolas 2003). The validity of these permits was extended up to 30 July 2003 (Fakiolas 2003). Both these extensions and the launch of the third regularization program (October-December 2005 extended up to May 2006 & February-September 2007⁴²) demonstrate that the phenomenon of

⁴¹ L.2910/2001

⁴² The first regularization was launched under the L. 3386/2005 and the second under the L.3536/2007. The second program had a supplementary character to the first one. It enabled those who had not been

lapsing into illegality has not disappeared. After all, the Ministry of Interior gave immigrants the option of buying on their own part or all of their social security stamps in order to tackle this phenomenon of regularized immigrants falling back into illegality. The rationale behind this measure is clearly explained by a Ministry of Interior official and indicates the lack of certain significant policy tools in dealing with irregularity: *“this is not our intention at all. It’s not right, the weight of social insurance cannot be transposed continuously on the worker...When we see people that have been here for 10 years lacking 10, 20 or 50 stamps we had to do something. We were forced to do it. If the Labour Inspectorate did their job, we would not have such problems”* (Int. 2).

The main reason for which regularization programs do not solve the problem of irregular migration has been the immigrants’ difficulty to secure the high number of required social security stamps from their employers, already explained above (section 2.1). Moreover, the plans and trajectories of migrants differ and they do not render them all willing and eligible to participate in the regularization programs (sections 2.1 & 2.3). The other reasons for the much contested success of the Greek regularization programs have to do with legislative aspects of the permit system (discussed above) and the very characteristics of the Public Administration infrastructures (Municipalities and Regions[*Perifereia*]) implementing the process and managing the Greek stay permit system. These bureaucratic infrastructures that contribute to significant delays (and, at times, even different interpretations of the legislation) in the permit system management will be discussed at this point.

The Municipalities all over the country are delegated with the task to provide information to immigrants about the stay permit requirements and the permit categories involved, to receive permit applications (for initial issuing or renewal), transfer them to the Region after checking that they are complete (in terms of documents required) and inform applicants about the result of the Region’s processing of their cases. The Regions are processing the submitted applications and if necessary conduct interviews with the applicants through the Immigration Committee established for this purpose (L.3386/2005). Given the importance of the two institutions in the whole regularization process any problems they have directly affect the latter. The main chronic problem they face regards manpower. The rigid, time-consuming and opaque process involved in hiring and managing human resources for the Greek Public Administration is to blame for this. In particular, measures like the abolishment of top clerical ranks, the establishment of a flat class record and rate of pay, the hiring through a credit system prioritizing social factors and through clientelistic networks, the permanence in public seats⁴³, and the extension of permanent status to groups of temporary contracted civil servants in politically sensitive periods have solidified the clientelistic structures of the state mechanism at the expense of meritocratic criteria, staff qualifications and, therefore, efficiently managed public services (Makridimitris 1999: 124-139). Within this context, the civil servant has no incentive to be efficient and responsible in his/her work. The problem

able to renew their permits, according to L.3386, in time and those who were not able to collect the necessary insurance stamps.

⁴³ The permanence in public seats was a social demand once (19th century and at least up to 2nd World War) destined to fight corruption and the placing of party delegates to the state mechanism. This demand has been extensively satisfied in the 1980s through the call for equality, democratization and modernization of the Public Administration (actually the call for more jobs in the Public sector) that prevailed in public discourse at a time when the effects of the 1970s oil crisis were ‘felt’ by the core of the Greek economy (for more details see later on section 2.6. Part I).

becomes bigger in smaller and less central municipalities with less staff and infrastructure that usually have one employee that does all (Int. 5&6). The Athens Region official that was interviewed illuminated further the causes of these delays as far as the role of the *Perifereia* (Region) is concerned: the permanent staff is not trained for this job (it is indicative that civil servants coming from the Public Administration School⁴⁴ do not come to the service for practice or internships); the staff on temporary contracts (80% of the whole staff in the Athens *Perifereia*) have no economic incentive to do the job well and the ones that do eventually learn the work procedure leave when their usually yearly contracts are finished and the knowledge invested in them is wasted; there are no criteria (apart from clientelist networks) in hiring permanent or temporary staff; nor any training process or funds once they are hired; last but not least, only the permanent staff (5% of the whole⁴⁵) are eligible to represent their office in the Immigration Committee conduction interviews and/or the courts in case of an appeal to the Region's decision not to issue/renew a permit (Int. 9).

Recently, however, the situation has ameliorated to a certain extent as delays in certain municipalities have been reduced. Not significantly though: issuing or renewing a permit in three months is considered a record according to officials in the Ministry of Interior Affairs (Int.2). In any case, there is a considerable number of permit applications that are being processed; their number is hidden and constantly changing. According to Ministry of Interior officials (Int.2) the number goes up to even 400,000 applications that were being processed in Autumn 2007. The Head of *Perifereia* interviewed in early December 2007 did agree that the number of the pending applications was indeed high (without giving though any specific figure) (Int.9).

2.6. The main public discourses on irregular migration.

The discussion of the main public discourses of irregular migration will connect the pieces of the migration system described above. It will disclose what is at stake with the phenomenon of irregular migration from the viewpoint of different agents and structures feeding and being fed by the migration system of Greece. It will show, in other words, why the policy framework around migration is developed as it has been; what purposes does it serve for the Greek economy, society and polity. By doing so, the questions that policies on irregular migration wish to address become interrelated with (and are not seen separately from, as is often the case) the wider challenges that need to be confronted at the juncture that Greece, as the southeastern gate of the EU, finds itself at the beginning of the 21st century. The problems in estimating the size and profile of the irregular migrant population to be discussed in Part II bring the role of numbers in the above discussion. The ways numbers feed in and/or are directed by irregular migration discourses and policy making, however, will be properly discussed in Part III.

Irregular migration is discussed in a negative terminology in Greece. It is called *lathrometanastefsi* (smuggle-migration). Official apprehensions data from the

⁴⁴ This is one of the sources where civil servants with permanent status derive from; the only one that involves some form of training for civil servants. The fact that they comprise less than 5% of the total staff of the Athens *Perifereia* (Int. 9) indicates the significance of the other hiring channels of civil servants.

⁴⁵ The rest 15% of the Athens *Perifereia* staff regards guards, technicians; that is employees that are not involved in the regularization process (Int.9).

Police Headquarters within the Ministry of Interior use this term in order to describe apprehended migrants. EU nationals that live and work in Greece without stay permits are not included in the category of irregular migrants. They are not discussed in this way in the public sphere, nor do they face the legal sanctions that their TCN counterparts do. However, things differ for nationals from the 'youngest' EU member states, Bulgaria and Romania. Preliminary findings from an ongoing qualitative research on the effects of the EU accession to the lives of Bulgarians and Romanian immigrants in Greece indicate that little has changed in their lives in the post-accession period. Supporting this scenario are the deportations of seventy-five Bulgarians in 2007 (Ministry of Interior data, 06.02.2008).

Irregular migration is not a new discourse in Greece. In fact, the public discussion on irregular migration kicked off in tandem with the advent of the first numerous migration waves in the early 1990s. From the outset the 1990s migration to Greece has been connected with criminality. Its Albanian character, however, is what left its imprint on public discourse.

The Greek media has played a significant role in the alignment of Albanian ethnicity with criminality in everyday public discourse. There is plenty of literature illustrating this fact: indicatively we refer to the work of Pavlou (2001) and Kourtovik (2001). Tales of thousands of Albanian immigrants who fled from the collapsing Albanian penitentiary system and crossed the Greek-Albanian green border on foot have reserved their special place in Greek mass media throughout the last decade. Whenever there was a crime reported by Greek media, the Albanian was the first suspect. On the other hand, in the case of a positive reference to immigrants the subject was transformed from Albanian to *Vorioepiotes*, a member of the Greek ethnic minority of Albania.

State practice contributed to this 'Albanization' of the irregular migration discourse too. The fact that deportations were the sole policy measure directed to migrants for most of the 1990s has contributed to the criminalization of the irregular migration discourse. Checks took place under public view, more often than not in locations where it was known that irregular migrant workers gathered to find daily employment or to meet co-nationals. The sweep operations and massive deportations organized by the Greek police following the fluctuations of the political climate set the tone; and associated directly the very notion of migration with an irregular act. The vast majority of persons expelled without legal process in the 1990s were Albanians, which most probably re-crossed the border to return to Greece at a later date.

Irregular migration, that was the main migration pattern in the 1990s, has been thus inextricably linked with the Albanians, the ethnic group that headed by far the composition of the immigrant population of Greece. It is important to stress that it was not so much the act of irregular migration per se that mattered but the subject of it; the 'Albanian' was and is an element that brings for once more on the surface the mixed ethnicities that run across the Balkan national states (Mazower 2004); it coming in great numbers challenges the prevalent national purity narratives and triggers fears about the status quo of borders in the region (Triantafyllou 2000). It is not the size of irregular migration that concerned Greek society, but the size of Albanian migration (which happened to be irregular during the 1990s). Why the national marker of migration is more important than its legality does not only have to do with the challenge it puts on the largely uncontested myths of national homogeneity of modern Greece though, but also with the fact that irregular migration 'suited' the Greek economic realm to be discussed further below.

As years passed and the majority of Albanian migrants got regularized and settled down in Greece, the national marker of the discourse of irregular migration is on the retreat. Irregular migration matters now in a different way for Greece.

Firstly, the composition of irregular migration by the turn of the century has changed. The irregular migration inflows that attract public attention today are no longer Albanian. The national marker seems to be giving its place to the phenotypical one. Harsh police measures⁴⁶ more often target migrants and asylum seekers from Asia and Middle East today. Secondly, migration routes have changed. Nowadays irregular migration is mainly discussed in the context of human smuggling along the Greek – Turkish border. In this context the discourse of irregular migration becomes extremely vulnerable to internal political consumption in both countries. Greece puts the blame on Turkey for not enforcing the bilateral Reinsertion Agreement signed between the two countries, while Turkey blames the EU (and the ‘West’) for making disproportionate demands on a *non-EU country* receiving significant inflows of migrants and refugees while facing the same cooperation difficulties with countries of origin that EU countries do (Kirişci 2009). Putting obstacles to Turkey’s EU accession becomes the main ‘diplomatic’ tool of Greece. Such a political pressure, though, neither reflects nor fosters cooperation towards Turkey’s migration realities. In this context, we run the risk of discussing border control management not in terms of migration policy and human rights but in interrelation with the timeliness of other fragile agendas of the past connecting the two nation-states.

Media references to deaths of migrants who tried to cross the border and coastguard interrogation abuses (Eleftherotypia 01.11.2007), on the one hand, portray irregular migrants as victims of illegal networks and state repression. On the other, there is a growing concern over their increasing numbers. References to boosted inflows of irregular migrants are made next to descriptions of the appalling living conditions they face in the detention centers on Greek islands and the Evros region, at makeshift camps in the port of Patra⁴⁷ and, lately, in the very center of the Athens⁴⁸. In this manner the purportedly increasing volume of irregular migrant inflows often comes as the ‘common sense’ explanation of the destitution and social marginalization these people face *and* the social problem that they are portrayed as. In doing so, the real causes behind destitution (limited avenues for legal entry, lack of infrastructures and informal economy substituting them) are concealed.

This move from the image of the Albanian perpetrator to the Iraqi and Pakistani victim and the ‘battle’ against smuggling in public discourse has influenced policy-making significantly. Security seems to be the sole concern in the migration policy agenda once again. Expulsions, refoulements and increases of detention dominate the ‘debate’ even though their cost is prohibitively high both on the national and the EU level. In 2007, before the announcement of increasing deportations and detentions, the cost of border control was 30 million euros according to the Head of the Greek Police. Expulsion to the main countries of origin of the migrants and refugees in question is either extremely costly (5-6,000 euros per head) or legally impossible due to their non-cooperation and/or political instability. The new Presidential Decree, according to which the 2nd instance level of examining asylum

⁴⁶ There have been three murders of asylum-seekers in 2008 and 2009 while trying to avoid an assault by the police, which frequently attacks the masses of migrants queuing to hand their asylum applications.

⁴⁷ See http://news.kathimerini.gr/4dcgi/ w_articles_ell_2_12/04/2009_310684

⁴⁸ See http://news.kathimerini.gr/4dcgi/ w_articles_ell_2_10/05/2009_314189 , <http://citypress.gr>, http://news.kathimerini.gr/4dcgi/ w_articles_ell_2_18/03/2009_308014

claims is to be abolished⁴⁹, aims to bypass the 1951 Geneva Convention and render the rejection of actual asylum seekers ‘legitimate’ at a much faster pace which will only encourage more of them into irregularity. Last but not least, irregular migration routes change depending on enforcement practices; Bangladeshis do not just come to Greece from Turkey, but now from Romania and Bulgaria as well (Lazarescu & Broersma 2009). Therefore the funds dedicated to security management will only multiply on the European level.

To sum up, the social aspect of irregular migration is challenging Greek governments’ authority before its electorate. Its economic aspect is, however, tacitly accepted. Why is that though? In order to answer this, irregular migration should be seen in the larger context of the way informal practices such as tax evasion and irregular employment are incorporated on the level of the local society and economy and dealt with by the political system.

2.7. Understanding why irregular migration ‘suits’ Greece

The benefit to the Social Security Funds from the regularizations of irregular migrants has been frequently cited by mainstream political newspapers in Greece⁵⁰. Civil society agents and the academia⁵¹ do put the discourse of irregular migration forward in the Greek public agenda. The political system and the State (Int. 2, 4, 5, 7) have also realized even with a considerable delay that *regularly* working migrants are in their interest. Economy and society is resisting though. For the majority of Greek citizens who are either involved in the business of tourism, or the construction sector or simply require domestic services and care work, employing irregularly an immigrant remains the pathway most frequently followed. Moreover, contrary to its commitment to combat irregular migration, where local economy interests are at stake the State apparatus turns a blind eye to irregularly employed migrant workers and selectively enforces the law or, as a Ministry of Interior official put it, “shows understanding” to local economy (Int. 3).

In contrast to other countries with stronger economies and more sustainable welfare states like the UK or the Netherlands where there have been concerns about irregular migrant residents absorbing resources (health care, schooling, housing) from local councils and other institutions, the role of irregular migration in Greece is ambiguous. Irregular migrants’ potential contributions would be very welcome for the budget of the Ministry of Interior and IKA, the largest Greek Social Security Fund that is in crisis and offers poor services anyway (Tsoukalas 1986, Sakellaropoulos 1999, Venieris & Papatheodorou 2003)⁵². The Greek medium-small business, however, that has thrived in an economic culture of corruption, tax evasion and

⁴⁹ See <http://www.enet.gr/?i=news.el.article&id=45270&ref=search>, http://www.unhcr.gr/Press_Rel/15_2009_may14.htm.

⁵⁰ Evidence from IKA shows that 11% of the insured workforce are migrants while 1 out of 4 workers in the constructions sector is Albanian (Eleftherotyia, *11 in 100 workers are immigrants*, 30 December 2003, p.23).

⁵¹ The positive effect of irregular migration in Greek economy has been demonstrated indeed by academics from various disciplines (social sciences and humanities, economics, demography) (Lianos, Sarris & Katseli 1996, Vaiou & Chatzimihalis 1997, Chletsos & Karassavoglou 1997, Sarris & Zografakis 1999, Lyberaki & Labrianidis 2001, Papailias & Panagou 2001, Marvakis, Parsanoglou & Pavlou eds 2001, Naxakis 2002, Kasimis & Papadopoulos 2005, Lyberaki & Maroukis 2005, Kontis, Zografakis & Mitrakos 2007, Maroukis 2009).

⁵² The pensions that are on offer for today’s economically active generations do not show optimistic signs either.

political favours (see further below) ‘can certainly do without this burden’. The cost of labour would go considerably higher if social security stamps are paid for the ‘expendable’ workforce of irregular migrants. On the one hand, that would mean less profit for the average Greek medium-small business owner who is by and large not accustomed in diversifying and expanding his/her investment following the quick pace of change of the demand niches for products in the contemporary post-industrial economy (Lyberaki & Mouriki 1996, Maroukis 2009). Retrieving ways to cut down the salary of his/her employees is rather *the* strategy in profit making. On the other, it would mean less income for the average buyer of the product who would be reluctant to pay more for something that he used to pay less (see, for example, domestic and care-work services in Maroukis 2009).

This social consent (of demand and offer) that revolves around the irregular employment of migrant workers is a product of the wider structures under which Greek economy has been developed, and eventually touches upon the Greek political system. For Greece is a country where the economy and the State have had very close relations and ‘borrowed’ legitimacy and funds from each other whenever they found themselves in need to do so.

The ‘exchanges’ between the two go back to the 19th century agricultural reform that sets the ground for the development of small and medium-small business in Greece, and continue in the first half of the 20th century with policy-choices like the division of land into small properties for fear of socialist and communist ideas emerging from big entrepreneurial units across Europe⁵³. Coming out of the Greek civil war (right after the Nazi occupation of Greece) the post-war Greek governments turn towards a system of a politically controlled economic and social growth that has at its core the state-led distribution of resources, entrepreneurial schemes and jobs (Tsoukalas 1986: 93-4). Principal lever in this venture has been the centralised state banking system promoting privileged relations with the few big industrial enterprises of post-war Greece (the *state-corporatistic* capital according to Sakellariopoulos 1992: 223-229). The economic recession that followed the 1970s oil crisis hampered this economic growth pattern and the preferred ‘solution’ was to institutionalize State loans and thus intensify the state protectionism of enterprises with significant losses (Sakellariopoulos 1992). The lack of social (and entrepreneurial) responsibility that accompanied this post-war economic regime, though, left in the background the development of a sustainable welfare state and labour force. Social balance had to be maintained by *giving something back* to the society. There were two pathways followed in this respect and their relevance continues up to date. First, the State became the biggest employer in post-war Greece. The fact that in 2005 one out of 6.5 Greeks was a civil servant⁵⁴ and that the decrease of unemployment for the 2nd trimester of 2006 is mainly due to jobs provided by the Local Administration and the Public Sector⁵⁵ indicates the persistence of an overgrown State apparatus today. Second, tax exemptions and the turning of a blind eye on tax evasion and informal employment have been the main approaches of the modern Greek State towards

⁵³ This, of course went contrary to any logic of industrialization and competition at the time when big primary sector units provided the first materials for industry and the reproduction of labour force in other European countries (Sakellariopoulos 1991, Mazower 1998).

⁵⁴ Kathimerini, *Greece, country of civil servants and services*, Sunday 23 January 2005, p.25

⁵⁵ http://www.kathimerini.gr/4dcgi/w_articles_economy_632923_22/02/2007_216732

various guilds and syndicates, and local businesses (Tsoukalas 1986⁵⁶, Veremis & Koliopoulos 2002).

To sum up, the persistence of the local economy hiring the expendable irregular migrants in order to make profit is difficult to overcome under the current political system. There is such a ‘culture’ of interconnectedness between economy and the State in Greece that the local economy opposing to the choices of its political system would practically mean turning against its own head. The Greek political system has fed and has been fed by the interest groups of its entrepreneurial landscape. It is hostage together with the economic development of Greece to these interests. In order to understand irregular migration and its persistence despite all policy efforts to the opposite direction one has to consider the political and economic web it has fallen within.

⁵⁶ Tsoukalas (1986), furthermore, points out that a Greek economy ‘wounded’ not only by ‘political employment’ but also by post-war emigration had to balance out the substantial decrease of remittances in the 1970s by attracting some of its émigrés back. The significant volume of Greek returnees in the 1970s and 1980s was facilitated to open businesses and thus contributed to the consolidation of this feature of the Greek economy.

Part II: Estimates, data and assessment of total size and composition of irregular migrant population

1. Most relevant data sources and studies

Whilst reading a Greek newspaper one comes up with parades of numbers and guesstimates of irregular migrant population the source of which is either unknown or derives from random readings of a few problematic datasets. “General Confederation of Workers in Greece (GSEE) estimates that as many as 500,000 migrant workers in Greece do not hold a valid residence permit”⁵⁷; estimates often come up as an indistinguishable mixture between unspecified figures of apprehensions and numbers of migrants with expired stay permits coming out of the Ministry of Interior⁵⁸ without any adjustment for people who are no longer in the country and/or reflection that these potentially include regularized-to-be migrants. While it is not uncommon to use uncritically inflows in order to describe stocks (for instance, references to apprehensions denote different things for different agents⁵⁹). At best, estimates on irregular migration in Greece rely on a time-framed comparison of different datasets: namely the regularizations’ data, the apprehensions data, the 2001 Census data, Social Insurance Fund (IKA) and Labour Force Survey (LFS) data.

Estimates of academic experts follow more or less the residual method; they appear different mainly because they add a different type of data to the final aggregate or because they may collect the information from the relevant institutions at different points in time. The use of direct approaches and single datasets in quantitative assessments of irregular migration in Greece is problematic, since the datasets available (the apprehensions, the regularization and the survey data) present various problematic features while other data sources (Social Inspectorate of Labour) are both unfit for use and unreliable. “No single dataset adequately depicts immigrant stocks, since there are so many different immigration regimes and limited data collection” as Baldwin-Edwards & Apostolatos (2007) put it. Indirect estimation approaches can be more reliable despite the serious drawbacks they have due to the problematic datasets they draw upon. Interestingly, a recent estimation attempt brings in the picture school data, municipality, immigrant associations and police estimates.

Given the lack of data in certain cases and the problems with the available data, a number of expert interviews have been conducted within the framework of the Clandestino case study between October 2007 and April 2008.

This chapter will first elaborate on the problems and particularities of the most common data sources used in estimating the irregular migrant population in Greece. Having done that, the existing estimates that certain studies come to shall be critically assessed; and new estimates will be produced.

⁵⁷ Athens News, *Jail for employers*, 25.05.2007, p.A14

⁵⁸ An indicative finding from our fieldwork is that the data for irregular immigrants kept by ESYE (National Statistical Service of Greece), and provided by the Ministry of Interior, consisted of “cases of expired permits and/or cases that are being processed, and/or permits whose owners have not registered the change of their address as they ought to” (telephone interview with ESYE employee on 28.03.08 about data on irregular migrants from 1980-1997 and 2004 given by ESYE).

⁵⁹ See below section 3.2.

Regularization programs data and Residence Permit dataset (Ministry of Interior)

Regularization programs data serve to measure the irregular migrant stock in the period preceding the regularization program. Residence permit data (the database including permits issued for the first time and renewals) serve to consolidate the regular migrant population before making a case for the irregular one.

There have been three regularization programs so far: the first was implemented in 1998, the second program came under the first comprehensive immigration law (L.2910) in 2001, and the third followed in two sets after the vote of the L.3386 in 2005. One of the problems with regularization data met across countries is that not all migrants apply for permits. The reasons for this vary: fear of contact with the host authorities, recent newcomers not eligible because they can prove their residence in the country only after the specified date, seasonal or transit migrants who do not want to stay in the country for a long period, others who prefer the flexibility and wages of the informal labour market are all cases that apply to Greece. However, Greece has certain exclusivity in some areas. The cost of preparing and submitting an application in terms of time and money, and the number of required social insurance stamps may deter a certain segment of the migrant population from applying for a permit (see Part I). The experience of extensive delays for the issuing and/or renewal of a permit, and of a state of legality in limbo until recently does not attract some migrants to the process either.

Reflecting on the two usual options in using Greek regularization data will cast more light to the particular problems of the regularization programs' and the residence permit dataset. Checking the number of applications for regularization programs constitutes the first option of identifying the irregular migrant population. These in theory should offer a direct indication of the size of irregular TCN residents at the point in time preceding the regularization. Of course the total number of irregulars cannot be deduced from this data alone; especially, if one considers the inflows of recent newcomers that either do not know about, lack the contacts and/or are not eligible for regularization; not to mention the 'older' (in terms of length of stay) immigrants that gave up on the regularization effort for various reasons (those finding the informal economic activity more profitable, those continuously failing or struggling to meet the regularization requirements, seasonal workers bypassing the legal hiring process etc). Then, data on applications are available only with regard to a particular regularization program. This means that the total of applications (meaning applications regarding renewals and applications of the latest regularization program) processed on a reference date cannot be available. According to the head of the Directorate of Computerization and Data Electronic Processing of the Ministry of Interior, the forthcoming update of the computerized system is going to tackle this problem of distinction between first-time applications and applications for the renewal of permits (Int. 15).

The second option is checking for valid residence permits on a reference date⁶⁰, and thus solidifying the regular resident population before making a case for the irregular one. At first sight, the concern with the online residence permit database

⁶⁰ It is important to clarify at this point that *valid residence permits* refer to permits that are registered on the Ministry of Interior database at the actual date of data collection. The permits issued over the years that expired and have not been renewed by the time of the data collection are not included in the number of valid TCN permits. In theory, it would be interesting to look at the fluctuation of the registered stock over the years. The inconclusive data gathered through the years, though, renders such a venture inappropriate.

is the fact that the number decreases along the years. This concern reflects some inherent problems of the residence permit system and the institutions supporting it. Due to chronic problems of the Public Administration and shortcomings in the legislations regulating the stay permit system (discussed in Sections 2.1, 2.5 of Part I) there are significant delays observed in the management of applications for stay permits. This means that, depending on the timing of data extraction, it is possible to have phenomena of undercounting the number of regulars and therefore over-counting the number of irregular migrant stock. Related to this overestimation is the fact that the valid residence permit data until the end of 2007 does not include the numbers of minors that are registered on their parents' permit according to the pre 2006 permit registration system. However, this problem is expected to resolve as people renew their permits under the new computerization system whereby each child obtains his/her own permit (Int. 15).

Apprehension data (Ministry of Interior former Public Order, & Ministry of Maritime Trade)

Measuring irregular migrant stock from apprehension data is possible in Greece since the majority of apprehended migrants are released 'with a deportation order' that instructs them to leave the country in 30 days. The usual result of this is that they continue their journey and either stay in Greece for a while⁶¹ or 'for good' or instantly continue their migration route towards other European destinations.

However, the apprehension data do not constitute a true representation of the actual inflows of irregular migrants. The reasons for this vary: they are related to (domestic and foreign) politics, economy and in both cases, time.

First to be discussed are mainland apprehensions. Apprehension data in the mainland might give an underestimated or overestimated version of irregulars depending on when and where the enforcement of controls occurs. The argument of underestimated irregulars is supported when controls are targeted on the economic sectors of agriculture and tourism that require seasonal workers. It is no news, for example, that the local police turn a blind eye to the irregular workers in rural regions of Greece during the harvest collection. Our interview with a high rank official from the Headquarters of the Greek Police verifies the time and space selectiveness (in his words, 'understanding') of control enforcement (Int.3).

Domestic politics also play an important role in mainland apprehensions data. Looking back at the apprehensions and expulsions data in the 1990s when 'skoupa' (sweep) operations were a regular migration policy practice intended principally to 'cleanse' the country from Albanians (see Part I, 2.6), one realizes the links between domestic politics and apprehensions. Of course these high numbers were also related to the fact that the stay-work permit issue system was facing enormous difficulties at the time and many immigrants were falling back into illegality because of the Public Administration's problems in processing the applications; the slow development of the immigration management regime has been a factor affecting the results of the enforcement of control mechanisms. Another example demonstrating the significance of the time-frame (and in particular the migration policy developments within that frame) when one examines apprehensions is the sayings of officials from the department of the Ministry of Interior appointed with the management and supervision of the stay permits processes and the processing of relevant legislation

⁶¹ That is until they collect some more money to pay off their debts to smugglers that assisted them in already concluded legs of their trip and/or pay for the next round of their journey.

drafts: “during the last couple of years we were running regularization process and had requested from the Ministry of Public Order to loosen a bit...” (Int.2)⁶².

Apprehensions at the border are discussed next. First, the extent of underestimating the irregular migrants’ apprehensions at the sea border grows bigger in summer months when the number of tourist yachts and vessels in the Aegean Sea by far exceeds the capacity of the port authorities’ fleet patrolling the sea border (Int.1). Not substantially bigger though, if one compares the small size of apprehended illegal entries from the sea with the much larger size of the land-border and mainland apprehensions; they constitute nearly one ninth of the total.

Foreign affairs politics constitute another volatile variable affecting the enforcement of control mechanisms and therefore the time and space bias of the yearly border apprehensions data. In particular, the Greek-Turkish political relations have a significant effect on the border-control management in the region and consequently on the volume of apprehensions. The argument goes that better cooperation means more apprehensions and/or at least comparable apprehensions from the respective authorities on the Greek-Turkish borderline, and vice versa. The Greek-Turkish collaboration on the issue of border control, however, is the end-product of the cross-section of the two countries’ interests vis-à-vis the EU. A cross-section whose final output further depends on the ways it interweaves with the political, economic and social contingencies within the two countries. In particular, the issue of Turkey’s accession to the EU has been an incentive towards better border management from the side of Turkey; the freezing, though, of this process could complicate matters and inflows’ numbers. Greece, on the other hand, is supposed to guard EU borders more effectively; the fragmented and limited cooperation with Turkey on, say, the Readmission Protocol signed between the two countries does not help towards this goal (Int.3). Within this context the Greek authorities are purported to have developed certain informal practices of dealing with irregular migration that render apprehensions and deportations numbers unreliable. The Pro Asyl (2007) and Human Rights Watch (2008) reports, in particular, suggest that there are cases (both at the sea border with Turkey and at the land border by Evros river) where apprehended migrants are not registered as such but illegally ‘pushed’ back to Turkey. Additionally, the Greek authorities follow a policy of rejecting en masse asylum applications (and thus render many asylum seekers irregular) as a lever to exercise pressure on the EU to ‘push’ Turkey to conform with EU demands on irregular migration management.

And there is more to it; the volume of irregular migrants is also correlated to international developments. For instance, the war on the Turkish-Iraqi border following the occupation of Iraq by USA’s war-on-terror troops is a destabilizing factor that brings more ‘players’ with their own agendas in the picture. The variable of Greek-Turkish relations and therefore border-control management is highly vulnerable to international, regional and domestic political and economic pressures.

Last but not least, one of the main problems with Greek apprehension data is the incidence of double-counting in the yearly published versions⁶³. Although fingerprints are taken and apprehended migrants’ full records are registered in the EURODAC system, it is likely that a migrant that attempted many times to cross the

⁶² Whether police controls did loosen for the duration of the regularization programs after that informal request is hard to say. Our interviewee from the Secretariat of Public Order did not relate the volume of their sweep operations to regularization programmes (Int.3).

⁶³ Apprehensions data from the Greek Coastguard do not involve double counting according to the Greek Coastguard official interviewed (Int.1).

border and was apprehended and expelled within the same year will appear more than once in the relevant apprehension data⁶⁴. The likelihood of double-counting seems even more likely to be the case when apprehension data over different years are added up.

2001 Census and Labour Force Surveys (LFS)

The decennial Population Census conducted by the Statistical Service of Greece (ESYE) in 2001 is another significant source including a segment of the irregular migrant population stock. The main problem, however, is that it does not distinguish between immigrants with regular and irregular status. Nevertheless, within the framework of the 2001 Census, particular efforts were made in order to include as much of the total foreigner population residing in Greece as possible. In particular, the Statistical Service launched advertising campaigns and organized talks with major immigrant groups in order to convince the latter that its records were sacrosanct and unavailable to Police, immigration or tax authorities. However, as in all censuses, there often is a number of immigrants that do not participate out of fear for apprehension by the police, or because they were not in the country or simply they were not found on the day of the Census. According to an estimate of the Census non-participation rate (Kollintzas & Psarris 2004), based on an estimation of the number of immigrants that did not apply for a White and Green Card under the (prior to the Census) first regularization program (Tsimbos 2001), a 30% of the applicant foreigners, that is an extra 250,000, did not participate in the Census. Kollintzas & Psarris come to this conclusion based on the fragile assumption that the Census faces similar problems to the regularization. This assumption does not stand on solid grounds, though, should one consider that the regularization register has a potentially rewarding attribute while the Census does not have any such feature. Furthermore, the method that the Tsimpos study used in order to estimate the non-participation rate is not specified.

One should, however, take into account a drawback committed in the way the Census was conducted. As Baldwin-Edwards (2004a: 26) notes, the census-takers asked at first sight “are you Greek?” without making any further enquiry about citizenship or asking if the person had an ID or *homogeneis* card. Thus, many Albanian citizens of Greek ethnic origin who regard themselves as Greeks could have registered as Greeks and thus might not be included in the Census number of 762,000 foreign citizens from outside the EU-15 countries. As we shall see later on below, some estimates of irregular migrants in Greece (e.g. third estimate of Kontis, Zografakis & Mitrakos for 2004) did not consider this particularity, affecting thus the volume of irregulars estimated.

All in all, the decennial Population Census of 2001 does offer a good starting point despite its drawbacks. However, one cannot overlook that seven years have passed since. Its data might be considered out of date to a certain extent and therefore should be used with some reservation.

LFS data are not as suitable in depicting the features of the irregular migrant population; let alone its quantitative aspects. This is due to two main reasons. First, LFS surveys are conducted every trimester and use a rotational sampling: one sixth of the households of every new sample is re-interviewed for five more trimesters. This means that it is not advisable to add up LFS data due to the likelihood of double

⁶⁴ The migrants registered in the EURODAC system are of nationalities that cannot be deported. Albanians, for example, are not registered here according to the sayings of an official in the Police Headquarters (Int.19).

counting. Second, extrapolating over the irregular migrant population assumed to be interviewed in a Labour Force Survey (or different distant LFS) is also problematic. For LFS sampling is not designed with the scope of researching the irregular migrant population; therefore, the picture it depicts is not reliable (see Part II, section 2.2.).

IKA (main Social Insurance Fund for dependent labour) and Merchant's Fund (OAEF)

Data from the Insurance Funds, in theory, provide a means of crosschecking the residence permits data. Common sense would, indeed, suggest that the data on foreigners from the Social Insurance Fund would be the most secure way to estimate the volume of valid permits at a certain period (a prerequisite for a dependent work permit of stay are 200 social insurance stamps, equivalent to working days). Indeed, some researchers treat the IKA database as the most secure indication of valid stay permits. Kanellopoulos (2006: 40) for instance treats IKA data at face value. The available data of foreigners registered in IKA, however, do not correspond directly with permits of stay. This occurs because the yearly edition of IKA data include individuals that have worked regularly (acquiring a stamp from their employer) for at least one day in the year. However, if one foreigner works for fewer days than the 200 per year required for a permit (without any evidence that he had bought the remaining stamps), he should not be regarded regularized⁶⁵. Therefore, it is not unlikely for someone to appear in the IKA yearly database and still be irregular.

Another problem with the IKA database is that the number of foreign workers who buy themselves the total of the welfare stamps required for their permit (usually domestic workers, and others, lap dancers, prostitutes etc), appear in the yearly IKA database practically after 2005. The inclusion of these categories in the IKA database has been gradual since November 2003; this amendment was not applied under a uniform time schedule to the several IKA departments across the country (Int. 12).⁶⁶ Whether the missing regulars (the latter category) and the disguised irregulars in the IKA database balance out one another, is too unfounded an assumption to make, for one variable refers to a particular profession and the other does not have to do with a particular profession and the expected changes in time are not likely to be of a similar volume. Coming from the experience of the Ministry of Interior, one might argue that the IKA data appear low because of delays with the available register system; there is no such case however according to the statisticians of the IKA data; the majority of late contributors (employers/ individuals paying for their own insurance) are included in the yearly data edition since there is an additional three month period after the end of each year within which one may conclude his IKA transactions. A more plausible explanation for the low number of immigrants registered with IKA in comparison to residence permits data is that IKA data do not count family members of the registered workers. One should also note here that according to our interviews with the Ministry of Interior officials (Int.2), people that were close but did not reach the required amount of welfare stamps for a few days were given the permit; there have been elements of pragmatism within the Ministry.

⁶⁵ In principle, regularization processes overall aim to regularize immigrants and not deny them access to a regular status. The lessons of positive impact of the immigrant contribution to Greek economy have proliferated in some Greek state institutions managing migration. And have not influenced others like the Police force who also has a say on the regularization process.

⁶⁶ Furthermore, the majority of the categories of unemployed persons who pay the total of their contributions themselves have been included in the Yearly IKA database since 2005.

The data collected from the Merchants' Social Insurance Fund regard insured foreigners up to date. The problem with this data is that for ¼ of it (209,187 out of 810,215 of the total of insured individuals in the Fund on the date 03.04.08) according to an interview with the Department of Statistics of the Merchants' Fund (Int.16) the citizenship is unidentified. This occurs because prior to 01.01.2003 the Fund did not register the citizenship of the insured person. Therefore, the foreigners that registered with the Merchants' Fund before 01.01.2003 are missing from the number of 19,000 registered foreigners. And are instead registered as Greeks⁶⁷. The estimate of TCNs registered in the Merchants' Fund is around 16,000⁶⁸.

⁶⁷ Figuring out the citizenship of insured individuals prior to 2003 is possible only when the insured persons interrupt and re-commence their contributions to the Fund.

⁶⁸ In 601,028 foreigners registered after 01.01.2003 there are 19,017 foreigners (11,653 TCNs having excluded EU-27 and developed countries). In 209,187 foreigners registered before 2003 there would be 6,619 (4,055 in the case of TCNs) if all else remained the same. This calculation is not as appropriate, though, given the fact that there were different migrant groups then and that the Albanians (which is the majority) did not have the same percentages of self-employment before 2003 as they do now.

2. Estimates, data and expert assessments on stocks

2.1. Total stocks

There are only a few studies on irregular migration that attempt estimations of the size of the irregular migration stock in the post 2000 period.

Study of Kontis, Zografakis & Mitrakos 2007 (IMEPO)

This study produces an estimate of **230,000-330,000 irregular migrants residing in Greece in 2004**. This range derives from the cluster of three estimates that look at the usual datasets from different angles. The definition of irregular migrant provided in the study has a few shortcomings. First and foremost, the EU nationals included in the counts are not mentioned, nor are the co-ethnic returnees from Albania and ex-Soviet Union countries. Secondly, there is no mention of the numbers of permits under processing by the Ministry of Interior; a number that could decrease substantially the number of estimated irregulars.

The first estimate calculates the irregular migrant population via the application of the residual method between two sets of data: an estimate of the total foreign population in Greece produced by ESYE and based on the yearly number of stay permits issued by the Ministry of Interior (these permits concern successful first-time applicants and not renewals) (Int.14); and the number of legally resident foreigners (that is, valid permits) for 2004 from the database of the Ministry of Interior. Both kinds of data present problems that the researchers failed to mention and/or reflect upon.

In the first case the estimated immigrant population stock for 2004 derives from the addition of the new issued permits that year to the accumulated first-time permits over the previous years. According to the sayings of the employee of ESYE responsible for producing this data (Int. 14) there has been a gap in the flow of data from the Ministry of Interior to ESYE in the years prior to 2004 due to administrative changes that delayed the creation of the online database that exists today. This means that the total migrant population estimate for 2004 is an aggregate of that year's new permits on unreliable data from the previous years. Another problem of the ESYE projection of the foreign population not reflected by this study is the inclusion of EU citizens' stay permit data from the Greek Police. Apart from that, calculating the stock of immigrants from the number of issued permits alone is problematic since it does not take into consideration immigrants that do not apply for regularization or those that applied and were not granted a permit⁶⁹. On the other hand, it assumes that permit-holders since the 1990s (the ESYE calculation of yearly stay permit data starts from 1991) are alive and still in the country. All in all, the numbers of issued permits are only a fraction and by no means do they represent the total stock of migrant population⁷⁰. The second set of data that Zografakis et al (2007) use, that is the numbers of foreigners in possession of documents proving their legitimate stay in the country from the Ministry of Interior, is also problematic. In particular, there is a

⁶⁹ In particular, illegal entrants in the post-2001 period due to several reasons (they have not had a substantial length of stay previous to applying as the immigrants that arrived in the 1990s did, they generally do not speak Greek) are by and large less familiar with the regularization system and/or are not eligible for applying.

⁷⁰ The fact that in 2001 the total stock estimated by ESYE is close to the number deriving from the Census (according to the observation of the ESYE employee during the interview) does not constitute a safe indication of the validity of ESYE's method. For the Census also suffers from several omissions and biases.

hidden number of potential regulars that is not visible in the valid permit data, since a big number of applications is being processed (this includes people whose permit has expired and have applied for renewal and first-timers). The extent to which this hidden number of potential regulars (or already regulars according to the delayed data entry theory of Baldwin-Edwards 2004a that existed at the time of that study) balances out the above underestimation of the total stock (and consequently the estimation of irregulars through the residual method) is unknown.

Consequently, the number of TCN irregulars for 2004 (295,000-335,000) that is calculated after the subtraction of the valid permits at the time from the accumulated total of issued permits over the years is probably an overestimation of the true number. The migrant stock calculated in this fashion at best offers an indication of the population that failed to renew their permits; and even that is debatable should one consider the migrants *in limbo* whose applications are still processed.

With regard to the second estimate of irregulars in this study, the 200,000 permit applications submitted in 2006 for the regularization program foreseen by the law 3386/2005 are taken as a direct indication of the irregular migration stock in the country in 2004⁷¹. Then the study adds to that an estimate of minors not included in the permit applications (no adequate explanation is provided for this calculation) and an estimate of non-applicants to the particular program (1/3 of the 200,000). And finally it subtracts the number of irregular migration inflows from mid 2004 up to the end of 2006 since the estimate refers up to 2004 only⁷². The estimate that they arrive here is 227,000 irregular migrants in 2004.

This estimate attempts to make a case for the usual missing value in most estimates: the non-applicant irregular population. The rate of the non-applicants in the 2006 regularization program, however, is taken after the respective rates on regularizations that occurred at a different point in time. In particular, they use the Kollintzas & Psarris (2004) estimate, which in turn is a direct adoption of an estimate of non-applicants to the 1998 regularization program made by Tsimbos in 2001 without any methodological explanation. In any case, in the 1998 and 2002 regularizations there was a different composition of migrant groups, different legislations, and different implementations of the latter in force. Back in 1998 and 2002 a significant number of migrants that applied for a permit had been living in Greece for quite a while and spoke the Greek language⁷³. Border control and deportation practices of the Greek police were different now and then: different migrant groups were targeted (Albanians), different volumes of deportations were realized (see Tables 17, 18, 18a). While border controls were not as tight and advanced as nowadays. That's one of the reasons for which, in the 1990s migrants came to Greece usually on their own, without the help of smugglers' networks (another is geographical proximity: Albanians, Bulgarians and Romanians did not have to make the journey that Iraqis and Afghanis do today) (see Part I). The recent newcomers are usually not disentangled from the networks they made use of en route

⁷¹ Only migrants that could prove residence in Greece prior to 2005 were eligible for applying to the last regularization program.

⁷² Keeping in mind that the authors are interested in the irregular migrant stock in 2004, they subtracted the mid 2004-2006 irregular flows because they wanted to rule out the number of newcomers that were not in Greece in 2004 and applied for a permit. However, they committed a fallacy for this number is probably very small if there is any in the first place. Migrants that arrived in Greece after 31.12.2004 were not eligible for applying to the regularization program.

⁷³ Expert surveys have indicated that the majority of Albanians speak the Greek language in a satisfactory level (Labrianidis & Lyberaki 2001, Lyberaki & Maroukis 2005).

to the country after their entry (qualitative studies⁷⁴ show that the migrants work for them or find work through them in order to pay off the debt from their trip). This particularity of their entry renders them less flexible for regularization programs since retrieving the required social insurance stamps is dependent upon the above relationships.

Moreover, the permit application data includes categories like EU-nationals from the new member states that are *de facto* and not necessarily *de juris* regular. This means that the estimated number of irregulars for 2004 most probably includes nationals from the EU-25 and other developed countries who were not liable to expulsion if detected by the Greek authorities. Thus, the above underestimation of TCN irregulars is to a certain degree moderated.

The third alternative estimate for 2004 that Zografakis, Kontis & Mitrakos produce (272,000-312,000) is another application of the residual method, albeit between different variables. First, they regard the Census number of foreigners (775,000-815,000) as the total stock of immigrants. From that they subtract 361,000 applications for the 2nd regularization program (under the L.2910/2001); there is an assumption here that all the regularization applicants have been regularized, when it is clear from other sources that a third of those applicants failed to get a Green Card (Fakiolas 2003). Then they subtract a number of 72,000 minors that are not included in the 2001 applications but probably appear in the census (this probably refers to cases registered on their parents' permit but they would not be counted as units in the total of issued permits, Int.15); although in theory this is a good addition that defuses the big number of irregulars that would come up otherwise, there is no explanation provided on how this number was eventually calculated. Following that, they subtract a guesstimate of 150,000 Greek origin repatriated immigrants (Omogeneis) and EU nationals that would not be liable to deportation if detected; they do not take into account though the fact that the way the census was conducted might have registered a certain amount of Omogeneis as Greeks and not as foreigners. Finally, the number of new irregular entries in the country in the period 2002-2004 is added up here since these people could not have been included to the ongoing regularization program at the time. However, the data from the Ministry of Public Order should not be treated at face value for various reasons: for the likelihood of double counting, for they include transit migrants and asylum seekers. Last, informal apprehensions and refoulements are not taken into account.

Study of Lianos, Kanellopoulos, Gregou, Gemi & Papakonstantinou 2008 (IMEPO)

This study produces six different estimates for different points in time using the following data sources: data from schools and kindergartens, apprehensions/deportations data, estimates from immigrant associations, data from municipalities, data from LFS, Family Budget Survey, the 2001 Census and the third regularization program, and estimates from the Greek Police. According to the authors, closer to reality is the estimate of **172,000-209,000 irregular migrants staying in Greece in 2007** that is a combination from the estimates based on apprehension data and municipal authorities data.

The first estimate they produce (for 2005) uses data from kindergartens, primary and secondary schools, ESYE (National Statistical Service of Greece) data on the population of regular minors and data from the 2001 Census. First, they establish a

⁷⁴ Papadopoulou's (2004) is one such.

population of 26,573 foreign pupils without a stay permit after the deduction of the number of foreign children aged 5-18 that are stay permit holders (86,890) from the number of foreign pupils attending Greek kindergartens and schools in 2005 (113,463). The researchers' next step is to find the ratio of children ageing 5-18 (86,890) to the whole of the legal migrant population (604,215) and apply it ($604,215/86,890=6,95$) to the case of the undocumented pupils' population with the scope of finding the total of the irregular stock of foreigners in Greece in 2005 ($26,573 \times 6,95 = \mathbf{184,783}$). In doing this, they assume that the ratio of children is the same for both the irregular and the regular migrant population. However, this assumption is far-fetched should one consider that a significant part of the last five years' irregular migrant stock consists of men and therefore differs from 'the Albanian family' that typifies the demographic make-up of the regular migrant population. Another concern with their estimate is that the migrant population of regular minors and total regular population they use come from ESYE. The way this institution has calculated stay permit holders needs further clarification. One cannot dismiss that the number of stay permits issued in every year are added up for this purpose – as has been done in other cases (Int.14) – without any reliable adjustment (if any adjustment at all) for double counting or failure of permit renewal. Thirdly, Lianos et al treat the total school population as a reliable indication of the regular and irregular minor foreign population dismissing the fact that pre-school education practically excludes undocumented immigrant minors (Psimmenos & Skamnakis 2008). They admit that the school data is unreliable from another angle though: that of the unknown variable of the school drop-outs rate in the migrants' children population. This is mainly why they regard this estimate as a minimum⁷⁵.

In order to reach to a maximum estimate of the irregular migrant stock, the IMEPO study uses the same method. The difference is that they use the 5-18 year old migrant population from the 2001 Census (136,287) in their calculations. First, they find how many 5-18 year old migrant children correspond to every pupil (from school data in 2002): $136,287/98,241=1,387$. They multiply this ratio with the 2005 school data in order to find the projection of the Census 5-18 year old foreign population in 2005 ($113,463 \times 1,387 = 157,373$). Based on this they attempt to find the projection of the total foreign population from the 2001 Census in 2005; they find the ratio of 5-18 year old migrant children to the total migrant population from the Census ($761,813/136,287=5,59$) and multiply it with the projected (from the Census) 5-18 year old foreign population in 2005 ($157,373 \times 5,59 = 879,715$). Having done that, they subtract the ESYE data of migrant permit holders in 2005 (604,215) and arrive to the estimate of **275,500** undocumented migrants in 2005. One problem with this estimate is that they treat the Census and stay permit data as accurate data. Another is that they assume that the ratio of children to pupils is the same in 2001 and 2005 without any reflection on changes caused by school dropouts and pre-school education restricted access rates. Finally, new citizens from the 2004 EU Enlargement are not taken off the equation.

Their second estimation attempt refers to 2007 and uses apprehensions and deportations data. They use two ratios of apprehensions to successful irregular entries. A 1:1 (or 1:1,5) ratio for Albanians, meaning that for every (one and a half) apprehended Albanian there is another one that irregularly enters the country. And a 1:2 ratio for migrants from all other countries. The lower apprehension to irregular

⁷⁵ Another problem with this estimate is that the total school and regular minors populations are not cleared of EU and other developed countries' citizens.

entry ratio for Albanians rests mainly on the fact that border controls at the Greek-Albanian border have been intensified in comparison to the past. However, it is not only the volume of the return and circular migration and the possibility of double counting that *might*, as Lianos et al put it, render the use of this ratio problematic. It is also unknown how many of the apprehended Albanians stay in the country and are not deported immediately after the Police Cooperation agreement (with a reinsertion clause) between the two countries has been put into force. Moreover, applying a 1:2 ratio for irregular migrant flows from other countries is problematic ($44,075^{76} \times 2 = 88,150$). First, migrants from Eastern European countries usually enter legally in Greece via a visa for tourism. Second, according to the Head of the Security Department of the Greek Coastguard, around 80% of the irregular entries from the sea border are apprehended (Int.1). Third, the fact that they do not subtract the number of apprehensions in the mainland for nationalities that are phenotypically more visible and therefore more likely to be stopped by the police while they do so for Albanians (see below) also poses a problem. Fourth, the effect of double-counting appearing in apprehensions data on the reliability of the above ratio should also be considered. Lianos et al question whether the 399,391 total apprehensions data (border and mainland ones) in the period 2002-2007 involve double (or multiple) counting when it is certain that they do⁷⁷. Actually, their next step is to add up the apprehensions of Albanians from 2002-2007 (285,083). From that they subtract the ratio of the total of apprehensions in the mainland (32%) and arrive to an estimate of Albanian apprehensions at the border of 193,856. For the calculation of the minimum estimate of irregular migrant stock they use this number while for the maximum they apply the multiplier 1,5 ($193,856 \times 1,5 = 290,784$). To that they add, in both cases, the estimate of 88,150 irregular entrants from other countries and subtract the added up number of deportations in the period 2002-2007 (104,890). Talking of double counting, the problem in adding up this kind of data for such a long period is that it includes nationalities (principally the Albanian one) that found it relatively easy to re-cross the border after their expulsion. Furthermore, migrants from the new EU member states are counted as irregular migrant stock in this 2007 estimate when it is clear that they cannot be deported and, in this sense, are not irregular residents. The following step of this IMEPO calculation is to add the number of rejected applicants in 2001 (150,860) and subtract the number of those regularized under the 2005 amnesty (145,000). A problem with the latter number is that it does not take into account a significant number of regular minors that were registered in their parents' stay permits at the time and therefore did not appear in the total regularized population (Int.15). The resulting range of migrants staying irregularly in Greece in 2007 is 182,976–279,904. Last but not least, they attempt to make a case for the migrants using Greece as a transit country and assume (without any justification) that a quarter of migrants from countries other than Albania (22,038) do so. The estimate in this case becomes **160,938-257,866**, which still is quite wide.

⁷⁶ 44,075 are the added up TCN apprehensions over the period 2002-2005, without the Albanians and without any adjustment for apprehensions in the mainland.

⁷⁷ Additionally, in order to complete the missing apprehensions data from the last 3 months of 2007, they add a quarter of the yearly apprehensions they have gathered in the previous 9 months. Therefore, they assume that the apprehensions rate remains the same throughout the year.

The third estimate by Lianos et al is the product of a ‘Delphi study’⁷⁸ based on estimates from immigrant associations. A possible bias in the estimate is that 33 out of the 38 associations are Albanian ones. The geographical spread of the sample is an asset of the survey: 15 out of the 38 associations are based outside Athens in various parts of Greece. Certain areas, however, with high incidence of irregular migrant flows like Northern Greece and the islands of the Eastern Aegean are not represented in the sample. The average of the total of the associations’ estimates indicates a population of **226,000** irregular migrants in Greece in 2007. The qualitative findings out of this survey seem to be more important than its quantitative ones. In this respect, the phenomenon of irregular migration is linked to seasonal migration according to the interviewees. Some also argued that a segment of the irregular migrants are family members of migrants who stay legally in the country. The first statement rings true but at the same time it is likely to be biased by the largely Albanian sample since the phenomenon of circular migration of TCNs is more noticeable amongst Albanian migrants than others (Labrianidis&Lyberaki 2004). Interestingly, the second statement reflects the restricting policy regime of family reunification analyzed in Part I.

The next estimate on irregular migration stock derives from the estimates given by municipalities (and a few local communities⁷⁹). The sample was taken from municipalities that had a population ranging from 1,000 to 10,000 inhabitants⁸⁰. The reasoning behind this sampling decision is that a mayor of a smaller municipality is likely to have a better picture of the number of irregular immigrants staying in his/her jurisdiction than that of a mayor in a more densely populated municipality. Questionnaires asking the number of the regular migrant population, the percentage of the undocumented migrants in the total migrant population, the share of migrant women without stay permit, the undocumented migrants’ country of origin and employment sector were mailed to 359 municipalities and 198 were completed and sent back. The total number of irregulars in these municipalities is 15,853⁸¹. The ratio of irregular to regular migrants used is $15,853/59,859=0,265$. Under the assumption that the population of regular migrants in Greece after the 2005 regularization is around 600,000-700,000, the number of irregular migrants (based on the above ratio) should range between 159,000 and 185,500. A problem of this estimate is that a ratio of irregular to regular migrants coming from small municipalities is equally applied to much larger municipalities across the country. In order to address this problem, the IMEPO research team contacted municipal authorities of the capitals of each Prefecture in Greece. Only 28 of them gave an estimate. The numbers of irregular and regular migrants given were 9,295 and 38,821 respectively. The ratio of irregulars to regulars in this case became 0,239 and the total irregular migrant stock in Greece ranged between 143,400 and 167,300 individuals. If the estimates of regular and irregular migrants from both smaller municipalities and municipalities of capitals are

⁷⁸ A Delphi study is supposed to involve a second or even third round of questions posed to the interviewees (Drbohlav & Lachmanova 2008). Here only one round of questions was made to the immigrant associations.

⁷⁹ The Community is usually a village or sometimes an island. The Municipality may cover a wider area and may include many islands. There were only 7 communities and 352 municipalities in the sample. This is why when we refer to ‘municipalities’ from now on in this sub-section we will mean both municipalities and local communities.

⁸⁰ There are a total of 718 municipalities with such a population according to the 2001 Census. The survey’s sample consisted of half of these (every other name was chosen in the list).

⁸¹ The total of legal migrants from municipalities that gave data was 59,859 while the number of legal migrants from all municipalities (including those who did not know the number of irregulars) was 65,247.

added up the ratio of irregulars to regulars becomes 0,255 and the total irregular population **153,000-178,500**. A possible bias of this survey regards the sources through which the mayor retrieves his/her information on irregular migrants. These were not asked in the questionnaires. Since irregular migrants are not registered in the municipality (as it happens in Spain) it would not be far-fetched to assume that the most likely source is local police, especially for larger municipalities of the sample that are situated within cities. For smaller municipalities both police and informal networks should be the most likely sources of such information. However, the enforcement agendas and practices of local police differ from area to area and from time to time. This poses serious concerns on the reliability of the estimates given.

Next, this study attempts to estimate the undocumented migrant population using data from the Labour Force Survey, the Family Budget Survey, the third regularization program in 2005 and the ESYE population projections respectively. Looking first at the LFS of the period 2004-2007, Lianos et al assume that the number of irregular migrants equals with the number of interviewed foreigners that do not have social or health insurance. This assumption is based on the fact that the issuing/renewing of a stay permit rests on providing evidence that social insurance obligations are fulfilled. LFS data, however, are more appropriate to show features of *regular* migrants and at best a rough ratio of their presence with respect to the native population. This is because the sampling used in LFS does not capture significant segments of the migrants residing irregularly in Greece (see in particular Part II, section 2.2.). After applying the principle of *insurance-equals-regularity* on 2004-2007 LFS data, irregular migrants are assumed to comprise around 11% of the regular migrant population. Juxtaposing this ratio to the debated projection by ESYE of 692,380 documented migrants, this study leads to a calculation of approximately 81,000 irregular migrants in 2007. Another problem with the ESYE projection (apart from the use of yearly issued permits without any reliable adjustment for double counting or failure to renew) is that it does not have a clear picture of the population of regular minors. This is because regularized immigrants' children were *gradually* inserted and counted in the stay permit database as individual stay permit holders from 2006 onwards (Int.15, also see below CLANDESTINO estimate for 2007).

The Family Budget Survey that was conducted in the period February 2004-January 2005 is the other source the 2008 IMEPO study uses towards the production of an estimate for 2004. Using the same methodology with above, the irregularly resident immigrants in that year are estimated to be 85,300. As in the case with LFS data, this is an underestimation of the true number, as the authors of this study admit.

The 2005 regularization program are the next basis upon which the migrant population residing irregularly in Greece in 2004 and end of 2006 is calculated. According to this study, the estimate of 100,000-120,000 non applicants to the third regularization program reflects how many irregular migrants were in Greece at the end of 2006. The problems with estimate of non-applicants are many. First, it is the one that was 'made up' for the 1997-8 regularization program (as I have demonstrated above) and it is uncritically adopted here. Second, there is no adjustment attempt, whatsoever, for inflows and outflows for the period 2005-2006. Third, it assumes that all applicants have been regularized, which is not the case. For the 2004 estimate, they add the number of applicants to the above estimate of non-applicants and reach to a figure of around 270,000 irregular immigrants. There is no comment on the possible effect that the number of minors 'hidden' in their parents' applications could have on the estimate (see below CLANDESTINO 2004 estimate).

Another estimation attempt for the years 2004-6 is done using the foreign population calculations of ESYE (National Statistical Service of Greece). ESYE comes to this figure after the calculation of the natural population movement (births minus deaths) and the “net migration”. The research team of IMEPO was told that this “net migration” is calculated through the migration trend of previous years taking also into consideration the 2001 Census (IMEPO 2008:68). The author of this report, as mentioned above in the evaluation of the Kontis, Zografakis & Mitrakos (2007) estimate, found that this *trend* is based on the problematic adding up of foreigners’ permits since 1991 (Int.14). The fact that the resulting figure in 2001 was similar to the Census taken during that year, according to the ESYE official interviewed (and contrary to our analysis), is an argument for the validity of this method. The number of stay permits for the years 2001-2004 used in the calculation of the foreign population is based on unreliable data due to the (at the time) significant number of regularized migrants falling back into irregularity for shorter or longer periods (Int.14). The estimate is eventually calculated in the following way: from the projected and corrected for EU citizens total foreign population this study takes out the ESYE estimate of stay permit holders that is based on the problematic accumulation of yearly issued new stay permits from the Ministry of Interior. The figures of irregular migration for 2004, 2005 and 2006 are 231,000, 272,000 and 224,000 respectively.

The last estimation attempt of Lianos et al is based on the estimations of irregular migration of a sample of 36 Police Directorates in Greece. The ratio of irregular to regular migrants, according to these estimates of 2007, is $79,627/527,491=0,15$. This ratio is much smaller than the one that was produced from Municipalities’ estimates (0,25) even though the same questionnaire was distributed to both parties. The sources of the Police estimates are not mentioned. Apart from that, the collection of the questionnaires was made from the Ministry of Public Order as the study mentions. This poses further questions with regard to the reliability of the final data made available.

The study argues that the estimates closer to reality are two: the ones based on apprehensions/deportations data and the ones on Municipalities estimates. The lower and the upper end of the final range of irregular migration in 2007 (172,000 and 209,000) are the respective medians of the Municipalities and the Apprehensions/deportations ranges mentioned above.

Kanellopoulos, Gregou & Petralias study 2006 (KEPE)

Kanellopoulos et al study is primarily interested in documenting the profile of illegal immigrants in Greece. Within this context, estimates of the stock of illegal immigrants are provided. Towards this objective, the study uses data from the 2001 Census, the past regularizations, the Ministry of Interior (regarding the number of valid residence permits) and the Ministry of Public Order (regarding entry refusals, apprehended and removed aliens, as well as data on refused asylum applicants assumed to be residing in the country).

Their first estimate starts with a calculation of some 100,000 non-applicants (to the 1998 regularization program) in 2001 that constitutes the residual between the 2001 census (having excluded the EU15 citizens, the children of TCNs who appear in the census and are not obliged to apply for residence permit, and the ethnic Greeks from Albania and the former Soviet Union) and the White Card applicants of the 1998 regularization program (Kanellopoulos et al 2006: 29). This calculation deliberately refers to *non-applicants* instead of irregulars at this stage. Moving on to an estimate of

the irregular population involves the consideration of several difficult to measure realities: in particular the avenues to and out of illegality during that period. Kanellopoulos et al do attempt to tackle the phenomenon of regulars with Green Cards that lapsed into illegality in their estimate of **400,000 irregular migrants in 2001**. In particular, they add to the 100,000 non-applicants of the first regularization program the difference between the 371,641 applicants of the same program and the 84,621 that applied for permit renewals up to April 2001, and finally they round up the aggregate with the “new inflows of illegal immigrants” (they do not refer though to a specific number).

However, failure to renew is only one aspect of pathways to (and out of) irregularity. Regulars *in limbo*, that is applicants waiting for the approval of their permit, is a phenomenon that gives a distorted view on numbers corresponding to a certain period; especially at those times when the status of the applicant did not secure migrants against deportation.

Consequently, coming out of regularity does not necessarily mean entering irregularity but it also might coincide with exit from irregularity altogether. The apprehension and therefore (to a certain extent) deportation data of the time are likely to have included regularization applicants that were in possession of only a certificate of having submitted their documents or received an expired permit and failed to submit an application for renewal on time.

A further problem with this estimate is that it does not discuss and/or attempt to quantify the fact that the Census did not capture the whole of the immigrant population.

Finally, the hidden numbers of immigrants whose applications for renewal are being processed are not taken into account. This study makes a case for the irregular population of the whole of 2001 based upon the count of renewal applications submitted only during the first months of that year.

Using the same method and slightly different datasets, Kanellopoulos et al move on to make an estimate for 2004. First, they subtract the 2nd regularization applicants from the 2001 Census in order to calculate the number of non-applicants for the 2nd legalization program. They assume, on the one hand, that the 1st regularization Green Card applicants managed to renew their permits in the meantime. On the other, they are more careful when it comes to the renewals of the 2nd regularization program. The phenomenon of regulars lapsing back into illegality is treated with more caution here. They do not plainly assume that the 2nd regularization permit holders will have renewed their permits through the period 2002-4 but justify why this is likely to be true. In particular, the Ministry of Interior under the pressing need for manual workers at the time (pre- Olympic Games period) had extended through successive laws most of the 361,110 temporary permits issued within the 2nd legalization program in 2002. Along the same line, the Police had reduced the large scale deportations characteristic of the pre-2002 period (fewer apprehensions, however, do not mean fewer irregular migrants). Then, they compare this number with the 365,623 residence permits that were in effect on 15/1/2004 (from the database of the Ministry of Interior) and subtract it from the Census TCN population reaching to a residual of around 110,000 irregular migrants. To this number they add the rejected asylum applications of the period 2001-4 and the new arrivals (that is apprehensions) of illegal immigrants for the period 2002-4 (58,230+51,031+44,985=154,246) and reach to an estimate of nearly **300,000 irregular immigrants in Greece in 2004**.

The problems of this estimation vary. Once more the number of irregular immigrants seems overestimated. Firstly, the residence permits in effect in 2004 constitute a conservative estimate of regular immigrants since it includes immigrants from both regularizations but simultaneously hides a certain part of them whose processing is delayed. Secondly, this estimate assumes that the number of rejected asylum applications during the period 2001-2004 (19,000) corresponds to number of irregular immigrants. These rejections, however, have been first degree ones meaning that this number cannot represent fully irregular migrants since a certain number might have objected to the first degree decision and re-submitted their asylum application for a second degree hearing (see 2.6. below). Moreover, Kanellopoulos et al do not recognize that the apprehensions data include asylum seekers and, therefore, a case of double-counting in their estimate. Not to mention the other reason for which double-counting seems a very likely scenario: adding up apprehensions over a long period raises the likelihood of double-counting since the deported migrants often re-attempt to cross the borders.

Estimates from other studies

Triandafyllidou (2005: 19) estimates the number of irregular migrants in 2004 around 300,000. She does so using the residual method between the 1998 and 2001 regularization programs and the Census data.

Estimates from EUROSTAT, UNPD, Reyneri 2001, SOPEMI 2003 as they appear in the EC paper on “Trends on regularization of Third Country Nationals in Irregular situation of stay across the EU” (2008) show the following downward trend: from 180,000 irregular migrants in 1990 the number rose to 525,000 in 2000 and fell after the 2nd regularization in 2002 to 300,000. Methods of calculation are not available.

Then there are numbers that are more guesstimates than estimates. Indicatively I refer to an Alpha bank financial report (2005) that estimates 500,000 irregular migrants in 2005 without any reference to the method of calculation.

As for the calculation of the irregular migrants deriving from the recent waves of migration (the post 2004 period) the reference to yearly apprehensions data added up without any reservations for double counting and without any distinction between apprehensions at the border and apprehensions in the mainland is very common. Indicatively the General Secretary of the Ministry of Interior in an effort to depict the irregular migration picture referred to 112,000 apprehensions in 2007 alone⁸².

CLANDESTINO (2008)

An important indication of the irregular migrants residing in Greece in 2004 is given by the regularization applications for the program launched by the 2005 legislation. According to data collected by the Zografakis et al study (2007) there were 200,000 applicants in 2006 for the regularization program launched by the L.3386/2005. Adding to that the 61,626 applications from the second set of regularization that followed in 2007 under L.3536/07 and the Ministerial decree 11702/23.6.2006, the number of irregular migrants residing in Greece in 2004 goes up to around 262,000. An estimate of non-applicants to the regularization program should be added to that. The much debated number of non-applicants that other studies have come to based on the census and the previous regularizations equals to one third of the applicants. That would mean around 90,000 non-applicants for the last regularization. This number,

⁸² Eleftherotypia, Ioanna Sotirhou, *Migrants: Slaves of the New Order*, 06.05.2008

however, should be much less given that the L.3386/2005 regularization involved a second round in 2007 (with 61,626 applicants) for those that did and could not apply in the first place. All in all, there seem to be around **260,000-300.000 irregular migrants in 2004**. However, this estimate should be regarded a reserved one. The unknown number of minors that at the time were included in the applications of their parents but were not counted as separate cases in the applications database should raise this estimate.

In order to calculate the irregular migrant stock in 2007 the following data is used: first, the 2001 Census number of TCNs (762,000) that is adjusted for the repatriated ethnic Greeks from Albania. Many Albanian citizens of Greek ethnic origin who regard themselves as Greeks have been counted as Greeks and thus are not included in the Census number of 762,000 foreign citizens from outside the EU-15 countries (Baldwin-Edwards 2004: 26). In an attempt to account for this phenomenon, the estimate produced here assumes that the 55,000 co-ethnic or 'omogeneis' card holders in 2001 presented themselves as Greeks before the Census takers. This number is subtracted from the number of 589,935 TCNs, excluding EU27, US and other developed countries⁸³, counted in the Census.

Another problem with the census is the missing number of the people that did not participate. If we take the controversial finding of other studies that 1/3 of participants did not participate, then the number of TCN non-participants reaches quite high levels: 153,311. The participation rate according to ethnic group would fit better in this case. Comparing a significant number of expert surveys on key ethnic groups would be required towards this goal; migration surveys, however, during that period are limited in Greece.

The census is also outdated. An attempt to account for this deficit of the census (and the assumption that the TCNs registered by the Census are still here) has been made through the insertion of demographic data. Births and deaths data of foreigners for the period 2002-2007 would be ideal for this venture. The ELIAMEP team, however, managed to collect this data only for the years 2004-2006 (Table 6). This data shows an extra 34,881 that should be added to the census stock. Seeing that the birth-death residual does not differ much through the years, it is not that far-fetched to assume that there would be another 10,000 net births (adjusted for deaths) for every missing year (2002, 2003, 2007).

Another category of outflows (apart from deaths) that the census (as an indication of the total population of migrants in Greece) should be corrected for along the years regards the immigrants that left the country since 2001. This is difficult to calculate though. Adding up yearly deportation data towards that end also seems quite problematic: double counting is very probable in this published data. Notwithstanding the determination of other deported migrants to re-enter Greece, it has been fairly easy for the largest group that is deported throughout these years, the Albanians, to re-enter the country soon after their expulsion. This is why the data on deported persons in 2005, 2006 and 2007 (3,588 + 2,658 + 1,644 = 7,890) taken into account exclude Albanians⁸⁴. Repatriated people according to the Reinsertion Protocol and other cooperation agreements that Greece signed bilaterally with its neighbours (and some

⁸³ Since this paper produces an estimate of irregular migrants at the end of 2007, the Polish, Bulgarians, Romanians and other former TCNs from the new EU member states that were included in the 2001 Census are not taken into account.

⁸⁴ Bulgarians and Romanians are also excluded since they are not taken into account in the estimate produced here.

other countries) constitutes another category of outflows. The data for 2006 and 2007 that is available regard people send back to Turkey (550 people) and Bulgaria (4).

Table 6: *Births-Deaths of (non-EU27, US et al) immigrants in Greece (2004-6)*

	Births	Deaths	Births - Deaths
2004	11,462	667	10,795
2005	12,085	746	11,339
2006	13,457	710	12,747
Total	37,004	2,123	34,881
Estimated total for 2002-7			64,881

Source: author's compilation from National Statistical Service of Greece data (ESYE)

The inflow of migrants is the other issue that needs to be addressed. The available data through which one could make a case for the new irregular entries is apprehensions. They constitute, however, an unreliable piece of data for at least two reasons: the possibility of double-counting this data involves and its partiality. Data on apprehensions provide a reserved estimate of the flows of migrants into Greece since there always is another number that avoids apprehension. Furthermore, there are migrants that are apprehended and refouled back to Turkey outside legal procedures and in denial of the Greek authorities; these numbers are not visible in apprehensions data. Recent accusations about the illegal refoulement of 28 migrants across the Greek-Turkish border of Evros that were brought up in the Greek Parliament by a left wing MP support the fact (mentioned from different sources during" fieldwork) that Greek authorities apply such practices⁸⁵. There is more to it though. The fact that migrants use Greece as a transit country on their way to other European countries suggests a reserved use of apprehensions data. The limited studies involving transit migrants in Greece (Papadopoulou 2004, Cabot 2008), however, do not reveal anything with regard to the volume of these flows. A narrow insight to the size of this type of migration is offered by the data of asylum seekers apprehended in other EU countries that Greece is asked to receive according to the Dublin Regulation. In particular, the available data for 2007 refer to 3,306 'former' (according to Greek Police red-tape who does not examine cases of asylum seekers who moved residence without notifying the police⁸⁶) asylum seekers (source: UNHCR, Ministry of Interior)⁸⁷. Another reason for which apprehension data should be treated with reservation is that they include asylum seekers (see section 2.6 below). Last but not least, *border* apprehensions data involve a number of people that are immediately returned to the countries they came from due to the application of the Reinsertion and Police Cooperation Agreements between Greece and most of its neighbouring countries⁸⁸. This should be, particularly, the case with land border apprehensions of Albanians. Simultaneously, though, Albanians are more likely than others to re-enter Greece after being expelled. Whatever the case may be, data on Albanian migrants refouled to Albania under the provisions of the above bilateral agreement are not available. Only for Turkey and Bulgaria is such data available (Table 20).

⁸⁵ "Question at the Parliament: Illegal refoulement of foreigners to Turkey", 22.10.2008, <http://syrizakavala.wordpress.com/2008/10/22/paranomi>

⁸⁶ Papadimitriou & Papageorgiou (2005) and Cabot (2008) mention this 'innovation' from Greece.

⁸⁷ Of course, this number is only a fraction of the majority of transit migrants that avoided apprehension.

⁸⁸ These agreements according to Ministry of Interior Officials are applied only to apprehensions that occur at the Greek land and sea borders (Int. 19).

The apprehensions data that interest the estimate calculated here regard the years 2005, 2006 and 2007, since migrants that arrived in Greece from 1.1.2005 onwards were not eligible to apply for permit within the last regularization program. And therefore should be regarded irregular migrants unless they applied for asylum or left the country (deportation and/or transit cases). This decision is taken after consideration of the variety of problems with this data. First, the likelihood of double counting in apprehensions over 3 years is high; especially for the Albanian nationality which is overrepresented in the apprehensions data⁸⁹ and for which fingerprints and full records are not registered in the EURODAC system. Furthermore, these data include apprehensions in the mainland, a part of which might involve migrants that have been living in Greece before 2005. Given these problems, it would have been plausible not to include the post-2005 Albanian apprehensions in the calculation of the irregular migration stock in 2007⁹⁰. Or at least include only border apprehensions and not apprehensions in the mainland. On the other hand, a reason for which it is decided to eventually include all is that the unknown volume of migrants who enter having avoided apprehension at the border is not calculated in the estimate. In addition, one cannot ignore the likelihood that the migrants who avoided apprehension at the border might have been detected in the mainland and therefore appear in the mainland apprehensions' section of police data⁹¹.

Adjusting the apprehensions data for asylum seekers necessitates at this point. Available asylum grants and asylum applications data during 2006 and 2007 show a number of 13 first 'instance' and 191 second 'instance' asylum grants, 37,380 first-time asylum applicants and 22,319 second degree asylum applicants (UNHCR Greece, Ministry of Interior - Greek Police Headquarters). Given that second-degree asylum grants regard applicants of previous years, we assume that in the period 2006-2007 59,699 asylum seekers and 13 recognized refugees out of a population of 190,557 apprehended migrants (a 31% of apprehended migrants) were not subject to deportation if detected and therefore were not irregulars⁹².

It is assumed here that the migrants that entered Greece prior to 01.01.2005 have applied for a stay permit with the last regularization program. This assumption, however, is quite bold. The development of migrant networks does facilitate the migrants' access to information about their legal status. Whether and how migrants

⁸⁹ The Albanians were the 60% of the apprehension totals in 2006, 59% in 2007 and 54% in 2008. While they are more likely to be returned back to their country of origin than other groups after being apprehended compared to other nationalities. On the other hand, Albanians re-enter Greece much more easily than other nationalities.

⁹⁰ The apprehensions of Albanians in 2005 are eventually taken into account in the estimate (see Table 7). The regularization program that had been running through that year, according to the interviews discussed in Part II Section 1, is likely to have led to more lenient enforcement of the law by the police authorities and, therefore, less deportations of Albanians. On the other hand, the fact that a lot of permits expired in 2006 according to different Ministry of Interior officials (Int. 2, 5, 6), renders the likelihood of expulsions more likely during that year.

⁹¹ According to the head of the UNHCR Greek office, this is the case with many migrants on Greek islands near Turkey that do not appear in the border apprehensions data and are afterwards arrested by the local police (int.17)

⁹² The assumption here is supported by the fact that asylum seekers who become irregular for various reasons (see section 2.6) are not likely to be deported because they come from countries far from Greece and their escorted deportation would cost a lot. The reserved number of asylum seekers that can be regarded undocumented at the end of 2007 are 5,544 (rejections to 2nd instance appeals), assuming that they will not have left the country or re-appealed to the Council of State (these appeals are very few according to our sources from Greek Council for Refugees and UNHCR) after the negative second-instance decision.

are able to use this information is another question, though, that depends on their employment picture in the host labour market. In particular, it can be assumed from various expert surveys that the majority of irregular newcomers start working informally without any prospects for social insurance paid by the employer in the near future⁹³. Although the distinction between more settled and newcomer migrants apprehended respectively in the mainland and at the border is not a clear-cut one⁹⁴, in order to avoid an overstatement about the role of migrant networks, the apprehended migrants in the Greek land and sea borders in 2004 (two thirds of the 45,000) are assumed to be newcomers with limited access to regularization information and regular work that failed to apply in the 2005 amnesty and/or had their application rejected⁹⁵.

Subtracting the valid TCNs permits in 2007⁹⁶, the number of regular minors that are not visible in this permit data because of the older computerization system used in their registration⁹⁷ (Table 8), and the number of permit applications that are being processed with a delay⁹⁸ are the next steps towards the 2007 estimate (Table 7).

Table 7: Estimate of irregular migrant stock in 2007

Adjusted number of TCNs in 2001 Census	589,935-55,000=534,935
+ estimate of non-applicants to the census	153,311
+ births/deaths residual 2002-2007	64,881
+ Apprehensions 2005, 2006, 2007	66,351+95,239 + 112,364
- asylum seekers	59,712
- Deported & refoiled persons 2005-2007	7,890+554
- valid TCNs (excl. EU27,US et al developed countries) permits October 2007	433,751
- regular minors not included in 2007 resident permits data	24,728 ⁹⁹
- permit applications in process (estimate)	250,000
+ pre-2005 border apprehensions non-applicants to last regularization	30,000
Estimate of irregular migrant stock in 2007	280,446

⁹³ This is especially the case for migrants that enter Greece irregularly and need to pay back the cost of their trip to the networks that they used. The immersion of the network used (an employment agency, a family network or a smuggling network) in the host labour market is crucial in this respect. An employment agency that provides businesses with workers is more likely to provide the immigrants with opportunities for stay permits than an informal network.

⁹⁴ Apprehensions in the mainland do include newcomers. This is especially the case with arrests made by the local Police on the Greek islands that are situated nearby the Turkish coasts.

⁹⁵ Whether the newcomers' access to information and regular work is limited or not depends, of course, on the type of the network that facilitated their entry into Greece.

⁹⁶ Meaning permits that are registered on the Ministry of Interior database at the actual date of data collection. The permits issued over the years that expired and have not been renewed by the time of the data collection are not included in the number of valid TCN permits.

⁹⁷ This case regards children who are registered on the permit of their parents according to the older system of permits, and therefore are not visible in the data of the resident permit holders that the Ministry of Interior gives to researchers on demand. Even these calculations from the Ministry of Interior do not reflect the whole picture though. Some minors are missing since parents could register up to a maximum of three children under the old computerization system (Int. 15).

⁹⁸ It is assumed here that applicants are not irregular migrants. To be more precise, they are not regarded irregulars for the time being; one cannot reject the possibility that this number will probably include cases of failures to issue and/or renew when these applications are processed. As for the volume of the pending applications, they range from 250,000 according to the President of IMEPO to 400,000 according to Ministry of Interior official (see above Part I, 2.5). For the purposes of this estimate, the more reserved estimate is taken into consideration.

⁹⁹ It was not possible to distinguish how many of these hidden regular minors were nationals from the new EU member states. The same goes for the permits in process.

To conclude, this estimate does not take into account the issue of legal entries who lapse into illegality (principally visa overstayers). However, there is no available study in Greece that has produced an appropriate multiplier for this. For this reason it should be regarded as a reserved estimate of the irregular migration stock in Greece. The extent to which the double counting of the apprehensions data would rule out the visa overstayers is unknown.

Table 8

Year	1.1.2005	1.1.2006	1.1.2007
Regular minors not included in the residence permit data	86,889	98,250	24,728

Source: Ministry of Interior - Directorate of Computerization and Data processing

2.2. Gender composition

The attempts to document the profile of irregular migration in Greece generally supersede the attempts to estimate their size. The profile of irregular migration in Greece including its gender composition to be discussed here is the outcome of quantitative (LFS) and qualitative surveys.

An indication on the gender distribution of the irregular migrant population in 2004 can be deduced from the Baldwin-Edwards' comparison of the IKA data of 2003 with the residence permits issued for dependent employment over the period 2003-4 (2004a: 15-17). In particular, there are certain nationalities that have less residence permits than IKA distributions. The Russians and Polish in particular, the majority of whom are women, are such cases. Should one take into account the fact that the IKA published data include foreigners with at least one social security stamp per year when the yearly residence permit required 200 stamps at the time, the likelihood of irregularity seems quite high in these groups; and a feminized irregularity, at that. This is not strange given that the majority of the Russian and Polish women worked in the domestic service industry¹⁰⁰.

Kanellopoulos et al study (2006) profiling of the irregular migrant population is of limited value from the quantitative point of view. They compile the LFS data of 3 years (1999, 2000, 2002) and develop their arguments based upon the total of the cases. However, they overlook the fact that the LFS surveys have a rotational sampling, meaning that one sixth of the households of every new sample is re-interviewed for 5 more trimesters. Therefore, their study that is based on the samples of 3 (almost) consecutive years is likely to include double-counted cases of irregular migrants. Furthermore, there are certain aspects of bias in the LFS sampling and research process that render the access to this hidden target population even more difficult (Int. 13). First, the geographical sub-sections from which the final sample is chosen are constructed based upon the socioeconomic criteria of an EKKE research conducted some 15 years ago. This poses questions of representativeness of this subset given that the advent of new waves of immigrants has changed the population

¹⁰⁰He also finds that certain nationalities with high proportions of women (Ukrainian, Georgian and Moldavian) have very low IKA registrations compared with permits. He attributes that to the informal domestic work industry whereby the majority of women TCNs is employed according to other studies. Indeed, the individuals who pay themselves their social security stamps (usually domestic cleaners and lapdancers etc) were not included in the IKA database before 2005 according to an interview with an IKA employee (Int. 12).

composition of certain areas. Second, the non-response rate is quite big, 20%, for Athens and Thessaloniki, the two biggest urban centres in Greece where the majority of migrants gathers (this rate is 10% for the whole of the country). Third, the unit of the sample is the residence; therefore it is more likely for settled and most probably stay permit holder immigrants to be included in the sample than irregulars. Hotels and hostels that often serve as a first residence to recently arrived and most likely irregular immigrants are excluded from the sample. Fourth, the interviews are conducted in Greek, rendering it more difficult for an interview with a newcomer who does not speak Greek to take place. Last but not least, the distinction between “secured and non-secured” immigrants that they use is not a solid basis to decide the regular or not status of the immigrant. For immigrants that do collect their social security stamps (equivalent to legal working days) might not reach the required amount for regularization.

For these reasons, the qualitative findings of the above research should be treated with caution. All things considered, this research finds that “male immigrants display slightly higher propensity to be secured” (Kanellopoulou et al 2006: 44-5) and therefore be regularized. This is mainly attributed to the informal economy sectors (domestic work, sex industry) that women from Eastern Europe are usually employed. The picture however is more differentiated should one look at it from the closer angle that the ethnic group and the household composition of these women disclose. In particular, the Albanian house cleaner that lives with her family in Greece has more chances for regularization (she could be registered in her husband’s social security booklet) than the Ukrainian live-in domestic worker that lives on her own in the country (Psimmenos & Skamnakis 2008).

Comparing gender balances for the principal nationalities between the 2001 Census and the residence permit data could be another way of getting closer to a picture of the irregular migrants’ gender composition (Table 9). This exercise can be useful, though, only with regard to a limited number of ‘older’ nationalities from the former socialist countries of Eastern Europe (Albanians, Russians, Armenians, Georgians)¹⁰¹. The usual reservations on the census and the regularization programs data, that concern the migrants that did not participate/apply in either of the two, should also be considered here. Nevertheless, the picture drawn seems to be comparable with the one referred to in the aforementioned study. Albanian women for instance seem more likely to be irregular than Albanian men. And Russian men (usually working in the constructions sector) are more likely to be irregular than Russian women (usually working in the wider services industry according to a recent study¹⁰²).

Furthermore, certain older immigrant nationalities (Polish, Bulgarian, Romanian) have low scores in the residence permit data because of the EU accession. The majority of them should be in the EU citizens residence permit data issued by the Greek Police. However, the comparison between the census number and the numbers from both TCN and EU citizens permit database (Table 10), he/she may observe that there are 14% of Bulgarians, 12% of Romanians and 39% of Polish immigrants who do not appear in either database. One explanation for this is that after the accession of

¹⁰¹ This exercise is not appropriate for other nationalities the majority of which arrived in the post-census period. There are certain nationalities like Iraqis, Iranians and Kurds (from Turkey) that present extremely low counts in resident permits; this is because the majority of these nationals are asylum seekers.

¹⁰² 30% of the working women from countries of the former Soviet Union are employed as waitresses, salespersons, hairdressers, lapdancers etc (Maratou-Alipranti 2007).

their respective countries in the EU they moved on to Europe. The fact that Poland has entered the EU 4 years ago may explain the higher percentage of non-registered Polish immigrants. The other is that many immigrants from the Census have left Greece much earlier under different immigration regimes and strategies (deportations, seasonal workers, migrant strategies etc). Last but not least, some do not feel the need to register because they work irregularly and do not have the fear of deportation if detected (recent work-in-progress ELIAMEP survey verifies this).

All in all, the aforementioned gender distributions of irregular migrants are misleading to a certain extent for they concern a period 6-9 years ago when both the immigration legislation, the enforcement mechanisms' agendas and the ethnic and demographic composition of irregular migrants were different than today.

First, in 2003 there has been a legislative amendment allowing immigrants to pay their employers' missing social insurance contributions (Baldwin-Edwards 2004a: 17). This self-insurance option promoted by the Ministry of Interior for professions that waver along the buffer zone between formal and informal economic activity, in theory, should have decreased the number of irregular domestic workers. In fact, the picture is quite differentiated. On the one hand, the female 'domestic worker' reality described above might have not changed substantially since it is, by and large, unlikely that wages will have increased to pay for her social insurance stamps. On the other, this amendment seems to be more effective with regard to other better paid professions under the 'domestic worker' umbrella. In particular, women working in the performing arts entertainment and the sex industries that pay themselves their social insurance stamps as domestic workers is a fact verified both from qualitative surveys and from our interviews with the IKA officials (Int.12) and the Ministry of Interior (Int.2).

Second, the census-permits comparison is not appropriate since other groups' numbers (particularly from Southeast Asia, Middle East and Africa) have risen substantially since 2001. For a more updated figure of the gender composition of the irregular migrants in Greece one should include the new arrivals. In particular, an insight to the gender composition of the more recent irregular migrant population in Greece today (at the end of 2007/ beginning of 2008) could be gained from recent apprehension data, given the fact that migrant arrivals from 2005 onwards were not eligible to apply to the last regularization program launched by the 2005 legislation. According to last year's apprehension data there were 5,118 women out of a total of 95,318 for the first 10 months of 2007. The respective data for 2006 are similar (4,436 women in a total of 95,239). This report assumes that apprehension data serves *to a certain degree* as an approximate *indication* of irregular migration stock at a certain time, given the particularity of the Greek 'deportation' regime with regard to the new migration inflows¹⁰³. However, the incidence of double counting, the function of Greece as a transit country for some of these migrants and the fact that a part of them have applied for asylum cannot allow treating this data as an accurate source of irregular migrant male and female stock.

¹⁰³ The majority of the apprehended aliens are released after a period of detention with a deportation order at hand. They are expected to leave the country by their own means, something which does not happen.

Table 9: Comparing Census 2001 with valid permits April 2008 by nationality and gender

Country of Origin	Census 2001		Valid Permits April 2008		Percentages of valid permits to census number by nationality&gender	
	Gender		Gender		Male %	Female %
	Male	Female	Male	Female		
Albania	257,149	180,887	172,893	101,497	67,234	56,110
Afghanistan	308	63	247	7	80,194	11,111
Armenia	3,615	4,127	1,745	2,488	48,271	60,285
Bangladesh	4,686	168	3,549	212	75,736	126,190
Bulgaria	13,888	21,216	5,225	12,929	37,622	60,939
China	325	229	1,148	814	353,230	355,45
Egypt	5,693	1,755	8,544	1,546	150,079	88,091
Ethiopia	363	800	234	718	64,462	89,75
Georgia	9,839	13,036	4,268	8,557	43,378	65,641
India	6,722	494	7,248	1,440	107,825	291,49
Iraq	4,841	2,095	710	110	14,666	5,250
Iran	728	283	341	91	46,840	32,155
Kazakstan	956	1,300	302	922	31,589	70,923
Lebanon	820	457	471	256	57,439	56,017
Morocco	309	217	291	237	94,174	109,216
Moldavia	1,709	4,007	2,536	6,231	148,390	155,502
Nigeria	1,420	595	1,136	581	80	97,647
Pakistan	10,654	476	10,727	357	100,685	75
Philippines	1,529	4,949	1,714	5,076	112,099	102,566
Poland	5,876	6,955	102	774	1,735	11,128
Rumania	12,447	9,547	4,369	6,205	35,100	64,994
Russia	6,545	10,990	1,748	8,816	26,707	80,218
Syria	4,400	1,152	4,203	1,383	95,52	120,052
Ukraine	3,342	10,274	3,107	14,349	92,968	139,663
Turkey	3,998	3,883	589	480	14,732	12,361
OTHER (incl EU24)	53,390	66,684	7,258	11,241	13,594	16,857
TOTAL	415,552	346,639	244,705	187,317	58,886	54,038

Source: Ministry of Interior, National Statistical Service of Greece, authors' compilation

To sum up, apprehension data shows a polarizing tendency between older and newcomer irregular migrants as far as gender is concerned: they have a tendency to be female and male respectively, something that is related to the countries they are coming from and the smuggling networks they use en route to Europe. All in all, the majority of newcomer irregular migrants are mostly men from Asian countries. On the other hand, it is not safe to make an argument for the gender share in the total of the irregular migrant stock. Looking at the pre-2005 period, one may argue that women irregular migrants come from Eastern European and Balkan countries. But how reliable is this argument when the percentage of those lapsing into irregularity cannot be deduced from the existing data?

2.3. Age composition

As in the case of the gender profile, surveys constitute the main source where from assumptions on the overall age distribution of the irregular migrants can be made. According to Kanellopoulos et al interpretation of LFS data “unsecured immigrants seem to be concentrated in younger age groups (48% in the 15-30 age group) and between 31-50 years old (the 41%)” (2006: 44-45). The problem with this assertion is that it stems from their problematic appropriation of LFS data. While it is not representative of the current situation.

Other ways to make a case for the age distribution of the irregular migrant stock is via assumptions on the total migrant population. Zografakis et al are looking at the Family Budget Survey of 2004/5 and find that the 53.5% of the total immigrant population of Greece belongs to the 25-54 age cohort. While the migrant youth share in the total of the migrant population is much higher than the respective share of the Greeks (Zografakis, Kontis & Mitrakos 2007: 45).

A comparison between the valid residence permit data and the 2001 Census data would be useful, even with its reservations (principally the different nationalities involved in these two spaced out in time datasets), in revealing some age distribution tendencies of the irregular migrant population. However, the Ministry of Interior until recently was unable to extract the age profiles of residence permit holders as actual data (Baldwin-Edwards & Apostolatos 2007). And this is why a projection of the residual result between the 2001 Census and 2001 residence permit data on the 2007 permit data is impossible. However, things evolve. The October 2007 residence permit data collected by the ELIAMEP team can be broken down by age. And it is used for the calculation of the irregular minors below (Table 12). The second best choice here would be comparing the percentages of age distributions in 2007 valid permits with the respective 2001 Census percentages. This comparison only indirectly could be used to indicate age distribution of irregular migrants. In fact, what could be supported (when looking at estimates during the Census period, see Part III) is that the 2001 Census data involved a significant amount of irregulars and therefore could offer on its own a vague indication of the age distribution of irregular migrants. The fact that the Census percentages are similar to the permit ones indicates, according to the above assumption, that irregular and regular migrants have similar age characteristics. Only the minors’ (under 19 years old) percentage is substantially bigger in the Census than the residence permit data.

Estimating the irregular minor population (under 18 years old) on its own seems a safer option to making estimates for all the age groups of the irregular migrant stock. This is because the researchers can bring into play the TCN population school attendance data (kindergarten, primary, high school). Greece’s schools are obliged by law to accept all children regardless of the regularity of their presence in the country. And therefore contain irregulars. However, this directive is not applied equally across the spectrum of educational levels. Access to pre-school nursery education, in particular, is not easy for children of TCN immigrant parents. According to a recent survey (Psimmenos & Skamnakis 2008) the access difficulties that TCN stay permit holder parents face in registering their children to kindergartens practically rules out irregular minors from pre-school education and therefore data. Private kindergartens are expensive, and public ones are a few and often reluctant to accept immigrant children; in fact TCN children are registered only when their parents display documents proving legal stay in the country. The TCN kindergarten population, therefore, includes only a fraction of the immigrant children population

and hardly any irregular minors. In order to account for this deficit, we added in the equation the last available data on TCNs' birth registers in 2006, although the ideal would be the 2007 births¹⁰⁴. The TCN school population data that we use refer to 2006, due to non-availability of the respective full data for 2007. However, we do not regard this particularly problematic. According to observations in previous years' data, we assume that the TCN school population cannot have changed much in 2007. In fact, it seems that an increase is more likely than a decrease (the overall TCN school population seems to go up by a few thousands every year). Indeed, observing the incomplete data for 2007 (excl. kindergartens and private schools) shows a similar distribution. For the above reasons, we take this as a reserved estimate of the total school population of TCN children in 2007.

Table 10: Valid Stay Permits on 15.10.2007 broken down by age

Country of origin / Age	00-06	07-12	13-18	19-30	31-40	41-50	51-64	65-	Grand Total
Albania	25,294	23,783	19,412	84,343	86,391	47,520	15,550	930	303,225
Bulgaria	366	485	863	4,439	7,608	6,916	6,068	437	27,182
Ukraine	198	249	625	2,598	5,359	5,095	4,529	352	19,005
Romania	427	307	281	4,371	7,559	2,085	723	131	15,884
Georgia	108	155	326	1,938	3,260	3,634	3,112	456	12,990
Pakistan	134	69	71	3,142	5,691	2,287	709	23	12,126
Russia	102	125	268	2,239	3,503	2,332	1,843	292	10,704
Egypt	728	320	140	2,268	3,720	2,368	746	66	10,356
Moldavia	268	264	586	2,232	3,157	2,125	1,218	56	9,906
India	538	195	166	2,000	3,783	1,999	419	3	9,104
Philippines	243	201	131	874	1,877	2,327	968	23	6,644
Syria	699	258	146	1,570	1,970	1,108	110	46	5,907
Bangladesh	83	26	10	816	2,945	737	65		4,682
Armenia	79	92	154	834	1,006	1,060	912	187	4,324
Serbia Montenegro	115	110	123	679	1,633	676	334	79	3,749
China	126	31	43	592	641	389	62	3	1,887
Nigeria	44	25	26	416	709	271	23		1,514
Iraq	22	17	16	278	374	131	40	5	883
Sri Lanka	42	17	10	65	230	260	161	4	789
Lebanon	41	27	19	159	220	179	81	46	772
Morocco	32	15	6	70	222	162	27	3	537
Jordan	24	20	13	157	137	82	61	6	500
Iran	4	6	10	131	182	78	24	11	446
Ghana	11	4	3	44	173	97	22	2	356
Sudan	7	3	2	35	74	61	38	5	225
Algeria	26	8	3	39	94	45	7	2	224
Kenya	7	4	7	70	74	43	9		214
Afghanistan				153	49	3			205
Grand total excl EU27, Us et al	29,194	26,218	22,593	110,616	131,746	77,842	32,582	2,956	433,751
Age groups %	17.98			25.5	30.38	17.95	7.5	0.68	100

Source: Ministry of Interior, authors' compilation

¹⁰⁴ There is a possibility of double-counting here with some of the 2007 residence permits because the last regularization was up and running in 2006. This means that migrants might have registered their newborns under the new computerization system of the Ministry and, therefore, the latter might already appear in the minors valid permit data of October 2007.

Table 11: 2001 Census TCNs data broken down by age

AGE	00-14	15-19	20-29	30-39	40-49	50-64	65-	TOTAL
Total excl. EU27, US et al	109,299	48,614	159,443	135,088	81,126	39,662	16,703	589,935
%	18.5273	8.241	27.0272	22.8988	13.75	6.723	2.8313	100

The estimate of irregular minors for 2007 that comes after the comparison of the TCNs' school and birth register data of 2006 with the TCN permit-holder and registered-on-permit minors in 2007 is around 26,314 (Table 12). However, this is a reserved estimate not only because of the above 'missing nursery population' but also due to the fact that the closer to adolescence newcomer irregular minors (2006-7) who are unlikely to be registered in schools and who are not eligible for applying for residence permit (because they cannot prove their residence prior to 2005¹⁰⁵) are missing from the picture. The Greek Police Headquarters (coming under the Ministry of Interior) does not provide such data. And even if it could, they would not be reliable. According to various fieldwork missions of NGOs, and notably the Greek Office of UNHCR (Int. 17), adolescents are usually not regarded, treated and counted as minors by the Greek police and coastguard.

Table 12: Irregular Minors in 2007

TCN population in schools in 2006	112,867
+ TCN birth registers in 2006	13,460
- TCN minors with valid permits in 2007	78,005 ¹⁰⁶
- hidden TCN regular minors on 1.1.2007	22,008 < 24,728 ¹⁰⁷
Total of irregular minors	~26,314

Source: Ministry of Interior, IPODE (school population), ESYE (birth register), authors' compilation

2.4. Nationality composition

Indications about the nationality composition of irregular migration in Greece can be found in a few expert surveys. LFS, Census and Residence permit data are usually used for this purpose. Apprehension and asylum data is additionally used by the author in an attempt to have a more updated picture of the national composition of the irregular migration stock in Greece.

According to Kanellopoulos study [2006] based on compiled LFS data of 1999, 2000, 2002, 64% of un-insured immigrants are of Albanian citizenship, former USSR countries account for 12.7%, other Balkan countries 6.29% (e.g. Bulgaria, Romania), other countries of Eastern & Central Europe 7.83%, Africans 1.61%,

¹⁰⁵ This is one of the preconditions of the last regularization program that was launched by the 3386/2005 law and was prolonged with various breaks until September 2007.

¹⁰⁶ This is the number of TCN under 18 permit-holders: 29,194 + 26,218 + 22,593 = 78.005 (see Table 11).

¹⁰⁷ Some of these refer to Bulgarians, Romanians, Polish and other non TCN minors. They constitute 11% of the total of the residence permit holders in October 2007; applying the same share to the 24,728 means that the EU27, US et al minors are around 2,720.

Furthermore, in theory there is a possibility of double counting here since the 24,728 minors that were still found under the old computerization system (in their parent's permit) in the beginning of 2007 have been registered so in 2005. This means that those permits were due to renewal in 2007 and therefore the 'hidden' regular minors could appear in the above October 2007 residence permit data. However, given the usual delays for the issuing of permits, these minors might still not appear in the valid permits of October 2007; thus we rule out the eventuality of double-counting.

migrants from the Middle East 3.15% and migrants from South & Eastern Asia 3%. (2006: 43-44).

Expert surveys on different migrant groups are also another source from which certain assumptions on the nationality composition of the irregular migrant stock can be made. Labrianidis & Lyberaki 2001, Lyberaki & Maroukis 2005 do indicate that Albanians as time goes by and as their families move in the country get regularized.

For a more updated figure of the nationality composition of the irregular migrants in Greece one should focus on the new arrivals. In particular, an insight to the nationalities of the more recent irregular migrant population in Greece (at the end of 2007/ beginning of 2008) could be gained from recent apprehension data. Comparing the Census and post-2005 apprehensions data of certain nationalities¹⁰⁸ with the valid permits and the asylum data might be useful in this case. In order to have a fuller picture, the main nationalities of the invisible regular minors¹⁰⁹, the ones whose permits are being processed and the non-applicants to the regularization programs should have been included in this comparison. However, they cannot be broken down by nationality. Similarly, the share of undetected irregular entries or visa overstayers and an adjustment of the census by out-flows, all broken down by nationality, would have been particularly useful.

The (count) calculations of the irregular stock of various nationalities that appear in Table 13 differ. For example, in the case of the Albanians, apprehensions are not taken into account since the likelihood for double-counting is very high for this group. However, the finding that a 30% of the Albanian immigrant population (Table 13, penultimate column) regards irregular migrants is an overestimation. In particular, there are at least two unknown variables that could decrease significantly this estimate: the permit applications that are being processed by the Ministry of Interior, and the extent of circularity and return that characterizes Albanian migration. Moreover, surveys show that more Albanians become regularized as time goes by (Lyberaki&Maroukis 2005, Maroukis 2009). In the case of Pakistanis, Bangladeshis and Indians, asylum applicants are regarded potential irregulars since the Ministry of Interior applies the rule of the safe country in their cases (Int.3 & Int.17) and takes them for economic migrants. The ratio of around one irregular per every regular seems to be an underestimation given the existence of undetected irregular entries and visa overstayers. Chinese negative irregular count should also be treated as an underestimation given the unknown number of visa overstayers that is not calculated. The same goes with Ukrainians and Moldovans who usually enter Greece regularly with short-term visas and overstay or enter irregularly and undetected (Maroukis 2008). The big majority of Afghans seem to be irregular migrants; the size of this group, however, should be treated with reservation since part of the apprehended population concerns transit migrants trying to move on to another EU country. Afghan asylum applicants are calculated here as irregulars since they are employed in seasonal work (agriculture) and have no permanent (if any) residence failing thus the main Police requirement according to which a 'pink card' is valid. As for other groups, Georgians' and Armenians' irregular populations (1 irregular every 2 regulars) seem overestimated should we consider that they are settled populations and that their 'hidden' regular number from the pending (and invisible yet) permits is

¹⁰⁸ Pakistanis, Bangladeshis, Afghans are predominantly males according to Ministry of Interior Data and surveys (Tonchev 2007).

¹⁰⁹ The number of regular minors that are not visible in this permit data because of the older computerization system used in their registration.

bigger than their undetected irregulars. Phillipinos negative irregular count is close to reality since their community is one of the oldest and most active ones in Greece. The Iraqis' irregular share seems high given their high asylum recognition rate and the fact that a certain part of them are transit migrants. Finally, the irregular share of migrants from various African countries does not seem to fall far from reality.

Table 13: *Apprehensions, 1st instance Asylum applications, Census and valid permits by country of origin*

Country of origin	Census 2001	Apprehensions 2007 (main nationalities)	Apprehensions 2006 (main nationalities)	Apprehensions 2005 (main nationalities)	Asylum applicants in 2007	Valid permits Oct 2007	Irregular estimate per nationality (count)	Irregular share in certain national group populations %	Certain nationalities % share in total irregular stock
Albania	438,036	66,818	57,466	52,132	51	303,225	134,811	30.8	33.8
Ukraine	13,616				31	19,005	-5,389		
Georgia	22,875	1,441	1,708	796	1,559	12,990	12,271	53.6	3.1
Pakistan	11,130	2,834	3,350	1,019	9,144	12,126	15,351	126.6	3.8
Russia	17,535				50	10,704	6,881	39.2	1.7
Egypt	7,448	598		735	75	10,356	-1,500		
Moldova	5,718		518		79	9,906	-3,591		
India	7,216	532	777		261	9,104	-318		
Philippines	6,478				18	6,644	-148		
Syria	5,552				1,311	5,907	956	17.2	0.2
Bangladesh	4,854	721	1,824		2,965	4,682	5,682	117.1	1.4
Armenia	7,742				40	4,324	3,458	44.7	0.9
Serbia – Montenegro	3,832				8	3,749	91	2.4	0
China	554	471			36	1,887	-826		
Nigeria	2,015				390	1,514	891	44.2	0.2
Iraq	6,936	12,549	8,157	1,064	5,474	883	22,349	322.2	5.6
Sri Lanka	852				134	789	197	23.1	0.05
Morocco	526				9	537	-2		0.00
Iran	1,011	515	1,059		354	446	2,493	246.6	0.6
Ghana	396				71	356	111	28.0	0.03
Sudan	356				105	225	236	66.3	0.1
Afghanistan	371	11,611	5,260	1,771	1,556	205	17,252	4.650	4.3
Other countries	24,886	14,274	11,672	5,990	1,392	14,187	187,477		44
Grand total exclEU27/US	589,935	112,364	91.791¹¹⁰	63.507	25.113	433.751	398.733*		100

Sources: author's compilation from Ministry of Interior, National Statistical Service of Greece data

* The main difference of this estimate with the one that was produced above in section 2.1 is that there is no adjustment per nationality available for the 250,000 permit applications that are under processing by the Ministry of Interior, the non-applicants to the census and the outflows related variables. Their not being included in the calculation explains why the total irregular stock of all nationalities produced

¹¹⁰ The actual number of apprehensions in 2006 is 95,239 and it includes Bulgarians and Romanians. The number that appears on the table has deduced the latter groups.

here is almost double than the one produced above by the author. In any case, though, the data not used in the above estimate is likely to have more or less the same nationality share with the data used. This is why the % share of certain nationalities, and in particular the Albanian, in the total irregular stock calculated here should not be that far from reality. Under this calculation, the decrease of the Albanians share in the irregular migration stock of Greece seems quite significant compared to the equivalent share in the 1990s.

Whatever the case may be, the picture today differs as the Tonchev et al study also shows. According to 2006 maritime apprehensions data, the percentages of migrants from South & East Asia appear quite high (52.3%) in the total of maritime apprehensions (Tonchev et al 2007: 14 & annexes). Furthermore, the size of the Asian community of Greece is estimated to be around 130,000: Pakistanis from 40,000-50,000, Philippines around 20,000, Indians 12,000-15,000, Bangladeshis around 12,000, Iranians around 3-4,000 (ibid., p.17). The databases the IIER team used were the 2006 LFS data, the 2001 Census and the 2006 regularizations. Of crucial significance in cross-checking the extrapolations that led to the aforementioned sizes of the above Asian communities was the input from interviews of key members of the relevant migrant communities and their organizations. The Afghan population was not estimated since the majority applies for asylum. Therefore, the percentage that remains with or falls out of the status of the asylum seeker at a certain point in time is extremely difficult to figure out (see section 2.6 below). Nevertheless, should we compare Tonchev's estimate on the size of the Asian communities of Greece with the respective residence permit holders and asylum seekers of these groups in 2007, we come up with the following national composition of Asian irregular migrant stock for the same period (Table 14): Pakistanis constitute the majority of irregular Asian migrants and Chinese, Philippines and Bangladeshis follow with significant percentages. The bigger the size of the community the bigger its irregular population segment.

Table 14: *A calculation of irregular Asian migrants*

Country of origin	1. Tonchev's(2007) estimate on overall size of Asians	2. Asian residence permit holders Oct 2007	3. 1 st instance Asylum applicants 2007	Asian irregular migrants (number): Column1 minus Columns 2, 3	Share of irregular Asian population according to country of origin (%)	Nationality % share of total irregular stock in Greece*
Pakistan	40-50,000	12,126	9,144	18,730 -28,730	70-76	13.60-18.48
Bangladesh	12,000	4,682	2,965	4,353	61	3.57
Indian	12-15,000	9,104	261	2,635 – 5,635	24-39	1.41-2.88
Phillipines	20,000	6,644	18	13,338	67	6.52
Iranians	3-4.000	446	354	2,200 – 3,200	85-88	1.25-1.73
China	20,000	1,887	36	18,077	91	8.84
Indonesia	400	193		207	52	0.10
Thailand	200	210		-10	-5	0,00
Sri-Lanka	>900	789	134	>-23	12	0,05
TOTAL (of right above countries)	108,500-122,500	36,081	12,912	59,540 – 73,720	67-70	35.33-42.16
Other countries						64.67-57.84

Sources: author's compilation from Tonchev et al study (2007) and Ministry of Interior data, Oct. 2007

* This share is calculated over the total irregular migration stock estimated by the author at section 2.1 (280,000).

2.5. Economic sector composition

Data about the economic sectors that irregular migrants work do not exist (ideally the Social Inspectorate of Labour should provide such data; but as discussed above there is no such potential under the current circumstances). IKA data and the different categories of residence permits data may provide an indirect source where assumptions can be made with regard to the above. However, the main source from which one could make a case for the irregular workers' market niches are the expert surveys.

The boundaries between formal and informal economic activity are blurred in Greece. It is problematic to argue that there are clear-cut formal and informal economic sectors that are distinct from each other¹¹¹. Even migrants working in the invisible domestic services industry with its informal characteristics (as far as contracts, hiring procedures etc are concerned) are not necessarily irregular given the 'self-insurance' option the Ministry of Interior introduced. While there are cases where regular migrants are employed to work irregularly (Kanellopoulos 2006: 82). Indeed, there are migrants especially in the constructions or secondary sector that do extra undeclared work in the evenings and/or the weekends in order to raise their income (Lyberaki & Maroukis 2005). By and large, regular and irregular migrants work in varying degrees in the same sectors and/or in the same enterprises. It should be noted, however, that most studies do not have a specific focus on irregular migrants.

Nevertheless, there are certain sectors that are more likely to involve irregular economic activity. Surveys show that the domestic services industry is certainly one, because in practice employers do not necessarily raise the wages to facilitate their workers' self-insurance. According to Baldwin-Edwards' comparison of the IKA and residence permit data in 2003-2004 "housekeeping work continues to exist largely in the informal economy" (Baldwin-Edwards 2004a: 15-17). Furthermore, irregular migrant workers are often employed in agriculture and constructions. The seasonal tourism industry involving a variety of occupations from hotel and restaurants' staff (cleaners, waiters, cooks) to small street-vendors is also likely to involve irregular migrants' work. The same goes for the performing arts and sex industry. It should be mentioned, though, that workers in these sectors are not necessarily deported if detected and apprehended; the intervention of the employer and the subsequent registering of his workers under the domestic worker category in the social insurance fund often paves the latter's way to regularization.

Focusing on who works where illustrates better the patterns and mobility of migrant (regular and irregular) distribution in various economic sectors. The Albanians, the immigrant community that started coming in the early 1990s and represents more than half of the total of the immigrant population in Greece, have moved from the unskilled farm and agricultural sector into construction, small industries and the services (commerce, transportation, hotels, restaurants, domestic services) as studies in Thessaloniki show in the beginning of the current decade (Labrianidis & Lyberaki 2001, Hatziprokopiou 2003). While Lyberaki & Maroukis (2005) survey in Athens indicates that Albanians move at a slow pace towards occupations that the natives do (especially the younger generation), and more men and women take the step towards self-employment (corner-shops, kiosks and

¹¹¹ «In reality the formal and informal sector are less sectors and more processes and practices that may occur simultaneously within the same enterprise and/or from the same person » [Iosifidis 2001: 242].

constructions); of course the shares of men working in the constructions sector and women working as live-out domestic workers¹¹² are still prevalent.

Ukrainians are predominantly women and the majority works as live-in maids. The likelihood of them being undocumented and/or uninsured is quite high (Kasimati & Mousourou 2007, Psimmenos & Skamnakis 2008).

The Asian communities of Greece, the majority of which seem to be without a residence permit (if we compare Tonchev's estimate on its size and the respective valid permits of that group only a quarter seems to have a residence permit), work in the following sectors according to the Tonchev study (2007): the Pakistanis are predominantly males working in small-industries in the secondary processing sector of the Greek economy, in the constructions sector and the service sector (garages, petrol stations). The Chinese work in the commercial sector. Many of them are street-vendors. While quite a few have retail stores selling clothes and other goods. The more settled Pakistanis and Indians also run food shops, video clubs and call centers. The Phillipinos are predominantly women working as live-in domestic workers. The Indians' majority lives in the suburbs of Athens and works in agriculture. While Bangladeshis usually work in commercial stores and restaurants. The Iranians are usually more skilled than the others and work in the service sector. The Indonesians are mainly women working as domestic workers. (Tonchev 2007: 18). While Afghans are asylum seekers living in a legality limbo and working mostly irregularly in all sorts of market niches (from street commerce to agricultural work).

2.6. Former asylum seekers and refugee related groups

Former asylum seekers' data could be deduced after processing the recent police data on rejected asylum claims. A closer look to the asylum system, however, is necessary in order to argue on the validity of such data.

From irregular migrant to asylum seeker and back again: providing a time-framed estimate of former asylum seekers who remain in the country after their application was rejected and assume that they are irregulars is problematic. For one can lose and obtain the asylum seeker status many times, and sometimes without really being aware of it. When, though, along this continuum of *legality in limbo* is the asylum seeker liable to deportation? And, therefore, on what basis can the researcher proceed to estimates of irregular former asylum seekers? One has to view the different steps of the application of the asylum process before answering these questions and therefore making any case for irregular migration.

Firstly, making an asylum claim when apprehended at the Greek borders does not mean that one is granted with the asylum seeker status and enjoys the rights deriving from that. According to the participatory observation research of Heath Cabot on asylum seekers in Greece (2008), an asylum claim is valid only when it is official. And the signifier of officialdom and thus temporary asylum protection is the 'pink card' that can *only*¹¹³ be obtained at the Police Directorate for Aliens in

¹¹² IKA data do not confirm this view. Albanian women seem to be severely under-represented in the domestic service sector. However, this is probably because, as the above studies show, they tend to be registered in their husband's social insurance booklet and not on their own.

¹¹³ UNHCR also says that there is an equivalent Police Directorate in Thessaloniki. It appears, however, that asylum seekers-to-be come from Thessaloniki and Northern Greece to Athens to get the 'pink card'.

Athens¹¹⁴. Our interview with UNHCR (Int.17) verifies this: the majority of the ‘first-instance’ asylum claims are made in Athens; only the registering of the claim and identification (which practically means the taking of fingerprints) can be made at the border. For the purposes of this paper, the above means that the yearly data on apprehensions include asylum seekers. And that people who regard themselves as asylum seekers (for the police registered their claim at the border) are, in practice, irregular migrants for the period lapsing between their release from the border detention centers and the official approval of their asylum claim at the Police Directorate of Aliens (PDA) of the capital. If they have no ‘pink card’ to show upon detection they will be arrested, put again into detention, try to get help from Greek lawyers and/or NGOs or face deportation. Having a deportation order, however, does not mean that they would be moved out of the country eventually. This seems to depend on the nationality of the asylum seeker: she/he has to come from a bordering country otherwise the cost of refoulement is too much to bear for the Greek state (Int. 3).

In order to obtain the ‘pink card’ one should provide the PDA with a house contract and give a short interview explaining why they left their country (Cabot 2008, Int. 17). The presence of an official translator at the interview is the ideal scenario that rarely happens. The examiner (a police official) writes down a report with what was said at the interview and his assessment of the case, and sends it to the Asylum Department of the Police Headquarters (Ministry of Interior, former Public Order); this department in turn sends its rejection or acceptance proposal to the Minister of Interior and he takes the final decision. During this period that usually lasts some months the asylum seeker’s pink card protects him. The usual result of first instance asylum claims is their rejection (only a very few have a positive decision: 13 out of 37,380 claims in 2006 & 2007). In theory, the asylum seeker is supposed to be notified about the result at the address he initially gave and can make an appeal and move the claim to a ‘second instance’ procedure within 30 days a year ago, within 10 days this year. In practice, this is hardly the case as Cabot explains (2008). The unstable and ‘flexible’ employment of asylum seekers means that many are likely to change residence or miss from ‘home’. Failing to declare a change of residence equates with withdrawal of one’s claim and rendering the ‘pink card’ invalid. This combined with the police regular checks for the validity of a declared residence means that many become irregulars without even knowing (they will know eventually that they have fallen back into illegality either when they get arrested or when the 6-month period passes and attempt to renew their pink card). This in turn means that they might have lost the 30 or 10 days window within which they are allowed to submit an appeal to the negative decision. Getting ‘back on track’ after that requires following a more complicated procedure and therefore the assistance of a lawyer; the re-issuing of the pink card under this procedure usually takes several months within which the asylum seeker is ‘eligible’ for detention (and possibly deportation) if caught again (Cabot 2008). Papadimitriou and Papageorgiou (2005) argue that the practice of interrupting the examination of an asylum claim on the grounds that the applicants have arbitrarily abandoned their place of residence is also applied to cases of ‘Dublin’ returnees.

The asylum seekers that managed to move on to a ‘second-instance’ appeal wait for a more advanced interview (the waiting period usually lasts for some years as

¹¹⁴ The ‘pink card’ has a duration of six months unless the asylum claim is rejected beforehand. It is renewable for the same time length for as long as their asylum claim is active.

both Cabot and UNHCR assert)¹¹⁵ and are protected until the rejection of their claim. If they get a negative decision at this level, the pathways are two: they either repeat the appeal under a very difficult procedure to the Council of State (*Symvoulío Epikrateias*) and this will take another considerable amount of years before they reach a verdict; or they remain in an irregular status until a new regularization program is launched and if their arrival date in Greece agrees with the time-frame conditions that the program sets.

All in all, the fraction of the post-2004 apprehensions that concerns asylum seekers with ‘first instance’ claims that failed to file an appeal regards irregular migrants for a certain amount of time until they re-enter the asylum procedure. In this case, an estimate of irregular migrants would require a better asylum-data computerization system, access to it and extensive surveys on the characteristics of asylum seekers. With regard to asylum seekers with rejected second instance claims who had been apprehended from 1.1.2005 onwards, irregularity can be assumed on safer grounds, until at least the advent of a new regularization program and therefore an opportunity to switch to a green card. In this case, the number of former asylum seekers that can be regarded irregular at the end of 2007 are 5,544 with another 19,015 pending cases still to be examined), assuming that they will not have left the country or re-appealed to the Council of State (these appeals are very few according to our sources) after the negative second-instance decision.

¹¹⁵ If they fail to declare a possible change of residence under the second instance process, their claim is withdrawn and they are subject to the same procedure for re-initiation of the claim all over again.

3. Estimates, data and expert assessments on flows

3.1. Demographic flows (Birth and death in illegality)

Yearly data of the birth and death register in Greece do not make any distinction between regular and irregular migrants. There is, however, some sporadic data on deaths of migrants that attempt to cross the land and sea borders of Greece illegally: in particular, 98 people died in the first 9 months of 2007 while crossing the Greek sea borders¹¹⁶.

3.2. Border related flows (entry and exit over ports of entry and green/blue border)

Entry data

Apprehensions of individuals at the border constitute an indicator of irregular flows to Greece. The way these figures are used in practice, though, distorts a closer to reality representation of this relationship. First, double counting is not taken into account. Second, the overall size of the irregular flows would require an estimate on the ones that cross the border having avoided apprehension (the big gap between rejections at the border and apprehensions in Tables 15 and 15a shows that migrants without sufficient documentation do not bother with the regular path as time goes by). Third, apprehensions data are not used properly even in their current (that is non-adjusted for double-counting and/or undetected irregular entries) form. In particular, the fact that the Minister of Interior argued that “more than 112,000 illegal migrants have reached Greece in 2007” (Kathimerini English Edition, Eleftherotipia, June 4th 2008), that is using the total of apprehensions (apprehensions at the sea border, land border *and in the mainland*) in order to describe irregular entries, creates untrue impressions on the migration pressures that Greece is facing. A look at Table 15 shows that less than half of the total of apprehensions in 2007 indicates irregular entries.

In any case, apprehensions nowadays are much less than the hundreds of thousands of the late 1990s. There has been a rising trend, however, during the last 3 years (Table 15). Whether this is due to an increase in the number of people who attempt to cross the Greek borders illegally or an intensification of enforcement efforts by the Greek Border Guard is unclear.

Data of issued VISAs at the Greek consulates abroad give an important insight on the irregular inflows tendencies, given that a part of them regards Visa overstayers. Legal inflows that turn out illegal have not been studied much in Greece. This is a sensitive issue since there is a limit to restrictions that can be put on legal avenues. Otherwise commerce and tourist growth will be severely affected.

The other legal entry channel that exists in the legislation and does not work in practice, but for agricultural seasonal work in areas of Greece close to the borders, is the process of inviting a foreign worker to come to work in Greece (*metaklisi*).

¹¹⁶ Eleftherotipia, Hundred deaths in the Aegean, 01.11.2007

Table 15: Totals of apprehended irregular migrants

<i>Year</i>	<i>Land border apprehensions</i>	<i>Sea border apprehensions</i>	<i>Apprehended in the mainland</i>	<i>Total of apprehensions</i>
2000	-	-	-	228,421
2001	-	-	-	192,144
2002	-	-	-	50,161
2003	28,358	4,098	18,575	51,031
2004	23,221	5,926	15,840	44,987
2005	37,867	4,974	23,510	66,351
2006	53,556	9,049*	32,634	95,239
2007	63,529	9,240	39,595	112,364
2008 1 st semester	24,668	5,332	27,623	57,623
Totals entire period 2003-8	231,199	38,619	157,777	427,595

Source: Ministry of Interior (former Public Order)

* This number should be treated with caution for it includes apprehensions that took place on Greek island soil (i.e. within Greek territory) by the Greek police. The actual number of apprehended people by the Greek Coastguard at the sea border for 2006 is 3,456 according to data that the Greek office of the UNHCR received from the Ministry of Interior. The same should be taken into account for yearly apprehensions data after 2006 (the relevant information, however, has not been available at the time this report was written).

Table 15a: Rejections at the border

Nationality	Totals	sea border	air border	Total land	Land border sections (Countries)			
					Albania	Bulgaria	FYROM	Turkey
total 2005	14,067	1,852	302	11,913	3,452	1,765	5,714	982
total 2006	12,283	1,555	282	10,446	1,355	2,440	5,783	870
total 2007	3,348	772	226	2,350	667	794	496	393
TOTAL	26,350	3,407	584	22,359	4,807	4,205	11,497	1,852

Source: Ministry of Interior

Table 16: Apprehensions broken down by border

Borders	Year 2006	Year 2007
Greek-Albanian	33,618	42,897
Greek-FYROMacedonia	3,541	2,887
Greek-Bulgarian	1,132	966
Greek-Turkish land border	15,265	16,789
Greek-Turkish sea border	6,886	16,781*
Other sea borders	2,163	3,101*

Source: Ministry of Interior (former Public Order)

*Should one compare the 2007 sea border apprehensions in Table 15 and Table 16 he/she should realise that they differ substantially one with the other. In table 16 sea border apprehensions in 2007 are 19,882 while in Table 15 they are 9,240. The last years' non stable and non-transparent practice of adding the apprehensions that occurred on eastern Aegean islands to the category of sea border apprehensions offers a possible explanation here.

Exit data

Judicial deportation decisions constitute the main body of data that are more likely to show numbers of irregular migrants who have left the country. The administrative deportation orders instruct the irregular migrant to leave the country within a period of 30 days; they do not, though, enforce his/her departure. And the migrant continues

his/her irregular stay in the country. There is the likelihood that he/she would attempt to leave Greece for another EU country, use Greece as a transit stop. But there is no such data or relevant study available.

Deportation data display a substantial decrease over the years. During the recent years they appear to be around 50,000 per year compared to the hundreds of thousands of expulsions in the 1990s (Tables 17, 18). Should we compare the apprehended persons to be deported with the deported persons from 2000 up to date we may observe that the ones that are deported are nationals from neighbouring countries (mainly Albania) or at least European countries (Russia, Ukraine, Georgia, Moldavia). Nationals from Southeast Asia and the Middle East that have a big share in the number of apprehended persons to be deported are not eventually (with the exception of Iraqis in 2005 and Syrians in 2007), mainly for the cost is too much for the Greek authorities to bear (Tables 17, 18, 18a). This explains partly why although deportation decisions rise actual deportations decrease during this period (Tables 18 & 18a)¹¹⁷.

Table 17: *Major expulsions (without legal process) from Greece according to nationality (in thousands) in the 1990s*

Nationality	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Albanian	84.3	277.0	221.0	216.5	241.2	-	-	-	-	-
Bulgarian	-	.4	1.0	0.8	1.4	-	-	-	-	-
Iraqi	.2	.3	11.5	1.8	3.9	-	-	-	-	-
Pakistani	-	.3	1.5	1.6	1.8	-	-	-	-	-
Romanian	.5	2.2	2.2	2.0	0.4	-	-	-	-	-
Turkish	-	.1	.4	0.6	2.3	-	-	-	-	-
Bangladeshi	-	-	-	0.4	0.5	-	-	-	-	-
Total	86.0	282.0	239.0	225.0	250.4	273.0	180.0	130.0	170.0	260.0

Source: Baldwin-Edwards & Fakiolas, 1998: 197, Baldwin-Edwards 2004a: 20, Ministry of Public Order

Table 18: *Apprehended persons to be deported* according to main nationalities in the 2000s*

Nationality	2000	2001	2002	2003	2004	2005	2006	2007
Albanian	4,208	5,310	5,977	8,561	11,100	17,917	16,475	21,454
Bulgarian	4,567	1,912	2,700	3,751	2,771	2,757	2,181	
Romanian	7,710	3,550	1,153	2,169	2,089	2,449	2,094	
Ukrainian	1,598	881		988				
Moldavian	1,585	712						
Iraqi	1,340	2,506	7,812	1,836	1,449		4,367	9,586
Pakistani	731		1,134	801	819	1,930	2,100	2,386
Afghan		584	1,819	1,076	1,701	1,913	4,286	10,280
Palestinian						1,085	1,410	2,378
Egyptian					1,030			483
Somali							1,341	3,481
Georgian	626	542	694	991	891	1,443	1,716	2,058
Total	27,942	20,734	29,598	29,527	29,769	40,599	43,159	58,602

Source: Ministry of Interior (former Public Order), April 2008

* The apprehended persons to be deported differ from the totals of apprehended people (Table 15) in two aspects: a) the former refers to people for whom a deportation order has been issued, b) the latter

¹¹⁷ The other reason for the gradual decrease of expulsions in recent years regards the eventual positive effect of regularization.

includes persons that were immediately returned to the country they came from following the Reinsertion and Police Cooperation Agreements that Greece has signed with most of its neighbouring countries (Albania, Bulgaria, Turkey)¹¹⁸.

Table 18a: *Actually deported persons in the 2000s (the deportations that took place in one year may refer to apprehensions that happened in the previous year)*

Year	2000	2001	2002	2003	2004	2005	2006	2007
Total	24,231	13,242	11,778	14,222	15,168	20,461	17,650	16,122

Source: Ministry of Interior (former Public Order), April 2008

Refolements is another set of data that concerns outflows of irregular migrants. Refoulements concern nationals from countries with which Greece has signed a Reinsertion Agreement. Such agreements have been signed with some neighbours of Greece: Turkey, Bulgaria and Albania¹¹⁹. Looking at the available data, however, one observes a small number of refolements actually taking place.

Data on migrants with expired tourist visas (that is migrants that entered legally and became illegal) that leave the country are not published (even though they are checked and apparently recorded). Neither is there any data on people who are apprehended while leaving the country.

Another case of border related flows concern the unregistered apprehensions and refolements that take place at the Greek borders. Cases of unofficial refolement at the Greek borders from the Greek police in collaboration with the army, and the coastguard have been reported by immigrants and asylum seekers to institutions that provide legal support to migrants. No Greek authority or institution, however, officially verifies the existence of this practice.

Table 19: *Deportation decisions for irregular migrants*

Year	2000	2001	2002	2003	2004	2005	2006	2007
Administrative deportation decisions	22,227	15,988	25,925	26,245	26,684	36,268	39,646	55,041
Judicial deportation decisions	5,715	4,746	3,673	3,282	3,085	4,331	3,513	3,561

Source: Ministry of Interior (former Public Order), April 2008

Table 20: *Official refolements to Turkey and Bulgaria*

Year	Number of refoled persons to Turkey	Number of refoled persons to Bulgaria
2003	374	1
2004	119	0
2005	152	0
2006	127	4
2007	423	-

Source: Ministry of Interior (former Public Order), April 2008

¹¹⁸ This explanation was given in the exchange of mails and faxes (and telephone conversations) that the writer had with an official of the Department D of the Greek Police Headquarters of the Ministry of Interior in September and October 2008 (Int.19).

¹¹⁹ With Albania there is an agreement of police cooperation that includes a reinsertion clause.

3.3. Status-related flows (regular to irregular, irregular to regular)

Regularization programs constitute the usual measure through which the majority of irregularly staying migrants become regularized in Greece. This does not mean that they remain regularized though. Regularization is a policy that cuts both ways. The phenomenon of regularized migrants falling back into illegality when their permit expires has been far from uncommon in Greece. The causes have been two: the extensive delays in processing the applications, and the high number of social insurance stamps required for regularization that renders the renewal of a permit particularly difficult (see Part I). This is especially the case with construction workers whose social insurance stamps depend on the volume of contracts, the relations with the employer and on their own cash-flow needs (the balance between stamps and wages is often a matter of informal agreement between employer and employee).

Falling back into illegality was a prevalent feature of the first regularization program in 1998 whereby only a fraction of the applicants for White Card continued to apply for Green Card (212,900 out of 371,600) (Lianos 2003:20). The second regularization program launched by the 2001 Immigration Law involved some 360,000 applicants. Delays in processing the applications were the rule again. Many people stayed for an extended period of time only with a certificate of having submitted their papers and got their permit near (or after) the time that it was supposed to expire¹²⁰. The Ministry of Interior succumbed to the pressure of the 2004 Olympic Games for manual workers and extended through successive legal amendments the validity of most of the 2nd legalization program permits.

In order to tackle (without the need for such amnesties) the problem of regular migrants that fall back into illegality because they lack the required amount of social insurance stamps, the Ministry of Interior gave migrants the option of buying themselves the missing stamps. The fact that this measure takes the burden off the employer's shoulders onto the worker's and thus does not confront informal economic activity is something that the Ministry of Interior is not proud of. In fact, they regard this as an "extraordinary" measure that they were forced to take in absence of a properly functioning Labour Inspectorate to help regular migrants keep their regular status (Int. 2). In order to confront the other source of flows from regularity to irregularity, the phenomenon of migrants receiving expired or close to expire permits, in 2004 the Ministry of Interior online database on stay permits became fully operational and started restoring the credibility to the volume of valid permits at a reference date (Baldwin-Edwards 2004a). Bureaucratic delays, however, have not died down. In fact, the number of pending applications ranges from 250,000 to 400,000 in autumn 2007, according to the president of IMEPO and Ministry of Interior officials respectively. It is no surprise that a look on the yearly issued stay permits (incl. renewals) since 2004 shows a clear downward trend.

Three-month length tourist VISAs has been the main entry channel of TCNs into Greece. However, there is no means of finding out which of those expire.

The other road from irregular to regular status and back again is through the asylum procedure (see 2.6 above). Once the migrant manages to obtain the 'pink card' he/she comes out of illegality, only temporarily though. And this temporality depends on him/her changing residence and not declaring it, the police enforcement practices as applied locally, and the ministerial guidelines as coined politically. Then, it is the

¹²⁰ Prior to 2001 there have been cases where policemen tore the documents of migrants and deported them. This was the case especially with migrants that had a certificate of having submitted their documents and not the actual permit.

issue of the basis on which one assumes that former asylum seekers remain in the country.

Table 21: *Number of issued permits per year*

Year	Issued permits
2004	405,168
2005	324,782
2006	295,179
2007 (until 30.09.07)	287,623

Source: Ministry of Interior

Part III: Discussion and policy implications

The phenomenon of irregular migration in Greece is discussed as the result of the inadequate and difficult control of the long and porous Greek borders and the ambivalent Greek immigration policy. Estimates on its size do affect the ways these two discourses of migration policy are framed. There are agents with different roles in the landscape of the migration discourse that interpret and adapt numbers to their 'own' prevailing agendas. These agendas are organizational, sociopolitical and scientific, and are influenced by evolutions on the national, regional and international level. An institution may encapsulate discursively all of them; they are more like communicating vessels than distinct discourses. State services like the Police and particular Ministries have their own organizational discipline apart from the top-down political guidelines that they receive. The government and the other political parties have their own political agendas that are correlated with a certain electorate and adapt to an environment of international balances. Civil society agents also follow their ideological and political values. While the academics' interests in estimates of irregular migration abide by their scientific disciplines which of course can be (re)orientated by the priorities of the institutions housing them.

Under this framework, the case often is that different agendas might be served by the same estimate. A size of irregular migrants presented in a dramatized way, for instance, could serve both the Greek Police and Coastguard and the part of academia that argues for migration-friendly policy reforms. For the former it would mean justification for further EU support to the enforcement mechanisms¹²¹ and for the latter it would bring up in the discussion the need for changes on the existing migration policies and the Greek economy as it is interconnected with the political system (see Part I, 2.6). But the special weight of certain institutions and agendas outweighs others. Media presentations and government announcements usually attract more attention than the academic ones. While the timing (the political, social and economic timeliness) that an estimate appears might defer the already established balances between interest-groups. Estimates of large stocks of irregular migrants at a time of rising unemployment and political turmoil might not reflect the retroactive immigration policy regime (regularization, integration policies etc) that fails to absorb substantial segments of the available migrant workforce but put the blame on the arriving migrants. It could divert the attention from the overall mismanagement of the migration regime to a particular aspect of the latter.

Of course, one cannot overlook that the creation of an estimate is equally important to its appropriation and 'embellishment' by the parties concerned. The ways that the estimates are produced, the genealogy of estimates discussed in Part II, affect significantly the migration policy debate.

Because, firstly, arriving at an estimate presupposes that certain data is used along the way and other data is not. And the information behind an estimate that is and is not used (out of availability or access or choice) is crucial to the formation and orientation of the policy-debate. For instance, when the Ministry of Interior eagerly gives the researcher data on official refoulements to Turkey it exposes its eastern

¹²¹Greece's recent strategic aims on the issue of irregular migration revolve mainly around the creation of a European sea patrol force in the context of a common policy on guarding Europe's external borders. This has been verified by the positions expressed recently by the Greek Interior Minister before the Council of Internal Affairs Ministers of the EU (<http://news.ert.gr/c/1/360729.asp>).

neighbour before the EU and holds another ‘ace’ in their bilateral diplomatic negotiations over other matters between the two countries that are irrelevant to irregular migration¹²². This practice, of course, runs to the detriment of the policy discussion on migration (irregular and regular). To give another example, when the Greek Police withholds information with regard to migrants that have been apprehended more than once in a certain period, even though such data exists in the EURODAC register, it does not allow the researcher to estimate the extent of double-counting; thus both the estimated size of the irregular stock and its desired impact *ceteris paribus* remain unchallenged.

Similarly the lack of data and estimates on visa overstayers in Greece diverts the attention from the legal pathways of irregular migration to the illegal ones, and accordingly feeds and orientates the policy debate on irregular migration. The latter becomes a matter of how much more money is spent for more sophisticated border controls and where this money goes to. The core of the Fortress Europe agenda goes unchallenged. Admitting that the bulk of irregular migrants enter Greece through the existing legal avenues would pose uncomfortable questions on the functionality and the very essence of this agenda. Are the EU border control strategies worth the funds invested in them? Would not these funds be of greater use in dealing with irregular migration if options of development aid to the sending countries were investigated (Triandafyllidou 2008), and/or if these funds were directed towards the ‘greener’ restructuring of EU and global economy moderating thus the environmental effects that drive people out of their homes and/or towards the migrants’ integration in the host labour markets and societies (confronting thus the informal economy and the political system in countries like Greece)?

Secondly, disseminating the data selection behind the calculation of an estimate further influences the policy debate. An estimate of the irregular migrant stock based solely on apprehension data, puts the enforcement mechanisms under the limelight, adds more or less pressure to them ‘to do their job’ and diverts the attention from the other aspects of the migration regime. Irregular migration becomes a police matter instead of a variable in the discussions over economy and demography.

Estimates are used in order to reflect social conditions. In fact, they reflect the users’ perspectives over social conditions. As discussed above, often it is the perspectives/agendas over the estimates that matter more than the estimates *per se*. Observed changes in estimates on irregular migration, therefore, denote the following: changes in data and its availability, changes in the migration-related policies and changes in the perspectives fed by and simultaneously governing the two.

A swift look at the Greek case shows that estimates on irregular migration (and especially the commentary escorting and the agendas feeding them) have changed over time. From half a million irregular migrants estimated in the mid 1990s¹²³, the estimate just before the first regularization program goes up to 650,000-700,000 in 1997 when Fakiolas adds up the 1st regularization applicants and the estimation of irregulars that did not apply (Fakiolas 2003: 540). Other more reserved estimates argue that around 500,000-600,000 irregular migrants reside in Greece in

¹²² Indicative is the Interior Minister’s recent accusations towards Turkey with regard to the ill-applied refoulement agreement signed by the two countries. “There cannot be more a hypocritical position than that of Turkey, who aspires to enter the EU and does not apply basic rules of the European *acquis communautaire*” (Eleftherotypia, *Pavlopoulos again vs Turkey*, 11.06.08).

¹²³ The empirical study of Lianos, Sarris and Katseli (1996) calculates around 470,000 undocumented migrants in 1995.

1998 (Triandafyllidou 2001). An EC briefing paper (2008) following EUROSTAT calculations (based on Reyneri 2001 and SOPEMI 2003) does not observe any significant decrease in 2000, two years after the limited success of the first regularization program; indeed it calculates some 525,000 irregular migrants staying in Greece¹²⁴. After the L.2910 of 2001 and the 2nd regularization program that came along with it, estimates indicate a decrease. Kanellopoulos et al 2006 calculate 400,000 irregular immigrants in Greece in 2001 and 300,000 in 2004. The study of Kontis, Zografakis & Mitrakos 2007 produces an estimate of 230,000-330,000 irregular migrants residing in Greece in 2004. Triandafyllidou's (2005) estimate for 2004 coincides with the latter two. Interestingly, the number of irregular migrants does not seem to have changed 3 years after. 250,000 are the irregular migrants in Greece according to the President of IMEPO referring to preliminary findings of an ongoing research funded by his institution¹²⁵ on 22 November 2007¹²⁶. While the estimate of this report at the end of 2007 calculates a stock of approximately 280,000 irregular migrants.

What do the above changes in estimates reveal with regard to the Greek migration regime? The decrease of irregular migration over the years observed in these estimates shows that certain policies do have an effect on the landscape of irregular migration while others have less an impact. In particular, border guard strategies do not decrease irregular migration. Regularizations and other integration measures do. They may have various problems but the decrease of irregular migration over the years is their achievement. By looking at the numbers of people that are denied access to the border, one might realize that the effect of stricter border controls is negligible compared to the effect of migrant regularization. In order to depart from an *a posteriori* policy approach on irregular migration to a more pro-active one, however, informal economic activity and the political system supporting it should come under the spotlight (see Part I, 2.6).

The migrant's side of the story further proves that being stopped at the border does not discourage him/her from trying again and again. People that have attempted to cross the Greek-Turkish border, were apprehended, refouled and tried again are often mentioned in studies and NGO reports (Pro-Asyl 2007, Greek Council for Refugees, UNHCR). The webs of expectations from his/her family and social networks in the country of origin, the need to escape from life-threatening situations, and the webs of debt to smugglers' networks that are developed as the journey progresses do not leave many options to the migrant but to keep on going until he/she reaches a country where he/she can find employment and/or feel safe.

The decreasing trend of irregular migration across time and the overall positive effect of regularization given the circumstances is, however, one perspective over the available data. And one that does not inform other related agendas and practices as much as it is informed by them. The cohabitation of regularization

¹²⁴ European Parliament (2008) "*Trends on regularization of Third Country Nationals in Irregular situation of stay across the EU*", Directorate-General Internal Policies, Policy Department C, Citizens Rights and Constitutional Affairs, PE 393.282

¹²⁵ This estimate is based on data collected from schools and Local Administration (Municipalities): "in a sample of approximately 200 municipalities with total population one million residents, there is a number of 180,000-250,000 irregular immigrants, a number verified by the school data. That is, according to the number of births in the country and given that for every legal immigrant there are 7-8 illegals, the latter's total number equals to 250,000 approximately"

(http://diavatirio.net/diavat/e107_plugins/content/content.php?content.382)

¹²⁶ According to the recent IMEPO study (2008), the estimate for 2007 is 180,000-209,000 irregular migrants.

programs and increased checks for irregular migrants on the border and in the Greek mainland shows that immigration policy stands alone in the universe of economic and social policies. It is *patched up* in order to deal with an unfortunate *but welcome* (as the ‘sponge’ of the Greek economy proves) eventuality. Its role consists in receiving what leaks from the policies controlling the entry and stay of foreign labour force. Influencing the latter agendas back is out of the question. For example, increasing the policing within the country in search of irregulars is still a regular practice of the Greek migration policy. The number of apprehensions within Greek territory has been on the rise during the last 4 years (see Table 15)¹²⁷. What gives the impression that this policy-practice changed and is more aligned with immigration policy is that overall apprehensions and expulsions have decreased in comparison to the 1990s. But this is related to the new nationalities that are more likely to be apprehended and more difficult to deport, and to the decrease of the irregulars amongst the older immigrant communities of Greece through regularization, not to a change in the philosophy of migration entry policies.

Different agendas read differently the same estimates. Indeed, official sources and the media present a picture tinted with different colours. They tend to refer to masses of irregular migrant inflows and generally embellish the same numbers with alarming narratives. Accusing the government of failing promises and “letting smugglers and traffickers operate with ease in the Aegean sea”¹²⁸ is typical in the Greek press. Using added up yearly apprehension data without any reservations in case of double counting and transit migration likelihood is also common practice by the Greek Police and Ministry of Interior officials¹²⁹. The agendas that are reflected in the readings of estimates seem to matter more than the latter. Their change sets the pace of the debate; the changes in actual numbers have a secondary impact.

In the 1990s, the depiction of a Greece suffering from large numbers of illegal migrants was instantly translated into the need for ‘*skoupa*’ (sweep) operations aimed to ‘clean’ the country of ‘potential criminals’ and ethnically different groups and thus acquiesce the Greek voters’ fears of immigration whilst showing to its Balkan neighbours who is the leading power in the region (Baldwin-Edwards & Apostolatos 2007). Nowadays representing Greece as the receiver of massive waves of illegal migrants from the Middle East, Asia and Africa has a different target audience: the EU and Turkey. The accumulated effect of regularization, EU accession of Poland, Bulgaria and Romania, the improved relations with a developing Albania have shifted the focus away from a strategy of fending off its border from within and towards cooperation with neighbouring countries (sending or transit). EU dedicating more funds towards blocking irregular migration from reaching its shores (the creation of FRONTEX for example), and the issue of Turkey’s EU accession have further changed the irregular migration debate within Greece. Attracting the attention and the funds of the European Commission has been the main strategy of Greek politics with regard to the phenomenon of irregular migration. The message that Greek politicians want to pass on is that Greece cannot afford to pay for the growing needs of its own, and simultaneously EU, border management costs. This message is not an

¹²⁷ As far as border control evolutions are concerned, the tone is set by the ongoing (and forthcoming) joint EU border guard operations and the latest increases in the recruitment of Greek Border Guard Forces (Int. 3).

¹²⁸ Eleftherotypia, Thanos Lambropoulos, *The government proclamations shipwrecked*, 06.05.2008

¹²⁹ Mr Andreoulakos, General Secretary of the Ministry of Interior referred to 112,000 apprehensions in 2007 alone in the UNHCR Press Conference at the Foreign Press Association in Athens in March 2008 (Eleftherotypia, Ioanna Sotirchou, *Migrants: Slaves of the New Order*, 06.05.08).

overstatement should one consider that Greece has more migration pressures in comparison to other EU countries due to its geographical position. Can the EU carry the weight though? Or rather, should it? What are its priorities really? Addressing the demographic problems and the worker-pensioner ratio imbalances in its labour market or posing more obstacles to it?

Using estimates as a measure for the effectiveness of migration policies entails a risk that, nonetheless, has to be taken in democracies. The risk rests in that there are groups with different positions and interests in the migration system deciding what policy or aspect of policy is the estimate effective for. And the existing power balances connecting those agents predispose the domination of certain policy perspectives against others¹³⁰. Irregular migration policy-debate should not circle solely around border controls. There are other areas that the focus should move to. The push factors of migration should be re-addressed. The economic *and* political conditions in the host country that absorb and reproduce irregular migration should be addressed. More particular measures such as sanctions on employers hiring illegally immigrants and the enforcement system supporting this venture should be re-assessed. New channels for legal migration should open and/or existing ones (metaklisi) should be simplified. Only then, will emergency measures like the regularization programs become less necessary. For the time being, they are practically the only option to deal effectively with irregular migration; the Greek case has shown, however, that not even this can be taken for granted. In any case, though, treating amnesties as the last resort and not the rule cannot be guaranteed in a country where informal economy flourishes.

Different groups interpret numbers towards their own agendas. Be they concerns for human rights and better functioning of economies and labour markets, or to win more readers and audiences, or more funds and assistance towards border guard organizations. What is at stake is a communication and coordination between those agendas based on certain commonly agreed criteria and rules.

¹³⁰ There are even policy perspectives, irrelevant to the issue of migration, that can take over and take the *key players* out of the picture. Such a scenario could unfold in Greece's strategy of citing large numbers of irregular migrants in its territory before the EU along with a simultaneous reminder of Turkey's failure to tackle irregular migration and smuggling and collaborate in border control management. This strategy connects estimates on irregular migration with other irrelevant and volatile political agendas that could hijack the debate eventually.

Part IV: Specific Policy Recommendations for Irregular Migration in Greece

Combating and Preventing Irregular Migration Flows

- Deportations are not a viable policy. The cost of deporting migrants today (estimated on the basis of Spanish police similar data, at 4,000 Euro per person for migrants deported to Southeast Asia) is prohibitive.
- Moreover, given the problems with the asylum seeking applications processing in Greece (long delays, superficial interviews, red tape) there is a risk that people in need of protection are deported. In other words, such a practice risks violating the 1951 Geneva Convention relating on refugees and its 1967 Protocol that are signed and ratified by Greece.
- The Readmission Agreement with Turkey should be re-negotiated in exchange of development assistance with a view to making it work.
- Diplomatic efforts should increase with a view to signing readmission and cooperation agreements with not only Turkey but also other major source and transit countries in Asia and Africa.
- Legal channels for labour migration should be made functional. There is a pressing need to cut red tape, simplify and shorten procedures to invite foreign workers.
- One-year stay permits for ‘searching for employment’ could be introduced. TCNs would be able to come to Greece legally (provided they have health insurance and a ‘sponsor’: a legal migrant or Greek citizen who would guarantee accommodation and who pay a ‘guarantee’ sum for the issuing of this permit). Migrants would thus be able to look for a job legally and then convert their stay permit into a stay permit for work purposes. This would provide for an efficient mechanism for making legal what happens now illegally (namely that interested foreigners arrive illegally, are hosted by relatives of friends, find a job, settle down and then wait for the next regularization to legalise their status).
- Lower the income requested for allowing family reunification.

Addressing Irregular Migration and Informal Work

- Set up an independent Asylum Authority to examine asylum seeking cases instead of the Greek Police.
- For migrants that have been living in Greece legally for 5 years or longer, disconnect the renewal of their stay permits from proof of employment through welfare stamps. Thus reduce the risk that long term legal migrants lapse into illegality because at times of economic crisis they are unable to find work with a proper contract and full welfare contributions.
- Confront informal economy: a) through increased controls of the labour market sectors where informal economic arrangements are common (constructions sector, agriculture, tourist industry, other services), and mainly b) through an increase of formal jobs in the Greek economy. The latter should be pursued through:

- reforms on the social security system directed to deal with the inflexibility of the Greek labour market as regards certain niches of permanent employment. Until now the higher than average benefits, social security contributions, compensations and the legal access barriers characterizing various niches render hiring and firing a costly business decision.
- reforms intended to liberalize processes and scrap legal obstacles framing the access to and exit from the overgrown and permanent state sector jobs. Exposing state sector jobs to labour market competition would decrease the overgrown number of jobs distributed on political criteria and increase the overall job supply of the private sector.
- creating and securing a safety net of working and social rights for the types of work (subcontracting, part-time, temporary, seasonal) and workers (immigrants) that are usually exposed to exploitative and informal work arrangements as a result of the above inflexibilities of the formal economy. Promoting sustainable new forms of work is crucial in order to tackle unemployment in contemporary post-industrial economies.
- Open reception centres and/or restore already used spaces with health and sanitation facilities and provide Greek/English language courses for homeless asylum seekers and undocumented migrants rather than creating detention centres. Detention centres cost a lot of money and do not provide for any avenues for getting out of irregularity. Open reception centres could be an investment in labour force supply. Use, and therefore fund, local NGOs that have better access to migrants than State services towards this end.

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ANNEX I: List of Interviews

Int.1 Male Employee, Ministry of Mercantile Marine, Security Department, Piraeus, 11 October 2007

Int.2 Two Female Employees, Ministry of Interior, Department of Stay Permits A', Athens, 17 October 2007

Int.3 Male Employee, Ministry of Interior, Secretariat of Public Order (former Ministry of Public Order), Directorate of Greek Police, Director of Aliens' Office for the Greek Police, Athens, 2 November 2007

Int.4 Male and Female Employee, Ministry of Employment and Social Insurance, Department of Employment, Director and Head of Department for the employment of aliens, Athens, 31 October 2007.

Int.5 Female Employee, Municipality of Athens, Director, Centre of Services for Aliens (KEA), Athens, 31 October 2007.

Int.6 Male Employee, Municipality of Tavros, Director, Athens, 20 November 2007

Int.7 Female Employee, Head of Regional Labour Inspectorate (SEPE), area of Anoixi, northern Athens, 22 November 2007

Int.8 Male, Representative of Confederation of Greek Labourers (GSEE) and Labour Centre of Athens (EKA), Athens, 27 November 2007.

Int.9 Female Employee, Region (*Perifereia*) of Attica, Directorate of Foreigners and Immigration, Head, Athens, 14 December 2007

Int.10 Male, Assistant Greek Ombudsman, Head of Human Rights department, Athens, 17 December 2007.

Int.11 Female Employee, Ministry of Interior, Directorate (former Department) of Social Integration, Athens, 19 December 2007.

Int. 12 Male Employee, IKA (Social Security Fund), Directorate of Actuarial Studies and Statistics, Athens, 11 April 2008

Int. 13 Male Employee, ESYE (National Statistical Service of Greece), Labour Force Survey expert, Piraeus, 15 April 2008

Int. 14 Female Employee, ESYE, Department of Statistics of Natural Population Movement, Piraeus, 6 May 2008

Int. 15 Male employee, Ministry of Interior, Department of Computerization and Data electronic processing, director, 16 May 2008

Int. 16 Male employee, OAEE (Merchants' Fund), Department of Statistics, Athens, 15 April 2008

Int. 17 Male and Female Employee, UNHCR Greek Office, Head and legal advisor, 31 March 2008

Int. 18 Female Employee, ESYE, Department of Statistics of Natural Population Movement, Piraeus, 28 March 2008

Int.19 Male official, Ministry of Interior, Secretariat of Public Order (former Ministry of Public Order), Greek Police Headquarters, Directorate of Foreigners - Department D, telephone conversations and mail/faxes exchange on the 6th, 7th, 27th and 29th of October 2008.

Int. 20 Follow-up interview with Female Employee, Municipality of Athens, Director, Centre of Services for Aliens (KEA), Athens, 09 December 2008

Int. 21 Follow-up interview with Male and Female Employee, Ministry of Employment, Department of Employment, Director and Head of Department for the employment of aliens, Athens, 12 December 2008

ANNEX II: LIST OF RELEVANT INSTITUTIONS AND ORGANISATIONS

Greek Ombudsman, Human Rights department, www.synigoros.gr
Greek Municipalities, Local Administration, www.ota.gr
Regions (Perifereies), Directorate of Aliens, www.perifereies.gov.gr
Ministry of Interior, Department of Stay Permits, www.ypes.gr
Ministry of Interior, Secretariat of Public Order (former Ministry of Public Order), Directorate of Greek Police, www.ypes-dt.gr
Ministry of Mercantile Marine, Greek Coastguard, www.yen.gr
Ministry of Employment and Social Insurance, Department for the Employment for Aliens, www.ypakp.gr
Ministry of Health and Social Solidarity, www.mohaw.gr
Social Inspectorate of Labour (SEPE), www.ypakp.gr
Confederation of Greek Labourers (GSEE), www.gsee.gr
Labour Centre of Athens (EKA), www.eka.org.gr
Social Security Fund (IKA), Directorate of Actuarial Studies and Statistics, www.ika.gr
Merchants' Fund (OAEE), Department of Statistics, www.tebe.gr
National Statistical Service of Greece (ESYE), www.statistics.gr
UNHCR Greek Office, www.unhcr.gr
Greek Forum of Migrants, www.migrant.gr
EKKE, www.ekke.gr
Greek Council for Refugees, www.gcr.gr

ANNEX III: INTERVIEW GUIDES

Ministry of Employment and Social Protection

1. What are your policy priorities in relation to the migrant labour force?
2. Regularisations and their impact on the labour market
 - Have they been a positive measure (in terms of ensuring tax payment and welfare contributions with the relative benefits and protection for both the state and the labourer)
 - Have they by contrast contributed to the deregulation of the labour relations, and thus, via the extra pressure on formal labour relations, to the deregulation of the labour market and expansion of the informal work sector (because many immigrants, in order to obtain a contract and regularise or just renew their permit, are ready to work for longer hours or for a lower pay than Greek workers and hence become exploited by Greek employers)?
 - How do you value the contribution of the Labour Inspection bodies in combating informal employment?
3. Conducting interviews with the very Labour Inspection bodies: a) ask for inspections' data for various sectors broken down by ethnicity and gender b) questions on the inspection methods: how often are the controls conducted, are they done according to sector, according to call of the interested party, is there a geographical distribution criterion, other?
4. Is the current policy of inviting a labourer from abroad (metaklisi) an appropriate policy?
 - Does the annual planning system work ok? Have there been any problems in collecting the data? Do the data correspond to current labour market needs?
 - Are there any problems with its implementation given that there are many stages involved that are difficult to accomplish within a short period of time?
 - Has there been good cooperation between the Ministry of Labour (that collects the data on the demand) and the Ministry of Foreign Affairs that administers the Labour Offices (Grafeia Ergasias) at the Consulates, and the Ministry of Interior that issues the visa for entry for work purposes and later the stay permit for work purposes?
 - We know that in Greece networks play an important part in the social and work life of an individual. Both Greeks and immigrants find a job through acquaintances more than through impersonal ads. Is this reality reflected in the current policy for managing the migration inflows?

[the order of the above questions may be inverted – depending on how the interview flows]

5. What could be an alternative policy that would provide the Greek job market with the necessary immigrant labour force?

6. How do you see the management of labour immigration in Greece in 5 or 10 years from now?
 - How do you see the demand and offer evolving?
 - What would be the appropriate policies to cater for the demand and offer?
7. How do you see the immigrant integration in the Greek labour market? What are the major challenges or difficulties?
 - knowledge of Greek language
 - deskilling of immigrants
 - possibilities for advancement
8. Your ministry is in charge of the implementation of the EQUAL programme
 - how do you assess the implementation of this programme with regard to immigrant integration?
 - Has there been satisfactory participation by immigrants and immigrant organisations?
 - What are other programmes to help the integration of immigrants in the Greek labour market (national, regional or European)?
 - Do you think immigrants know about these programmes and take advantage of the services offered?
 - What is the share of migration related programmes within the overall EQUAL initiative?
 - Do you think these actions funded by EQUAL have made a difference in terms of immigrant integration in the labour market
 - Do you think it is a good idea that immigrants can benefit from such EU funded programmes?
9. In Greece the second largest group of immigrants, those coming from the neighbouring Bulgaria and also two other numerically important communities, Poles and Romanians, have now become EU citizens. This has meant important changes in the right to free movement and stay as tourists (and for the Poles as workers) or economically independent people with much less paperwork.
 - How many have already used this right?
 - Have there been any problems in the above implementation circulation regarding Bulgarians and Romanians
 - Had there been problems in the past with regard to Polish citizens? If yes, has the experience of problems with the Polish helped you in preventing similar problems with the other ethnic groups?

Ministry of Interior

[divide the questions depending on which department you have an interview with]

EXTERNAL CONTROL: What are the main strategies that you use to effectively control the Greek land border in the northern part of the country?

- what is the role of the Border Patrol forces (synoriotofylakes: where do they answer to), what is their legal character (military, police...)?
- What other forces help in controlling the border?

- What are the major difficulties in controlling the border?
- What are the different cases of illegal entry that you have? Are these recorded somewhere? If yes, are they broken down by gender, ethnicity, age, asylum applications? (ask for relevant yearly data)
- Have enforcement practices become intensified during the past few years (data since 2000)? Could you give a year-landmark where the apprehensions reached the highest rate?
- Has the situation become easier during the past years because of the decreasing migration potential in countries like Albania and Bulgaria?
- Or has the pressure of incoming irregular migration increased?
- Rough percentage of the total inflows (within your jurisdiction) that is apprehended
- Do you have Reception Centres, where and how many? What is their capacity to receive undocumented migrants? What occurs to the migrants after their arrival at the Reception Centres? Who, how many and for how long do they stay there? Yearly data of arrivals broken down by ethnicity, gender, age. How many of them are identified?
- How many of the arrivals complete asylum applications (yearly data)? Are there any leaflets that explain the rights and obligations of immigrants when they arrive at the Reception Centres? In what languages?
- What are the local society's reactions to the Reception Centres?
- Record for those that are apprehended and for those that leave the centres with a deportation document (broken down by gender, ethnicity, age, asylum applications). Are these records updated and communicated between the different involved bodies (Border Patrol, Police)? Is there a way of recording who's crossed the borders illegally repeatedly? And how is it used?
- Record for those that are entering the country with VISA. Is it possible to check how many VISA owners leave the country before their VISA expires?
- Which other forces are collaborating with you for the internal and external control of migration? yearly data on apprehended undocumented immigrants in the interior of the country. How many of them are deported? What procedure is applied for this group (where are they kept, for how long, de facto and de juris deportations)? Is it the same procedure with the Reception Centres' one?
- Is the Volume of work/bureaucracy in recording beyond the capacities of your department?
- What are your policy priorities regarding the external control of migration in Greece?
- How do you see the situation regarding regular and irregular migrant entries in 5 or 10 years from now?
- Has Greece benefited from cooperation on border control between EU member states?
- Your department is responsible for the implementation of the refoulement of irregular immigrants to Turkey and Egypt. Can you give us the monthly/yearly data on how many immigrants are sent back to Turkey ?
- Do you think that successive enlargement waves to include Croatia and the western Balkans and eventually Albania are likely to change the migration landscape in the region and in what ways?

INTERNAL CONTROL: What are the main strategies for internal migration controls?

- How do you assess the scope and effectiveness of the “sweeping operations” that marked the second half of the 1990s? are they an effective measure to control irregular migration?
- What other strategies do you currently use to control irregular migration within the country?
- Are the immigrants of this group who receive a deportation order supposed to leave the country on their own, or is this the responsibility of the police?
- Do you do onsite inspections at construction sites or other places where immigrants are likely to gather or work?

Ministry of Interior (departments of Stay Permits)

ISSUE AND RENEWAL OF PERMITS: how do you assess the current system for the issuing and renewal of stay permits of various types? Does it run smoothly?

- Are there big delays in issuing/renewing the stay permits? If yes, why does this happen?
- What could be done to improve the system?
- Mapping the delegation of duties within the Directorate of Foreigners and Migration.

DATA

You are the Ministry responsible for keeping data records on regular and irregular migration.

- What kind of data (or estimates) do you have regarding irregular migration (e.g. police records of arrests etc.?)
- What kind of data do you collect regarding regular migration? (yearly data broken down by gender, age, ethnicity)
- statistical yearly data on applications for residence permits, rejected applications and issued/renewed permits
- How do you explain the gradual decrease of residence permits from 2003 to 2006?
- How do you deal with the problem of permits that are being processed but have not been delivered to the applicants for several months?
- Data on the Special Identity Cards for Co Ethnic (omogeneis) – who has been dealing with them and how many have there been issued?

NATURALISATION

- How is the naturalisation of the ethnic Greeks from Albania (Boreioi-pirotas) progressing? How many applications have been submitted and how many have been processed up to now?
- Are there any provisions (or plans for related policies) regarding children born in Greece of foreign parents, children who arrived in Greece in pre-school age and studied at Greek schools for several years, or children who indeed have done their entire compulsory schooling in Greece?

- Are you aware of the question of the Municipal Register and the impossibility of immigrants to obtain it [Merida Dimotologiou]? How do you plan to address that?
- How do you assess the overall policy of naturalisation in Greece? How do you consider the fact that Greece has one amongst the stringiest set of requirements for a foreigner to naturalise? An indicative example is that there is no provision for facilitating the naturalisation of the spouses of Greek citizens.

Ministry of Mercantile Marine, Department of Security

1. What is your role in the control of the Greek sea borders? What are the main modalities through which you operate?
2. What are the main pathways/routes of irregular migration? What are the main points of entry along the sea borders?
3. Is the current sea border control policy satisfactory for dealing with the incoming irregular migration flows? (ask for data)
4. What are the major challenges that the sea patrol forces face? Are your human resources, equipment sufficient to deal with these challenges (ask for data)?
5. How do they deal with them?
6. Has there been a significant increase/decrease in arrivals and/or arrests during the last few years? Is this related with the volume of arrivals or with other factors (enforcement efforts)?
7. Data for apprehensions broken down by gender, age, ethnicity, religion, means of transport they were smuggled with, final destination (from 2000 up to date).
8. What could be improved in the management of the sea borders of Greece? Do you think enforcement efforts should be intensified? How are the migration control authorities related to the foreign affairs ministry and to the greek-turkish relations
9. Smugglers and relevant fines. Do these penalties have any effect? Would they, if they were higher;
10. Who runs the reception centres for aliens arriving illegally in Greece on the islands?
11. What happens to the irregular migrants after they arrive at the reception centres [check whose responsibility the reception centres are and amend accordingly]. After how long are released those whose identity is not found and those who are not smugglers (2 weeks and get a deportation order and go where they want?).
12. division of tasks between portal authorities, regular police
13. Is the return policy agreement between Greece and Turkey implemented?
14. How do you see your role/work in the overall migration policy/control?

Greek Ombudsman

- What are the main issues for which a) the citizens of new EU Member-States (Poland, Romania, Bulgaria) and b) migrants of non EU countries, ask for your intervention?
 - Is there a database in which individual cases are recorded (broken down by issue/claim, ethnicity)? How often is it updated?
 - How often do migrants ask for your intervention? How many over a period of 6 months/ one year? Is there a distinction on the database between the cases that are examined and the ones that are not?
- Which are the institutions (IKA, OAED) with whom you are mostly in contact for the migrants' cases? With which institutions do you face the most problems in your collaboration?
- Which categories do you enlist the actions taken to?
- How do you make your presence known to the migrants? (press, bulletins, migrant press, contacts with migrant associations)