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The European Migration Network (EMN) was launched in 2003, first as a preparatory action of the European Commission, with a view to provide the European Commission and the Member States with objective, reliable, comparable, informed and updated data on migration and asylum, to support policy-making in the European Union and in extension the national policies in these areas. Subsequently, the Council of the EU, in 2008, with the No. 381/2008/EC Decision established the EMN, as a permanent structure, which operates under the European Commission with the participation of member in order to achieve these objectives.

More information about the EMN and its work can be found on the website

<http://emn.intrasoft-intl.com/html/index.html>

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**ACRONYMS**

AN.EL. (ΑΝ.ΕΛ.):	Independent Greeks
DI.MAR (ΔΗΜ.ΑΡ.):	Democratic Left
EMN:	European Migration Network
E.U.:	European Union
EL.AS. (ΕΛ.ΑΣ.):	Hellenic Police Force
EL.STAT:	Hellenic Statistical Authority
ΚΕΡΥ (ΚΕΡΥ):	First Reception Center
HCDPC (ΚΕΕΛΠΝΟ):	Hellenic Center for Disease Control and Prevention
ΚΕΡ:	Citizens Facilitation Center
ΚΚΕ :	Communist Party of Greece
ΝΔ:	New Democracy
PASOK:	Pan-Hellenic Socialist Movement
PD:	Presidential Decree
SEM:	Migrants Integration Council
SYRIZA-EKM:	Coalition of Radical Left-Uniting Social Front
UN:	United Nations
GG:	Governmental Gazette
LAOS:	Popular Orthodox Rally
XA:	Golden Dawn
EASO:	European Asylum Support Office
Frontex:	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

## Executive Summary

Migration and asylum issues, and, consequently, the content, the goals and the effectiveness of the migration and asylum policy in Greece have remained high on the political agenda, either in the public discourse or in the political debates during the whole year of reference. Either as a priority goal in the pre-election program of the political parties in view of the two general elections held on the 6<sup>th</sup> of May and the 17<sup>th</sup> of June or as a priority in the governmental program, asylum and migration policy issues have been used by all political parties for illustrating different political stances and attracting voters. While struggling to manage the impact of the - unprecedented in the post-junta period - fiscal, economic, financial, and social crisis, the Greek state and society are also being tested by daily incidents of extreme anti-migration rhetoric and aggressive behaviour of the members of the parliamentary now, populist-nationalist movement of Golden Dawn. In this national context, under the pressure of the European partners and the international and European commitments the responsible state actors have had during 2012 to shape and implement a balanced and fair for all stakeholders migration and asylum policy.

In the field of managing legal migration, the respective policy took the form of set-up and operation of the first “One-Stop-Shop” agencies within the Decentralised Administrations of the country, with the aim to simplify and accelerate procedures of obtaining or renewing residence permits. Their operation though has not yet redressed the case of third country nationals receiving residence permits with expired dates. Furthermore, the procedure for inviting foreign workers has been simplified due to the limitation of bureaucracy involved and cost-reduction for the applying employer. By virtue of the transposed Directive 2009/50/EC via Law 4071/2012 employers have been given the opportunity to attract, through friendly and fast procedures, highly skilled third country nationals as workers. The positive developments regarding legal migration have been downplayed due to the focus of the Media and the public discourse on the disclosure of the Decision to-be-taken by the Plenary Session of the Council of the State on the anti-constitutionality of certain provisions of L. 3838/2010 and the concomitant actions of the government on the issue at stake. The particular provisions concerned the right to access citizenship under certain conditions for the children born in Greece by foreigners legally residing in the country for at least five years and those having concluded six-year attendance in Greek schools, as well as the right of legal migrants to elect and to be elected as representatives at the institutions of first-tier local administration.

In the policy field of combating irregular migration, which has been related to issues of Greek citizens’ security, the priorities set by the Government of “National Responsibility” (formed by the parties of New Democracy - ND, Panhellenic Socialist Movement – PASOK and Democratic Left - DIMAR) were strictly followed. As a result, the so called “Xenios Zeus” operations for the arrest of irregular migrants in Athens and other urban areas and the prevention of third country nationals’ illegal entries at the borders (starting from the

Greek-Turkish land borders) were established as a permanent measure. The operations are considered as successful by the Greek government and the responsible Minister of Public Order and Citizen's Protection, based on the observed significant change in the urban landscape of the center of Athens and a spectacular decrease of the number of illegally entering third country nationals at the borders. The construction of the artificial obstacle (fence) in Evros has contributed to the latter. Furthermore, detention centers/centers of temporary or closed accommodation/pre-departure centers in old military camps or facilities of the Hellenic Police Force operated. These centers accommodate aliens arrested during the operations 'Xenios Zeus' until they are deported. In addition, construction works of a First Reception Center at the borders (region of Evros) for the third-country nationals attempting to enter Greece without authorization began in 2012. Measures concerning healthcare and nursing of illegally residing third country nationals, as well as sanctions against employers of illegally staying third country nationals, were also adopted through Ministerial Decisions and L. 4052/2012 transposing Directive 2009/52/EC, respectively.

With regard to the particular policy area of the fight against human trafficking, including sex trafficking and trafficking for forced labor, there was no significant legislative development for the issue per se, with the exception of the abovementioned transposition, by Law 4052/2012, of Directive 2009/52/EC on the sanctions against employers of illegally residing third country nationals. Still, it is remarkable that involved state and non-state actors are particularly active in undertaking actions (such as sport and artistic events) for raising awareness on the issue at stake. The launch of the '1109-Human trafficking resource Line' (3<sup>rd</sup> April 2012) for victims of human trafficking by the international NGO A21 is also notable. At the operational level, the responsible unit of the Hellenic Police Force cooperated with the counterpart law enforcement authorities of other states for the education and training of its officials and the dismantlement of human trafficking networks and rings of organized crime in the form of joint operations. Coordination of co-responsible state actors, their cooperation with non-state actors and the extroversion of relevant actions constituted the task of the informal National Rapporteur/Coordinator for the fight against human trafficking at the Ministry of Foreign Affairs.

In respect to the visa policy, with the consent of the European Commission, a four-months pilot programme was implemented, encouraging few days tourist arrivals from Turkey with the issuance of the visas required at the entry points of the country on the islands of Rhodes, Kos, Samos, Chios, Mytilene. In total, during 2012, the Hellenic Ministry of Foreign Affairs fostered Visas' Centers in certain third countries with the cooperation of external providers, so as to respond fast -in 48 hours- to the increased demand resulting from respective entry applications. Greece implements VIS at the countries where the EU has set it in operation.

As regards policy of external borders management and the implementation of Schengen acquis, the Greek government has revised the existing National Action Plan 'Greece-Schengen' aiming at the further enhancing coordination of



co-responsible state agencies for the management of the borders, at improving allocation of personnel and assets and at the upgrading of facilities. Under the shadow of the former French President's, N. Sarkozy, pre-elections statement about re-establishing intra-EU border controls in case a Schengen area member state is unable to control illegal immigration at its external border, a peer-to-peer visit of experts has taken place in Greece in order to identify fields where technical assistance of other member states implementing Schengen acquis is needed. Furthermore a National Coordination Center for the Surveillance and Control of Borders has been established in order to strengthen external borders' control.

In the effort to effectively surveil external borders, FRONTEX's active presence has been of crucial importance. Greece has signed a Memorandum of Cooperation with FRONTEX by virtue of which it aims to enhance further the surveillance of the Greek borders and to extend edge-cutting surveillance systems along the Greek-turkish borders. Moreover, FRONTEX joint operations POSEIDON 2012-Land, POSEIDON 2012-Sea, FOCAL POINTS 2012-Land and FOCAL POINTS-Air have also taken place.

Return of illegally staying and entering third country nationals is governed by article 14 to 41 of Law 3907/2011 on the *'Establishment of an Asylum Service and a First Reception Service, adjustment of Greek legislation to the provisions of Directive 2008/115/EC 'on the common rules and procedures in the member states for the return of illegally staying third country nationals' and other provisions'*. During the reference year, an increase of both voluntary and forced returns has been noted. The increased number of voluntary returns can be attributed to the involvement of IOM-Mission in Greece and to the emphasis given by the responsible authorities as regards the provision of information for third country nationals on the voluntary returns programmes. There has also been some progress regarding bilateral readmission agreements, while the signing of the EU-Turkey readmission agreement in June 2012 was very important for Greece.

Regarding the situation of asylum-seekers and the provisions of Dublin II Regulation, it is a commonplace that Greece faces greater pressure compared to the rest of the EU member states at its external borders, while the country's relevant facilities and resources are inadequate to confront the disproportionately high mixed flows of third country nationals arriving at its borders. During 2012, in implementation of L. 3907/2011 (which aims, inter alia, to the reform of the Greek asylum system and its harmonisation with the Common European Asylum System), two Presidential Degrees were adopted for regulating issues of organization and functioning of the First Reception Service and the Asylum Service of the Ministry of Public Order and Citizen's Protection (P.D. 102/2012 and P.D. 104/2012 respectively). In addition to this, programs for upgrading the facilities and the reception conditions for asylum seekers have been implemented, with the co-funding of the European Refugee Fund.

Close cooperation with EASO for the implementation of the Operational Plan for Greece continued in 2012. This cooperation had commenced in February 2011 in response to the Greek request for urgent support, so as to face the

challenges arisen due to increased pressures at the borders of the country. In respect to the protection of unaccompanied minors and vulnerable groups in particular, the main issue at stake during the reference year has been the absence of First Reception Centers in accordance with Law 3907/2011 and the partial implementation of the structures provided for in this Law. The EU Commissioner for Home Affairs, Cecilia Malmström, as well as the UN Special Rapporteur on migrants' rights, François Crépeau, visited detention centers in Northern Greece and stressed the need (a) to upgrade conditions in detention and reception centers so as to guarantee respect of fundamental human rights, (b) to redress the alarming rate of collecting and processing asylum applications, and (c) the low absorption rate of funding disbursed to Greece via the relevant Funds, despite the absence of appropriate detention and reception centers and the inadequacy of the existing ones.

Migration remittances manifested a fall when compared with previous years, while Greece participated in the annual meeting of the Global Forum for Migration and Development in Mauritius (November 2012). As regards Greek diaspora, on 11<sup>th</sup> December 2012 the draft Law on the Organization of the World Council of Hellenes Abroad (SAE) opened to public consultation. In the draft law emphasis was given on the adaptation of its institutional framework to current needs, the self-organization and the self-financing of the institution and in facilitating all Greeks from all over the world to participate if they wish to.

In a nutshell, in Greece, where, according to the last census in 2011, it is estimated that 911.929 foreigners (EU and third country citizens) reside permanently, few developments took place during 2012 concerning legal migration, with the exception of certain changes aiming at the simplification and acceleration of procedures regarding residence permits. Policy interest has been focused on institutionalization and implementation of a substantial, continuous and tangible fight against illegal migration, while certain developments in the area of the flanking visa policy and external border management policy confirm the latter. Despite relevant efforts, developments in the asylum policy field have been slow.

## 1. INTRODUCTION

EMN NCPs are required every year to provide the EMN with an Annual Policy Report according to article 9(1) of Council Decision 2008/381/EC. EMN Annual Policy Report 2012 covers the period starting 1<sup>st</sup> January 2012 till 31<sup>st</sup> December 2012 and is the ninth in a series of such reports. Criterion for the structure and the content of the Report is the prospect of its contribution to the Commission' s Annual Report on Immigration and Asylum, which may be presented in the Council, as well as EASO's Annual Report. Furthermore, this Report purports to become at a national level a reference text on an annual basis for the policy-making actors at all governance levels, for agents having undertaken relevant research programmes, for the Media, the private sector, and last but not least each person interested in migration and asylum issues.

In order to write this Report, respective common study specifications by EMN have been followed. It is noteworthy that the specifications for 2012 rather than resulting from member states commitments as set out in the European Pact on Immigration and Asylum and the Stockholm Programme, they reflect the recently proclaimed EU policy priorities in the field. These priorities are set out in the following policy documents:

- i. Global Approach to Migration and Mobility <sup>1</sup>.
- ii. EU Action on Migratory Pressures-A Strategic Response<sup>2</sup>.
- iii. EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)<sup>3</sup>.
- iv. European Agenda for the Integration of Third Country Nationals<sup>4</sup>.

The Annual Policy Report 2012 includes an overview at national and European level of the *most significant* political and legislative developments and public discussions regarding migration and asylum. A development/public discussion is considered to be *significant* when it concerns an event that has been discussed in the national parliament or has been widely reported in the media. In selecting the significant developments/debates, the type of media and the duration of the respective discussion may also have a determinant role. Similarly if developments or debates led to a proposal amending current legislation or introducing new legislation, then they would also be considered as significant.

In addition to the above, given the fiscal situation in Greece and the concomitant political developments in general and especially with regard to migration and asylum issues, the authors have resolved to include in the Report accounts on political formations that have moved the discussion on migration towards the one end of the political/ideological spectrum, as well as accounts on events, whose dynamic course during 2012 has shown their future

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1 [http://ec.europa.eu/home-affairs/news/intro/docs/1\\_EN\\_ACT\\_part1\\_v11.pdf](http://ec.europa.eu/home-affairs/news/intro/docs/1_EN_ACT_part1_v11.pdf)

2 8714/1/12 REV 1

3 <http://ec.europa.eu/anti-trafficking/>

4 COM(2011)455 final

potential. Details on methodology are extensively cited in the relevant Annex.

### **1.1 Structure of Asylum and Migration Policy<sup>5</sup>.**

In the recent history of migration into Greece, institutions involved in respective policy-making and policy implementation experience a constant reshuffling and an inherent restructure process, as national and community policy priorities are being specified, with a particular impact on the extent of their decision-making ambit. These changes may be attributed to the volatility of migratory reality, to the emergence of new institutions as a response to new demands in the context of implementing national, European or international commitments.

In this context the main (focal) state and non state institutions and actors involved in migration and asylum policy-making and its realization are<sup>6</sup>:

- *Ministry of Foreign Affairs*, responsible for short-term residence visas (Schengen) and long-term residence visas (national), as well as the transit visas, the conclusion of relevant international and bilateral agreements/treaties, the informal coordination of ministries involved in the policy against trafficking in human beings.
- *Ministry of Interior*, responsible for the migration policy and the social integration of third country nationals via the Secretariat General for Population and Social Cohesion; for defining the legislative framework and the procedures regarding the issuance of specific categories of residence permits and for granting citizenship. It is also responsible for allocating the funds received from the European Fund for the Integration of Third Country Nationals.
- *Ministry of Labour, Social Security and Welfare*, responsible for determining the maximum number of third country to enter Greece for work purposes annually and for monitoring the implementation of Labor Law (through the Body of Labor Inspectors). By virtue of L. 4052/2012, since 1<sup>st</sup> July 2012, the Ministry is also responsible, via the transferred Secretariat General for Welfare and the National Center for Social Solidarity (EKKA), for the accommodation of asylum seekers, including centers for the accommodation of unaccompanied minors, and the European Refugee Fund.
- *Ministry of Health*, responsible for medical and nursing healthcare for the underprivileged (feeble) and the non-insured persons, including specific cases of irregular migrants via first level healthcare units.
- *Ministry of Justice, Transparency and Human Rights* responsible for the legislative framework against trafficking in human beings, for the legal persecution of traffickers and smugglers; for legally tackling racist

<sup>5</sup> <http://emn.intrasoft-intl.com/Downloads/prepareShowFiles.do?entryTitle=0.%20Institutional%20Charts%20on%20Asylum%20and%20Migration>).

<sup>6</sup> Ministries are quoted following the order of Ministries as established by virtue of the Y4/21.6.2012 Decision of the Prime Minister (GG B' 2027/2012).

behaviors; for the supervision of unaccompanied minors via respective Prosecutors.

- *Ministry of Public Order and Citizen's Protection*, responsible for border control and the coordination of involved state authorities; combat against irregular migration (entry and residence) and human trafficking and smuggling of illegal migrants; returns and deportations; the National Coordinating Center for the Surveillance and Control of Borders; unaccompanied minors; fight against racist violence; asylum procedures and reception conditions (recently established Asylum Service, First Reception Service and Appeals' Authority). It is also the national responsible authority for allocating the funding coming from the External Borders Fund and the European Return Fund, through the Agency for Managing European and Development Projects. (L. 3938/2011).
- *Ministry for Maritime Affairs and Aegean (Hellenic Coastguard)* responsible for the fight against irregular migration by sea and for the cooperation with FRONTEX during the respective operations through the National Sea Border Center.
- *Interministerial Committee for Monitoring Migration Policy* (art. 3, L. 3386/2005), convened twice per year, working on migration issues, setting out guidelines and proposing institutional and technical measures.
- *Decentralized Administrations*, responsible for checking the submitted documents, deciding on the applications of third country nationals for residence permit and the issuance of the residence permit. *Municipalities* were responsible for receiving and forwarding the application for the residence permit and the delivery of the issued residence permit to the third country nationals; however these competences have been undertaken by the Decentralised Administrations and, in particular, by the 'one-stop-shop' services which gradually established within these administrations, throughout the country.
- *The Ombudsman and, in particular, the Ombudsman for the Migrant, the Refugee and the Ethnic Greek* (operating under the Ombudsman's Cycle for Human Rights), as the institutional actor for the protection of migrants', refugees' and ethnic Greeks' rights, is charged with investigating individual cases, as well as identifying structural problems related to foreigners' legal status in Greece and submitting relevant annual reports to the Hellenic Parliament.
- *The International Organization for Migration*, implements voluntary return programmes for third country nationals illegally staying in Greece, co-funded by the EU and the Ministry of Public Order and Citizen Protection.
- *The National Committee for Human Rights*, a consultative institution of the State on human rights issues, addresses recommendations to authorities responsible for migration and asylum.
- *The UN High Commissioner for Refugees (Office in Greece)*, which cooperates with competent authorities, NGOs and other agents for the protection of refugees in Greece and is involved in various stages of the

asylum procedure.

- *The Greek Council for Refugees, which focuses on the support of refugees and asylum seekers in Greece by means of various psychological, social, legal services, aiming at their smooth integration in Greece.*

Regarding the legislative framework within which the aforementioned institutions and actors operate and interact, the Basic Law on migration issues is L. 3386/2005, as amended and set in force, and, depending on the issue at stake, specific legislative acts (Laws, Presidential Decrees, Decisions), which are discussed in detail in the respective thematic sections of the Report.

As regards changes in the structure of central public administration in 2012, the following have taken place:

- a) establishment of Departments and Offices for tackling racist violence (P.D. 132/2012 "Establishment of Departments and Offices for tackling racist violence-Amendment of provisions in P.D. 14/2001", GG A' 239/11-12-2012).
- b) re-establishment of the Ministry for Maritime Affairs and transfer of the Hellenic Coastguard from the Ministry of Public Order & Citizen's Protection under this Ministry, along with renaming the said Ministry into Ministry for Maritime Affairs and the Aegean (P.D. 85/2012, GG A' 141/2012 and P.D. 94/2012, GG A' 149/2012, respectively).
- c) renaming the Ministry of Citizen's Protection to Ministry of Public Order and Citizen's Protection (P.D. 85/2012, GG A' 141/2012).
- d) establishment of the National Coordinating Center for the Surveillance and the Control of Borders (*Ε.Σ.Κ.Ε.Ε.Σ.*), as an autonomous Agency, directly liable to the Minister of Public Order and Citizen's Protection. Its mandate comprises coordination of Greek authorities taking part in external border control; cooperation with EU institutions, third countries, international organizations; supervising implementation of EU and national measures on managing the external borders of Greece (article 27 L. 4058/2012, GG A' 63/2012).
- e) transfer to the Ministry of Labor, Social Security and Welfare. (ar.9 of L.4052/2012, GG A' 41/2012) of the General Secretariat of Social Welfare and of its supervised entities, and among others the National Center for Social Solidarity (EKKA)

## **2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS**

### **2.1 Political developments**

The impact of the deep fiscal crisis and the concomitant crises in the financial, economic and social ambit were tangible already the first months of 2012. The government that emerged late 2011 on the basis of the participating political parties' consensus (PASOK, ND, LAOS), headed by Loukas Papademos, former Vice President of the European Central Bank, pursued the Prime Minister's proclaimed goals, so as to conclude its content and time-specific mandate. Respective policy priorities comprised *inter alia* confirming compliance with

Greece's commitments arisen from the European Summit on 26<sup>th</sup> October 2011; drafting and ratification of the new loan agreement by the Hellenic Parliament; voting for the State Budget 2012 as part of the Midterm Framework of Fiscal Strategy; the official PSI announcement and the bond swap<sup>7</sup>. Realization of the prior actions opened finally the way to the elections of 6<sup>th</sup> May 2012.

The election outcome did not give outright majority to any political party; the procedure for forming a coalition government proved fruitless. In turn, the meeting of political leaders under the President of Democracy, in the absence of the party of Golden Dawn (Chryssi Aygi)), ended with the decision to appoint a transitional (*ypiresiaki*) government, headed by Panayiotis Pikramenos, President of the Council of State (*Symvoulío Epikratias*) with the mandate to conduct fresh elections on 17<sup>th</sup> June 2012.

The emerging result of June's elections also manifested the need to form a coalition government<sup>8</sup>. Indeed, the so-called 'Government of National Responsibility' was formed. Antonis Samaras, President of ND, was appointed as Prime Minister. PASOK and DIMAR support the government, without having appointed their active MPs as members of the government. The election percentages of the governmental parties are ND: 29,7%/129 seats, PASOK: 12,3%/33 seats, DIMAR: 6,2% /17 seats. The political leaders of the three parties have reached an agreement on the broad guidelines and the issues of immediate political priority. A special section is included in these priorities on the irregular migration and security issues, esp. on the control of borders, the mandate of FRONTEX, the amendment of *Dublin II* provisions and the return policy, the centers accommodating irregular migrants, accelerating the examination of asylum applications, adjustment of the institutional framework regarding naturalization, taking into consideration current developments and legislative frameworks in other European countries (European South) facing the same challenge, and the citizen's protection<sup>9</sup>.

During the announcement of the government's program, the Prime Minister referred to the relevant sections of the programmatic convergence as follows:

'There are two important chapters in the programmatic convergence of our government: The first concerns criminality which is today in upsurge. Citizen's protection and confrontation of irregular migration. I shall not repeat those quoted [in the text] in detail. I shall add though that parliamentary dialogue among all parties will start right away, so as to induce a change of the legal framework for granting citizenship. And along the whole legal framework of the Migration policy. The announcement of the programmatic convergence reads word-for-word that this shall be realized "in conjunction with current developments and in cross-reference to those implemented in European countries facing

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7 <http://www.primeminister.gov.gr/2011/11/14/7029H>

8 The political parties that entered Parliament were: ND, SYRIZA-EKM, PASOK, ANEL, XA, DIMAR, KKE, while LAOS, which participated in the short-term government under L. Papademos, did not make it.

9 <http://www.fimes.gr/2012/06/keimeno-symfonias-politikoi-arxigoi/>

similar challenges, namely counties of the European South"....'.<sup>10</sup>

SYRIZA-EKM (26,3%/71 seats), a coalition of leftist parties and organizations (components- *synistoses*), all characterized by an "anti-memorandum" rhetoric<sup>11</sup> is the main opposition party. For the issue of migration and asylum policy, the chairman of SYRIZA-EKM, A. Tsipras quoted in his pre-election speech the following points of SYRIZA-EKM's updated programme (01.06.2012):

' It is an essential condition to undertake international initiatives so as to confront the causes of population movements. Negotiating a new European Migration Policy Framework, with commensurate and fair burden-sharing among the member-states and by asserting a substantial and effective European support for the national policy. By issuing gradually travel documents for the great bulk of migrants wishing to leave the Greek territory. By rationalizing the legal and institutional framework for the amnesty of migrants living and working in our country and their fair integration. By effectively dismantling networks of modern slavery- trafficking of women, children, men, persons with special needs; networks that commercialize migrants and refugees.»<sup>12</sup>

The newly founded, also against the memorandum, party "Independent Greeks" (*Anexartitoi Ellines-AN.EL.*), which received a percentage of 7,5%/20 seats, has proposed in its Program the set up of a New Migration policy on the axes of fundamental reform of the Citizenship Code, aiming at making its provisions more stringent (exclusionary); recording and managing resident migration population; strengthening the policing and guarding of borders; establishing infrastructure and taking actions for reversing the flow of irregular migration. Respective actions are also reported.<sup>13</sup> KKE (Communist party) obtained a percentage of 4,5%/12 seats. On its behalf there was no particular focus on the issue at stake during the reference period, besides its constant viewpoints on the matter. The recommendations constituting "the context of requests for the immediate relief of old and new migrants, with emphasis to granting travel documents to hundred thousands refugees and migrants trapped in Greece" that KKE has elaborated, are cited below:

10 <http://www.primeminister.gov.gr/2012/07/06/9541>

11 The terms 'pro-memorandum' or 'anti-memorandum' are used in public discourse to denote the stance of the political parties, parliamentarians etc regarding the policy and the measures that the Greek Government is obliged to adopt as a result of the terms and the conditions agreed so that the loan of 80.000.000.000 euros is granted to Greece ('Loan Facility Agreement' between Greece and the eurozone countries (May 2010) and 'Stand-by Agreement' between Greece and the IMF, as amended and supplemented). These measures depending on a periodical assessment of their effectiveness have been redefined during the following years. See respectively L. 3845/2010 (GG A' 65/2010), L. 3899/2010 (GG A' 212/2010) and non exhaustively in 2012 L. 4046/2012 (GG A' 28/2012) and L.4093/2012 (GG A' 222/2012).

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<http://leftgr.files.wordpress.com/2012/06/ceb5cf80ceb9cebaceb1ceb9cf81cebfcf80cebfceb9ceb7cebcbce5cebdcfbf-cf80cf81cebfceb3cf81ceb1cebccebcceb1-cf83cf85cf81ceb9ceb6ceb1-votanikos-1.pdf>. For the Program of SYN, the main component of SYRIZA-EKM, see Goal 10 in <http://www.syn.gr/programma/programma.htm>

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<http://anexartitoiellines.gr/files/ANEΞΑΡΤΗΤΟΙ%20ΕΛΛΗΝΕΣ%20Πρόγραμμα%20Διαβούλευση%20B.pdf>



- “- Establish human and decent open and public temporary reception and accommodation areas for migrants-refugees and not concentration camps. There would be provision for healthcare, free feeding and accommodation, translation, legal aid. Special care from state actors for minors refugees and migrants, mothers and children, human trafficking victims.
- Granting the status of refugee or temporary humanitarian protection to refugees and those coming from countries undergoing imperialist regimes or civil wars.
- Grant travel documents to those wishing to go to another EU member state; non-compliance with Schengen and Dublin II regulation.
- Legalize migrants living and working in Greece and grant full labor, social and democratic rights.
- Stop new containment measures against migrants at the borders and assign partly border control to EU mechanisms (Frontex, EUROSUR).»<sup>14</sup>

A noteworthy development for the political landscape, especially with respect to the migration and asylum policy issues, has been the election of the extreme right party of Golden Dawn (Chryssi Avgi) (6,9%/18 seats) in the Hellenic Parliament at both elections, with a minor variation in its percentage. According to its statute, Golden Dawn is a populist, ideological, nationalist movement, that does not adopt the views either of liberalism or marxism, irrespective new or old. Dominant feature is the idea of the Nation and the Race<sup>15</sup>. Golden Dawn emerged in the 1980s and in 1994 took part for the first time in the elections for the European Parliament. Its appeal was apparent already at the elections at municipal level in 2010. Its viewpoints on migration and asylum policy are very specific<sup>16</sup>. Inherent is the distinction between Greek citizens and third country nationals legally residing in Greece and 'illegal migrants- intruders'. According to the Golden Dawn, the latter distort the national identity, dissolve social structure and should be arrested and deported. In general, the Golden Dawn, besides the rhetoric against the Memorandum and the aggressive attitude of its members, is also characterized by its extreme rhetoric and attitude in migration and asylum policy issues<sup>17</sup>. A sample of the latter may be found in the content of relevant parliamentary control (e.g. scrutiny on the cost of covering socio-psychological needs of migrants in detention centers), arbitrary actions of its members regarding education in public schools and combating illegal trade, public warning statements addressed to political

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14 All the views of the KKE are set out in detail in the newspaper *Rizospastis*, 26.04.2012, expressed by Lina Krokides, responsible of KKE' section for Democratic Liberties, Justice and Migrants Rights (<http://www.rizospastis.gr/story.do?id=6819820>)

15 <http://www.xryshaygh.com/assets/files/ideologia.pdf>

16 <http://www.xryshaygh.com/assets/files/politikes-theseis.pdf>

17 E. Zaroulia, wife of the founder of Golden Dawn, also elected MP, while speaking in the Hellenic Parliament, called the illegal migrants "subhumans bearing all kinds of diseases". See the Minutes of Hellenic Parliament's Plenary Session NA', Thursday, 18<sup>th</sup> October 2012.

opponents and migrants<sup>18</sup>.

With regard to the main structure of public administration, Ministers appointed at the Ministries charged with migration policy-making and implementation were members of the Parliamentary Group of "New Democracy". At the legislative level, law 3386/2005 (GG A' 212/2006), as amended and in force, remains the fundamental law for regulating migration policy issues, whereas the main responsibility for the respective legislative framework lies with the Ministry of Interior. Regarding the implementation of the Schengen institutional framework and the relevant EU acquis responsible is the Ministry of Public Order and Citizen's Protection (as renamed according to the PD 85/2012. GG A' 141/2012' "Establishment and renaming of Ministries, transfer and abolition of services"), via the Hellenic Police. The Hellenic Coastguard has been transferred to the restored Ministry of Maritime Affairs and Aegean.

During the first months of 2012 changes have taken place regarding the Directors in charge of the Asylum Service and the First Reception Service, established by L. 3907/2011, with the appointment of lawyers/legal experts with relevant expertise and work. The Asylum Service is the first self-standing structure in the country for examining asylum applications and in general for cases of international protection. The First Reception Service is responsible for the reception of third country nationals arrested due to illegal entry in Greece and their accommodation in conditions that guarantee respect to human dignity and migrants' rights according to Greece's international commitments. Both Services are self-standing, directly accountable to the Minister of Public Order and Citizen's Protection. Each of them has a Director (Special Secretary status) in charge, appointed by the Minister after public invitation, for a three-year tenure.

Last but not least it should be noted that in 2012 the legislative instrument of the "Act of Legal Content" was used to regulate migration and asylum related issues on the basis of article 44, par. 1 of the Constitution<sup>19</sup>.

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18 <http://tvxs.gr/news/ellada/seira-pairnoyn-ta-nipia-sto-stoxastro-tis-xrysis-aygis>, <http://www.tovima.gr/society/article/?aid=483139>, <http://tvxs.gr/news/ellada/epithesi-xrysayqiton-enantion-mikropoliton-metanaston-sto-panigyri-tis-rafinas>, <http://www.alfavita.gr/arthra/%CF%81%CE%B1%CF%84%CF%83%CE%B9%CF%83%CF%84%CE%B9%CE%BA%CE%AE-%CE%B5%CF%80%CE%AF%CE%B8%CE%B5%CF%83%CE%B7-%CE%B1%CF%80%CF%8C-%CF%84%CE%B7-%CF%87%CF%81%CF%85%CF%83%CE%AE-%CE%B1%CF%85%CE%B3%CE%AE-%CF%83%CE%B5-%CE%BD%CE%BF%CF%83%CE%BF%CE%BA%CE%BF%CE%BC%CE%B5%CE%AF%CE%BF>, [http://www.enikos.gr/politics/105413,Kontra\\_SYRIZA-Xryshs\\_Aygis.html](http://www.enikos.gr/politics/105413,Kontra_SYRIZA-Xryshs_Aygis.html), <http://directnews.gr/greece/17614-mesologgi-xrush-augh-kai-k-mparmparoushs-phgan-laikh-vinteo-foto.html>.

19 "Under extraordinary circumstances of an urgent and unforeseeable need, the President of the Republic may, upon the proposal of the Cabinet, issue acts of legislative content. Such acts shall be submitted to Parliament for ratification, as specified in the provisions of article 72 paragraph 1, within forty days of their issuance or within forty days from the convocation of a parliamentary session. Should such acts not be submitted to Parliament within the above time-limits or if they should not be ratified by Parliament within three months of their submission, they will henceforth cease to be in force." *The Constitution of Greece*, Part three, Section II, Chapter two, art. 44, par. 1. Regarding the issue at stake, L. 4048/2012 (GG A 190) ratifies the Act of Legislative Content dated 20.3.2012 on the "Regulation of issues of agreements-conventions regarding Centers for First Reception and Facilities for the Detention of illegally residing in the country aliens and module for guarding them".

## 2.2 Overall developments in asylum and migration

As can be seen from the abovementioned parliament parties' positions, as well as by the Government's agreement on the broad directions and issues of political priority, immigration and asylum are established as a key policy area.

Although the population of foreign nationality (EU nationals and third countries nationals), of no nationality or of unspecified nationality is estimated by the Greek Statistical Authority to amount to 911,929 persons, based on the data collected during the general census of 2011<sup>20</sup> (which is actually smaller than it the number usually mentioned in public debates), the times when migration and asylum policy were dealt with occasionally by political parties have past. On the contrary, as proved after the successive parliamentary elections of 2012, migration and asylum policies were highlighted as policy areas affecting the electoral preferences and shaping the ideological direction of parties and voters. Therefore, both the relevant positions of political parties and the results of the elections of May 6, 2012 and June 17, 2012, reflect a trend of tightening of immigration and asylum policy, with the emphasis being given on border protection and control of illegal immigration.

Specifically, during the Papademos government in the early months of the reporting year, developments regarding migration and asylum were limited, mainly because of the intensity of the financial crisis. Regarding *legal migration* in particular, in 2012 the Greek government sought mainly to simplify and accelerate procedures for the acquisition and renewal of residence permits. To this effect, the one-stop services were created and became gradually operational within 2012. However, also in 2012 there have been cases of immigrants who received their residence permits when they had already expired. In parallel, the engagement of foreign workers, through the foreseen "invitation" procedure, was simplified by significantly reducing the bureaucracy involved, as well as the cost for the requesting employer. In order to facilitate the "invitation" procedure for the engagement of special categories of workers from third countries (seasonal workers / fishermen), the possibility of entry and residence upon national visa (Visa D) only, without the subsequent issuance of residence permit, was introduced. Moreover, the Directive 2009/50/EC constitutes, since 2012, national law (L. 4071/2012), thus enabling employers to attract highly skilled third country nationals through friendly and expeditious procedures.

One of the most important relevant developments was the leak of information on the decision of the plenary session of the Council of the State which held unconstitutional the provisions of Law 3838/2010 concerning, on the one hand, the right of naturalization, under certain conditions, of children born to legal migrant parents residing legally and permanently in the country for five consecutive years and children who have completed six years of schooling in Greek schools, and, on the other hand, the right for legal immigrants to elect

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20 No. GP-389/25-4-2013 document of EL.STAT. / President Office to the Director of EMMEDIA in response to a request for information.

and be elected to the elected bodies of first-tier local government. The subsequent relevant actions of the government monopolized the interest of the media and political discussions for a certain period of time.

In the context of strengthening tourism in the islands of the Eastern Aegean and with the assent of the European Commission, a pilot program to encourage short tourist arrivals from Turkey was applied for four months by accelerating the issue of necessary visas. In addition, the Greek Ministry of Foreign Affairs has been working towards all requests to enter the country to be processed quickly.

Under the Schengen governance, the Greek government revised the existing National Action Plan in order to achieve optimal management of external borders, better use of available personnel and equipment and infrastructure improvements. To enhance the surveillance of the External Borders of the country, the National Coordinating Centre for Border Surveillance & Control was established. The completion of the construction of a deterrent artificial barrier in Evros is also part of the measures to strengthen the prevention of illegal entry through the land border with Turkey. In the implementation of the national initiative "Operation Xenios Zeus", a large number of police officers were seconded in the same area in order to achieve better guarding of land borders. The result of their presence was to significantly reduce the illegal entries. In this effort, the assistance of Frontex was essential. Greece signed a memorandum of cooperation with the Agency through which it aims to further strengthen surveillance at Greek border and to expand modern surveillance systems all along the Greek-Turkish border.

The policy measures taken in the field of combating illegal immigration in 2012 were criticized and tension was created between the involved actors at all levels and in different extent at every case. The subject was followed and views and recommendations were expressed by officials from intergovernmental organizations (Council of Europe and UN) and representatives of the European Commission, the European Parliament and of FRONTEX. They focused on the operation "Xenios Zeus" and the detention centers, in combination with issues related to the establishment and operation of the First Reception Centers.

More specifically, reflecting the priorities of the new government to address illegal immigration (entry and residence)<sup>21</sup>, the Ministry of Public Order and Citizen Protection launched "Operation Xenios Zeus" on 2 and 3 August 2012, at the center of Athens and in Evros, as a permanent organized operation of three objectives: a) repelling illegal immigrants from Evros and sealing the borders, b) return of illegal immigrants to their home countries, starting from those detecting in the the center of Athens and then in the periphery of the country <sup>22</sup>, c) restoring the rule of law and protecting quality of life for

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<sup>21</sup> See reference in Section 2.1 of this Report.

<sup>22</sup> In public discourse reference was made to "recapture the cities," Interview of the Minister of Public Order and Citizen Protection Law Dendias in P / S Station Flash and journalist K. Parra, 2.9.2012 ([http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4337&Itemid=552](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4337&Itemid=552))

residents and visitors of Athens. This operation also aims to suppress any other relevant illegal activity, such as illegal trade, prostitution, drug trafficking and organized mendicancy<sup>23</sup>.

On 31.12.2012 a Press Release of the Hellenic Police was issued stating that, as far as the fight against illegal immigration is concerned, police checks in the Athens city center under Operation 'Xenios Zeus' resulted in the custody of 65,766 aliens and the arrest of 4,145 foreigners for not fulfilling the legal conditions of residence in the country. Also, an undeniable significant reduction in third country nationals' illegal entries after August 2012 was observed compared to both the relevant statistics of the previous months of the same year and the statistics of the respecting months in 2011, which the Hellenic Police attributed to operation 'Xenios Zeus'. It would be useful however to examine the developments at other border crossing points of the country during the same period of time.

On a political level, "Operation Xenios Zeus" was strongly criticized (20.08.2012) from the main Opposition Party (SYRIZA), which referred to "lasting pogroms"<sup>24</sup>. The statements of the President of DIM.AR., the left partner of the "National Responsibility" government, at the beginning of operations, are also worth noting<sup>25</sup>.

Moreover, during the reference year the increase in incidents of attacks against foreigners, including tourists of Asian or African origin, had international impact<sup>26</sup> and ultimately led to the signing of the PD 132/2012 "Establishment of Departments and Offices Against Racist Violence – Modification of provisions of PD 14/2001" (GG A 239/11-12-2012), as well as the launch of a special hotline for reporting incidents and complaints of racist violence ("11414"), which operates on a 24 hour basis and ensures anonymous and confidential communications.

Another important issue in 2012 regarding the fight against illegal immigration, which was directly related to the effectiveness of the Operation 'Xenios Zeus' at

<sup>23</sup> Press Release Headquarters Hellenic Police 04/08/2012.

<sup>24</sup> <http://www.syriza.gr/%CE%B4%CE%AE%CE%BB%CF%89%CF%83%CE%B7-%CE%B2%CE%BF%CF%85%CE%BB%CE%B5%CF%85%CF%84%CF%8E%CE%BD-%CF%84%CE%BF%CF%85-%CF%83%CF%85%CF%81%CE%B9%CE%B6%CE%B1-%CE%B5%CE%BA%CE%BC-%CE%B3%CE%B9%CE%B1-%CF%84%CE%B7/>

<sup>25</sup> <http://www.dimokratikiaristera.gr/epikairotita/synentefkseis/3663-synentefksi-tou-proedrou-tis-dimar-foti-kouveli-stin-efimerida-kathimerini-tis-kyriakis-kai-to-dimosiografo-konstantino-zoyla>. For the stance of DIMAR and PASOK see also Interview of the Minister of Public Order and Citizen Protection Mr. N. Dendias in the show of SKAI "First Line", 6.8.2012, ([http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4324&Itemid=551](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4324&Itemid=551))

<sup>26</sup> Examples include the Directive of the U.S. Embassy in Athens, US Embassy Athens Greece, Security Message for US citizens: Safety and Security in Greece, 16.11.2012 ([http://photos.state.gov/libraries/greece/38517/uscitizens/sec\\_message\\_greece.pdf](http://photos.state.gov/libraries/greece/38517/uscitizens/sec_message_greece.pdf)). Case reports recorded in parliamentary questions (question 1476/10-9-2012, sp 4468/28-11-2012) in specialized magazines (MigrationNewsheetJuly 2012, November 2012), and specific proposals to the competent authorities reflected in the report of RacistViolenceRecordingNetwork (October 2012) (<http://www.unhcr.gr/fileadmin/Greece/News/2012/pr/ConclusionsOctober2012EN.pdf>)

local level, refers to the detention centers, also called Temporary Reception Centers, Closed Reception Centers or Pre-departure centers, as well as the First Reception Centers.

The discussion on the establishment of detention centers in specific areas of the country took place initially in March 2012 in view of the upcoming EC's peers' evaluation visit (peer to peer evaluation) on the application of the Schengen acquis and in light of pre-election statements by N. Sarkozy regarding the suspension of the Schengen acquis in the case of States that can not supervise their borders<sup>27</sup>. The Attica Region was the first to react positively to the possibility of establishing a temporary reception center within its boundaries, while other regions remained hostile<sup>28</sup>. In addition, reactions to the conditions of detention, the areas assigned for constructing the centers, the procedures for the procurement for food supply and the overall expenditure, etc. have occurred by the local community, often with the active support of MPs.<sup>29-30</sup>

Detention centers and Special Facilities for Migrants in the regions of Rodopi and Evros were visited by the Commissioner for Home Affairs of the European Commission, Cecilia Malmstrom (8-9.10.2012)<sup>31</sup>, the UN Special Rapporteur on human rights, F. Crepeau (26.11-3.12.2012)<sup>32</sup> and representatives from Amnesty International (August 2012).

On 25-26.10.2012 the latest results of the implementation of the Action Plan on Asylum and Migration of Greece were presented to the Council of EU Ministers for Justice and Home Affairs<sup>33</sup>. According to the document entitled "Greece's National Action Plan on asylum reform and migration management", submitted to the Council by the Commission<sup>34</sup>, there have been positive developments, although a number of shortcomings remained. In addition, the Minister of Public Order and Citizen Protection updated a delegation of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament on developments in the field of illegal migration, asylum, fight

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27 <http://www.sueddeutsche.de/politik/wahlkampf-in-frankreich-opposition-attackiert-sarkozy-nach-schengen-drohungen-1.1306549>.

28 <http://www.tovima.gr/society/article/?aid=450616>

29 <http://tvxs.gr/news/topika-nea/se-polemo-i-korinthos-gia-kentro-kratisis>,  
<http://www.zougla.gr/greece/article/episodia-sto-paranesti-dramas-gia-to-kentro-kratisis-metanaston>

30 Examples drawn from parliamentary control and the following questions / topical questions / references .83/23-8-2012, quest.1179/30-8-2012, 1186/31-8-2012, quest.1180/30-8-2012, quest.2956/15-10-2012, 3847/9-11-2012, quest.4378/26-11-2012, quest.4343/26-11-2012.

31 [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4373&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4373&Itemid=555). For the agreement between the Commissioner and the Minister visit [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4374&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4374&Itemid=555).

32 <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12860&LangID=E>

33 [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4394&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4394&Itemid=555),  
[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/133241.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/133241.pdf)

34 Council of the European Union, doc. 15358/12/LIMITE/ASSIM 131/COMIX 595/23 October 2012, <http://www.statewatch.org/news/2012/oct/eu-com-greece-migration-15358-12.pdf>



against racist violence (01.11.2012).<sup>35</sup>

Significant developments took place in relation to the management of the immigrant population already residing illegally in the country.

In the field of their employment in Greece, the Directive 2009/92/EC on "enforcement of minimum standards on sanctions and measures against employers of illegally staying third-country nationals" was transferred into the Greek legislation, by Law 4052/2012 (GG 41 A 2012), in the form of a separate chapter of the law (Chapter XIII, articles 77-94). .

In the area of health, a Circular of the Minister of Health,<sup>36</sup> issued in May 2012, clarified that access to the healthcare and nursing care system will not be available for non-legally residing third country nationals, with clear exceptions for specific categories of patient cases and incidents. In particular, the circular does not apply to recognized refugees, asylum seekers, third country nationals under protection for humanitarian reasons and beneficiaries of subsidiary protection. In April 2012 by Decision of the same Minister the control of undocumented migrants and asylum seekers for infectious diseases was established. Law 4070/2012 (GG 82/2012) included amendments of the art. 13 of the PD 114/2010 and art. 76 of Law 3386/2005, which provide for the detention of illegal aliens who pose a risk to public health.

Concerning stricter anti-crime policy, according to an article published in a daily newspaper<sup>37</sup>, the General Secretariat of the Government announced, in September 2012, that following Prime Minister's directions, a draft regulation will be forwarded to the competent Ministry of Justice, Transparency and Human Rights, which will render illegal entry and / or stay in Greece an aggravating circumstance for offenses when sentencing. Amnesty International expressed its strong concern on this proposal, supporting that it establishes discrimination on the basis of the immigration status of the person<sup>38</sup>.

Regarding the performance of Greece in the area of returns in 2012, there has been an improvement in both voluntary and forced returns. In particular, according to Greek Police, 11,586 returns as part of forced return measures and 10,531 voluntary returns (of whom 6,324 were assisted voluntary returns through the IOM) took place in 2012.<sup>39</sup> Furthermore emphasis was given on informing migrants about voluntary return programs implemented by either the Hellenic Police or the International Organisation for Migration<sup>40</sup>.

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[http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4399&Itemid=559](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4399&Itemid=559)

36 The No. Y4a/oik. 45610/02-05-2012 the Ministry of Health on the implementation of the subject arith.139491/06 CMD (GG 1747/V/30.11.06).

37 [http://www.kathimerini.gr/4dcgi/\\_w\\_articles\\_kathremote\\_1\\_17/09/2012\\_461692](http://www.kathimerini.gr/4dcgi/_w_articles_kathremote_1_17/09/2012_461692)

38 [www.amnesty.org.gr](http://www.amnesty.org.gr) , Public Statement, 20.9.2012, see below for details

39 Reply to question n. 5853/2013 of MP Christos Pappas during Parliamentary scrutiny

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[http://www.yptp.gr/asylo.php?option=ozo\\_content&perform=view&id=3474&Itemid=465&lang=EN](http://www.yptp.gr/asylo.php?option=ozo_content&perform=view&id=3474&Itemid=465&lang=EN)

Regarding national developments in the area of return a crucial matter is the signing of readmission agreements with third countries both bilaterally and in European level. Specifically, in 2012 the Implementing Protocol of the EU/Russia Readmission Agreement was signed. Also, a draft text of the Implementing Protocol of the EU/Serbia Readmission Agreement was agreed with Serbia and is pending signature by the competent Ministers. Additionally, a revised version of the existing draft bilateral protocol in implementation of the EU/Albania Readmission Agreement was promoted. Finally, it is worth noting here that on 21/06/2012 the Readmission Agreement between the EU and Turkey was initialled and its signature is pending.

Regarding the most important developments in 2012 in the field of asylum and international protection, the efforts to fully implement the provisions of Law 3907/2011 "Establishment of asylum service and first reception, adaptation of Greek legislation to the provisions of Directive 2008/115/EC «on common standards and procedures in Member - States for returning illegally staying third country» and other provisions" were maintained, mainly through the gradual staffing of the Asylum Service (which is the first autonomous structure of the country that deals with the examination of asylum claims and, more broadly, international protection) and the staffing of the First Reception Service. However until the new Asylum Service becomes fully operational, the number of pending asylum applications continues to rise. By December 2012, according to a statement by the Minister of Public Order and Citizen Protection in response to a Parliamentary question, there were 55,000 pending applications<sup>41</sup>.

Also, within the scope of Law 3907/2011, the Presidential Decree 102/2012 "Organization and Operation of the First Reception Service at the Ministry of Public Order and Citizen Protection" and the PD 104/2012 "Organization and Operation of the Asylum Service in the Ministry of Public Order and Citizen Protection." were enacted, thus regulating issues of organisation and operation of the abovementioned services.

Subsequently, the PD 116/2012, which amends the provisions of P.D.114/2010, prolonged detention period of asylum seekers beyond three months provided there is a specially reasoned decision by the competent Police Director and, in the case of the General Police Directorate of Attica and Thessaloniki, by the competent Aliens' Police Director, if the reasons for it continue to exist, in accordance with paragraph 2 of Article 13 of Presidential Decree 114/2010. The extension of detention period coupled with the prevailing conditions in the detention centers of asylum seekers brought sharp criticism in that PD in December 2012 after a visit by the UN Special Rapporteur on the human rights of migrants Francois Crepeau, who visited 11 detention centers. He stated that living conditions are unacceptable in some of them, and he added that deprivation of freedom of people who have not

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41 <http://www.hellenicparliament.gr/UserFiles/a08fc2dd-61a9-4a83-b09a-09f4c564609d/es20121210.pdf>



committed offenses is cruel<sup>42</sup>.

In the area of protection of minors and other vulnerable groups, in 2012, the government sought to improve the reception and hosting of these groups, since until the operation of the First Reception Services there is no organized system for early diagnosis of vulnerability and of the need for provision of additional protection. Regarding in particular unaccompanied minors, EASO organized training seminars in 2012 for determining the age of asylum seekers, which were attended by a Greek delegation, while the European Refugee Fund financed actions aiming at the protection of unaccompanied minors and other vulnerable groups. Finally, there have been major objections on behalf of the opposition parties and especially SY.RIZ.A., concerning issues of protection of vulnerable groups and children while conducting operation "Xenios Zeus."<sup>43</sup>.

Regarding harmonization to EU law in 2012, Greece has transposed into national law the Directive 2009/50/EK on the conditions of entry and residence of third-country nationals for highly qualified employment and the Directive 2009/52/EC imposing sanctions on employers who employ illegal immigrants. In parallel, with the creation of the National Coordinating Centre for Border Surveillance & Control, the EUROSUR proposal which aims to achieve better border management, is being implemented.

### **3. LEGAL MIGRATION AND MOBILITY**

#### **3.1 Economic migration**

In 2012 there were no notable changes in policy or regulation production concerning legal immigration. There is an obvious effort on the part of involved ministries to simplify and accelerate procedures for the issuing and renewal of residence permits, while towards the end of the year there was a great debate about the government's intentions to grant residence permits to foreign investors.

##### **3.1.1. Operation of one stop services**

On 30.9.2011, the Law 4018/2011 for the implementation of Council Regulation (EC) No. 1030/2002 and the gradual transformation of the Immigration Services in the Decentralised Administrations (formerly Regions) of Greece into "one-stop services" was published in the Official Gazette<sup>44</sup>. More specifically, the abovementioned law provides for the inauguration of one-stop

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42 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12858&LangID=E>

Also see next section of the report

43 <http://www.hellenicparliament.gr/UserFiles/c0d5184d-7550-4265-8e0b-078e1bc7375a/7849289.pdf>

44 Reorganization of the licensing system for the residence of aliens in the country in terms of increased safety regulation of matters of local authorities and other provisions of competence of the Ministry of Interior, Gazette issue A 215 / 30.09.2011

shops in the capital of each prefecture of the country which will be responsible for issues relating to residence permits including foreign labor engaging. It is expected that through the operation of one stop services the time required to issue residence permits will be significantly reduced, the provision of services will be facilitated and the supervision of the overall procedure will be improved. During 2012, 29 points for submitting applications for the issue and the renewal of third country nationals' residence permits were determined by joint ministerial decisions of the Minister of Interior and the Minister of Finance, and operated as one-stop services in December, 31st 2012<sup>45</sup>.

With the aim to ensure smooth operation of the new services, on March 28th, 2012, the Ministry of Interior issued a circular<sup>46</sup>, providing guidance on the procedure to be followed by the newly established one-stop services on the one hand, and the Aliens services within the Municipalities on the other hand, until all Directorates for Aliens and Immigration of the Decentralised Administrations operate as one-stop services. Following this, the Ministry addressed a document, to the Decentralised Administrations of the country to inform them of the readiness and functioning of the fees' management subsystem of the Migration Information System (IT system)<sup>47</sup>. On June 19th 2012, by a Ministry's circular, the Decentralized Administrations were inform on the procedure to be followed by one-stop services, as well as by the Immigration services still operating in the Municipalities for handing over decisions to reject or revoke residence permits<sup>48</sup>.

On July 13th 2012 the Ministry of Labour and Social Security specified the minimum number of days of insurance required for the renewal of residence permits for the purpose of either dependent employment or provision of services or independent economic activity<sup>49</sup>.

On August 3rd the Ministry of Interior clarified the cases where the applicants for a residence permit on humanitarian grounds are allowed to work,<sup>50</sup> while on October 8, the Ministry identified the procedure and the conditions required for nationals of third countries who are professional athletes and sign a cooperation agreement/contract with a «SPORT S.A.» or a so-called "Department of paid athletes", to be covered by the provisions of the main

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45 See GG 865 sq. V/20.03.2012, GG 842 sq. V/20.03.2012; Gov. V/21.03.2012 884 sq., 789 sq. V/16.03.2012 GG and GG 758 t. V/14.03.2012.

46 Min. Int. CR.No. 12 AP oik 9034/28.03.12: "Implementation of the provisions of Law 4018/2011".

47 Min.Int AP oik 14701/12.04.2012 document "Fees Managing in the Immigration Information System for 'one stop services' in the Decentralised Administrations."

48 Min. Int cir. No. 41 AP oik 18068/19.06.12: "Issues in the application of the provisions of Law 3907/11."

49 Min,Int. Cir. Ref oik 13974/378/13.07.2012: Defining minimum insurance days for renewal of residence permits for dependent employment, to provide services or work for an independent economic activity. Terms and conditions of labor market access of third country nationals admitted for family reunification under the provisions of Presidential Decree 131/2006

50 Min.Int. AP 23662/03.08.2012 Document: "Implementation of Article 44, paragraph 1 of Law 3386/2005, as applicable."

immigration law (Law 3386/05)<sup>51</sup>.

### **3.1.2. Hiring of foreign workers**

On March 22, 2012 a Joint Ministerial Decision was published on the maximum number of residence permits to be issued to third country nationals for the purpose of employment within 2012<sup>52</sup>. By this decision, the provisions of Articles 5 and 6 of Law 4018/2011, which replaced Articles 16 and 16A of Law 3386/2005 concerning the admission of third-country seasonal workers and fishermen workers respectively, were applied for the first time. The purpose of the new legislation is to reduce bureaucracy and to facilitate the hiring of special categories (seasonal work / fishworkers). The innovations of the new law include the admission procedure upon a national visa (Visa D) and without the subsequent issuance of a residence permit, the abolishment of the requirement of a letter of guarantee by the employer, the payment by the employer of contributions to Organisation for Agricultural Organisations (O.G.A.) and the possibility of return of those contributions in specific cases. In order to reduce the cost born by the employer who employs foreign workers in the rural economy, Law 4061/2012 introduces the ability to submit a proof of payment of insurance contributions to OGA corresponding to two-months employment, to the Aliens and Immigration Service of the Decentralized Administration of the place where the seasonal employment will be provided,<sup>53</sup>. For the remaining period of time, the contributions are paid bimonthly. On March 1st, 2012 a circular of the Ministry of Interior was issued regarding the provisions of Articles 5 and 6 of Law 4018/2011<sup>54</sup>. It is reminded that seasonal workers are mainly Albanian nationals entering for seasonal work under the relevant bilateral agreement<sup>55</sup> and fishworkers are mainly Egyptian nationals entering in Greece under the relevant bilateral agreement<sup>56</sup>.

### **3.1.3. Residence permit to foreign investors**

The Greek government is considering facilitations in regard to the granting of

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51 Min.Int.AP oik.30037/12/08.10.2012 document: "Determination of the procedure and conditions for being subject to the provisions of Law 3386/05 nationals of third countries, professional athletes and athletes for a fee, who sign an agreement / contract with a «SPORT SA» or a «DEPARTMENT OF PAID ATHLETES» .

52 C.M.D. 5660/190/22-03-2012.

53 Management and protection of property Ministry of Rural Development and Food - Setting property rights and other provisions, GG 66 sq. A/22.03.2012

54 Min.Int.Cir. No. 6 AP oik 5973/01.03.2012: Implementation of Articles 5 & 6 of Law 4018/11 (Government Gazette 215 A) "Reorganization of the permits system for the stay of aliens in the country in terms of increased safety, regulation of matters of Local authorities and other provisions under the Ministry of Interior. "

55 Law 2482/1997 on "Ratification of Agreement on seasonal employment of labor between the Government of the Greek Republic and the Government of the Republic of Albania" (A73 GG).

56 Law 1453/84 on "Ratification of the Agreement on the promotion of bilateral cooperation in matters of employment between the Governments of the Greek Republic and the Arab Republic of Egypt" (GG A88).

residence permits to foreign investors of third countries in an effort to attract financial investment in the country. According to information, there will be granted a residence permit to foreigners who have bought or will buy property in Greece of a value higher than 300,000 euros. The said permit will not authorise the exercise of employment activity, nor confer entitlement to the acquisition Greek citizenship<sup>57</sup>.

A bill presented by the Ministry of Development on October, 3rd provides (in article 10) that investors whose projects are characterized by the competent interministerial committee as strategic investments subjected to fast track procedures, can be granted a residence permit of a duration up to ten years following fast procedures as well. Consequently, a proposal for adding a paragraph in Article 26 of L.3386/2005 whereby for cases of investment which are classified as strategic ones, the Minister of the Interior may decide to authorize residence permits for up to ten years, was published on October 8th, on «opengov» website (where drafts laws are submitted online for public consultation)<sup>58</sup>.

### 3.2 Family Reunification

The provisions of Presidential Decree 131/2006 on the "Harmonization of the Greek legislation with Directive 2003/86/EC on the right to family reunification" (Gazette A143), are being applied without particular problems giving the opportunity to foreigners who legally reside within the country to make use of it. During 2012 there have been no changes at institutional or operational level, neither are foreseen in the near future. According to the Ministry of Interior, 6.072 residence permits were issued in 2012 for family reunification purposes.

On January 27<sup>th</sup>, the Ministry of Interior sent a letter to the decentralised administrations informing them that upon the recommendation of the Ministry of Foreign Affairs, the communication to be conducted with the Embassies and Consulates of Greece abroad for confirmation of the family relation, in case of request for family reunification, will be held exclusively by electronic mail. The rationale of this decision was to reduce the cost and duration of correspondence and ensure the security of communication.<sup>59</sup>

On July 13, the Ministry of Labour and Social Security sent a circular on the terms and conditions of access to employment of third country nationals admitted for family reunification<sup>60</sup>.

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57 <http://www.capital.gr/News.asp?id=1670724>

58 <http://www.opengov.gr/ypoian/?p=3334>

59 Min Int.AP 18501/11/27.1.2012 Document: "Contact with the Embassies and Consulates of Greece abroad."

60 Cir. MLSI Ref oik 13974/378/13.07.2012: Defining minimum insurance days for renewal of residence permits for dependent employment, to provide services or work for an independent economic activity. Terms and conditions of labor market access of third country nationals admitted for family reunification under the provisions of Presidential Decree 131/2006.

On October 1, replying to a question of the Decentralized Administrations of the country in relation to cases of nationals of third countries who, although they have residence permit for family reunification reasons, they reside outside the Greek territory, the Directorate of Migration Policy of the Ministry of Interior replied that, undoubtedly, if there is evidence that they reside permanently abroad (eg relevant documents issued by Greek or foreign authorities, arrivals and departures resulting from passports, non-registration of children in Greek schools, confirmed complaints etc.), any request for a renewal should be rejected as unfair and contrary to the applicable law. In cases of valid residence permits, services shall withdraw them and invite applicants to provide the necessary clarifications<sup>61</sup>.

### 3.3 Students and Researchers

The proportion of students from third countries who are living and studying in higher education institutions in Greece remains small compared with this proportion in other m-s. The last years, however, there are efforts to attract students and researchers from third countries, and Greek authorities have implemented a number of good practices in this direction:

a) *The establishment of the International University of Greece (2005)* that includes Schools of Humanities, Economics and Management Sciences and Technology. With its establishment and operation on the one hand it seeks to increase the participation of Greece in the international higher education market and on the other, to attract students from neighboring countries mainly (Balkan, Arab, South East Mediterranean and Black Sea) and the Diaspora. As teaching language English has been chosen, in order to encourage and facilitate access.

b) *Grant of scholarships for all fields of higher education* either from government agencies (Ministry of Foreign Affairs, Ministry of Education, Culture and Sport, State Scholarship Foundation), or directly from Universities, NGOs such as the Alexander Onassis Foundation and other non-state actors for students from third countries. It should be emphasized that a significant number of government scholarships is awarded to implement cultural agreements (ratified by law) and Executive Educational Programs that have been agreed upon and signed by the Ministries of Foreign Affairs and Education with third countries. The selection of students for the proposed studies in Greece is done by the countries of origin while taking into account the needs of countries of origin.

c) *International Bilateral Agreements and memoranda of cooperation between educational institutions.* This international bilateral agreements and memorandums of understanding signed between the Greek Universities and Technological Institutes and Institutions of non-member states of the EU, in order to exchange students, exchange of expertise and closer cooperation

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61 Min.Int. AP oik 29054/01.10.2012: "Application of PD No 131/2006 (Government Gazette 143A ' ) "Harmonization of the Greek legislation with Directive 2003/86/EC on the right to family reunification." Clarifications.

between universities in terms of research and the promotion of science and research. These are governed by the rules of international bilateral agreements of academic institutions. Agreements have been signed with various Greek Universities, Universities of Egypt, Albania, Algeria, Jordan, Turkey, etc.

Law 4009/11 "Structure, function, quality assurance of studies and internationalization of higher education"<sup>62</sup> contains provisions that aim to promote and strengthen the internationalization of Greek Higher Education Institutes by launching courses in English. It also enables institutions to organize and offer courses as a result of collaboration between schools or in collaboration with other institutions domestically or abroad and in a foreign language, and special programs for lifelong learning, traditional and distance. Furthermore it provides procedures and forms of partnership linking education with the international academic community and with advanced research at European and global level.

Besides the educational benefits, attracting foreign students will have economic benefits for higher education institutions, local and national economy and employment. The role of knowledge and high skills in economic and social development make attracting "brains" an important field of international competition.

The Higher Education System in Greece is among the most accessible and affordable in Europe: not requiring entry exams, education is free while knowledge of the Greek language is not a prerequisite for submitting the registration form. Given the large number of universities and technical schools, students have the opportunity to choose from many specialties and disciplines.

Regarding the granting of entry visa to study, basic requirement is to be admitted to one of the educational institutions in the country and be able to cover the costs of studying and living in Greece. A visa is a prerequisite for a residence permit. A third country student, who is not equipped with the special student VISA will not be granted a residence permit for studies. Third country students have the opportunity to participate in student mobility programs of the EU. To prevent abuse of the right of coming to Greece to study a strict procedure for obtaining a visa entry "for study purposes" and for issuance and renewal of residence permits is applied.

The largest number of foreign students who come to Greece for studies comes from an EU Member State, Cyprus, while recent years have seen an increase of students from Balkan countries. On their side, the Greek Universities, have taken steps to internationalize studies in Greece and promote the openness of higher education. They have signed bilateral agreements with international

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62 Law 4009/11 (Government Gazette Issue A 195/6-9-2011), "Structure, function, quality standards of studies and internationalization of higher education."

[http://www.et.gr/idocs-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5\\_cc--m0e1xordiczUDT-DVngy56XWCK8rzSZFxgkeWy3uQ8Giw0kAYi3ORfmarHITZ0OcIYKyWJgdNHAvT44kicnjz\\_3u4G8qOBIZzQoc77k1-A9Eyz7vqZ2xJ5\\_DYL6K\\_WF-VA8FU2f-XRK0kYX7bYQ9ETEIXeRXcRp-Lh2A](http://www.et.gr/idocs-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5_cc--m0e1xordiczUDT-DVngy56XWCK8rzSZFxgkeWy3uQ8Giw0kAYi3ORfmarHITZ0OcIYKyWJgdNHAvT44kicnjz_3u4G8qOBIZzQoc77k1-A9Eyz7vqZ2xJ5_DYL6K_WF-VA8FU2f-XRK0kYX7bYQ9ETEIXeRXcRp-Lh2A)

universities in third countries to promote cooperation and exchange in research and education and participate in international organizations, networks and associations. Finally the presence of Greek universities in international education fairs to attract students from third countries and the promotion of the education system and study in Greece is consistent.

### 3.4 Other legal migration

#### 3.4.1. Long-term residents

The Certificate of Greek Language is set by Law 3386/2005 as a condition for acquiring long-term resident status. However, for more than two years, exams for obtaining the language certificate were not conducted<sup>63</sup>. In mid-February, the Centre for Greek Language, which is the Executive agency of the Ministry of Education & Religious Affairs, Culture & Sports (former Ministry of Education Lifelong Learning and Religious Affairs), announced the timetable for enrolment in the exams for the Certificate of Greek Language, arranged in Greece and abroad, (February, 1<sup>st</sup> till March 21<sup>st</sup>, 2012)<sup>64</sup>.

Regarding the required certificate of Greek language, the Ministry of Interior send consecutive clarifying documents to the Decentralised Administrations. More specifically: Concerning long term residents, the Ministry of Interior sent a document to the Decentralized Administrations of the country on January 25, 2012 to indicate that anyone who acquired a Certificate of Greek Language of a higher level than the one defined by the legislation on long-term residents, in force prior to Law 4018/2011,<sup>65</sup> may have access to the long term resident status<sup>66</sup>.

On April 19<sup>th</sup>, the Ministry of Interior clarified that the Certificate of Proficiency Level A2, B1-B2 and C1-C2 issued by the Center for Greek language is not sufficient for having access to the long-term resident status since they only certify knowledge of the language, while certification of sufficient knowledge of basic elements of Greek history and culture is also required<sup>67</sup>. Finally on October 8<sup>th</sup>, the Ministry of Interior informed the decentralized administrations of the country that third-country nationals, holders of Certificate of Proficiency of at least B1 level, issued pursuant to PD 60/2010, will be deemed to have sufficient knowledge of the Greek language, history and culture and may

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63 [http://www.antigone.gr/library/files/reports\\_on\\_greece/2012/annual\\_report\\_2012.pdf](http://www.antigone.gr/library/files/reports_on_greece/2012/annual_report_2012.pdf)

64 <http://dide.pre.sch.gr/portal/index.php/2012-01-20-00-16-41/2012-01-19-21-30-58/545-2012-02-26-20-00-10>

65 According to article 16 of Law 4018/2011, which replaced Article 68 of L.3386/2005 "adequate knowledge of Greek language, history and culture is evidenced by graduation from compulsory education at least from Greek schools in Greece or title graduation from high schools abroad which belong to the Greek educational system or by recognized diploma graduation from Departments of Greek language of universities abroad or by certificate of Proficiency least level A2 issued by the procedure of Law 2413/1996 as applied each time. For holders of Certificate of Proficiency Level A2 is also required certification of adequate knowledge of elements of Greek history and culture.

66 Min. Int. AP 33017/11/27.1.2012 Document: 'Sent of certificates of Greek language proficiency. "

67 Min.Int.AP oik 11090/19.04.2012: "Long-term resident status Acquisition"

submit a request to obtain the status of long term resident, provided that the other conditions foreseen are fulfilled<sup>68</sup>.

Furthermore, the Ministry of Interior clarified that there is a possibility of granting a temporary residence permit for dependent employment to a third-country national who has acquired the status of long term resident in another EU country, provided, however, there are vacancies in the particular specialty, which are not covered by any offer of EU citizens, third-country nationals whose employment status is covered by EU law (eg family members of third-country, researchers, etc.) and third-country nationals residing legally in Greece and receiving unemployment benefits<sup>69</sup>.

The Ministry of Interior informed the devolved administrations of the country that third-country nationals who hold at least Certificate of Proficiency Level B1 issued pursuant to PD 60/2010 will be considered to have sufficient knowledge of the Greek language, history and culture and may submit a request to obtain the status of long term resident, provided that the other conditions specified.

Regarding the transposition of Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Directive 2003/109/EC on the status of long-term residents, expanding its scope to beneficiaries of international protection, the closing date for transposition into national law of the Member States is the 20 May 2013. The Ministry of Public Order and Citizen Protection undertook its incorporation in Greek law.

### **3.4.2. Highly skilled labor**

By Law 4071/12, the Greek authorities transposed the provisions of Directive 2009/50/EK on the conditions of entry and residence of third-country nationals for highly qualified employment into national law. This law ensured transposition into national law of all provisions of the Directive aiming to improve the capacity of Member States both to attract and retain highly qualified workers from third countries through: (a) adopting flexible admission conditions for highly skilled employees, (b) introducing swift and flexible admission procedure for applicants (c) creation of attractive residence conditions for them and their family members, including facilitation for those who wish to move to another Member State for highly qualified employment (provisions on intra-EU mobility).

## **3.5 Integration**

Immigration policy in recent years remained high on the government agenda. This is due to the relatively high proportion of legally residing third-country nationals in Greece compared to the overall population and especially to the fact that Greece is the entry point for the majority of illegal immigrants directed to the EU. Although these are two different categories of immigrants,

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68 Min Int. AP oik 30250/08.10.2012 Document: Admission to the long-term resident status. "

69 Ministry of Interior AP 30947/12.11.2012: "Residence permit for dependent employment for third-country nationals who have acquired the status of long term resident in another EU Member State."



the presence of numerous illegal immigrants in large urban centers and the commission of serious crimes for which foreign nationals were arrested and / or convicted and which received wide coverage by mass media during the reference year, have turned a portion of the Greek public opinion against all foreigners in the country. Incidents of racist behaviour increased, causing serious concerns both in Greek public opinion and the political class, since it was a particularly rare phenomenon in the country<sup>70</sup>.

Immigrants residing and working legally in Greece come mainly from Albania: according to Ministry of Interior data base, 440,118 third country nationals held a valid residence permit on 31.12.2012, of which 300,839 (68%) were Albanians nationals. Several of them have completed twenty years of continuous presence in the country. Their social integration was facilitated by the psychological advantage related to the proximity to the country of origin and the presence of thousands of co-nationals in Greece. Today, the economic crisis affects the employment sectors of many legal immigrants (construction in particular), resulting in the departure of several legal immigrants from Greece (either to return to their home country or to move to another state), as well as in the inability of many migrants to provide the number of stamps required for the renewal of the residence permit, facing the risk of losing legal status.

Taking this problem into account, the minimum insurance period required for the renewal of the residence permit was decreased for certain categories by Joint Ministerial Decision of 2011<sup>71</sup>. For example, in the case of third countries nationals holding an annual residence permit for dependent employment, the required insurance period decreased from 200 to 120 days.

Moreover, the Greek legislator has provided, through the granting of a residence permit for exceptional reasons, a way to restore their legal status for those who can prove, on the basis of specific documents, that they hold strong ties with the country. This is, however, a lengthy process, which is further aggravated by the large number of requests and does not guarantee the applicant the legality of residence. Furthermore, the applicant is deprived of the right of naturalization as time of legal residency is interrupted. Undoubtedly, however, this is an outlet for thousands of immigrants who did not come to Greece with the intention to leave the country at some point, but are determined to connect their fortunes with it.

The speed of processing requests for the issue and renewal of residence permits is still slow. As a result there are immigrants who receive "expired" residence permits. For solving this problem the one-stop shops were created in the Decentralized administrations throughout the country. By reducing red tape and speeding up the issue and renewal of residence permits a sense of security to immigrant will be created, which is essential for social integration. As this is a new institution operating results are expected in order to have an informed evaluation. Fact, however, is that the reduction of staff in the relevant

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70 For more information about racist violence see section on Illegal Migration

71 Number. 15055/546/2011 Joint Ministerial Decision of the Ministers of Interior, Finance and Labour and Social Security.

departments of the decentralized administrations should be addressed in order to achieve the maximum results aimed by the inauguration and operation of the new services.

The problem of excessive delays is also evident in the naturalization process. The large number of requests and the decreased number of employees in the Decentralized Administrations of the country does not allow the Administration to respond at short notice to the applicant. The problems related to the management of legal migration were communicated to the Minister of Interior, E. Stylianidis by the Ombudsman. The latter submitted a report on issues of competence of the said Ministry, which included proposals and recommendations on various structural problems of implementation of immigration laws in Greece, and on the naturalization of immigrants of Greek origin from Albania and the former USSR, the acquisition of citizenship by birth or due to attending school in Greece, and determining / assessing of citizenship<sup>72</sup>.

The Migrants' Integration Councils (CMI), an advisory institution created by Law 3852/2010 for the active participation of migrants in the social and economic development of the municipality where they reside, through the formulation of recommendations and proposals to the City Council related to the problems they encounter, is estimated to have failed to date, with some exceptions, to produce the expected results. This is linked with problems of establishment and adequate operation of the CMIs and in particular lack of resources to finance activities, inability of employing permanent personal, difficulties regarding regular presence of immigrants in the meetings of CMIs as they are working, and reluctance of local authorities to confront attitudes leading to migrants' social marginalisation. It is estimated that the delayed activation of the institution in many municipalities, and the method of (or the absence of) operation lead to a risk of depreciation of the institution. The Ministry of Interior, under the actions financed by the European Fund for the Integration of Third Country Nationals, actively supports this institution

In January 2012, the General Secretariat of Population and Social Cohesion of the Ministry of Interior launched a public consultation on the draft "National Strategy for the Social Integration of third country nationals 2012-2015", which was developed at the initiative of the General Secretariat in cooperation with all Ministries involved and was completed in April 2012. The development of an integrated framework of a national strategy aims at formulating the theoretical framework, philosophy, axes and priorities of the integration of legally residing third country in accordance with the international ramifications of the migratory phenomenon in the 21st century, the modern needs of the Greek state, the Greek labor market and economy, the capacities of Greek society and the relevant European framework of principles and values.

Regarding participation of foreigners in the elections for bodies of First Tier Local Government, on November 13, 2012 information was leaked to the press

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72 [http://www.synigoros.gr/resources/protaseis\\_epistoli.pdf](http://www.synigoros.gr/resources/protaseis_epistoli.pdf)

on a decision expected by the Plenary of the Council of State,<sup>73</sup> according to which the provisions of Articles 14 to 21 of law 3838/2010 on the right of participation of foreign nationals in the elections for bodies of First Tier Local Government are unconstitutional, on the grounds that they are contrary to articles 1, 5 and 102 of the Greek Constitution. Note, however, that the media focused mainly on the issue of unconstitutionality of the provisions relating to the acquisition of Greek citizenship by foreign children through birth or attending Greek school, while cancellation of the results of the municipal elections held in 2010 to those municipalities or regions where third countries nationals participated as voters or were elected as members of the city council, in accordance with the requirements of the law 3838/2010, has not been tabled.

In order to fully comply with the provisions of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of Member States, Article 42 of Law 4071/2012<sup>74</sup> amended certain provisions of Presidential Decree 106/2007 by which the said Directive was incorporated into national law<sup>75</sup>. This amendment was deemed necessary after a meeting of representatives of the competent Ministry of Interior with representatives of the European Commission in the context of meetings with all Member States on the proper implementation of the Directive<sup>76</sup>. Moreover, the same law provides for the inclusion of a paragraph in Article 64 of Law 3386/2005 (which relates to general provisions on residence permits of third-country nationals who are members of the family of a Greek citizen or an EU Member State citizen) whereby the right to equal treatment as nationals is recognized to family members of Greek and EU citizens who are nationals of third countries, provided they have the right of residence or permanent residence in the country. Finally, by letter to the decentralised administrations in the country, the Ministry of Interior drew attention to the provisions of Article 42 of Law 4071/2012, under which the aforementioned family members have a right to apply for a residence card within one year of

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<sup>73</sup> On August 5, 2010 an individual application had been submitted for annulment of a) Decision 'F.130181/23198 / 30-4-2010 of the Minister of Interior, Decentralization and e-Government (Official Gazette V562) entitled "Determination of documents accompanying the declaration and the application for registration in the Municipal roll due to birth or attending school in Greece, according to the provisions of Article 1 A of the Code of Greek Citizenship "and b) the Circular Protocol number 24592/7-5-2010 6th of the same Minister entitled "Exercising the right to vote by expatriates and legally residing third-country nationals for the election of the elected bodies of first tier local government" as for the part referring to the granting of the rights to vote and be elected to third countries nationals. On 1 February 2011, the 4th Department of the State Council, by its Decision 350/2011, held that the exercise of the right to vote, and the exercise of the right to stand for the election of bodies of local government shall be restricted to Greek citizens and can not be extended to those not having this capacity, without revision of the relevant provision of the Constitution. Then the case of the 4th Division was forwarded to the plenary of the Council of the State.

<sup>74</sup> Arrangements for local development, local government and decentralized administration Embed Directive 2009/50/EC, Official Journal 85 t.A/11.4.2012.

<sup>75</sup> PD 106/2007 "Freedom of movement and residence within the Greek territory of European Union citizens and their family members" (GG 135 issue A ' / 21.6.2007).

<sup>76</sup> <http://www.hellenicparliament.gr/UserFiles/2f026f42-950c-4efc-b950-340c4fb76a24/r-topanadis.pdf>

the date of entry into the Greek territory or otherwise they would pay a fine.<sup>77</sup>

### **3.6 Citizenship and Naturalisation**

The Law 3838/3010 "Current provisions for Greek citizenship and political participation of expatriates and lawfully residing immigrants and other regulations" amended the Greek Citizenship Code, which was based exclusively on the principle of *jus sanguinis*, by partially adopting the principle of *jus soli*. According to Article 1A paragraph 1 of the Act, a child who is born and continues to live in Greece to foreign parents who both permanently and legally reside in the country for at least five consecutive years, acquires the Greek citizenship due to birth, provided that his/her parents submit a relevant joint declaration and a request for enrolment of the child in the population register of the municipality of residence within three years after birth. If the child was born before the completion of five years of legal residence of both parents in the country, the joint declaration and the application for registration are filed only upon the completion of five years of continuous legal residence of the second parent, and the child acquires the Greek citizenship from submission. According to paragraph 2, a child of foreign parents who has successfully completed the attendance of at least six classes of Greek school in Greece and resides permanently and legally in the country, acquires the Greek citizenship upon completion of the six-year period of school attendance by a joint declaration and application for registration in the population register of the municipality of permanent residence submitted by his/her parents within three years from the completion of that period of time. According to paragraph 3, the Greek Citizenship is acquired by foreign children by declaration of their parents, according to the provisions of the preceding paragraphs of Article 1A of Law 3838/3010 only if both parents are legally residing in Greece on the basis of relevant valid legal title.

As it is mentioned in the above section of the report, according to information leaked on November 13, 2012 about the decision that was expected by the Plenary of the Council of State on the constitutionality of the provisions of Articles 1A and 24 of Law 3838/2010, the Court found unconstitutional the right of acquisition of Greek citizenship by birth in Greece or by attending Greek school in Greece on the grounds that acquisition of citizenship under Law 3838/2010 is based purely on formal conditions without individualized judgment on the development of real links between the applicant and the country.

This event was highly publicized by the media in the country. According to media information, following the notification of the decision of the Plenary of the Council of State, the Prime Minister instructed the Deputy Minister of Interior to prepare a draft law consistent with the Court's decision and the

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<sup>77</sup> Ministry of Interior AP 18807/26.6.2012 Document: "Implementation of the provisions of Law 4071/2012 (Government Gazette A 85)."

European legislation<sup>78</sup>. Both the Government partners (PASOK and DIMAR) and the major opposition party (SYRIZA) opposed to this instruction, although for different reasons. For PASOK and DIMAR any initiative should be taken with the consent of all parties that support the government<sup>79</sup>. For SYRIZA this confirmed the adoption by the government of an "agenda of hate and fear determined by the Golden Dawn ... concerning the only relatively progressive legislation of recent years."<sup>80</sup> It should be noted that in the discussions that took place after the elections of June 2012 between the leaders of the parties of New Democracy, PASOK and DIMAR for forming a government, not modifying the provisions of Law 3838/2010 has been set as a precondition for cooperation<sup>81</sup>. In the text, however, of their agreement, it is stated that they would proceed to "Adapting the institutional framework for granting citizenship in the light of the contemporary developments and in accordance with the existing legislation in European countries facing similar problems (European South)"<sup>82</sup>.

On November 15<sup>th</sup> 2012 the Deputy Minister of Interior, responsible for citizenship matters, sent a letter to the Secretaries General of the Decentralized Administrations of the country calling for the suspension of the procedure of granting citizenship (new applications, files' examination, publication of decisions, oath taking, municipal registration) of all applications for citizenship based on Articles 1A and 24 of Law 3838/2010. In order to avoid the problems that could be caused if citizenship was granted on the legal basis of the contested provisions.

This decision provoked the reactions of both government partners and the major opposition<sup>83</sup>. According to press reports, PASOK found it "unlawful" and "liable to undermine the functioning of governmental cooperation",<sup>84</sup> while DIMAR has voiced strong disagreement and stated that "no leakage or rumours can justify the suspension of a law voted by the parliament"<sup>85</sup>. Six Mayors issued a joint statement against the decision (Mayors of Athens, Thessaloniki, Patras, Volos, Nikaia- Aghios Ioannis Rentis and Ioanniton), considering that this document violates the principle of legality and expressing their intention to "continue to comply with the procedure for the award of citizenship" in accordance with the provisions laid down by the law<sup>86</sup>. The Ombudsman published a press release noting that the Municipalities and the Decentralised Administrations should implement the citizenship law in force, until it is

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78 <http://www.imerisia.gr/article.asp?catid=26509&subid=2&pubid=112990050>

79 <http://www.tanea.gr/news/greece/article/4767907/?iid=2>

80 <http://www.capital.gr/NewsPrint.asp?id=1665879>

81 <http://www.capital.gr/NewsPrint.asp?id=1665879>

82 <http://www.tovima.gr/politics/article/?aid=463892>

83 <http://www.avgi.gr/ArticleActionsShow.action?articleID=733145>

84 <http://www.tovima.gr/politics/article/?aid=486677>

85 <http://www.aftodioikisi.gr/kommata/dimar-na-aposirthei-tora-i-aparadekti-egkiklios-gia-tin-ithageneia>

86 <http://www.aftodioikisi.gr/ipourgeia/kinisi-ton-6-kata-egkikliou-athanasiou-gia-ithageneia>

modified or replaced by another law and that any deviation would be an illegal act or even punishable by law<sup>87</sup>. The National Commission for Human Rights (NCHR), an independent advisory body to the State for the protection of Human Rights, raised the same objections<sup>88</sup>.

Furthermore, in the context of parliamentary scrutiny, five questions were submitted in the Greek parliament. Government represented clarified that until publication of the decision of the Plenary of the Council of State they were not about to take any related initiatives<sup>89</sup> and that the new law would include transitional provisions, which, without circumventing the Council of State's decision, would provide solutions to problems that it might create both for persons who have already registered in the population registry based on the contested provisions, and for those for which the procedure on the basis of these provisions is still pending<sup>90</sup>. It was highlighted that, in every legislative initiative, citizenship would be granted as the eventual culmination of the foreigner's successful integration process.

Finally, great reactions on behalf of the municipal authorities<sup>91</sup> and local actors was caused by the initiative of the Minister of Interior to address them a request for gathering data on the children of natives and foreigners admitted to municipal kindergartens and nurseries, following a question submitted in Parliament on October 1st by a MP of the "Golden Dawn"<sup>92</sup>. After the large publicity given to the issue, the Minister clarifies by press release that the request for information was strictly limited to the statistical representation and that in no way concerned personal information of children and added that citizenship is not a criterion for admitting children in municipal kindergartens and nurseries<sup>93</sup>.

### **3.7 Managing Migration and Mobility**

#### **3.7.1 Visa Policy**

For the promotion of tourism to the islands of the Eastern Aegean and with the assent of the European Commission, a pilot program to encourage short tourist arrivals from Turkey (daily-trip) was applied from 7 June 2012 to 30 September 2012. The above pilot process applied to all holders of travel documents who are in possession of a visa and move directly from Turkey to Greece, unless incriminating evidence is found against them or they are not registered in the Schengen Information System (SIS). The program applied only to Rhodes, Kos, Samos, Chios and Mytilene as it was found that these

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87 <http://www.synigoros.gr/resources/dtik.pdf>

88 [http://www.nchr.gr/document.php?category\\_id=143&document\\_id=1512](http://www.nchr.gr/document.php?category_id=143&document_id=1512)

89 <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/7872936.pdf>

90 <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/7893230.pdf>

91 <http://www.tovima.gr/society/article/?aid=478979>

92 <http://www.tovima.gr/politics/article/?aid=478909>

93 <http://www.ypes.gr/el/MediaCenter/Minister/PressReleases/?id=fd545fb-475b-4957-b91b-99a60603355d>

islands have the necessary infrastructure and qualified staff to carry out the necessary border controls at entry-exit<sup>94</sup> and to establish simplified procedures for entry visa at the arriving point. The European Commission refused to consent to extend the implementation of a pilot program at the country's airports<sup>95</sup>.

Regarding visa policy, the Ministry of Foreign Affairs paid throughout 2012 efforts to simplify and accelerate procedures primarily in order to facilitate the arrival of visitors. By a circular addressed in mid-March 2012 to all Greek diplomatic and consular representations abroad, Minister of Foreign Affairs, Stavros Dimas, called for the maximum possible assistance to third countries' nationals wishing to visit our country, by providing rapid, efficient and friendly visa procedures. In late December 2012, Greece ranked in the top positions of the EU in terms of speed of processing requests for visas<sup>96</sup>.

The information system on visas (VIS) is an information exchange network for short stay visas which enable the competent authorities of the Schengen States to process data on visa applications and issue, refuse, revoke or extend a visa. The VIS was successfully launched on October 11, 2011 covering the Consular Authorities of member states in North Africa; on May 10, 2012 it was extended to the Consular Authorities of member states in the Middle East and on October 2, 2012 to those of the Persian Gulf. Greece is implementing the new system in all of its Consular Authorities in those areas, except Libya and Iraq. In order to meet the increased demand for visas in some countries Greece has launched Visa Centers, in collaboration with external providers in Russia (15) China (1) India (12), Kazakhstan (1) Sri Lanka (1), Nepal (1), Turkey (6), while the establishment of new such centers in other geographical areas is being promoted.

### 3.7.2 Schengen Governance

According the description of the semi-annual report of the European Commission of May 2012 on the functioning of the Schengen area for the period from 1 November 2011 until 30 April 2012, during the period 2010-2011<sup>97</sup> serious shortcomings were identified in the proper implementation of the Schengen acquis in Greece. These shortcomings concerned the control of the external land, air and sea borders. To remedy these, Greece drafted a

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94 <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/7804704.pdf>

95 <http://www.mfa.gr/epikairota/aidiseis-anakoinoseis/semeia-apanteses-uphupourgou-exoterikon-kourkoula-se-epikaire-erotes-tou-bouleutou-pasok-ioanne-dribelegka-me-thema-aplopoiese-diadikasion-eisodou-gia-brakheies-touristikis-episkepseis-apo-polites-triton-khoron-me-ekdose-theoreses-sto-aerodromio-ma.html>

96 <http://www.mfa.gr/epikairota/aidiseis-anakoinoseis/semeia-apanteses-uphupourgou-exoterikon-kourkoula-se-epikaire-erotes-tou-bouleutou-pasok-ioanne-dribelegka-me-thema-aplopoiese-diadikasion-eisodou-gia-brakheies-touristikis-episkepseis-apo-polites-triton-khoron-me-ekdose-theoreses-sto-aerodromio-ma.html>

97 Communication from the Commission to the European Parliament and the Council, Interim report on the functioning of the Schengen area for the period from 1 November 2011 to 30 April 2012, COM (2012) 230 final, 16.5.2012.



national action plan, which aims, inter alia, at improved coordination on border management, better use of personnel and equipment, infrastructure improvements, new training programs and review of the legislation. To assess the progress achieved and to identify areas in which other Member States could provide assistance, a panel of European experts (peer-to-peer) visited the country from 28 May to 2 June 2012. The mission visited Athens International Airport "Eleftherios Venizelos", the port of Piraeus and the Evros region, covering by these visits all types of borders. By the end of the visit it was highlighted that despite the obvious improvements achieved, further encouragement and progress is required. The Commission called Greece to continue the implementation of the Schengen Action Plan and it reiterated its commitment to support Greek efforts for the management of external borders, including through the External Borders Fund and the assistance of Frontex<sup>98</sup>.

### 3.7.3 Border Surveillance

Due to its geographical position, Greece is either the most easily accessed initial destination or a gateway to the European Union, with another State as a final destination. The first report of the Commission on the proper functioning of the Schengen Treaty, which was published in May 2012, and referred to the period October - December 2011, stated that 75% of illegal immigrants who were arrested in the Schengen area entered via the road of the Eastern Mediterranean (Greece, Bulgaria, Cyprus)<sup>99</sup>. Moreover, according to Frontex, in the year 2012, the illegal crossings into the Schengen area, through this route, amounted to 37220<sup>100</sup>.

The Eurosur Regulation which is under examination provides for the creation of a European coordination center (within Frontex facilities), and the operation of a national focal point in each Member State. By the Law 4058/2012 the National Coordinating Centre for Border Control & Surveillance was established in Greece<sup>101</sup>. This center is an independent service that reports directly to the Minister of Public Order & Citizen Protection charged with coordinating the actions of the competent Greek authorities at the external borders, cooperating with institutions of the European Union, the competent authorities of third countries and international organizations responsible for border management, as well as overall supervision of the application of EU and national measures concerning the management of the external borders of the country. This center will be located at the Coast Guard Headquarters in Piraeus, while the Commodore of the Greek coastguard has already been appointed as National Coordinator and the relevant presidential decree on issues of staffing is under public consultation. The center should start operating by 01.10.2013, according to the draft regulation of EUROSUR considered at the EU Council. In late

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98 Report from the Commission to the European Parliament and the Council, Second semi-annual report on the functioning of the Schengen area for the period from 1 May 2012 until 31 October 2012, COM (2012) 686 final, 23.11.2012.

99 COM (2012) 230 final, p.3

100 <http://www.frontex.europa.eu/trends-and-routes/migratory-routes-map>

101 Security services by uniformed guards on merchant ships and other devices, GG 63 sq. A/22.3.2012.



December, after the reconstitution of the Ministry of Marine and Aegean, provisions of Article 27 of Law 4058/2012 concerning the staffing of the Centre were released for public consultation, while the Center's supply issues were regulated aiming at its efficient operation<sup>102</sup>.

The integrated border management project, was adopted in 2011 with the aim to combat illegal immigration, provides, inter alia, for the strengthening of border control through the use of additional human resources and means of modern technology. The first stage of implementation took place with the functioning of the Operational Centre for border surveillance and the construction of a deterrent artificial barrier in Evros.

The Operational Center for border surveillance, which was inaugurated on February 6, 2012, is a center of automated border surveillance system at the eastern onshore part of the Greek-Turkish frontier. It has the ability to receive image in real time from the surveillance system covering the onshore section of the border between Greece and Turkey, which is then forwarded in real-time to the central Operational Centre of the Aliens Directorate of the Hellenic Police Headquarters.

With the aim to tackle illegal immigration, the construction of the above-mentioned deterrent artificial barrier ("fence") in Evros has been completed in 2012. It covers 10.3 kilometres along the border, on Greek territory and is expected to contribute to the prevention of illegal entries of aliens from Turkey to Greece. At the same time, however, the Greek authorities estimate that it conveys a strong message to third countries nationals willing to use Greece as a country of «transit» to the rest of the European Union<sup>103</sup>. On the subject of the effectiveness of the project, parliamentary questions to the European Commission were posed by Greeks and foreign MEPs, where the Commission had the opportunity to reiterate that it does not consider that the construction would be an effective measure against illegal immigration and for this reason did not accept its funding from the External Borders Fund<sup>104</sup>.

In 2012, supported by Frontex funding, the Police Departments of Alexandroupolis and of Orestiada were strengthened in their efforts to combat the increased flow of illegal immigration into the area of their responsibility, with a number of seconded police / border guards. This action is applied since 2010, in the framework of the joint Operations Poseidon land 2010, 2011 and 2012, while it was temporarily interrupted on 22/10/2012 due to Frontex failure to finance it. The action is however already planned to be continued on early 2013. Additionally, from July till October, more police officers were

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102 <http://www.opengov.gr/ythynal/?p=150>

103 <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/7814095.pdf>

104 <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-001772&language=ELhttp://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-003168&language=ELhttp://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-003168&language=ELhttp://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-001772&language=ELhttp://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-005323+0+DOC+XML+V0//EL>

seconded in the same area with the funding from the European External Borders Fund.

Since August 2012 in implementation of the national initiative "Operation Xenios Zeus" 1881 policemen were seconded in the areas falling within the competence of Police Directorates of Alexandroupolis, Orestiada, Rodopi and Xanthi. Since December and due to a reassessment of needs that number dropped by 50%, with the majority of funding covered by the European External Borders Fund resources. Also in 2012, Greece received and distributed to all border crossing points of the country modern equipment for checking passports, border surveillance and communications.

On the 8-9 October 2012 the European Commissioner, Ms Malmstrom visited reception centers as well as part of the Greek border. The Commissioner welcomed the measures to strengthen border controls in the Evros region and called, together with the Greek government, the European Parliament and the Council to accept the proposed amendment which would increase the co-financing rate of EU for the SOLID funds in the field of immigration, asylum and borders from 75% to 95% for countries benefiting from a financial support mechanism<sup>105</sup>.

### 3.7.4 Frontex

The involvement of Frontex in the surveillance of the Greek border is very important as Greece saves manpower, money while its European partners can have a true picture of the massive influx of illegal immigrants from the Turkish border and of the Turkish aggressive policy on issues of demarcation of Greek territorial waters. It is no coincidence that in 2012 a large number of questions were laid by Greek MEPs to the European Commission on this issue.<sup>106</sup>

On April 19, 2012 a Memorandum of Cooperation between Greece and Frontex was signed which provides for the participation of Greece in the pilot platform of electronic information exchange EUROSUR in order to combat cross-border crime, effective surveillance of the external borders of the European Union and the valid and effective dissemination of information. Through its participation, Greece aims to further strengthen surveillance of Greek borders and expand modern surveillance systems all along the Greek-Turkish border.<sup>107</sup>

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105 [http://ec.europa.eu/ellada/press-center/news/archives/news\\_20121005\\_malmstrom\\_episkepsi\\_el.htm](http://ec.europa.eu/ellada/press-center/news/archives/news_20121005_malmstrom_episkepsi_el.htm)

106 <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-008071+0+DOC+XML+V0//EL> <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2012-008140&language=EL> <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2012-003588&language=EL> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-008804+0+DOC+XML+V0//EL> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-008571+0+DOC+XML+V0//EL> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-003588+0+DOC+XML+V0//EL> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-005804+0+DOC+XML+V0//EL>

107 <http://www.hcg.gr/node/2517>

With the bulk of illegal immigrants coming from Turkey, the signing on 28 May 2012 of the "Memorandum of Understanding" between Frontex and Turkey, which came into force the next day, was crucial for the control of the Greek border. This memorandum was signed in order to enhance and develop cooperation between the Agency and the competent Turkish authorities by carrying out joint assessments with regard to illegal flows and the development of programs, which will be funded by the European Union. On a practical level it enables the secondment of national staff of the Turkish authorities responsible for border management, in coordination centers (Focal Point Offices) that are created for specific activities of Frontex after a proposal from the latter and with the agreement of the host Member State<sup>108</sup>. This Memorandum is not considered to be a document legally binding under international law and the implementation of its content, in practical terms, is not considered as a fulfilment of international obligations by Turkey. Furthermore, it should be noted that the ability to design and conduct operations on Turkish soil does not clearly derive from the Memorandum. Considering that the activation of the competent Turkish authorities through the conduction of joint operations, jointly designed and simultaneously implemented, in Turkish, as well as in Greek territory, is quite significant, Greece came into an agreement with the Turkish authorities to conduct simultaneous operation to combat illegal immigration in the Evros region<sup>109</sup>.

Finally, due to the alarming increase of immigration flows from the shores of Turkey to the islands of the eastern Aegean, Greek authorities requested, in early September, to strengthen the manpower of Frontex. This aid was given by the presence of four patrol boats, one aircraft and two mobile units<sup>110</sup>.

Within the framework of Frontex joint operations in Greece, the following Operations took place: *Joint Operation POSEIDON 2012 land*, *Joint Operation POSEIDON 2012 sea*, *Joint Operation FOCAL POINTS 2012 land*, *Joint Operation FOCAL POINTS 2012 air*.<sup>111</sup>

In addition to funding and organization of joint operations, particularly important is the contribution of Frontex in the field of training, with training seminars addressed specifically to border guards on the identification of illegally entering third countries nationals' citizenship (screening) and interviewing arrested illegal immigrants in order to collect operational information for networks of smuggling and illegal migration flows. Other training activities of the Agency concern the identification of stolen vehicles and the detection of false documents.

In the spirit of solidarity, and considering the support our country receives in personnel and equipment, Greece engages in joint operations of the Agency implemented in other member-states. However, Greece's participation is

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108 <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-008071&language=EL>

109 [http://www.minocp.gov.gr/images/stories/2012/kb\\_elegxos/24092012-er1180.pdf](http://www.minocp.gov.gr/images/stories/2012/kb_elegxos/24092012-er1180.pdf)

110 <http://www.tovima.gr/society/article/?aid=473212>

111 For a detailed description of the operations, see ANNEX: "2012 National Contribution of Greece to Commission and to EASO Annual Reports, Section II.2

limited, due to the fact that, on the one hand, the country is facing particularly high illegal immigration flows and has increased needs in this area and, on the other hand, it faces a difficult economic conjuncture (even though the cost to participate is fully compensated by Frontex, the inability of direct reimbursement of expenses by the Agency leads to the commitment of funds from the state budget).

#### **4. Irregular Migration and Return.**

Illegal immigration as a policy area was found in 2012 at the heart of government action and public debate. In particular, it sought to reduce the stock of illegal immigrants through Operation "Xenios Zeus", the establishment of Detention Centers and the promotion of voluntary return programs. At the same time, it targeted to address the problem by promoting bilateral and EU readmission agreements.

##### **4.1 Irregular Migration.**

In 2012 developments in the policy field of the fight against irregular migration have been an issue for critique, arousing tensions among stakeholders at all levels in various forms: between government and opposition, between central government and either local government, or Decentralized Administrations, among responsible state agencies and migrants' organizations and NGOs. The issue at stake has drawn the attention of officials and representatives from international organizations (Council of Europe and UN) and representatives from the European Commission, the European Parliament, FRONTEX, who expressed in turn their respective views and recommendations. Interest has also been focused on the 'Xenios Zeus' operations in various regions of the country, as well as on the detention centers in conjunction with to-be-established First Reception Centers (setup and aspects of their operation).

More specifically, reflecting the policy priorities of the newly appointed government regarding the fight against irregular migration (entry and residence)<sup>112</sup>, the Ministry of Public Order and Citizen's Protection launched the operation 'Xenios Zeus', on 2<sup>nd</sup> and 3<sup>rd</sup> August 2012, in the center of Athens and in Evros region (Northeast Greece), as a long-lasting operation, namely a constant measure, in contrary to other 'sweep-operations'. 'Xenios Zeus' is an ambitious extensive operation in terms of the covered geographical areas, the involved personnel and their field of action. According to the Hellenic Police Force, three policy goals can be discerned and corresponding axes adopted for conducting these operations: a) repel irregular migrants from Evros region and sealing the borders, b) return irregular migrants to their countries of origin, starting from those detected in the center of Athens and continuing with the periphery of the country<sup>113</sup>, c) restoration of the rule of law and quality of living

112 See relevant reference in section 2.1 of the present Report.

113 In public discourse the phrase "re-taking over the cities" has emerged, Interview of Minister of Public Order and Citizen Protection, N. Dendias at the radio station Flash and journalist K. Parras,

for residents and visitors in Athens. Regarding the engaged personnel, 2500 policemen/border guards were deployed for the particular operation in Evros region and nearly 2000 policemen in Athens.

In Athens, during the operation 'Xenios Zeus', in the presence of prosecutors and with the participation of HCDCP (Hellenic Center for Disease Control and Prevention - *KEELPNO*) personnel, residences of tens of irregular migrants with substandard conditions of health and security were located. It should be noted that the operations aimed also at curbing other illegal activities, such as prostitution, drugs' smuggling, and organized beggary.<sup>114</sup> As far as the geographical extent of the operations is concerned, in August 2012 operations 'Xenios Zeus' took place in the center of Athens, at Larissis Railway Station, in Korinthos; in October 2012 in Patras. Relevant Press Releases regarding the outcomes of the operations were regularly being uploaded on the website of the Hellenic Police Force.

In terms of the impact of 'Xenios Zeus' operations, the Hellenic Police Force in a Press Release (10.08.2012) attributed to the operation 'Xenios Zeus' in Orestiada and Alexandroupoli region the observed decrease of irregular entries from the Evros borders, stressing also that respective sources' deployment had not yet been completed. On 31.12.2012 in another Press Release of the Hellenic Police Force, it was noted that police controls in the center of Athens and in the context of 'Xenios Zeus' with regard to the fight against irregular migration had resulted in arresting 65.766 third country nationals of whom 4.145 were brought forth as they did not fulfill legal requirements for staying in the country. It should be reminded that throughout 'Xenios Zeus' operations, control for the legal presence of the arrested aliens in the country is conducted in the detention centres and not 'in the street', so that travel and other documents can be checked for forgery.

In total, in 2012, 76.878 third country nationals were arrested for irregular entry and residence<sup>115</sup>, of whom 30.433 at Greek-turkish land borders and 10.927 at the Greek-albanian front line.

**Migrants arrested for illegal entry and residence  
by the Hellenic Police Force and the Hellenic Coastguard**

<b>2012</b>	Greek-turkish land borders	Greek- albanian front line	Greek- FYROM front line	Greek- bulgarian front line	Crete	Rest of the country
	30.433	10.927	1.168	365	2.834	31.151

Source: Hellenic Police Force

From the statistics that follow one can deduce a spectacular decrease after

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02.09.2012

([http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4337&Itemid=552](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4337&Itemid=552))

114 Press Release, Hellenic Police Headquarters, 4.8.2012.

115

[http://www.astynomia.gr/index.php?option=ozo\\_content&perform=view&id=12080&Itemid=429&lang=](http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=12080&Itemid=429&lang=)

August 2012 when compared to the statistics for previous months in 2012 or to statistics for respective months in 2011. Hellenic Police Force has attributed this decrease to the operation 'Xenios Zeus' and the later accomplished Fence in Evros. Still, these statistics should also be compared to respective statistics for the rest of the country's front lines during the same period.

**Arrests of illegal migrants at the Greek-turkish land borders,  
on a monthly basis for the years 2011-2012**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP T	OCT	NOV	D
<b>2011</b>	2156	1650	2035	2891	3775	3689	5941	6339	7052	9626	6018	38
<b>2012</b>	2864	2213	2569	3731	4501	4963	6914	2172	216	137	71	8

Source: Hellenic Police Force.

In terms of political controversies, operation 'Xenios Zeus' has sustained severe critique (20.08.2012) from the opposition (SYRIZA), which has been speaking of a "lasting pogrom"<sup>116</sup>. It is noteworthy that the Chairman of DIMAR, the left wing of the Government of *National Responsibility*, during an interview beginning September 2012, referred to operations 'Xenios Zeus' as an example of him being informed on a very short notice<sup>117</sup>. In regional Greece, in the aftermath of the operation in Patras, a rally was organized by the Movement for Defending Migrants' and Refugees' Rights. During the same period a rise of violence acts against aliens was observed, leading to the statement of the Minister of Public Order and Citizen Protection, that in case these actions were ascertained as having a racist motive, he would see into proposing a draft law to the Ministry of Justice, so that the racist motive would be considered as an aggravating condition<sup>118</sup>. The rise of assaults against foreigners, including tourists of Asian or African origin, had an international impact<sup>119</sup> resulting in the adoption of the P.D. 132/2012 "Establishment of Departments and Offices

116 <http://www.syriza.gr/%CE%B4%CE%AE%CE%BB%CF%89%CF%83%CE%B7-%CE%B2%CE%BF%CF%85%CE%BB%CE%B5%CF%85%CF%84%CF%8E%CE%BD-%CF%84%CE%BF%CF%85-%CF%83%CF%85%CF%81%CE%B9%CE%B6%CE%B1-%CE%B5%CE%BA%CE%BC-%CE%B3%CE%B9%CE%B1-%CF%84%CE%B7/>

117 <http://www.dimokratikiaristera.gr/epikairotita/synentefkseis/3663-synentefksi-tou-proedrou-tis-dimar-foti-kouveli-stin-efimerida-kathimerini-tis-kyriakis-kai-to-dimosiografo-konstantino-zoyla>. For the stance of DIMAR and PASOK see also Interview of the Minister of Public Order and Citizen protection, Mr N. Dendias, at SKAI TV morning magazine 'First Line', 06.08.2012, ([http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4324&Itemid=551](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4324&Itemid=551))

118 Realnews, 19.8.2012 ([http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4332&Itemid=551](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4332&Itemid=551))

119 Indicatively it is cited the US Embassy Athens Greece, Security Message for US citizens: Safety and Security in Greece, 16.11.2012 ([http://photos.state.gov/libraries/greece/38517/uscitizens/sec\\_message\\_greece.pdf](http://photos.state.gov/libraries/greece/38517/uscitizens/sec_message_greece.pdf)). Relevant acts are reported in MPs questions (q 1476/10-9-2012, q. 4468/28-11-2012), in specialized Newsheets (MigrationNewsheet July 2012, November 2012), whereas specific recommendations are being addressed to the responsible authorities in the Report of the Racist Violence Recording Network (Oct. 2012) (<http://www.unhcr.gr/fileadmin/Greece/News/2012/pr/ConclusionsOctober2012EN.pdf>)



for Tackling Racist Violence-Amendment of provisions of the P.D. 14/2001" (GG A' 239/11.12.2012). The P.D.provides for the establishment of 2 Departments and 68 Offices throughout Greece aiming to efficiently coordinate efforts to combat racist violence against individuals or groups. In addition, the Hellenic Police launched a 24-hour hotline ('11414') for citizens to report incidents of racist attacks which is entirely anonymous and confidential.

During 2012, another main issue, interlinked to the effectiveness of operations 'Xenios Zeus' concerned the Detention Centers, also called Centers of Temporary or Closed Accommodation or Pre-departure Centers, and the Centers of First Reception (KEPY). It should be noted that foreigners illegally residing in Greece are detained in Detention Centers until they are deported, whereas foreigners entering Greece irregularly -including those aiming to apply for asylum- are directed to the the First Reception Centers, which are located close to the borders for the necessary screening procedures in line with Law 3907/2011. At the end of 2012, facilities operated as Detention Centers / Closed Reception Centers / Pre-departure Centers in Amygdaleza, Korinthos, Xanthi, Komotini, Paranesti Dramas. Moreover, Special Aliens' Residence Centers operated in Samos and Chios, whereas the first KEPY, as foreseen in L. 3907/2011, is planned to operate in 2013 in Fylakio Evrou.

Discussion on the establishment of detention centers was already vigorous towards the end of Papadimos Government's life (March 2012), when the intention of establishing and operating three detention centers in each of the prefectures - 27 in total - was stated by the responsible Minister, in the prospect of the imminent peer-to-peer visit on behalf of the Commission for assessing the actual implementation of the Schengen acquis. This took place under the shadow of the pre-election statement of the French President, N. Sarkozy, on re-establishing intra-EU border controls in case a Schengen area member state were unable to control illegal immigration at its external borders<sup>120</sup>. The Prefecture of Attica provided the first positive response by virtue of a Decision of the Prefecture's Council, whereas the other Prefectures demonstrated a negative stance<sup>121</sup>. End of April 2012 the first Detention Center/Center of Closed Accommodation was inaugurated at the buildings of the Hellenic Police Force in Amygdaleza, while relevant controversies between members of the government continued during the pre-election period<sup>122</sup>. It should be noted that during that period, the party of ND had already stated its stance that detention centers are a focal point for a comprehensive national migration policy, and specific location criteria and selective motives for local societies should be defined for their establishment<sup>123</sup>.

Within the current institutional framework, old military camps and facilities of

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120 <http://www.sueddeutsche.de/politik/wahlkampf-in-frankreich-opposition-attackiert-sarkozy-nach-schengen-drohungen-1.1306549>.

121 <http://www.tovima.gr/society/article/?aid=450616>

122 <http://www.skai.gr/news/politics/article/201317/o-upourgou-upodomon-emmenei-stin-arnisi-tou-gia-to-kedro-stin-amugdaleza/>

123 [http://www.nd.gr/web//sector-security/press/-/journal\\_content/56\\_INSTANCE\\_1wmJ/46320/933365](http://www.nd.gr/web//sector-security/press/-/journal_content/56_INSTANCE_1wmJ/46320/933365)

the Hellenic Police Force Schools (military camp in Korinthos, Police School in Xanthi, military camp in Paranesti Dramas, Policemen School in Komotini) served also as detention centers (closed accommodation centers). The cost for the facilities was included in the draft annual funding program from the Return Fund or/and the External Borders Fund. Reactions concerning the detention conditions, the conceded facilities, the procedure for concluding food supply contracts, other foreseen expenses for illegal migrants etc have been uttered by the local society with the active support of MPs during relevant protests<sup>124</sup>, and by MPs themselves from all parties<sup>125</sup>.

EU Home Affairs Commissioner Cecilia Malmström (08-09.10.2012)<sup>126</sup>, UN Special Rapporteur on the human rights of immigrants, F. Crepeau (26.11-03.12.2012)<sup>127</sup> and representatives of Amnesty International (August 2012) visited the Detention Centers and the Special Aliens' Residence Centers in Rodope and Evros region, while a visit of representatives from the Council of Europe is planned for 2013. After the first day of her visit, the Commissioner wrote on her blog regarding the detention centers and EU funding:

"The situation in the centres is difficult and the humanitarian conditions are very basic, in some places downright awful. Some centres should be closed down entirely; others are newly opened and quite OK. The new Greek government is facing many challenges here, but improvements have actually been carried out recently. ... There is, of course, severe pressure on the border and we are trying to assist Greece in every way we can. A lot of funding and resources has been made available to Greece – between 2007 and 2011, 160 million Euros was made available ... personnel and technical know-how. ... One problem is that only part of the allocated EU funds is actually put to use. Now, Greece must become better at taking advantage of the help being offered. ...All in all, there is still a long way to go..."<sup>128</sup>.

The former Commissioner of Human Rights in the Council of Europe, T. Hammarberg had also remarked in 2012 that the operation of the detention centers should be limited to the minimum (Newspaper, 'To Vima', 30.03.2012).

Similar was the viewpoint of UN Special Rapporteur, F. Crepeau, during his last statement at the end of his visit in Greece regarding the absorption of EU

124 <http://tvxs.gr/news/topika-nea/se-polemo-i-korinthos-gia-kentro-kratisis>, <http://www.zougla.gr/greece/article/episodia-sto-paranesti-dramas-gia-to-kentro-kratisis-metanaston>

125 Indicatively are cited the following means of parliamentary control of MPs (as ref nos): 83/23-8-2012, 1179/30-8-2012, 1186/31-8-2012, 1180/30-8-2012, 2956/15-10-2012, 3847/9-11-2012, 4378/26-11-2012, 4343/26-11-2012.

126 [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4373&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4373&Itemid=555). For the points of the agreement between the Commissioner and the Minister [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4374&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4374&Itemid=555).

127 <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12860&LangID=E>

128 <http://blogs.ec.europa.eu/malmstrom/along-the-border/>. It is noted that similar recommendation regarding the rate of absorption of community funding has been addressed to the Minister of Citizen Protection also earlier in April 2012, <http://greece.greekreporter.com/2012/04/03/malmstrom-greece-will-be-on-eu-agenda-for-some/>. Βλ. επίσης σχετικά ερώτηση κοινοβουλευτικού ελέγχου με αριθμό 5440/27-12-2012.



funding, the conditions in detention centers and the operation 'Xenios Zeus'<sup>129</sup>, who also addressed relevant recommendations to Greek government:

"I regret the bureaucratic hurdles in the Greek government relating to the disbursement of EU funds, including the European Refugee Fund, which provides funding to NGOs who, inter alia, operate shelters for asylum seekers. ...I also deeply regret the Greek government's new policy of systematically detaining everyone they detect irregularly entering the Greek territory, including unaccompanied children and families. I also regret the "sweep operations" in the context of operation "Xenios Zeus", which have led to widespread detention of migrants in different parts of the country, many of whom have lived and worked in Greece for years...I am concerned about the inadequate detention conditions, as well as the insufficient procedural safeguards in the detention facilities for migrants...There is a strong need for regular, unannounced visits of all places of migrant detention in Greece....I am concerned however by the lack of appropriate staffing and budget yet dedicated to these two services [asylum and first reception]"

On 25-26.10.2012 the recent outcomes of the implementation of the Greek Action Plan on Migration and Asylum were discussed in the Council of Ministers for Justice and Home Affairs.<sup>130</sup> \_\_\_Commission's document<sup>131</sup> to the Council under the title "Greece's National Action Plan on Asylum Reform and Migration Management", reported that despite several positive developments, a number of deficiencies remained among which: a) reception conditions in the detention centres for migrants, are substandard, b) the wide use of detention of migrants may also deter requests to access protection c) the responsible authorities have not yet identified structures that could be used for accommodation purposes nor have they explored possibilities for EU funding. In the same document the list of specific deliverables agreed with the Minister of Public Order and Citizen Protection was mentioned, including improvement of the situation in the Evros region and the islands, clear progress of the asylum procedure, concrete actions to ensure sustainability of border controls, and better absorption of financial assistance, as well as implications from the Syrian crisis (plan for managing the humanitarian crisis and a potential flow of refugees). As regards the latter, an interministerial meeting was held under the coordination of the Minister of National Defense, P. Panayiotopoulos, with the participation of the Minister of Public Order and Citizen Protection, N. Dendias, and the Minister for Maritime Affairs and Aegean, K. Mousouroulis, with the aim to adopt the draft plan *IONI* for managing the expected flow of Syrian refugees. The issue of combating illegal migration at sea borders, esp. since the containment of illegally entering migrants from the Evros borders, was also

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129 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12858&LangID=E>

130 [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4394&Itemid=555](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4394&Itemid=555), [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/133241.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/133241.pdf)

131 Council Of the European Union, doc. 15358/12/LIMITE/ASSIM 131/COMIX 595/23 October 2012, <http://www.statewatch.org/news/2012/oct/eu-com-greece-migration-15358-12.pdf>

on the agenda of the meeting<sup>132</sup>(17.9.2012).

Relevant was the update for LIBE's representatives of the European Parliament regarding the developments in illegal migration, the asylum, the management of racist violence<sup>133</sup>, by the Minister of Public Order and Citizen Protection (01.11.2012). LIBE focuses regularly on issues regarding funding detention/closed accommodation centers and first reception centers in Greece, and Turkey, as well as on the construction of the Fence in Evros, and FRONTEX operations<sup>134</sup>.

At the operational level, in addition to those referred in section 3.7, it should also be noted that in 2012 took place: a) two educational programs for officers of the Albanian Police Force in the context of the cooperation between Hellenic and Albanian Police Force, at the premises of the Post-educational and Training School<sup>135</sup>; b) seminar of the European Police Academy (CEPOL) in the Post-Educational and Training School of the Hellenic Police Force in North Greece (Veroia) on the 'Networks for the location, management and return of irregular migrants', with the participation of 32 higher rank Police Officers and experts from Greece, Austria, Bulgaria, France, Denmark, Estonia, United Kingdom, Italy, Spain, Cyprus, Netherlands, Hungary, Sweden, Montenegro, F.Y.R.O.M., as well as five officials/experts from european agencies (E.A.S.O., FRONTEX, EUROPOL)<sup>136</sup>; c) during the joint operation Focal Points Land 2012 of FRONTEX, two-day specialized seminars from the Passport Control officers in Kipoi Evros and Kakavia for guest officers from Austria, Lithuania, Bulgaria, Italy, Poland, Spain, Norway.

Important developments were also observed regarding management of issues of illegally residing in Greece migrant population. In the field of *employment*, Directive 2009/52/EC 'providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals' was transposed into Greek legal order as chapter ΙΓ' (articles 77-94) of L. 4052/2012 (GG A' 41/2012). In this chapter relevant obligations of employers, administrative and financial sanctions, criminal penalties against employers, lodging complaints against the employers, the residence permit of employed third country nationals etc. were regulated. The Directive's provisions include also the cases of particularly exploitative working conditions which may be linked to human trafficking for forced labor<sup>137</sup>.

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[http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4351&Itemid=552](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4351&Itemid=552)

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[http://www.mopocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4399&Itemid=559](http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4399&Itemid=559)

134 Indicatively are cited the following questions of MEPs: [E-006108/2011](#), [E-3504/2012](#)), [E-006104/2012](#), [E004614/2012](#), [E005323/2012](#).

135 *Press Release, Hellenic Police Force, 01.12.2012*

136 *Press Release, Hellenic Police Force, 26.10.2012*

137 See below section 7 of present Report.

In the field of *healthcare*, a Minister's Circular<sup>138</sup> in May 2012 illustrated that illegally residing third country nationals would not have access to medical and nursing healthcare, with the exception of emergencies that are life-threatening, urgent incidents, persons infected by HIV or other diseases until their situation is stabilized. Hospitals, sanatoria, clinics do not fall in the ambit of the Circular when it is about third country nationals urgently admitted for hospitalization and minors, unaccompanied or not, for which in any case and irrespective of their legal status and the absence of legalizing documents, unimpeded access to health care services is guaranteed. The aforementioned provisions do not include those granted refugee status, the asylum seekers, those under international protection for humanitarian reasons and those entitled subsidiary protection. The required documents that the third country national should bear are recorded in detail for each of the abovementioned cases in the Circular. In April 2012 examinations for the irregular migrants and asylum seekers with infectious diseases that are characterized as medical urgency according to the criteria of the WHO, ECDC and CDC, were established by virtue of a Decision of the Minister for Health under the title "Regulations for containing the spread of infectious diseases"<sup>139</sup>. L. 4070/2012 (GG A' 82/2012) includes amendments of article 13 of PD 114/2010 and article 76 of L. 3386/2005, which provide for the possibility of detaining irregular migrants that constitute danger for the public health.

With a view to establishing *a harsher stance against criminality*, according to an article in daily newspaper<sup>140</sup>, Secretariat General of the Government is said to have stated in September 2012 that following relevant assignment by the Prime Minister, it would forward to the responsible Ministry of Justice, Transparency and Human rights a legislative pre-draft, so that illegal entry and/or residence in Greece would be considered an aggravating circumstance entailing an increase in the length of the sentence imposed for having committed a criminal offense. On the issue at stake Amnesty International expressed its strong concern, saying that this constitutes a violation of international law by introducing discrimination on the basis of the migration status of the person. In order to strengthen its viewpoint Amnesty International reminded the stance of the UN Commission for the Eradication of Racial Discrimination, of the Commissioner for Human Rights of the Council of Europe, of the UN Arbitrary Detention Working Group, of the UN Special Rapporteur on the right to education and the UN Special Rapporteur on the human rights of migrants regarding a similar decision taken earlier in 2008 in Italy, which at the end was annulled by the Italian Constitutional Court as violating the principle of non-discrimination<sup>141</sup>.

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138 Y4a/oik. 45610/02-05-2012 Circular of Ministry of Health regarding the implementation of 139491/06 Common Ministerial Decision (GG 1747/B/30.11.06).

139 Γ.Υ. 39a/2012 Ministerial Decision (GG B 1002/2-4-2012)

140 [http://www.kathimerini.gr/4dcgi/\\_w\\_articles\\_kathremote\\_1\\_17/09/2012\\_461692](http://www.kathimerini.gr/4dcgi/_w_articles_kathremote_1_17/09/2012_461692)

141 <http://www.amnesty.org.gr/%CF%84%CE%B1-%CF%83%CF%87%CE%AD%CE%B4%CE%B9%CE%B1-%CF%84%CE%B7%CF%82-%CE%B5%CE%BB%CE%BB%CE%B7%CE%BD%CE%B9%CE%BA%CE%AE%CF%82->

## 4.2 Return

The return of third country nationals is regulated by the Articles 16 to 41 of Law 3907/2011<sup>142</sup> according to which in case of refusal to grant or renew the residence permit, and in case of revocation of the residence permit in force, the competent authority (Secretary General of Decentralised Administration or Minister of Interior) shall issue a return decision of the third country national. The return decision is an integral part of the decision to reject the application for residence permit or withdraw the residence permit.

According to Article 24 of Law 3907/2011<sup>143</sup>, the decision to postpone the removal is served to third-country nationals and consists written confirmation that a return cannot be executed temporarily (certificate of postponement of removal). This certificate is valid for six months and can be renewed after a new judgement on the continuation of the impossibility of the removal. During the duration of the written confirmation, the holder has a temporary right of residence in Greece and in any case he should remain available to those authorities responsible for the enforcement of the removal and cooperate with them in order to make it possible in short time. Also, Article 37 of Law 3907/2011<sup>144</sup> provides for the issue, after a proposal by the Ministers of Interior, of Labour, and of Citizen Protection, of a presidential decree defining the employment sectors and regions of the country where third country nationals can be hired as employees, when their return has been postponed, the status of their insurance coverage, the terms, conditions, procedures and the responsible institution for the issue of the work permit and any other relevant matter. It is noted that the aforementioned Presidential Decree has not been issued the so far.

In 2012 the implementation of the provisions of the 3907/2011 concerning the operation of reception centers was attempted in order to tackle the problems associated with the conditions of detention of third country nationals. Specifically, the design of the First Reception Centers has progressed, the first of which being expected to operate in 2013. On 11/7/2012 the Minister of Public Order and Citizen Protection N. Dendias, after meeting with Home Affairs

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[%CE%BA%CF%85%CE%B2%CE%AD%CF%81%CE%BD%CE%B7%CF%83%CE%B7%CF%82-%CE%BD%CE%B1,](#)

142 Gov. G. A-7/26.01.2011 N.3907/2011 "Establish Asylum and first reception Services, adaptation of Greek legislation to the provisions of Directive 2008/115/EC" on common standards and procedures in Member - States to returning illegally staying third-country nationals "and other provisions.

[http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5\\_cc--m0e14pHQ\\_yQmlGYPfHSeFQAuFW8rzSZfxgk-eWy3uQ8Giw0kAYi3ORfmapE3Ss2xobnse0iX0sZ2QXndQjGzH3jYJ1aCqknuAZTk-kwl-tXkc5uWeZrWvDJKJHhLUZYwJSEpTNYZu1Re9yOZa663s09w3E.](http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5_cc--m0e14pHQ_yQmlGYPfHSeFQAuFW8rzSZfxgk-eWy3uQ8Giw0kAYi3ORfmapE3Ss2xobnse0iX0sZ2QXndQjGzH3jYJ1aCqknuAZTk-kwl-tXkc5uWeZrWvDJKJHhLUZYwJSEpTNYZu1Re9yOZa663s09w3E)

143 ibid

144 ibid

Commissioner Cecilia Malstrom in Brussels, announced<sup>145</sup> the establishment of 25 Detention Centers for third country nationals who entered the country illegally. According to the Greek Action Plan for the Asylum and Migration Management, the creation and operation of reception centers will help foreigners' information and access to the voluntary return programs. Additionally, the Law 4084/2012<sup>146</sup> aims to solve practical difficulties in relation to staffing of these centres, as well as of facilities for the detention of illegally residing third country nationals. .

Subsequently, with in order to tackle difficulties in handing over the decisions by which applications for residence permits are rejected or permits are withdrawn, relating to the transition of a large number of Aliens and Immigration Services to one stop services, the competent Ministry of Interior issued circular 41/2012<sup>147</sup> to advance the implementation of the provisions of law 3907/2011 by the Decentralised Administrations.

Regarding the performance of Greece in the field of return, in 2012 there is an improvement in both voluntary and forced returns. In particular, according to Greek Police, 11,586 returns as part of forced return measures and 10,531 voluntary returns (of whom 6,324 were assisted voluntary returns through the IOM) took place in 2012<sup>148</sup>. In total there were removed 22.117 people in 2012, while the program of the European Return Fund for 2011 implemented by IOM continues until 30/06/2013.

Also aiming at the raising awareness of third countries nationals in relation to return programmes to their home countries, in November 2012, the Greek Police began distributing a relevant information brochure which was printed in 1,500,000 copies and translated into 13 languages. The brochure was designed by Attica Aliens Directorate, in cooperation with the press office of the Ministry of Public Order and Citizen Protection, aiming at increasing the return of third country nationals, safely and without them bearing the financial burden<sup>149</sup>.

For this purpose a "Pavilion" was installed at the headquarters of the Aliens Directorate (24, P. Ralli str - Taurus), where police officers and interpreters, provide information to interested third country nationals about the return programs on weekdays from 08:00 to 14:00. The competent authorities informed the representatives of migrants' associations, legally operating in the

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145 Press Release Ministry of Public Order and Citizen Protection  
[http://www.minocp.gov.gr/index.php?option=ozo\\_content&lang=&perform=view&id=4291&Itemid=549](http://www.minocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4291&Itemid=549)

146 N. 4084/2012"Regulations concerning contracts relating to reception centers and detention facilities of illegal residing aliens"

[http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5\\_cc--m0e133xFSihmzPYE3H1EKGINbu8rzSZFgk-fbyTuXZsV-7kAYi3ORfmarHITZ0OcIYK81nyinpn\\_BK4kicnjz\\_3u4G8qOBIzZQoc77k1-A9Eyz7vqZ2xJ5\\_DbX7fPHLbDTY8TAaNjk\\_cvd2NLbD5wRaygZXAf4LntIPw..](http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5_cc--m0e133xFSihmzPYE3H1EKGINbu8rzSZFgk-fbyTuXZsV-7kAYi3ORfmarHITZ0OcIYK81nyinpn_BK4kicnjz_3u4G8qOBIzZQoc77k1-A9Eyz7vqZ2xJ5_DbX7fPHLbDTY8TAaNjk_cvd2NLbD5wRaygZXAf4LntIPw..)

147 <http://www.synigoros.gr/?i=foreigner.el.metanastis-egkykloi.71089>

148 Reply to question n. 5853/2013 of MP Christos Pappas during Parliamentary scrutiny

149 [http://www.newsit.gr/default.php?pname=Article&art\\_id=175690&catid=3](http://www.newsit.gr/default.php?pname=Article&art_id=175690&catid=3)

prefecture of Attica, and handed them over printed material for distribution to their members. Furthermore, they briefed the diplomatic authorities of third countries, operating in Athens and supplied them with printed material. Additionally, they contacted the municipalities of Attica and provided them with printed information material to distribute to foreigners. Finally, areas frequented by foreigners and shops ran by legally residing foreigners (that re usually gathering points for them) were identified and printed information material was distributed by personnel of the Police Directorate of Aliens and interpreters (in mobile units-van). The cost of the whole process is mainly covered by the European Return Fund.

Additionally, IOM held an information campaign for voluntary return programs outside Athens. Specifically, from January until June 30, 2012, IOM organised five informative meetings in the towns of Kalamata, Alexandroupoli, Patras, Corinth and Corfu. Dissemination of information took place through a series of actions such as: material distribution, including audiovisual material, information entries in foreign language publications, organization of information events and use of mass media.

Also on July 27, 2012 a grant agreement of a total budget of EUR 10 million was signed between the Minister of Public Order and Citizen Protection Mr. Nikolaos Dendias, and the General Director of IOM Mrs. Laura Thompson and Head of the International Organization for Migration in Greece Mr. Daniel Esdras for implementing voluntary return of third country nationals to their home countries. The action falls within the scope of implementation of the annual program 2011 of the European Return Fund, co-financed by the European Union (75%) and Greece (25%).

In particular, the action includes sub-actions such as: a) Information about the availability of voluntary return programmes, b) Preparing for the return, c) Implementation of the voluntary return of third country nationals in their home countries, d) Reception once in final destination and reintegration into the social fabric of their origin country.

The main objective of the action is to implement a wider range of measures in order to achieve voluntary return of at least 7,000 third country nationals in their home countries and implement reintegration measures for at least 300 of them in the social fabric of their country.

Regarding national developments in the area of return, readmission agreements with third countries both bilateral and European, are of crucial importance. Specifically, on 12.18.2012 the Implementation Protocol to the Readmission Agreement between EU and Russia was signed by the Minister of Public Order and Citizen Protection. Also, a draft text of implementation Protocol was agreed with Serbia and its signature by the relevant Ministers is pending. Additionally drafts of implementation Protocols with Bosnia-Herzegovina and Moldova sent to the Ministry of Foreign Affairs / Special Legal Department for further lawmaking process,. Finally, a revised version of the existing draft bilateral protocol for the implementation of EU/Albania Readmission Agreement - was promoted.



In order to improve cooperation with Pakistani authorities and to save time required for signing a Bilateral Implementation Protocol, Greece applies the EU-Pakistan Agreement, in parallel to the process of identification and supply with travel documents, already applied by the competent Aliens Directorate of Attica and the Embassy of Pakistan in Athens.

Finally, on 21/06/2012 a Readmission Agreement between the EU and Turkey was initialled and its signature is pending.

## **5. INTERNATIONAL PROTECTION INCLUDING ASYLUM**

Greece receives the greatest pressure of all member states at its external borders, while the country's infrastructure is inadequate in relation to the disproportionately large volume of mixed flows required to manage. During the last two years in particular, due to a number of convictions against Greece on issues of treatment of asylum seekers, almost all EU countries have suspended the return of asylum seekers under the "Dublin II." regulation. These decisions considered that Greece did not engage in a "fair and efficient asylum system" which resulted in longstanding uncertainty for the asylum seekers, and that the living and detention conditions of asylum seekers were insufficient.

### **5.1 Common European Asylum System**

Greece took part in 2012 in the negotiations for the recast of the Dublin II regulation without however clearly questioning the criterion of responsibility for examining the application for asylum by the country of first entry, until recently when the new government and especially the Minister of Public Order and Citizen Protection stated that there is an effort to change this.

The new position is to implement a key redistribution on the basis of which the jurisdiction will not be decided only by the criterion of the country of first entry, but also by other additional criteria, such as soil, population and Gross National Product. Until today, the only country with which Greece has achieved a clear alliance, is Malta<sup>150</sup>.

Under the Law 3907/2011 "Establishment of asylum service and first reception service, adaptation of Greek legislation to the provisions of Directive 2008/115/EC" on common standards and procedures in Member - States for returning illegally residing third countries nationals "and other provisions", the staffing of the Asylum Service (which is the first autonomous structure of the country dealing with the examination of applications for asylum and, more broadly, international protection) has gradually proceeded. The preparation for the full operation of the First Reception Service continues. Until the new asylum service becomes operational, the Greek police is responsible for the asylum procedure (pursuant to Decree 114/2010); however until then, pending asylum applications continue to grow. By December 2012 according to a statement by

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150 <http://www.hellenicparliament.gr/UserFiles/a08fc2dd-61a9-4a83-b09a-09f4c564609d/es20121210.pdf>

the Minister of Public Order and Citizen Protection in response to a current question in the Parliament, there were 55,000 pending applications<sup>151</sup>.

In 2012, in the framework of implementation of the provisions of L. 3709/2011, the PD 102/2012 "Organization and Operation of first reception Services at the Ministry of Public Order and Citizen Protection" and the PD 104/2012 "Organization and Operation of Asylum Service in the Ministry of Public Order and protection of citizens" were enacted.

They were followed by the enactment of PD 116/2012 which amends the provisions of P.D.114/2010 and prolongs the maximum period of asylum seekers detention beyond three months provided there is a specially reasoned decision by the competent Police Director or, as far as the General Police Directorates of Attica and Thessaloniki are concerned, by the competent Aliens' Police Director, if the reasons for it continue to exist, in accordance with paragraph 2 of Article 13 of Presidential Decree 114/2010. The extension of detention coupled with the prevailing conditions in the detention centers of asylum seekers brought sharp criticism in that PD in December 2012 after a visit by the UN Special Rapporteur on the human rights of migrants, Francois Crepeau, who visited 11 detention centers. He stated that living conditions are unacceptable in some of them, and he added that deprivation of freedom of people who have not committed offenses is cruel<sup>152</sup>.

Also in September 2012, by the Joint Ministerial Decision 7001/2/1454-kd ' / 2012' "Defining quality and safety standards of organizations of civil society" Article 9, paragraph 5 of law 3907/2011 was implemented<sup>153</sup> through identification of appropriate quality and safety standards to operators of civil society to be able to carry out their respective responsibilities in a Centre or a Unit of First Reception. Following this Decision, the Director of the Asylum Service issued a decision<sup>154</sup> on the establishment of a register of civil society agencies that meet these standards.

Regarding the progress made with regards to the Common European Asylum System (CEAS), and in addition to the activation of the new Asylum Service which is essential for the alignment with the Common European Asylum Policy, Greece sought to improve the asylum seekers' accommodation facilities and the infrastructure for the examination of asylum claims.

In the allocation of European funds to Member States on the basis of the provisional budget of the four Funds of the General Program "Solidarity and Management of Migration Flows" for 2012, Greece received from the European Refugees Fund (ERF) 3,601,857 euros. In this framework, the national action

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151 <http://www.hellenicparliament.gr/UserFiles/a08fc2dd-61a9-4a83-b09a-09f4c564609d/es20121210.pdf>

152 <http://www.euro2day.gr/news/highlights/121/articles/743161/Article.aspx>

153 Gov. V2491/2012, KYA7001/2/1454-kd ' / 2012 setting quality and safety standards of organizations of civil society, <http://www.synigoros.gr/resources/docs/kya7001-2-kd.pdf>

154 Establishment of Registry of institutions of civil society so that they may carry out individual tasks of the Regional Asylum Offices in accordance with the provisions of Article 2 paragraph 7 of Law 3907/2011. »[Http://www.synigoros.gr/resources/docs / 2454-12.pdf](http://www.synigoros.gr/resources/docs / 2454-12.pdf)



plan supported the programmes aiming at implementing the principles and measures foreseen in EU acquis in the area of asylum, including social integration objectives.

In particular, the actions funded related to the following:

A) Improving the conditions and infrastructure for reception and asylum procedures.

Specific Actions:

A.1. Increase capacity and upgrade hosting services for asylum seekers

A.2. Services for providing legal support and assistance to asylum seekers and people who enjoy international protection

A.3. Social care, health services, psychological support and related consulting services with emphasis on vulnerable cases of the target group

A.4. Provide information to local communities, including increasing awareness and positive influence on public opinion as well as specific training of the staff of local authorities and organizations which will come in contact with the target group in the process of reception.

A.5. Interpreting / Translation Services to the relevant asylum authorities

B) Integration of persons of the target group whose stay in Greece has a permanent and steady nature.

Specific Actions:

B.1. Counseling and assistance in areas such as housing, basic means of living, integration into the labor market and assistance provided to medical, psychological and social level

B.2. Activities that help the target group to adjust to Greek society in social and cultural levels and acquisition

B.3. Activities focusing on education, vocational training, courses in Greek language and skills

## **5.2 European Asylum Support Office**

EASO's mission<sup>155</sup> is to support the implementation of Common European Asylum System (CEAS), the Member States of the European Union and the national asylum authorities. EASO is evolving into an independent center of expertise that is close to the Member States and the competent national authorities, but also close to the European Commission.

In 2012, the EASO established an action program which focused on a set of priorities to meet the expectations of the Stockholm Programme.

Key priority for 2012 was the implementation of the Operational Plan for

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155 <http://easo.europa.eu/>

Greece<sup>156</sup> which requested in February 2011 to be provided with emergency support in order to address the challenges of the increasing pressures on its borders. Since then, under Phase One of the Operational Plan signed with Greece in 2011, EASO has developed more than 40 groups that support Greece in its efforts to build a new asylum system in accordance with the National Action Plan for Asylum System Reform and Migration Management. In particular it has provided support for the establishment of the First Reception Service, of the Asylum Service, of the Appeals Authority and for the improvement of reception conditions. EASO manages on site these groups and works closely with the Greek government, UNHCR, FRONTEX and the other interested parties.

On November 13th an EASO delegation visited Greece and following a meeting with the Minister of Public Order and Citizen Protection an amendment of the EASO Operations Action Plan in Greece was signed. Then on November 15th the Minister visited the offices of EASO in Malta, where he met with Dr. Robert K. Visser, Executive Director of EASO.

Under the operation plan, EASO and the Greek authorities have managed:

1. To draft a training plan for staff of the new services, which has been initiated. Some trainers who belong to the new services have been trained over the sections of the European program on asylum and they have then trained staff employed most recently.
2. To plan the transition of databases and Eurodac DubliNet to the new services
3. To develop guidelines for the determination of age, the assessment of vulnerable groups and a strategy to increase reception and accommodation facilities.

According to the schedule contained in the business plan, the activities of EASO in Greece will continue at least until April 1, 2013.

Greece participates in the following activities of EASO: 1) Participation in the Management Board, 2) Participation of Greek NGOs in consultative forums and 3) Delivery of statistics and information on the situation of asylum in Greece to assist in achieving the objectives of the European Asylum System.

Greece also took part in 2012 in six Specialist training sessions of EASO which aim to implement the Action Plan for the increased protection of unaccompanied minors entering the EU and covered the following issues: determination of age, minors interview, available medical instruments for determining age (eg radiography), specific legal issues for the protection of minors, the role of age determination in the asylum procedure and the procedure that must be followed in the future in order to meet the objectives of this Action Plan.

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156 <http://easo.europa.eu/wp-content/uploads/Consultative-Forum-Operational-Plan.pdf>

### **5.3 Intra-EU Solidarity including Relocation**

Greece did not participate in relocation programs as the national asylum system is already disproportionately burdened.

### **5.4 Cooperation with third countries including Resettlement**

Greece did not participate in resettlement programs as the national asylum system is already disproportionately burdened.

## **6. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS**

The highly strained Greek asylum system, which in recent years had surpassed his abilities, affects the most vulnerable groups of asylum seekers and especially unaccompanied minors and women. In the frame of restructuring of Greek asylum system for its harmonisation to the Common European Asylum System, the Law 3907/2011 (which established the Asylum Service and the First Reception Service, as autonomous services reporting directly to the Minister of Public Order and Citizen Protection), provides for special treatment of minors and those belonging to vulnerable groups.

### **6.1 Unaccompanied Minors**

The Presidential Decree 114/2010, *'Establishing a uniform identification process to foreigners and stateless refugee status or subsidiary protection (in compliance with EU Directive 2005/85/EC)* "which applies until the new Asylum Service will be fully functional, improved the previous framework regarding unaccompanied minors. The changes are as follows: a) Article 12 which regulates issues relating to the application for asylum by minors, refers not only to the guardian but also to whoever engage in its acts, b) such persons are always invited to attend the interview of the unaccompanied minors, c) asylum applications of unaccompanied minors are examined under the usual procedures and in priority, d) in the event that through the procedure for determining the age does not occur with certainty that the applicant is an adult, he should be treated as a minor, e) In accordance with Article 13, regarding detention of asylum seekers, the detention of minors should be avoided. Also, children separated from their families and unaccompanied minors can be detained only for the time necessary until their safe referral to adequate accommodation facilities for minors.

Law 3907/2011 also refers to unaccompanied minors. Article 10 refers to the reception centers and art.18 to the *ratione materiae* of the return process, classifies unaccompanied minors on vulnerable groups. Article 25 for Return and removal of unaccompanied minors requires the consideration of the child's best interests before deciding to issue a return decision. It is also provided that before removing an unaccompanied minor from the country, the competent authorities establish that he/she will be returned to a member of his/her family, a nominated guardian or appropriate reception facilities.

During the reference year of this report legislative developments in the field of unaccompanied minors were introduced by the Law 4052/2012<sup>157</sup> (which, inter alia, provides for the harmonization of Greek legislation with Directive 2009/52/EC of the European Parliament<sup>158</sup> and of the Council of 18.6.2009 on the 'enforcement of minimum standards on sanctions and measures against employers of illegally residing third-country nationals' with the aim to combat illegal immigration). The law provides, in Article 88 paragraph 2, for criminal penalties for anyone who illegally employs minors who are nationals of third countries and even punishment with imprisonment of at least six (6) months. Also in accordance with Article 89 paragraph 1, an illegally employed unaccompanied minor is entitled to a residence permit on humanitarian grounds upon relevant request, in accordance with the other terms and conditions of Article 44 of n.3386/05, which regulates issuance and renewal of residence permits on humanitarian grounds, as amended by Article 42, paragraph 1, subparagraph e of Law 3907/11. In paragraph 3 of the same article it is further stated that the competent prosecuting authority shall take all necessary steps to determine the identity and nationality of the minor and the fact that they are unaccompanied. They shall also make every effort to the swiftest family tracing, take the necessary steps to ensure legal representation and, where necessary, represent them in criminal proceedings. The juvenile prosecutor and where there is no juvenile prosecutor, the competent Prosecutor, if he cannot find the family of a minor or if he believes that under the circumstances the repatriation does not serve the minors' interest, he may order all appropriate measures to protect him/her until the ruling by the court, which must be addressed within thirty days, for the appointment of a guardian in accordance with the provisions of articles 1532, 1534 and 1592 of the Civil Code.

The protection of unaccompanied minors is a priority for Greece given the vulnerability of this category. Therefore in 2012, the Ministry of Health, as the responsible authority of the European Refugee Fund, has funded the following programs related to unaccompanied minors:

- i. Hospital for Chronic Diseases "The Mother of God" Lesbos Operation of Hospitality Unit for Unaccompanied Refugee Minors (495.700,50 €) Operation of structure for unaccompanied minors seeking asylum in Ayia Sophia of Lesbos, while providing supportive social services, psychological support, and services for the integration of minors in Greek society (eg education)

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157 Gov. 41A LAW NO. 4052/2012 statutory responsibilities of Ministry of Health and Social Welfare and Labour and Social security for the implementation of the law "Approval of the draft financial assistance facility agreement between the European Financial Stability Fund (E.T.C.H.S.), the Hellenic Republic and the Bank of Greece, the draft Memorandum of Understanding between the Hellenic Republic, the European Commission and the Bank of Greece and other urgent measures to reduce public debt and rescue the national economy "and other provisions.

[http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5\\_cc--m0e1wmmXNVEXA9uQo5UcBkVxwW8rzSZFgk-fbyTuXZsV-7kAYi3ORfmarYPUwzf4LI1XkxcPQvNBMTY9T3IvMHxXpABIQE1JCW9FiNMQRQT-Ek\\_FKIm\\_8xYoyAXSUzFh4gzMeT5kt6Ei-fVZpSPWuuI3T3yKZHeTf1SQ..](http://www.et.gr/ids-nph/pdfimageSummaryviewer.html?args=sppFfdN7IQP5_cc--m0e1wmmXNVEXA9uQo5UcBkVxwW8rzSZFgk-fbyTuXZsV-7kAYi3ORfmarYPUwzf4LI1XkxcPQvNBMTY9T3IvMHxXpABIQE1JCW9FiNMQRQT-Ek_FKIm_8xYoyAXSUzFh4gzMeT5kt6Ei-fVZpSPWuuI3T3yKZHeTf1SQ..)

158 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:168:0024:0032:EL:PDF>

- ii. APOSTOLI: Stichima Zois II (229.186,88 €) Continue of operation of hostel shelters for unaccompanied refugee minors while providing psychological support services and counseling, creative, primary health care and learning of the Greek
- iii. ARSIS-Social Support for Youth: METOIKOS 2012 (784.047,38 €) Continue of operation of hostels for unaccompanied minors seeking asylum in Oraiokastron Thessaloniki Prefecture and in Makrynitsa Volos. Host of unaccompanied underage girls as a priority and secondary of single parent families in the Greek Welfare hostel in Volos. Continuation of hosting families in Athens.
- iv. HELLENIC RED CROSS: Centers for unaccompanied minors / Asylum Seekers (380.765,21 €) Operation of the Center for unaccompanied minors in Paidopoli "Aghia Sophia "in Agria, which can accommodate 48 children adolescent and pre-adolescent.
- v. INSTITUTE OF YOUTH AND LIFELONG LEARNING: Hospitality Centres for Asylum Seekers (496.875,00 €) Operation structure hosting in St. Anargyroys single parent families, young women and underage girls asylum-seekers and operation of structure for unaccompanied minors in Anogia Crete.
- vi. MERIMNA: Operation of hospice for unaccompanied minors in Child Boys Center Care in Konitsa (478.792,69 €) Provision of shelters for unaccompanied refugee minors at the Center for Child Protection at Ioannina - Konitsa and their training in the laboratories of the Center for their independence and their integration into the labor market.
- vii. ASSOCIATION FOR MINORS CARE: Teen Station (108.000,00 €) Hospitality and faceted support for unaccompanied refugee minors who have filed for asylum
- viii. PRAKSIS: STEGI H(53.333,33 €) Medical support of unaccompanied minors. The action will be implemented at the Polyclinics of PRAKSIS in Athens and Thessaloniki, as well as places such as hostels for minors, and in open living areas for unaccompanied minors (street work interventions)
- ix. ARSIS: METOIKOS 2011 (56.250,00 €) Approach, assistance and promotion in structures for unaccompanied minors detained by police under protective custody mainly in Alexandroupolis and Athens.
- x. UN High Commissioner for REFUGEES: continuation of action by UNHCR UN for refugees to reform the asylum system in Greece (€ 358.296,34) Continue of measures implemented under the Emergency Measures of ERF 2011 such as the training of personnel involved in the asylum process, providing information on countries of origin to the authorities, providing support to the record and case management, as well as in improving access to the asylum procedure for vulnerable groups with focus on unaccompanied minors.

Greece also took part in 2012 in six Specialist training sessions of EASO which

aim to implement the Action Plan for the increased protection of unaccompanied minors entering the EU.

However, Greece's position as a key gate for illegal immigration into the EU requires greater efforts to the protection of unaccompanied minors. As found by the Commission's interim report<sup>159</sup> which updated the Action Plan on Unaccompanied Minors 2010-2014<sup>160</sup> and was published in September 2012, most of unaccompanied minors enter the EU through the main gates of illegal immigration. Unfortunately, as was reported by the Greek Council for Refugees in "Unaccompanied Minors Greek-Turkish border: Evros, March 2011 - March 2012,"<sup>161</sup> the conditions of detention of unaccompanied minors who pass the border illegally are intolerable and in any case they do not meet the specifications of the Common European Asylum System. The need to improve the structures for immigrants and asylum seekers, particularly with regard to nutrition and health care was stressed by Commissioner Cecilia Malmstrom after visiting Evros on 8-9 October 2012<sup>162</sup>, where, while acknowledging the efforts and difficulties faced by Greece with mixed flows, she emphasized that there should be further improvements in order for the greek asylum system to be harmonized with the CEAS.

## 6.2 Other Vulnerable Groups

According to the glossary of the European Migration Network, as vulnerable groups are described minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have undergone torture, rape or other serious forms of psychological, physical or sexual violence<sup>163</sup>.

As already mentioned, asylum seekers and unaccompanied minors are those most affected by the shortcomings of the national asylum system. It is therefore important that, in 2012, the staffing of the Asylum Service and the First Reception Service, both established by L.3709/2011, has being continued; when these Services become fully operational, they will be in a position to provide the necessary, increased protection to those vulnerable groups.

Also, in an effort to improve reception and living conditions of asylum seekers belonging to vulnerable groups, the Ministry of Health, as the responsible authority of the European Refugee Fund, has funded the following programs

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159 Report From The Commission To The Council And The European Parliament "Mid-term report on the implementation of the Action Plan on Unaccompanied Minors", {SWD(2012) 281 final}, [http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam\\_report\\_20120928\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf)

160 Communication From The Commission To The European Parliament And The Council, Action Plan on Unaccompanied Minors (2010 – 2014), SEC(2010)534, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF>

161 Greek Council for Refugees, unaccompanied minors in Turkish border: Evros, March 2011 - March 2012, [http://www.gcr.gr/sites/default/files/evros\\_el.pdf](http://www.gcr.gr/sites/default/files/evros_el.pdf)

162 press release for the meeting of Dendias-Malmstrom, [http://ec.europa.eu/ellada/press-center/news/archives/news\\_20121005\\_malmstrom\\_episkepsi\\_el.htm](http://ec.europa.eu/ellada/press-center/news/archives/news_20121005_malmstrom_episkepsi_el.htm)

163 <http://emn.intrasoft-intl.com/Glossary/viewTerm.do?startingWith=V&id=321>

related to vulnerable groups:

- I. FOUNDATION FOR YOUTH AND LIFELONG LEARNING: "Hospitality Centres for Asylum Seekers," Structure for minors in Anogia: 1/1/2012-30-9-2012 Hosting Structure in St. Anargirous: 1/7/2012-31/3/2013 (496,875,00 €), Operation of hosting structure in St. Anargirous for single parent families, young women and underage girls asylum-seekers and operation of Hosting structure for unaccompanied minors in Anogia Crete.
- II. E.K.PO.S.P.O 'Nostos', Hosting and Support of Refugees (403.423,49 €), Operation of "Temporary Host Structure " for families of the target group, with an emphasis on single parent ones. Provide multidimensional support services (such as operation of a children's activities, providing legal support and interpretation services)
- III. HELLENIC RED CROSS, Mobile Intervention Unit (18.000,00 €), The Mobile Intervention Unit, which will be implemented in the area of Patras, aims to identify vulnerable groups and provide them with legal protection.
- IV. GREEK COUNCIL FOR REFUGEES, Providing Integrated Support to Asylum Seekers (335.757,63 €), Integrated support for persons in need of international protection when entering the country and at all stages of the asylum process, through a network of multilevel activities and emphasis on vulnerable cases. These actions will be implemented in Athens, Evros and Rodopi
- V. HELLENIC RED CROSS, Mobile Intervention Unit (25.690.00 €) The Mobile Intervention Unit, which will be implemented in the area of Patras, aims to identify vulnerable persons, to psychosocial support them, the development and strengthening of local cooperation network, to address the diverse needs of the target group and to inform the relevant local authorities on the asylum procedure in order to improve the access of stakeholders in it.
- VI. K.S.P.M "GLOBAL PROGRAMME FOR REFUGEES», HOPE II (€ 12.300), provide social support to the most vulnerable cases of those addressed to the Office within the legal service.

Finally, the protection of vulnerable groups constitutes a priority of the "Guide of the Hellenic Police Behaviour towards religious and vulnerable groups", published and distributed to all police personnel in 2012.<sup>164</sup> The Hellenic Police Behaviour Guide covers procedures of control, arrest and detention of persons belonging to religious and vulnerable social groups, in respond to Council Directive 2000/43/EC of the Council of 29 June 2000 and Directive 2000/78/EC of the Council of 27 November 2000, as incorporated into Greek legislation by Law 3304/2005. It aims at ensuring the respect for cultural, religious and other kind of diversity, combating discrimination on racial or ethnic grounds, as well

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164 <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/7963246.pdf>

as (negative) discrimination related to sex, religious or other beliefs, disability, age, or sexual orientation.

## **7. ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS.**

According to the annual report *Trafficking in Persons 2012* issued by the US State Department's Office to Monitor and Combat Trafficking in Persons, Greece belongs among the countries of *Tier 2* (countries that do not fully comply with the minimum standards for the elimination of trafficking, but they are making significant efforts to do so)<sup>165</sup>. In the field of statistics, this is illustrated in the arrest of 171 traffickers in 2012, in assistance and protection provided to 39 victims of human trafficking and the conviction at first and second instance courts of 49 traffickers. Actual cases of human trafficking for sexual exploitation are illustrated in an extensive text of a Sunday newspaper magazine, where modern patterns of actions of these criminal networks and the demographic characteristics of the victims in Athens are outlined<sup>166</sup>. During 2012 in Press there were references to the dismantlement of networks of human trafficking, either sex trafficking or forced labor<sup>167</sup>.

Current national policy actions for the prevention and fight against human trafficking, including measures to identify, protect and assist victims of human trafficking, result from the legislative framework already cited in EMN *Annual Policy Report 2011*, as amended after the ratification of the UN Convention against International Organized Crime ('Palermo Convention') and its Protocols, esp. the 'Protocol against trafficking in Human Beings' (L. 3875/2010). A noteworthy development linked to the fight against human trafficking for forced labor is the transposition of Directive 2009/52/EC through Law 4052/2012 on sanctions against employers of illegally staying third country nationals. Directive 2011/36/EU 'on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA' has not yet been transposed in national law. This is the task of the established Law-Making Committee under the responsibility of Ministry of Justice, Transparency and Human Rights. Transposing this particular Directive entails *inter alia* the institutionalization of the informal coordinating role that the Ministry of Foreign Affairs has with respect to other responsible Ministries, IOM, and reliable NGOs, fostering thus cooperation and networking with International Organizations, realization of international commitments and the essential extroversion of national actions and policies<sup>168</sup>. In close cooperation

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165 <http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>. It is reminded that Greece has signed but not ratified the Convention of the Council of Europe against trafficking in human beings' (no 197)(2005).

166 VIMagazino (BHMagazino), 5.2.2012.

167 Kathimerini, 21.11.2012 «Trafficking from travel bureau. Network having captured 41 Romanians and had them work without any payment was dismantled». See also operation PAKOUL.

168 This Directive establishes minimum rules concerning the definition of criminal offences and sanctions in the area of trafficking in human beings. It also introduces common provisions, taking into account the gender perspective, to strengthen the prevention of this crime and the protection of the victims thereof. It provides for the establishment of National Rapporteurs or equivalent mechanisms (article 19).



with the EU, UN, OSCE, IOM and the Council of Europe, the Ministry of Foreign Affairs ensures Greece's participation in the World Action Plan for the Fight Against Human Trafficking. The informal National Rapporteur participates actively and is accountable to the Network of National Rapporteurs/Coordinators of EU for the fight against human trafficking, which meets regularly in Brussels. The National Rapporteur also participates in International Organizations that bind Greece via Conventions and Action Plans against the human trafficking (UN G.I.F.T, UNODC: Palermo Protocol; OSCE: Alliance against human trafficking; Council of Europe: Convention against human trafficking).

The operational basis for the prevention and the fight against human trafficking, including enhanced persecution of traffickers is outlined in the primary goals of the Anti-crime Policy Programme (2010-2014) of the Ministry of Public Order and Citizen's Protection and the Hellenic Police Force. Specific measures include a) updated reports on various parameters of trafficking in human beings in the region, b) education/training of staff employed in Police task forces for aliens' control and passport check-points aiming at enhancing its knowledge and sensitivity on the issue at stake, c) endorsement and coordination of the task of the 14 regional Hellenic Police Anti-trafficking Task Forces and the Anti-trafficking Group at the Hellenic Police Headquarters/Division of Public Security d) collection and clearing of relevant information and the planning of and realizing special operations against organized crime rings, including trafficking in human beings.

Police authorities have specific guidelines in managing cases of human trafficking with respect to victims in cooperation with state and non-state actors. In this field the *National Centre for Social Solidarity* (E.K.K.A.-Hotline 197), since March 2012 under the Ministry of Labor and Social Insurance, acts as national coordinator for the cooperation among state and non-state actors. Foreign diplomatic missions and the International Migration Organization in Greece also contribute in assisting victims of trafficking and their return. Furthermore, the abovementioned *National Rapporteur/National Coordination Mechanism* at the Ministry of Foreign Affairs participates in the Programme *Towards a Pan-european Monitoring System of Trafficking in Human Beings* (2012-2014), along with other EU member-states and international organisations<sup>169</sup>.

Non-state actors have also been working towards the same direction. Their activities relate to all the phases of fighting trafficking in human beings (prevention, combat, information, identification-assistance-protection for victims of trafficking, legal aid to victims against traffickers). In this field, of crucial importance is the establishment of the 1109-Human trafficking resource Line (3<sup>rd</sup> April 2012) by A21, an NGO active in many countries in the field of awareness-raising campaigns, prevention, assistance to the victims of human trafficking, legal aid against the traffickers. Besides 'Hotline 1109', A21 has organized wide range awareness-raising campaigns in public schools,

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169 [http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Projects%2FHOME\\_2011\\_ISEC\\_AG\\_THB\\_4000002251](http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Projects%2FHOME_2011_ISEC_AG_THB_4000002251)

Universities, and other public places, with the support of state agencies, local government, sport unions (football team), international organizations. Its activities have had the form of leaflets, '27.000.000 reasons' (special movie-day, June 1<sup>st</sup> 2012), semi-marathon (November 21<sup>st</sup> 2012), advertising the '1109' on bottle-labels and football players' shorts etc.

Other also striking cases, that were launched in 2012 or earlier and continued in 2012, are:

- The National Center for Lost and Abused Children continues its work (European Line for Lost Children 116000).
- KMOP (Center for Family and Child Care) in cooperation with respective centers in Italy, Cyprus, Portugal runs the EC funded Programme 'Improving and Monitoring Protection Systems against Child Trafficking and Exploit (2012-2014)'<sup>170</sup>.
- ARSIS Greece in cooperation with NGOs based in Bulgaria, Romania, Hungary and France runs the EC funded programme 'REVENI-Transsnational Monitoring orf return procedures for Romanian and Bulgarian children (07.2011-31.12.2012)'<sup>171</sup>.
- Within the MARIO project, the 2<sup>nd</sup> state conference on Protection of children-victims of trafficking and abuse (March 23<sup>rd</sup> 2012) took place in Sofia, organised by EKKKA, ARSIS Greece and NGOs based in other countries participating in the project.
- Sport event (basketball game) at Olympic Stadium (OAKA), organized by involved Ministries, state agencies and foreign diplomatic mission (April 3<sup>rd</sup> 2012)<sup>172</sup>.
- Meetings of stakeholders for the exchange of best practices and experience regarding locating and identifying victims, persecuting the traffickers, as well as training trainers, organized by IOM in Greece in cooperation with IOM in Georgia (Septemeber 2012) and IOM in Moldova (December 2012).
- Awareness-raising events for students by the Greek NGO 'NO Project' with the participation of Greek schools in relevant artistic events (theater, cinema, photography etc)

Aside from the above, it should be mentioned that in the aftermath of the initiative 'ILAEIRA (2009) for combating trafficking in women and children and

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170 [http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Projects%2FHOME\\_2011\\_ISEC\\_AG\\_THB\\_4000002232](http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Projects%2FHOME_2011_ISEC_AG_THB_4000002232)

171 <http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=kwp4RMpd3tqLyYrG23bR3hfLGX12DQMzKfhBTTNCZ0jhhgRJbwB6!106222535?path=EU+Projects%2FREVENI>

172 <http://www.keelpno.gr/Portals/0/%CE%91%CF%81%CF%87%CE%B5%CE%AF%CE%B1/%CE%94%CE%B7%CE%BC%CE%BF%CF%86%CE%B9%CE%BB%CE%AE-%CE%A3%CF%85%CE%BD%CE%AD%CE%B4%CF%81%CE%B9%CE%B1%20%CE%BA%CE%AC/Invitation%20GR%20%CE%A3%CF%80%CE%AC%CF%83%CF%84%CE%B5%20%CF%84%CE%B7%CE%BD%20%CE%B1%CE%BB%CF%85%CF%83%CE%AF%CE%B4%CE%B1.pdf>

assisting and protecting victims of trafficking', as read in the two Manuals (on interagency coordination and operations; on exchange of best practices for police task forces) and realized at national and crossborder level, a) experts meetings of involved agencies take place at national level, b) special operations against organized crime rings can be planned and successfully accomplished, c) bilateral meetings with experts usually from neighboring states (Albania, Bulgaria) representing state and non-state actors or meetings for cross-border cooperation restricted to regional police authorities are also being organized. Having concluded TACT III (2006-2009), cooperation with Albania regarding protection and assistance to minors as victims of trafficking continues in the context of the Guidelines/Principles agreed upon between the two countries and the ratification of the respective Agreement through Law 3692/2008. Common operations, such as the operation PAKOUL, are also launched so as to locate and arrest members of international criminal organizations involved in human trafficking. In the aforementioned operation persecution authorities of Austria, Belgium, France, Germany, Greece, Italy, UK took part with the aid of EUROJUST and EUROPOL<sup>173</sup>.

At international and European level, the assets of EUROPOL, INTERPOL, SECI, and liaison officers may serve the cause against TIP. The all-comprising EU funded programme 'Prevention of and Fight against Crime (2007-2013) consists of separate but supplementary projects regarding TIP: collection and clearing of data on TIP; informing communities at risk; training and operational cooperation. In these projects participants are state and non-state actors<sup>174</sup>. Moreover, awareness-raising side-event for communities at risk was organized in the context of UN by the Permanent Representatives of Greece and Bulgaria to UN under the title 'Prevention and combat against trafficking in human beings in South-East Europe - Joining forces (June 29<sup>th</sup> 2012, Geneva) during the 20<sup>th</sup> Summit of the Council for Human Rights<sup>175</sup>.

In the broader context of developments concerning the fight against cross border organized crime, which often involves human trafficking, it is also notable the ratification of the 'Convention for the establishment of Southeast European law Enforcement Center (SELEC)' with the adoption of Law 4054/2012 (GG A 45/2012).

## **8. MIGRATION AND DEVELOPMENT POLICY**

In 2012 there were no important developments in linking migration and development policies. Nevertheless, in November 2012, Greece participated and contributed to the work of the Global Forum on Migration and Development, that was held in Mauritius. Furthermore, Greece contributed to the preparation for the Dialogue on Migration and Development, to be held in

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173 Parliamentary control 6298/5-3-2012.

174 [http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index_en.htm)

175 <http://www.hamogelo.gr/24-1/1153/To-Xamogelo-toy-Poidioy-sthn-20h-Synodo-toy-Symboylioy-Anthropinon-Dikaiomaton-ton-Hnomenon-Ethnon>

the UN General Assembly in 2013.

Regarding migrant remittances, according to official figures from the Bank of Greece, for the financial year 2012, remittances from Greece amounted to 598,9 million euros. This amount is significantly less compared to both 2011, when outflows amounted to 922.4 million euros, and 2010, when the outflows amounted to 1,080.6 million euros.

	<b>Migrant remittances (million euros)</b>										
	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Net flows</b>	1.050,4	883,2	511,6	192,3	399,7	708,6	587,4	250,2	- 151,8	- 260,0	- 269,8
<b>Inflows / Collections</b>	1.248,0	1.048,7	721,2	697,7	906,5	1.439,5	1.478,1	1.157,9	928,8	662,4	329,1
<b>Outflows / Payments</b>	197,6	165,5	209,6	505,4	506,8	730,9	890,7	907,7	1.080,6	922,4	598,9

Source: Bank of Greece

As far as working with diasporas is concerned, Actions continue to be implemented within the framework of the European Fund for the Integration of third-country nationals in Greece. Some of these actions explicitly aim at strengthening diaspora groups living in our country, and thus indirectly enhances the possibility that these groups shall contribute to the development of their home countries.

Indicatively, in 2012, two actions that were implemented were: a) Action 1.3/10 "Supporting immigrant communities for their organization at primary and secondary level," implemented by the Labour Institute of the General Confederation of Greek Workers (GSEE) in cooperation with the Greek Forum of Migrants and, b) Action 1.2/2010 "Legal and Administrative support for third-country nationals that legally reside in the country" by AKMON Training Organisation, NGO PRAKSIS and the Greek Forum of Migrants.

Additionally, throughout 2012, a number of Immigrant Integration Councils (SEM) were established in the municipalities that had not yet formed these bodies. It should be reminded that members of the SEM are, among others, Councillors (mandatory for those that are immigrants), representatives of immigrant organizations and representatives selected by the area's immigrant community.

Regarding the Greek diaspora, on 11 December 2012 the draft law on the "Organization of World Council of Hellenes Abroad" (SAE) came to public consultation. The draft law emphasizes on the adjustment of its institutional framework to the current circumstances, the self-organization and self-financing of the institution, and in providing the opportunity to any Greek men and women across the globe to participate in SAE. The consultation remained active until January 31, 2013, with 137 remarks made on its separate articles.

Furthermore, in October 2012 the Minister of Interior informed the members of the Special Parliamentary Committee on the Diaspora, regarding the voting rights of expatriates. As announced, a working group is preparing a draft law with main axes the political expression of expatriates, ensuring equality of votes, process credibility (legitimacy-transparency), administrative readiness, and the ability to run operations at low-cost. The draft law will be followed by a public consultation and after receiving corrective suggestions; it will come as a bill for a vote in the Parliament.

In terms of brain drain from third countries, there were no noteworthy developments. It is of interest though, that due to the economic crisis, Greece is at the moment facing "brain drain". While there are no specific measures to limit this phenomenon at the moment, there is a long-term effort to address this issue through development initiatives.

## **9. IMPLEMENTATION OF EU LEGISLATION**

During 2012 Greece transposed into its national law Council Directive 2009/50/EC of 25 May 2009 'on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment' and Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 'providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals'. Furthermore, fundamental conditions included in the proposal of Regulation on EUROSUR for the achievement of enhanced border control were in place through the establishment of the National Coordination Center for the Surveillance and Control of Borders.

### **9.1. Transposition of EU legislation 2012.**

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 'on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA'.

- Transposition required by: 6<sup>th</sup> April 2013
- Status: on progress; the respective Law-Making Committee has been established under the responsibility of Ministry of Justice, Transparency and Human Rights.

Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.

- Transposition required by: 20<sup>th</sup> July 2011.
- Status: Transposed through Chapter ΙΓ' (articles 77-92) of Law 4052/2012 'on the jurisdiction of Ministries of Health and Social Solidarity

and Labour and Social Insurance for the implementation of the Law "Approval of the Draft Financial Assistance Facility Agreements between the European Financial Stability Facility (E.F.S.F.), the Hellenic Republic and the Bank of Greece, approval of the Draft Memorandum of Understanding between the European Commission, the Hellenic Republic and the Bank of Greece and other urgent provisions for the reduction of the public debt and the rescue of the national economy" and other provisions'. (GG A' 41/01.03.2012)

Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection.

- Transposition required by: 20<sup>th</sup> May 2013.
- Status: on progress, under the responsibility of Ministry of Public Order and Citizen Protection.

Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

- Transposition required by: 19<sup>th</sup> June 2011.
- Status: transposed through Law 4071/2012 'Regulations on the local development, government and decentralized administration - Transposition of Directive 2009/50/EC.» (GG A' 85/11.04.2012)

The Proposal for a Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR) provides for the establishment of a European coordination center, and the operation of a national coordination center in each member state. Accordingly, by virtue of Law 4058/2012, a National Coordination Center for the Surveillance and the Control of Borders is established in Greece<sup>176</sup>.

Furthermore, with the aim to fully comply with the provisions of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States etc, article 42 of L. 4071/2012 amended certain provisions of the Presidential Decree 106/2007, via which Directive 2004/38/EC had been transposed in the Greek legal order.

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<sup>176</sup> Provision of security services by uniformed guards on commercial ships and other provisions (GG 63 A/22.03.2012).

## **9.2 Experiences, debates in the (non) implementation of EU legislation.**

Discussion in the Hellenic Parliament on the harmonization of Greece regarding Directive 2009/50/EC on the entry of third-country nationals for the purposes of highly qualified employment ('Blue card') took place from 6<sup>th</sup> April 2012 until 9<sup>th</sup> April 2012. During the discussion on the draft bill, today Law 4071/2012, the former Minister of Interior, Anastassios Yiannitsis, referred to the need of voting for the provisions transposing the Directive into national law, otherwise the country would be accountable to the European Commission due to the delayed transposition and it would be a luxury for the country to pay pecuniary penalties.

Discussion in the Hellenic Parliament on the harmonization of Greece with Directive 2009/52/EC regarding the sanctions against employers of illegally staying third-country nationals took place on 29<sup>th</sup> February 2012. During the parliamentary discussion the issue of non timely transposition was downplayed, whereas a SYRIZA MP stressed that the Directive would be transposed in the national legal order word-for-word without having been properly elaborated so as to be adapted to the national circumstances. Discussion on the provisions of the Directive focused mainly on the issue of non-insured employment and the entry of irregular migrants.

It is noteworthy that during the discussions in the Hellenic Parliament the MPs referred in brief on the provisions *per se* transposing the Directives. This can be attributed to the fact that the main provisions of the draft Law regulated a different issue and the provisions transposing the Directive were a part of one of the many chapters therein.



## **ANNEXES**

### **Annex A: Methodology and Definitions.**

#### **A1. Methodology.**

The starting point for locating and collecting the essential information for the Annual Policy Report in accordance with the respective guidelines 2012 was the respective archive at the Laboratory on the Study of Migration and Diaspora (EMMEDIA). This archive is kept in electronic form and is regularly updated. After having assessed the available data, it became evident that specifications and supplementary data was needed on a migration issue-by-issue basis. Access to this data was gained through official websites of responsible state authorities, international intergovernmental bodies, NGOs and migrant organizations as well as special websites of the European Commission on migration and asylum policy and its flanking policies (visa policy and policy for the management of external borders), and of the Council of Ministers for Justice and Home Affairs.

The extent and the content of the public discourse on certain issues were defined at the political level by the parliamentary control exercised by the MPs in the Hellenic Parliament and the MEPs in the European Parliament, by reports of the Independent Authorities and Committees, whereas at the level of public opinion public debates were delineated by the Media (Press, TV, Radio) and other electronic forms of information. As regards the proposed and adopted amendments of the primary legislative framework and the secondary law, information was obtained from the website of the Hellenic Parliament, the National Printing House, the Secretariat General of the Government, Diaygeia and OpenGov. Whenever statistics were not available on the websites of the responsible authorities, a respective request was addressed to the Hellenic Statistics (EL.STAT.) or the responsible Ministries/authorities.

More specifically, information has been collected either directly from relevant reliable/official websites or after relevant contact/interview with officials from:

- Ministries of Foreign Affairs; Interior; Public Order and Citizen's protection/Hellenic Force; Maritime Affairs and Aegean/Hellenic Coastguard; Health; Justice, Transparency and Human Rights.
- Secretariat General of the Government; Hellenic Parliament; OpenGov; Diaygeia; National Printing House; Hellenic Statistics (EL.STAT.).
- Ombudsman for the Migrant, the Refugee and the Ethnic Greek; National Committee on the Rights of Human.
- Parliamentary political parties.
- European Commission/DG Home Affairs; Commissioner C. Malmström; European Parliament; EU Court of Justice; FRONTEX.
- Council of Europe; European Court for Human Rights; UN Special

Rapporteur on human rights of migrants; UN High Commission for the Refugees.

- Amnesty International; International Organization of Migration.
- NGOs and migrant organizations (METADRASI, Greek Council for Refugees)
- Daily or periodical press, in Greek or other language, in print or in electronic form.

In cases that contact with the responsible Ministry was essential for obtaining the required information, a letter was initially sent through e-mail, where the purpose of the requested data was explained. In most of the cases a follow-up, mostly oral, contact was required, before the requested data was sent by the responsible authority. In general there were no particular delays in respect to the communication with the responsible authorities or misunderstandings as regards the actual content of the provided data and information. Nevertheless, variations regarding the response-time for providing the requested statistical data were observed depending on the agency, especially in cases that the headquarters of an agency had to collect and sort/clear the statistical data from its regional services. The process of restructuring the public administration also coincided with these requests and affected the pace of the data-collection phase.

## **A2. Terms and Definitions.**

During the systematic and extensive research, which was conducted with the view to cover all the spectrum of migration and asylum issues, as well as during the contact with officials and representatives of the stakeholders, no substantial variation of the relevant terms as defined in the Glossary of the European Migration Network came to our understanding.

Ambiguity was *prima facie* ascertained as regards the detention centers, because in the public discourse the terms 'centers of temporary/closed accommodation', as well as the term 'pre-departure centers' were alternatively used. All the aforementioned terms refer to facilities, where arrested irregular migrants are held until they are deported. Furthermore, a differentiation was observed regarding the meaning attributed to the term 'vulnerable groups' by the various authorities, resulting sometimes to a very exclusive form of the term at stake.

**Annex B: National Statistics.****Table 1****Valid Residence Permits on December 31<sup>st</sup>  
, 2012****Category**

Employment	94.107
Family Reunification	203.682
Studies	5.982
Others	136.347

<b>Total</b>	<b>440.118</b>
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Source: Ministry of Interior

**Table 2****First Residence Permits issued in 2012**

Employment	889
Family Reunification	7.400
Studies	802
Others	1.356
<b>Total</b>	<b>10.447</b>

Source: Ministry of  
Interior

**Table 3**

<b>Average unemployment rate of Greek citizens and third country nationals in Greece in 2012*</b>		
	TCNs	Total national population
Unemployment Rate (%)	34,8%	22,7%

Source: EL.STAT.

⚠ Data refer to average for the period January-September 2012

**Table 4****Visas issued from 1.1.2012 to 18.12.2012**

Total	Schengen Visas	National Visas
1.020.895	994.398 + 15.563 (VIS*) = 1.009.961	9.909 + 1.025 (VIS)= 10.934

Source: Ministry of Foreign Affairs

\* Issued by the Greek Consular Authorities applying VIS.

**Table 5**

**Irregular migrants arrested for illegal entry and stay  
by police and port authorities**

	Greek-Turkish land borders	Greek- Albanian borders	Greek- FYROM borders	Greek- Bulgarian borders	Crete	Rest of the country
<b>2012</b>	30.433	10.927	1.168	365	2.834	31.151

Source: Hellenic Police

**Table 6**

**Arrests of illegal migrants on the greek-turkish land borders by month for the  
years 2011-2012**

	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	OCT	NOV	DEC
<b>2011</b>	2156	1650	2035	2891	3775	3689	5941	6339	7052	9626	6018	3802
<b>2012</b>	2864	2213	2569	3731	4501	4963	6914	2172	216	137	71	82

Source: Hellenic Police

**Table 7**

RETURNS: STATISTICS 2012					
TIME	FORCED RETURNS <sup>(1)</sup>			VOLUNTAR Y RETUNS (IOM) <sup>(2)</sup>	T
	FORCED (DEPORTATIO NS)	VOLUNTARY RETURNS (HELLENIC POLICE)	RETURNS		
JANUARY	528	472	328	210	1
FEBRUARY	713	384	270	260	1
MARCH	949	417	443	334	2
APRIL	826	342	491	615	2
MAY	532	246	605	1.073	2
JUNE	468	254	434	784	1
JULY	411	619	527	-	1
AUGUST	714	377	193	-	1
SEPTEMBER	253	427	306	605	1
OCTOBER	693	323	407	727	2
NOVEMBER	500	203	457	1.045	2
DECEMBER	240	143	298	671	1
TOTAL 2012	6.827	4.207	4.759	6.324	2
	15.793				

Source: Ministry of Public Order and Citizen Protection

(1) With regard to third country nationals who have returned through coercive measures, the dominant nationalities are: 1. Pakistan, 2. Albania, 3. Bangladesh, 4. Afghanistan 5. Iran.

(2) With regard to third country nationals who have returned through the assisted voluntary return implemented by IOM in collaboration with the Hellenic Police and funded by the European Return Fund, the dominant nationalities are: 1. Pakistan, 2. Afghanistan 3. Morocco, 4. Bangladesh 5. Iraq.

**Table 8**

<b>Unaccompanied minors</b>		
Total (from 1-1-2012 to 31-5-2012)	Unaccompanied minors not applying for asylum	Unaccompanied minors applying for asylum (first 10 months of 2012)
1953		98

source: Hellenic Police

**Table 9**

Third country nationals holding a residence permit as victims of trafficking			
Third country nationals		7	
Arrested and convicted traffickers			
	Arrested/otherwise involved in a criminal proceeding		Convicted
Traffickers (art. 323 <sup>A</sup> & art. 351 Penal Code)	arrested	171	49
	otherwise involved in a criminal proceeding	76	

**Notes:**

- Residence permits granted to victims of human trafficking according to special provisions of art. 46 Law 3386/2005, as amended.
- Due to mixed migration, facilitators of illegal entry into the country may also act as traffickers. As this cannot be easily ascertained, the above number of traffickers refers to those arrested for trafficking in human beings in Greece.
- The nature of the crimes, the time of the arrest determines the course and the completion of the criminal proceedings. The above number of convictions includes both 1<sup>st</sup> and 2<sup>nd</sup> instance court decisions..

**Sources**

- *Residence Permits: Ministry of Interior.*
- *Traffickers arrested: Ministry of Public Order and Citizen's Protection/Hellenic Police, Ministry of Shipping and Aegean/ Hellenic Coastguard.*
- *Data on criminal proceedings and convictions: Ministry of Justice, Transparency and Human Rights.*

**Table 10**

<b>Migrant Remittances (in million euros)</b>											
	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Net Flows</b>	1.050,4	883,2	511,6	192,3	399,7	708,6	587,4	250,2	-151,8	-260,0	-2
<b>Inputs / Receipts</b>	1.248,0	1.048,7	721,2	697,7	906,5	1.439,5	1.478,1	1.157,9	928,8	662,4	3
<b>Outputs / Payments</b>	197,6	165,5	209,6	505,4	506,8	730,9	890,7	907,7	1.080,6	922,4	5

**Source Bank of Greece**

## Annex C: Bibliography, references, sources

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2. **COUNCIL DIRECTIVE** 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers

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2. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Second biannual report on the functioning of the Schengen area 1 May 2012 - 31 October 2012 COM(2012) 686 final, 23.11.2012
3. 'Blue Card': Commission warns Member States over red tape facing highly qualified migrants European Commission - Press, Ref. IP/12/167, 27/02/2012
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5. Report from the Commission to the Council and the European Parliament, "Mid-term report on the implementation of the Action Plan on Unaccompanied Minors", {SWD(2012) 281 final}, Brussels, 28.9.2012, COM(2012) 554 final
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1. **L. 1453/1984** 'Ratification of the agreement for the promotion of the bilateral cooperation on employment issues between the Governments of Hellenic Republic and the Arabic Republic of Egypt'[GG A' 88/1984]
2. **L. 2482/1997** 'Ratification of the Agreement of seasonal employment of labour force between Hellenic Republic and the Republic of Albania' [GG A' 73/1997]
3. **L. 3838/2010** 'Current provisions on Greek Citizenship and political participation of ethnic Greeks and legally residing migrants and other regulations', [GG A' 49/24.3.2010]
4. **L.3907/2011** 'Establishment of Asylum Agency and Agency of First Reception, adaptation of Greek legislation to the provisions of Directive 2008/115/EC: "on common rules and procedures in member states for the return of illegally residing third country nationals" and other provisions' [GG A' 7/26.01.2011]
5. **L. 4009/2011** 'Structure, operation and guarantee of studies quality and internationalization of high educational foundations', [GGA' 195/ 6-9-2011]
6. **L. 4018/2011** 'Restructuring of the system for the issuance of permits for alien's residence in the country under provisions of enhanced security, regulations on issues of local administration and other provisions under the responsibility of Ministry of Interior',[ GG A' 215/ 30.09.2011]
7. **L. 4052/12** 'Law regarding issues of Ministry of Health and Social Solidarity and the Ministry of Labour and Social Insurance for the implementation of L. 4046/2012" ,[GG A 41/2012 ]
8. **L. 4058/12** 'Security services by uniformed guards on commercial ships and other provisions', [GG A' 63/22.3.2012]
9. **L. 4061/12** 'Management and protection of real estate of the Ministry of Agricultural Development and Food – Regulation of real property rights and other provisions', [GG A' 66/22.03.2012]
10. **L. 4071/12** 'Regulations on the local development, local administration and decentralized administration-Transposition of Directive 2009/50/ECK [GG 85/A/11.4.2012]
11. **PD 106/07** 'Free movement and residence in the greek territory for EU citizens and their family members' [GG A' 135 /21.6.2007]
12. **PD 114/10** 'Establishing a single procedure for granting aliens and stateless people the refugee status or international protection' ', in compliance with Directive 2005/85/EC [GG A' 195/22.11.2010]



13. **PD 116/12 Amendment of PD 114/2010** 'Extension of asylum-seekers' detention up to one year' [GG A' 201/19.10.2012]

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18. Ministry of Interior Doc Ref 7927/05.03.2012 Designating  
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19. Ministry of Interior Doc Ref 7926/05.03.2012 Designating  
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# ANNEX

## 2012 NATIONAL CONTRIBUTION OF GREECE TO COMMISSION AND TO EASO ANNUAL REPORTS



*The Annual Policy Report is co-funded by the EU and the Greek Ministry of Interior in the context of the European Migration Network*

## ANNEX

### 2012 NATIONAL CONTRIBUTION OF GREECE TO COMMISSION AND TO EASO ANNUAL REPORTS

#### 1. LEGAL MIGRATION AND MOBILITY

##### ◦ Key Statistics

<b><i>First residence permits, by reason (1.1.2012 – 31.12.2012)</i></b>					
	Total	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
First permits	10 447	7 400	802	889	1 356

*Source: Ministry of Interior*

#### **1.2 Promoting legal migration channels**

Please describe any (planned) measures to improve the provision of information on the routes to and conditions of legal migration for third-country nationals. These could include, for example, information campaigns, websites, specific centres, referring to any approaches that combine information with pre-departure measures, for example, upgrading skills and / or proficiency in EU languages, and also the role and impact of the EU Immigration Portal in your (Member) State.

EU Immigration Portal was launched in 2012. Greece has been providing detailed information via the European Migration Network for (a) the procedures for admitting third-country nationals in Greece, (b) the risks of illegal migration, and (c) the structure of the relevant immigration and asylum services. Greece considers that the Portal is a very useful and handy tool for complete and accurate information for third country nationals prior to departure, but also during their stay in Greece and other member-states of the EU.

It should also be noted that in 2012 a public tender started and it is ongoing for the creation of a new / upgraded Integrated Information System (IIS) for the management of the procedures for issuing residence permits to third country nationals and granting Greek nationality to foreigners. The main objective of the IIS is to modernize and rationalize the existing information system, so it will meet the challenges deriving from the implementation of the Regulation 380/2008/EC. It is expected to contribute to both speed up the

issuing of residence permits for TCNs (by allowing, for example, for the automatic search of a number of required documents through inter-operational technologies), and to improve their awareness of the current legislation on the granting and renewal of residence permits and the implementing procedures.

## **1.3 Economic migration**

### **1.3.1 Satisfying labour market needs**

Describe whether and how your (Member) State analyses its labour market and skills needs / shortages, and any cooperation with other (Member States), for example, through the Public Employment Services. Please describe the (planned) introduction of any new labour migration policies or changes to the existing ones, e.g. introduction of quota, lists of professions, agreement with specific third countries, use of private recruitment agencies / services, etc.). Also consider the effect of the economic crisis on labour migration (e.g. revision of quota, reduction of professions listed, etc.) and how economic migration is considered to contribute to economic growth.

Greece has been implementing a process of inviting third countries nationals. Under the provisions of Law 3386/2005, a third country national can be employed in Greece by a specific employer for a certain type of employment if he/she has been granted the appropriate visa (visa D). The labor market needs, job vacancies per specialty, county and duration of employment that can be covered by a third country national are recorded in a report drawn up at regional level in every District<sup>177</sup> in the last quarter of each year. This report is then forwarded to the Ministry of Labour, Social Protection & Welfare and communicated to the Ministry of Interior. On the basis of these reports the Ministry of Labour is drawing up together with the Ministries of Foreign Affairs and Interior, a Joint Ministerial Decision which defines the maximum number of residence permits for work allocated each year to nationals of third countries, per county, nationality, type and duration of employment and other pertinent details. The decision shall be communicated to the relevant regions, the Employment Service, the Ministries and the relevant Greek consular authorities.

An employer, who wishes to employ a third-country national (as dependent employee), provided that the corresponding position is foreseen in the Joint Ministerial Decision, must submit an application to the territorially competent Service for Foreigners and Immigration of the Decentralized Administration<sup>178</sup>

<sup>177</sup> Districts are the 13 second tier, elected, local government organisations of the Greek state. Each District is a legal entity of public law covering a wider area of the country (except Mount Athos) and it has its own separate services and budget.

<sup>178</sup>Decentralised Administration is a tier of the Greek government, which was established by Law 3852/2010. There are in total seven Decentralized Administration Authorities, their area of responsibility is ranging from one to three districts and they are tasked with the implementation of government policies

located at the seat of the district in which it is to provide employment. After considering the request, an approval decision is sent to the competent Greek consular authority to issue the relevant visa. Following his/her entry in the Greek territory on the basis of the respective visa, the TCN shall then submit an application for the issuance of the residence permit to the competent office for Foreigners and Immigration. The latter shall be equal in terms of time to the duration of employment, according to the relevant employment contract, it may not exceed six (6) months for seasonal workers and eight (8) months for workers employed in the fishery sector, and it provides access to the labour market exclusively for the provision of this employment and the specific employer having submitted the application on the basis of which the permit was issued.

With the aim to limit bureaucracy and facilitate the invitation procedure for specific categories of migrants (seasonal employees / workers in the fishery sector), a number of circulars have been issued in 2012 for the implementation of Law 4018/2011 which introduced some innovative elements regarding the entry and residence for the purpose of seasonal / temporal employment. In particular, articles 5 and 6 of this Act amended the relevant framework by adopting a procedure for the entry and residence of these categories on the basis of national visa (Visa D), without the subsequent issuance of a respective residence permit. This regulation relates mainly to Albanian nationals who are entering Greece for seasonal work purposes on the basis of the relevant bilateral agreement<sup>179</sup> and to fish workers mainly from Egypt also entering Greece under relevant bilateral agreements<sup>180</sup>.

Regarding the impact of the economic crisis on the employment of foreign laborforce, what is clear from the statistics is that in recent years there has been a steady decline of the requests submitted by the inviting employers to municipalities and the approved employment posts to be covered by TCNs. According to Ministry of Labour, in 2006 there were approved 59,008 requests; in 2007 42,180; in 2008 38,278; in 2009 28,924; in 2010 26,209 and in 2011 24,083 requests. The reduction of demand for foreign labor is mainly connected to the large supply of domestic workforce due to the increased unemployment among Greek nationals and third countries' nationals already legally residing in the country

In accordance with the above, the data of the Ministry of Interior show a decline since 2010, in the number of residence permits issued per year for employment purposes as well as other purposes:

<p><b>First Residence Permits issued per year, by category</b></p>
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at the regional level. In each Decentralised Administration operates an office for Foreigners and Immigration with responsibility to implement the legislation in force regarding residence of aliens. This office must be in constant collaboration with the relevant services of the competent Ministry, in order to better address the problems and manage the affairs falling under their area of competence.

179 Law 2482/1997 on "Ratification of the Agreement for seasonal employment of labor between the Government of the Greek Republic and the Government of the Republic of Albania" (Official Gazette A73)

180 Law 1453/84 on "Ratification of the Agreement on the promotion of bilateral cooperation in the field of labor between the Government of the Greek Republic and the Arab Republic of Egypt" (Official Gazette A88)

<b>2010-2012</b>			
<b>Category</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Employment	9 197	5 930	889 *
Others	1 292	1 929	1 356
Family Reunification	21 646	14 092	7 400
Education	1 233	1 255	802
<b>Total</b>	<b>33 368</b>	<b>23 206</b>	<b>10 447</b>

*Source: Ministry of Interior/ updated data*

\* Part of the sharp decrease in the number of first permits issued in 2012 for employment reasons, is due to new legislation that allows seasonal or temporary workers coming from third countries to enter and stay in Greece on the basis only of a national visa (i.e. residence permit is not required).

The abovementioned Law 4018/2011, also established, within the Decentralized Administrations of the country, the «one-stop services» tasked with receiving the applications of third countries' nationals for the initial issuance or the renewal of their residence permits, with issuing the residence permits falling within their competence and handing over the relevant decisions and permits to the TCNs. Therefore, with the new legislative framework, the responsibility for the receipt of these applications is transferred from the municipalities to the offices for Foreigners and Immigration of the Decentralized Administrations, in the territorial jurisdiction of which, they fall. The following are also included in the functions that will be executed in the "One Stop Services": receiving employers' requests to invite foreign workforce, providing information regarding the procedures, required documents and conditions postulated by applicable law for the issuance or renewal of a residence permit and the foreign workforce invitation procedure. The operation of "one stop services" is linked, in part, to labour matching in faster terms, since it contributes to simplifying and speeding up the initial issuance or renewal of residence permits to TCNs, and the gradual implementation by the Greek authorities of the provisions of Regulation 380/2008/EC for issuing residence permits to TCNs in the form of a separate document with the inclusion of biometric data. Within the year 2012, 30 "One Stop Services" operated in Greece, including the Migration Policy Directorate of the General Secretariat of Population and Social Cohesion of the Ministry of Interior (which acts as a "one stop service" since 2005, the year of enactment of Law 3386/2005). During the next year the remaining "One Stop Services" are expected to be launched, in accordance with Article 2 of Law 4018/11, in order to reach a total of 62 reception points in the Greek territory (with the

possibility of launching even more, if necessary).

### **1.3.2 Skills Recognition**

Describe any (planned) measures to improve the validation of diplomas, qualifications and skills of third-country nationals and labour matching between your (Member) State and third countries (including online employment, etc.), including any measures introduced for already resident third-country nationals (in the context of better integration). Describe any exchanges of practical information and co-operation with other EU Member States. Describe any specific measures to avoid brain waste. Consider also how such measures will contribute to economic growth.

There were no developments in this area.

### **1.3.3 Cooperation with partner / third countries for economic migration**

Please provide information on any (planned) EU level or bilateral agreements (e.g. Mobility Partnerships), which help to implement policies for labour migration. List them (see table below), including the third countries with which they have been concluded, and provide details of their content and the rationale for concluding the agreement. Please also indicate whether any of these favour circular migration, and specify which third countries are involved, including from the Southern Mediterranean<sup>181</sup> and Eastern Partnership<sup>182</sup>. In the framework of Mobility partnerships (and Common Agendas) please advise whether Migration and Mobility Resource Centres (MMRCs) have / will be set up in the partner countries.

Greece and Canada signed in May 2011 an agreement on youth mobility. The Greek Parliament has ratified this agreement on 31 October 2012. This agreement gives the opportunity to young Greeks and Canadians to learn about the respective culture and society of the other country, empowering with these exchanges the friendly ties that bind the two countries while individuals will enhance their practical knowledge, experiences, academic or business training.

In the pilot phase there will be a rather small participation, in the range of 100 to 200 young people. The goal is to expand this number in the coming years. Through simplified procedures expressly provided for and in accordance with the national legislation of each country, the Greek and Canadian young people from 18 to 35 years will be able to travel, reside and be employed temporarily up to a year in the territory of the other country, if they fall into one of three categories specified in the Agreement: a) graduates of post-secondary

<sup>181</sup> Morocco, Algeria, Tunisia, Libya and Egypt.

<sup>182</sup> Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan.

institutions or of higher education in their country, who want to gain work experience in another country and have fixed employment contract, or b) students of post-secondary institutions or higher education, they want to go to a foreign country for practice relevant to their field of study as part of their academic program and c) travellers to the other country for vacation, with the ability to work temporarily to supplement their livelihood. Each person can have a permit reinstatement to the program only once and in a different category.

The Agreement is estimated to be a useful - practical tool for the development of human mobility between the two countries. If its application in practice is going to bring the estimated results, it can be a good practice of mobility (in terms of EU), especially in an area that it is not expected to be apparent violations of residence permits legislation.

<b>Type of agreement</b>	<b>Third countries involved</b>	<b>Main purpose and rationale for the agreement</b>
Bilateral	Canada	Youth mobility

#### **1.3.4 Highly qualified workers**

Please describe any (planned) measures to facilitate access of highly qualified workers. Refer to the implementation of the EU Blue Card Directive. Describe any incentive mechanisms for highly qualified workers on top of the transposition and implementation of EU legislation. Consider also how such measures will contribute to economic growth. (Information relating to the mitigation of 'brain drain' should be provided in Section 4.4).

On April 11<sup>th</sup>, 2012, by the Law 4071, the provisions of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for highly qualified employment, has been transposed into Greek law

This law transposed into national law all provisions of the Directive which aims at improving the capacity of Member States to attract and retain highly qualified third-country workers through a) the introduction of flexible admission requirements for the specific category of high-skilled workers b) introducing rapid and flexible procedures for applicants, c) creating attractive residence conditions for them and their family members, including some advantages for those who wish to move to another Member State for high-qualified employment (intra-EU mobility provisions).

By decision of the Ministers of Interior, Foreign Affairs, Development and Labour which is issued in the last quarter of every second year, it is determined the maximum number of high qualified employment posts that can be covered by citizens of third countries, by region and specialty.

The abovementioned joint ministerial decision is taken after having considered, (a) the opinion of the Economic and Social Committee (b) the opinion of the Employment Agency and (c) a recommendation issued by the regions of the

country, at the request of the Ministers of Interior and Labour, relating to existing labor needs for highly qualified personnel in the Greek territory. These needs are determined mainly based on the following criteria: the interests of the national economy, the purposefulness of the specific employment, available labor supply from national or European citizens or legally residing third countries' citizens, by specialty and unemployment rates by sector of employment. Based on the above suggestions / opinions, the Ministry of Labour expedites the issuance of the abovementioned joint ministerial decision

Applications for the grant and renewal of the "EU Blue Card" are filed and reviewed by the Directorate of Migration Policy of the Ministry of Interior, while the decisions are issued by the Minister of Interior. The competent authority shall consider the application with all the required documents and if the conditions specified in the law are met, an "EU Blue Card" is issued within 90 days from the receipt of all the required documents. The completion of the process from the central services of the Ministry of Interior and not at the level of the Decentralized Administration has been preferred so as to ensure the accurate implementation of the law and to speed up the procedure for the issuance of residence permits, taking into account the fact that implementation of the Directive is still at an early stage.

Access to the labor market is limited to exercising highly skilled employment, while the change of employer during the first two years is permitted only upon approval by the authority granting the "Blue Card". After the first two years, the applicant shall declare to the competent authority, in accordance with applicable national legislation, any changes with respect to the change of employer.

For family members of the holder of a "Blue Card" there are a series of favorable provisions. Specifically, residence permits for family members, if the conditions for family reunification are met, are granted within six months from the date the application was submitted, notwithstanding Article 7 paragraph 4 of Presidential Decree No.131/2006 (which provides for a deadline of nine months). Notwithstanding also the restrictions imposed by Article 10 of Presidential Decree No.131/2006, no time limit is applied with regards to family members' access to the labor market.

The L. 4071/2012 allows holders of a residence permit (especially those holding a residence permit for dependent employment) to request their transition to the status of "Blue Card" resident, provided that the relevant conditions are met. The law also provides TCNs who entered and reside legally in Greece as business executives, students, researchers or for obtaining medical specialty, with the possibility to change the purpose of residence and obtain the "Blue Card" status. This regulation is very important especially for students, taking into account the fact that students of higher education who entered Greece for studies can not continue to stay legally in the country after completing their studies, even if they have excelled, have completed postgraduate studies in our country and have career prospects as highly skilled employees in Greece. To fall under the above provision, the concerned citizens of third countries should meet (beyond the conditions set by law) a number of



side criteria to be determined by Joint Ministerial Decision such as high educational performance, special abilities and skills of persons concerned, combined with the fact that they are citizens of third countries who command the Greek language and in case they are researchers, are already accustomed to working in a research environment of our country,.

### **1.3.5 Students and researchers.**

Please describe any (planned) measures to facilitate greater mobility of students and researchers, also as a pathway towards meeting labour market needs. Describe any incentive mechanisms in place for students and researchers on top of the transposition and implementation of EU legislation. Consider also how such measures will contribute to economic growth. (Information relating to the mitigation of 'brain drain' should be provided in Section 4.4).

The rate of students from third countries who are living and studying in higher education institutions in Greece remains small compared to this rate in other m-s. The last years, however, there are efforts to attract students and researchers from third countries, and Greek authorities have implemented a number of good practices in this direction:

a) A good practice followed for attracting foreign students, is the establishment of the International University of Greece in 2005 that includes Schools of Humanities, Economics, Management Sciences and Technology. With its establishment and operation it seeks, on the one hand, to increase the participation of Greece in the international higher education market and on the other, to attract students from neighboring countries (Balkan, Arab, South East Mediterranean and Black Sea countries), as well as from the greek diaspora. As teaching language, English has been chosen, in order to encourage and facilitate access.

b) Another good practice is the grant of scholarships to students from third countries for all fields of higher education either from government agencies (Ministry of Foreign Affairs, Ministry of Education, Religious Affairs, Culture and Sports, State Scholarships Foundation), or directly from Universities, NGOs (such as the Alexander Onassis Foundation) and other non-state actors. It should be emphasized that a significant number of government scholarships is awarded to implement cultural agreements (ratified by law) and Executive Educational Programs that have been agreed upon and signed by the Ministries of Foreign Affairs and Education with third countries. The selection of students for the proposed studies in Greece is made by the countries of origin while taking into account the needs of countries of origin.

c) The International Bilateral Agreements mentioned above, as well as memoranda of cooperation between educational institutions, are also a good practice. In particular, these international bilateral agreements and memoranda of understanding, are signed between the Greek Universities and Technological

Institutes and Institutions of non-member states of the EU, in order to exchange students, exchange of expertise, enhance cooperation between universities in terms of research and promote science and research. They are governed by the rules of international bilateral agreements of academic institutions. Such agreements have been signed by various Greek Universities with Universities of Egypt, Albania, Algeria, Jordan, Turkey, etc.

Law 4009/11 includes provisions that aim to promote and strengthen the internationalization of Greek Higher Education Institutes (by launching, for example, courses in English). It also enables institutions to organize and offer courses as a result of collaboration between schools or in cooperation with other institutions domestically or abroad and in a foreign language, and special programs for lifelong learning, both traditional and distance. Furthermore it provides procedures and forms of partnership linking higher education with the international academic community and with advanced research at European and global level.

Besides the educational benefits, attracting foreign students will have economic benefits for higher education institutions, local societies, employment and national economy in general. The role of knowledge and high skills in economic and social development make attracting "brains" an important field of international competition.

The Higher Education System in Greece is among the most accessible and affordable for TCNs in Europe: not requiring them to pass entry exams, education is free while knowledge of the Greek language is not a prerequisite for submitting the registration application. In addition, given the large number of universities and technical schools, as well as the important range of scientific fields covered, students have the opportunity to choose from many specialties and disciplines.

Regarding the granting of a national entry visa to study, basic requirement is to have been admitted to one of the educational institutions in the country and be able to cover the costs of studying and living in Greece. A visa is a prerequisite for granting the respective residence permit. A third country student, who is not equipped with the special student visa will not be granted a residence permit for studies. Third country students have the opportunity to participate in student mobility programs of the EU. To prevent abuse of the right of entering and staying in Greece to study, a strict procedure for obtaining the entry visa "for study purposes" and the respective residence permit - initial or renewal -, is applied.

The largest number of foreign students who come to Greece for studies comes from Cyprus. Recent years have seen an increase of students from Balkan countries. From their part, the Greek Universities, have taken steps to internationalize studies in Greece and promote the openness of higher education. They have signed bilateral agreements with universities in third countries to promote cooperation and exchange in research and education and participate in international organizations, networks and associations. Finally the presence of Greek universities in international education fairs is consistent, with the aim to attract students from third countries and promote the Greek

educational system.

## **1.4 Family Reunification**

Please describe any new policies / legislation or changes to existing policies and legislation regulating family migration. Consider also your (Member) State's human rights obligations, reception capacity and the extent to which the family member's capacity to integrate is being taken into account in the admission procedure, e.g. knowledge of the country's language, level of education, professional background, other. Please also describe any concrete (planned) measures to further promote the integration of third-country nationals coming for the purpose of family reunification

The provisions of the Presidential Decree 131/2006 on the "Harmonization of Greek legislation with the Directive 2003/86/EC on the right to family reunification" (Official Gazette A143) are implemented with no particular problems giving the opportunity to foreigners legally residing within the country to use them. In 2012 there were no changes at institutional or operational level and neither are expected in the near future.

## **1.5 Integration**

### **1.5.1 Promoting integration through participation: socio-economic contribution of migrants**

Please describe (planned) measures for the integration of third-country nationals through their increased socio-economic contribution, including measures to enhance language skills; improve attainment on the education system; and improve access to social and health services. Describe any specific measures to meet the needs of vulnerable groups of migrants. Describe also how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

NB Information in relation to labour market integration should be provided in Section 1.2.2.

The Ministry of Interior, as the responsible state authority of the European Integration Fund, realized in 2012 specific actions as part of the Annual Programme 2010 with a view to boost migrants' integration in Greek society. Emphasis was given to language skills of migrants, their participation in education, their access to social and healthcare services and the particular needs of vulnerable migrant groups. More specifically:

a) *Action 1.1.* 'Providing information and raising awareness in receiving society' included various events aiming at eliminating negative stereotypes, strengthening interaction between migrants and citizens and showing migrants

positive impact on Greek society. Through the latter the aim was to eliminate negative stereotypes about immigrants, while highlighting their positive contribution to Greek society and strengthen the interaction of Greek culture with different cultures.

b) *Action 1.2* refers to 'Legal and administrative assistance to TCNs legally residing in the country' and it attempted to upgrade the provision of administrative services relating to the reception, information, counselling and services of third countries nationals, and to provide legal and administrative assistance during their transaction with the Greek government,

c) *Action 1.4* "Programme of intercultural mediation in selected hospitals of the country" exploited the capital created by educating intercultural mediators in the annual program of 2007 and 2008 and highlights the value of interculturalism in health by promoting the smooth immigrants' access to health services regardless of gender or ethnic origin. With this action, third countries nationals receive important advice from mediators and information on the prevention and treatment of health problems and on other key issues for healthcare

d) *Action 1.6* provided for a "Printed Multilingual Guide for the prevention in health matters aiming to inform and raise respective awareness of migrants' provides in 10 different languages useful information regarding indicative tests and the frequency they need to be carried out, issues of medical care by age and sex as well as information on access to the National Health System, both at primary and secondary level.

e) *Action 1.7* concerned "Drafting, writing and distributing a Guide for disabled persons of migrant origin legally residing in Greece", and it consisted of a bilingual informative guide that provides useful data to third countries with disabilities who reside legally in the country. By using this guide immigrants with disabilities avoid possible delays in their quest to learn about key issues affecting them and to assert their rights

f) *Action 1.8 " Greek language and history lessons programs for immigrant parents'*, immigrant parents living in municipalities with a high concentration of immigrants were given the opportunity of learning the Greek language and the basic elements of Greek history with the goal of better and faster social integration in the country,

g) *Action 1.9 " Greek language and history lessons for illiterate immigrants"*, pilot programs were realized and illiterate migrants were given the opportunity of learning the Greek language and history in order both to avoid social marginalization that makes them easily exploited, and secondly to overcome prejudices and negative stereotypes against them Priority was given to migrant women, for which illiteracy hinders social and economic empowerment and makes them even more vulnerable than men

h) *Action 1.10 'Programme of educational and cultural activities for immigrant minors in Juvenile Protection Companies outside their host facilities'*, provided educational activities and cultural training for juvenile immigrants housed in Juvenile Protection Companies in areas outside the shelter where they live,

giving them the opportunity to participate in various educational and cultural activities

i) *Action 1.11 "Museum-cultural educational program for migrant children and exposition creation"* addressed to children, emphasizing the experiential approach to cultural material and its multiple dimensions while turning it at a valuable tool box that abolishes borders, and linguistic, ethnic or other restrictions.

In the context of the 2011 Annual Programme, the Ministry of Interior has addressed a Call for Proposals on actions that will take place in 2013, aiming at strengthening migrants' social integration by means of better information in legal and administrative matters and learning the Greek language, history and civilization.

<b>Unemployment rates of (Member) State citizens versus third-country nationals residing in the (Member) State for 2<sup>nd</sup> trimester of 2012 *</b>		
	Third country nationals	Total national population
Unemployment rate (%)	34,8	22,7

Source: EL.STAT.

\* Data refer to the average for the period April-June 2012

### ***1.5.2 Promoting integration through participation: rights and obligations – achieving equal treatment and belonging***

Please describe measures taken to increase migrants' participation in the democratic process. These might include for example, increasing the participation of migrant representatives (including women) in the design and implementation of integration policies; outreach programmes and work placements to build capacity within migrant organisations and encourage support at local level; and measures to enhance democratic participation, for example, training mentors, granting voting rights in local elections etc.

During 2012, within the framework of the annual program of 2010, funded by the European Integration Fund, Action 1.3 "Support of migrant communities for their organization at first and second level" has been carried out. The action aimed at transferring legal know-how so as to enable migrant communities to offer further support to their members, and to promote cohesion and preservation of their cultural identity and heritage.

### **1.5.3 Promoting action at local level**

Please describe any relevant activity with the active involvement of local authorities, e.g. addressing integration challenges in disadvantaged urban areas; improving multi-level cooperation between different levels of governance. You should also describe how EU funding is being applied to improve local, more targeted approaches to integration.

Capacity building for the development and implementation of integration policies requires the coordination and development of intercultural skills of Member States at all levels of government (national, regional, local). Within this objective, the annual program of 2010 funded by the European Integration Fund, three actions were implemented during the year 2012:

- a) Action 3.1 "Intercultural training program for staff of local government and the Municipal Police dealing with third country nationals legally residing in Greece", through which the aim was to improve the skills of the staff of local authorities dealing with third countries nationals, allowing them to manage more effectively intercultural issues that arise through the interaction with immigrants and help the latter to fulfil their responsibilities more effectively,
- b) Action 3.2 "Intercultural training programs for staff of the Ministry of Citizen Protection dealing with third countries nationals", in which emphasis was placed on education and training of officials of the Police who come into contact with T.C.N.s in areas that will contribute to better management of interculturalism in the daily exercise of their duties. The purpose of this action was both to ensure and protect the human rights of both immigrants and the native population and to preserve public order and safety while maintaining peace in Greek society
- c) Action 3.3 "Intercultural training programs for civil servants of the Uniform Decentralized Administration Units dealing with third country nationals legally residing in Greece", was set out to improve the skills of public servants in uniform decentralized units of government (regional level) dealing with third countries nationals in order to carry out their duties effectively.

In the framework of the Annual Programme 2011, that shall be realized in 2013, the Ministry of Interior shall carry out an action in order to provide the following: technical support to Councils of Migrants Integration (SEM) at the country's Municipalities, training of stakeholders regarding the formation and the function of these Councils, facilitation of networking and exchange of best practices among the networks members. SEM as a new institution (Law 3852/2010) have been set up in all the municipalities across the country and output of their work is already tangible, especially in terms of active cooperation and participation among the local population, including citizens and migrants. For instance schools for teaching the Greek language, leaflets on migrants rights, leaflets for the awareness on the protection of the environment (municipality of Sykei-Neapolis Thessaloniki), and municipalities that provide social services (municipality of Patra) etc. are a few of the municipalities' activities.

### ***1.5.4 Involvement of countries of origin***

Countries of origin may play a role in the integration of migrants before departure, during stay in the EU, and on return. Please describe any measures to support integration involving countries of origin at any / all of these stages. Pre-departure measures may include provision of information on visas and work permits, language training, vocational training, recognition of qualifications and skills; measures during stay may include support to diaspora communities, promotion of transnational entrepreneurship, increasing trade between countries of origin and stay; measures to support return may include developing a rights-based framework for re-integration and for temporary and circular migration.

There has been no significant developments change in 2012.

It should be noted though that the Greek State has been working closely together with IOM-Mission in Greece for the realization of an assisted voluntary return program which is co-funded by the European Return Fund. The active involvement of IOM guarantees the returnee's reception and initial support at the country of origin.

### ***1.5.5 Cooperation, consultation and coordination of stakeholders***

Please describe any additional information not included above on the processes for cooperation, consultation and coordination of national, regional and local authorities, including civil society, countries of origin and with EU level institutions and actors. Please describe relevant activity, such as the development of a national website and / or forum on integration, development of information exchanges between institutions, and possible contributions to the European Integration Forum, the European Website on Integration and the National Contact Points on Integration.

In the framework of implementation of the 2010 Annual Programme, which was implemented in 2012 with co-financing by the European Integration Fund, Action 4.1 "Creating a cooperation network at a local level between Member States of the European Union", aimed at sharing good practices and cooperation between representatives of Councils for Immigrant Integration as well as harnessing the network as a tool to strengthen the capacity of all Councils for Immigrant Integration in the country in order to develop local action plans for the integration of immigrants through connection with local Learning networks. As part of this action, three Interstate consultation workshops of the Network were organised in Athens, Barcelona and Brussels. While 13 regional workshops were completed through which the Learning Networks were developed for effective knowledge transfer to all Councils for Immigrant Integration of the country.

Under the same program with the action 4.2, "Creating a collaborative network of representatives of migrant associations at European level", a network of cooperation was created, which consisted of representatives of associations and organizations of migrants, of at least three (3) members of the European

Union. The aim of the network was to promote cooperation and information exchange between civil society actors and the development of integrated proposals for improving organizational skills and promoting formation of associations and organizations of immigrants into Greek territory, both at primary and secondary level.

During the drafting stage of the Annual Programmes of the European Integration Fund, a public consultation is held annually with the broad participation of regional/local authorities, research/education institutes, NGOs, civil society, immigrants associations and social partners. In particular, during the period 08/10 until 16/11/2012, a public consultation was held on the Annual Programme 2013.

Moreover, in 2012 the IT system of registration / tracking immigrant integration initiatives developed by the Ministry of Interior began operating. Specifically, in 2012, the IT system was updated, both by Ministry officials and representatives from the Departments of Social Affairs of the Decentralised Administrations, in order to introduce useful and actionable data on immigrant integration activities undertaken in the Greek territory. It is expected an equivalent contribution of other Ministries.

Finally, in 2012, our country has contributed to the network of National Contact Points on Integration with active participation in the seminars of experts [Berlin (25-26 June 2012), Budapest (17-18 September 2012) and Lisbon (29 - November 30, 2012)] organized by the Network for developing common indicators integration at European level.

## **1.6 Managing Migration and Mobility**

### **1.6.1 Visa Policy**

Please describe (planned) developments in relation to the implementation of the Visa Code and the Visa Information System (VIS), including developments in relation to biometric visas, for example the share of visas issued which are biometric, regions covered, pilot measures and testing, cooperation between (Member) States' consulates and the set up joint consular services for visas.

With regard to cooperation between (Member) State consular services and the set-up of joint consular services for visas, please describe any relevant progress in this area, for example listing the visa representation agreements signed and the (Member) States involved (please specify whether you (Member) State represents these (Member) States or vice versa).

The Visa Information System (VIS) began operating on 11<sup>th</sup> October 2011 in the Consular Authorities of the Member-States in North Africa. This new system and its network are expected to improve the administrative procedures falling within the competence of the Ministry of Foreign Affairs, with the use of new technologies while enhancing border security of European countries. Since 10<sup>th</sup> May 2012, VIS operation began in Consular Authorities of Member-States at the Middle East and since the 2<sup>nd</sup> October 2012 in the Consular Authorities of



Member-States at the Persian Gulf. Greece has implemented the new system in all of its Consular authorities in these areas, except for Libya and Iraq.

In the countries where no Greek diplomatic mission is positioned, Greece is represented, on the basis of relevant bilateral agreements, by the consular authorities of France, Portugal, Italy, Lithuania, Spain, Belgium, Holland, Germany, Sweden, Austria and Hungary, while Greece represents, also on the basis of bilateral agreements, France, Portugal and Hungary.

At the same time, in order to meet the increased demand for visas that exists in some countries, Greece has proceeded in the creation of Visa Centers in collaboration with external providers in Russia (15), China (1), India (12), Kazakhstan (1), Sri Lanka (1), Nepal (1), Turkey (6). Establishment of new centers in other geographical areas is in progress.

<b>Visas issued from 1.1.2012 to 18.12.2012</b>		
Total	Schengen Visas	National Visas
1.020.895	994.398 + 15.563 (VIS*) = 1.009.961	9.909 + 1.025 (VIS) = 10.934

*Source: Ministry of Foreign Affairs*

*\* Issued by Consular Authorities using VIS*

### **1.6.2 Schengen Governance**

Please describe any recent developments in relation to Schengen Governance. For example, where relevant, you could include any (planned) actions in relation to the new Schengen acquis, temporary suspension of Schengen, developments in relation to Regulation (EU) No 1342/2011 facilitating border crossing for Kaliningrad area etc.

## 2. IRREGULAR MIGRATION

*NB. The questions in this Section have the purpose of reporting activities in Member States that have contributed to the six Strategic Priority Areas outlined in the Strategic Response to EU Action on Migratory Pressures.*<sup>183</sup>

### 2.1 Strategic Priorities

#### **Priority I: Strengthening cooperation with third countries of transit and origin on migration management**

The relevant challenges in the Strategic Response for this sub-section are in particular:

##### ***1.2. Ensure implementation of all EU readmission agreements to their full effect***

Please describe activities undertaken to support the implementation of EU readmission agreements (implementing protocols, cooperation (including diplomatic pressure) with third countries to encourage implementation)

On 18/12/2012 the Minister of Public Order and Citizen Protection signed the Protocol of Implementation of the Readmission Agreement between EU and Russia. A draft text of the Implementing Protocol has also been agreed with Serbia and it is pending the final signature by the responsible Ministers. Furthermore drafts of Implementing Protocols with Bosnia-Herzegovina and Moldova have been submitted to the Ministry of Foreign Affairs / Special Legal Service for further lawmaking process. A revised version of the current draft of the bilateral protocol implementing EU Readmission Agreement with Albania is also under consideration.

Additionally, in order to improve cooperation with the Pakistani authorities and save time required for signing the Bilateral Implementing Protocol, the respective EU-Pakistan Agreement is being directly implemented by the Greek part, in parallel with the procedure for identification and supply with travel documents carried out by the Aliens Directorate of Attica, as the responsible Authority, in cooperation with the Embassy of Pakistan in Greece.

Finally, Greece supports the conclusion of readmission agreements with third countries. In this context, it is argued that continuous efforts should be undertaken at international and EU level, for keeping up the agenda and stressing the fact that Readmission Agreements should be strengthened, since they allow States to avoid long-lasting return procedures, which may result in illegal migrants being stranded in the receiving country, as is the case in Greece.

<sup>183</sup> 8714/1/12 REV 1 <http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf>

### ***1.3. Enhance the capacity of countries of origin and transit to manage mixed migration flows***

Please describe any specific developments to equip countries of first asylum with the means to guarantee refugee protection and to better manage mixed migration flows.

By virtue of Law 3907/2011 Greece has established the Asylum Service and First Reception Service in order to rationalize the management of asylum and first reception issues. These services are subject to the Minister of Public Order and Citizen Protection. In 2012 there were intensified preparations for the operation of these services.

### ***14-7 Prevention of irregular migration from (a) the Southern Mediterranean countries; (b) the Eastern Partners; (c) the Western Balkans; and (d) the Western Mediterranean and the African Atlantic coast***

Please describe any specific cooperation activities in your Member State to prevent irregular migration in relation to the specific geographical regions outlined above.

Regarding the specific question, please refer to section 1.2. Additionally, please note that Greece has signed bilateral police cooperation agreements, which include provisions on readmission, with Albania, Romania, Bulgaria, Bosnia-Herzegovina, Croatia, Slovenia, Turkey and Egypt.

## **Priority II: Enhanced border management at the external borders**

The relevant challenges in the Strategic Response for this sub-section are in particular:

### ***II.2 Preventing and combating irregular immigration by ensuring strong and efficient border control***

#### ***Agreements with third countries***

Please list any new or planned agreements, and other forms of bilateral and multilateral cooperation with third countries, specifying which countries, specifically in order to strengthen the control of external borders. This could include the provision of border equipment, training of border guards, etc. Any specific measures to combat irregular migration should be set out in Section 2

Police cooperation on illegal immigration by country:

**Albania:** Regular meetings have been conducted at regional and local level between the police authorities of both countries so as to address issues of illegal immigration and to combat cross-border crime. Chiefs of Police of the two countries have met to discuss and agree on measures to consolidate the

necessary level of security. Additionally, there has been an exchange of information on security issues through police liaison officers in Tirana and Athens respectively. The possibility of creating a joint center for this purpose has also been discussed. Simultaneous operations conducted in areas of the common land border that require increased surveillance in order to tackle criminal activities, including illegal immigration, have been in place. Finally, staff of the Albanian Police Services is allocated at the Hellenic Police Passport Control Services aiming at identifying illegal Albanian immigrants attempting to cross using false travel documents. Similarly, Hellenic Police personnel are assigned with similar tasks at the Albanian authorities.

**F.Y.R.O.M.:** There have been ongoing efforts to establish a mechanism for the regular cooperation with the competent authorities of F.Y.R.O.M, primarily at operational level. The F.Y.R.O.M authorities have in principle reacted positively. On the basis of these developments, it is planned to start building up regular information exchange meetings to address issues related to illegal immigration and cross-border crime in general. There have also been inquiries at a strategic level, in order to find possible ways of promoting cooperation, which, having been identified after consulting internally, will be transmitted to the competent authorities of FYROM to elicit views-comments.

**Turkey** (discussed in following sections)

### ***Border control including Frontex operations STOP***

a. Please describe any new border control developments, including technological equipment for border control purchased and used during the reference period, including IT systems, surveillance equipment, automated border controls and fast track lanes, etc. If possible, also make reference to any developments relevant to the EU entry / exit system, the EU Registered Traveller Programme, the Schengen Information System (SIS II) and European Border Surveillance System.

#### **1. OPERATIONS CENTRES**

A number of initiatives and developments that have taken place in recent years in the Council of the EU in relation to the integrated management of external borders, the latest one being the initiative of the European Commission for the development of a European system for the surveillance of maritime borders (EUROSUR), confirm the need for review by Member States, of the way they manage the operational action at their external borders and the cooperation between the co-responsible authorities at national level and international or regional level in order to raise situation awareness at the central level.

##### **A. National Coordinating Center**

The Eurosur European Regulation under discussion, provides for the creation of a European coordination center (at the premises of Frontex), and the operation of a national coordination center in each m-s. In Greece, this center will be located at the Coast Guard headquarters in Piraeus, while a Commodore of the Hellenic Coast Guard has been appointed as the new National Coordinator. The

related Presidential Decree is under public consultation. This center should start operating until 01.10.2013 according to the draft regulation EUROSUR of the EU Council.

### **B. Operations Center of Land Borders**

The Aliens Directorate at the Headquarters of the Hellenic Police, as the authority responsible for monitoring the external land borders of Greece, as well as carrying out checks on persons crossing the designated land, sea and air border crossings points operating on borders, provided for the creation of an Operational center aiming at the following:

- Coordination of the operational cooperation between the competent services of the Hellenic Police to address combat against illegal immigration, control the movement of persons and repatriation of aliens and any other activity related to illegal immigration and residence in Greece.
- Regular and effective communication among centers of operations of co-responsible authorities nationwide, and Frontex.
- To develop and strengthen, where it exists, cooperation with third countries, in particular the neighbouring ones.
- Development and dissemination of analysis outputs of strategic and operational nature.
- Monitoring of training of personnel involved in the control of external borders.

The Center was officially launched on November 11<sup>th</sup> , 2011.

After the recent strengthening of the Centre with additional staff and given that it serves as the International Coordinating Center of the Joint Operation POSEIDON 2012, it operates 24 hours a day.

### **C. Local Operation Centers of the Land Borders**

Local operational centers have been established within local police departments in Alexandroupolis and Orestiada which are connected to the Central Operations Center for the land borders (at the Aliens Directorate of the Police Headquarters), tasked with information analysis and providing guidance on appropriate strategies.

### **D. Land Border Monitoring Center of N.Vyssas**

On 6<sup>th</sup> January 2012 the land border Monitoring Center of the Orestiada Police Department has been launched. This center operates in New Vyssa and receives images in real-time from the monitoring system covering the land borders between Greece and Turkey, which are then transmitted to the Operational Centre at the Aliens Directorate of the Police Headquarters.

### **E. First Instance Management Center of illegal immigrants of Poros**

In the area of Poros (Evros) a Center already operates for screening purposes, ie identification of the nationality of illegal immigrants arrested throughout the area of responsibility of the Police Directorate of Alexandroupolis. In this center (former military installations) there are Hellenic Police experts on screening, as well as Hellenic and foreign police experts on debriefing. Additionally, there are

available interpreters, psychologists and social workers. Furthermore there is a mission of *Médecins Sans Frontières* providing medical examination to the newly arrived immigrants.

## **2. EQUIPMENT**

### **Artificial barrier (fence) in Greek-Turkish land borders:**

Towards tackling illegal immigration it has been decided to construct an artificial barrier (fence) in the terrestrial part of the border with Turkey in the area of jurisdiction of the Police Directorate of Orestiada. This project is nearly completed and will soon be used operational. It stretches for about 12 km, while its cost amounted to approximately 5 million euros.

### **Other equipment regarding Passport Control, surveillance and communications**

The following equipment have been received and distributed to all border crossings points in the country:

- (114) portable (Full Page Readers), which can read passports and hence the fingerprints stored in electronic microprocessor passport.
- (180) digital cameras.
- (200) ultraviolet illumination devices UVL.
- (800) magnifiers
- (207) Computers
- (180) INKJET digital colour printers for printing visas

Other equipment, as described below, is expected to be delivered shortly and will be distributed to our border crossings points:

- 495 devices electronic fingerprint - two (2) fingers live scan.
- 149 devices electronic fingerprinting - ten (10) finger live scan.
- 369 Control Devices of forged travel documents (full page readers)

Under a 5-year procurement plan, the Headquarters of the Coast Guard proceeded to the following:

- 2 TVV: delivered on 27.12.2012.
- Radar System for the surveillance of maritime borders in the north-eastern Aegean: The study was completed and implementation will be funded by the European External Borders Fund.
- 20 type 4x4 vehicles: delivered in December 2012.
- Van telecommunications: Relaunching of the public tender.
- Technical equipment for maintenance of air assets of the Coast Guard: Process underway (the receipt of equipment already started).

- The Department of Informatics of the Police Headquarters, in parallel with examining the transition of the network of the Police to the government network "SYZEFXIS", proceeded to upgrading of its lines in MPLS technology which will provide the possibility to increase services in 1-2 Mbps. This will increase the speed of access of all Police Services to National Applications. Up to now, all Passport Control Points have been upgraded, while upgrading of all police agencies is expected to be completed in the very near future (taking into account the fact that upgrading of 45 of them is pending, while until June 2012 only 22 police agencies had been upgraded).
- Regarding the network of outposts of Poros in Evros, the competent services are in cooperation with the Organisation for Telecommunications in Greece (OTE) to find a specific technical solution for networking setup, preferably wireless (technology LMDS). Simultaneously there have been made steps to further reduce the response time of the system for the benefit of end users.
- The transition of existing applications in WEB environment has been completed. This application is operational since May 2012 at the Police Directorate of Chios, while it is operational at the Athens International Airport since 01/12/2012. The familiarisation of end-users with the new application is particularly important in view of the operation of the SIS II, in March 2013.
- The implementation of the application "monitoring" - evolution of a Schengen measure (HIT) discovery, has been completed and it will be made available to end users in view of the operation of SIS II.
- The implementation of access to the international systems Prado, i-Fado and I 24/7 has also been completed.
- Finally, the applications of the internal network (Intranet) of the Police ("Police On Line") are being factored to reduce the response time for the benefit of end users. Also all applications associated with the Aliens Directorate of the Hellenic Police Headquarters are being redesigned and optimized in order to have a single and homogeneous management environment.

As far as VIS is concerned, since 31.10.2011, it is in use in all competent services which are now able to control and issue visas in accordance with VIS requirements.

b. Please describe any relevant (planned) actions taken to better coordinate different types of border checks (e.g. automated and non-automated, fast-track and non-fast-track) at the external borders.

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c. Please describe any relevant (planned) developments to ensure more effective control of the external land, sea and air borders, such as reinforcing border control staff, providing training, increasing overall resources etc.

With the funding of Frontex, the monthly posting of 40 police officers / border guards in the area of jurisdiction of the Police Directorates of Alexandroupolis and Orestiada has taken place, to strengthen their efforts to combat the increased flow of illegal immigration in the region. This action is being undertaken continuously since 2010 as part of the joint operations "Poseidon - land 2010, 2011 and 2012", while it was temporarily interrupted on 22/10/2012 due to Frontex failure to finance it. Its continuation since early 2013 has already been planned.

Furthermore, during the period from July to October 110 additional police officers were posted, on a monthly basis, to the same area, with the financing of the European External Borders Fund.

Moreover, from early August, in the framework of implementation of the national initiative "Operation Xenios Zeus", 1881 police officers have been dispatched in the same area. Since December and on the basis of needs' reassessment, this number fell by about 50%. Most of the funding was covered the European External Borders Fund.

d. Please describe whether your (Member) State has benefited from / has provided any support with regard to border control in case of specific and disproportionate pressures in your / in another (Member) State. Also provide information on your (Member) State's relevant participation in Frontex activities, by type of activity (e.g. joint operations).

#### **A. Joint Operation in Greece**

**Joint Operation POSEIDON 2012 land:** On March 27<sup>th</sup>, 2012 the Joint Operation POSEIDON 2012 land has been launched which is held in the region of Evros and will be completed end of March 2013. As part of this action there are available in Greece on a monthly basis, about 45 guest officers and assets from EU member-states, namely, helicopters and aircraft, vans with integrated thermal imagers, patrol vehicles, portable thermal cameras containers (for use as offices) etc.

**Joint Operation POSEIDON 2012 Marine:** This joint operation has been launched since the beginning of March 2012 in the area of Samos, Lesbos, Chios, the Dodecanese, Crete, the Peloponnese and Ionian Islands. As part of this action, personnel is provided, as well manned surveillance means, such as aircraft, helicopters, fast patrol boats, vans with integrated thermal imaging systems for surveillance of land, containers etc.

**Joint operation FOCAL POINTS 2012 land:** This joint operation is conducted at Focal Points at the external land borders of member states of the EU and for the period from 01.04.2012 to 31.12.2012. The multiannual program Focal Points is going to apply the model of integrated border management through the creation of Focal Points in areas with intense flow of illegal immigration at the external borders of the member-states of the EU. These points are used as a platform for conducting joint operations and intelligence within the multiannual program Focal Points. In particular, such an operation aims at the effective coordination of joint activities at the external



land borders of member states of the EU facilitating the creation of permanent structures while establishing coordination and best practices for conducting joint operations. For this purpose, Greece participates in operations with the Focal Points of Passport Control Services in Kipi Alexandroupolis, Krystallopigi Florina, Cacavia Ioannina.

**Joint operation FOCAL POINTS 2012 air:** This joint operation is conducted throughout the year at major international airports of member states of the EU. In the context of this action there is exchange of experts between the responsible services of member states with the aim of transferring know-how and experience. For operational reasons, Greece participates at the airports of Athens and Thessaloniki.

### **B. Education / training:**

Apart from the financing and organization of joint operations, particularly important is the contribution of Frontex in the field of education where educational seminars are held specifically for border guards' training in the areas of illegal immigrants' nationality identification (screening) and conducting interviews of arrested illegal immigrants in order to gather intelligence on trafficking networks and illegal migration.

Other educational activities of Frontex concern the identification of stolen vehicles and the detection of false documents.

Hellenic Police gives special emphasis to, among others, the reform of initial and recurrent training of border guards. Greece already has 2 national trainers on identification (screening) and has trained 25 experts in the Evros region while corresponding staff trainings took place recently and in Athens, Thessaloniki and the islands of the Eastern Aegean. Training has been conducted for border control staff with the granting of funds of the European External Borders Fund.

### **C. Greek Participation in Frontex operations in EU m-s**

In the spirit of solidarity, but also our country's support with staff and equipment, Greece has participated in joint operations of the Agency implemented in other member states.

However, Greek involvement is limited, partly because the country is facing the greatest flow of illegal immigration and has now increased needs and because of the economic situation of the country (although participation cost is fully reimbursed by Frontex, the inability of direct reimbursement of expenses by the Agency leads to commitment of funds by the state budget).

e. Please describe any additional (planned) activities not already described above that contribute to the strengthening of security and preventing irregular migration at the external borders e.g. (i) use of advanced passenger information in accordance with Directive 2004/82/EC; (ii) identification of

irregular migration routes - specifically inside the Schengen area.

### **Priority III: Preventing irregular migration via the Greek-Turkish Border**

The relevant challenges in the Strategic Response for this sub-section are in particular:

#### ***III.1 Ensuring effective border controls are in place at the Greek-Turkish border***

Please describe activities to support Operation Poseidon and Attica. Also, describe any other activities undertaken to increase operational capacity at the Greek-Turkish border

Complementary to those already mentioned in paragraph (d) of the previous section, the following actions are worth noting:

- Strengthening of Police Directorates of Alexandroupolis and Orestiada with staff of the Greek Police.
- Reinforcement with staff and resources of member states of the EU under the Joint Operation POSEIDON 2012 land.
- Creation of structures (Operation / Coordination Centers) for analysis and optimal utilization of operational and strategic information gathered during the joint operations of Frontex.
- Installation and operation of the Poros First Reception Centre with the participation of guests officers and experts on screening and debriefing.
- Creation and expansion of national pools of Greek experts in screening and debriefing.
- Establishment and reconstruction of detention facilities.
- Installation of fingerprinting system (Eurodac) in all border police departments of Alexandroupolis and Orestiada.
- Purchase of containers through the European External Borders Fund to provide necessary workspace for EU member states experts participating in Joint Operation POSEIDON 2012 land.

#### ***III.2 Combating irregular immigration transiting Turkey to EU***

Please describe any bilateral activities to assist the Turkish authorities to strengthen their capacity to combat irregular migration and to ensure the dignified return of third-country migrants through escorted transit and assisted voluntary return projects via Turkey.

Cooperation with the Turkish Police Authorities to tackle illegal immigration towards Greece is evaluated as positive, which however does not mean that there is not significant room for improvement.

At the operational level, cooperation between competent national authorities across the Evros border area for tackling illegal immigration has been intensified with the exchange of contact points and direct online contact in case of tracking illegal immigrants. This effort has contributed significantly to preventing and combating the entry of illegal immigrants in Greece.

Also in the same framework, the organisation of regular bilateral meetings at central and regional-local level has been established and has helped significantly to create an early warning system through the exchange of information on 24 hours basis. At the local level meetings, representatives of Frontex were also invited. Both sides also agreed to conduct joint return flights. This action has not yet been implemented due to a lack of funding from both the EC and Frontex.

Further to the above, Greek Police is planning to organize training for Turkish police officers on nationality identification (screening) to improve the identification and, thus, the return process.

Between Greece and Turkey a readmission protocol has been signed (April 2002). However, the response of the Turkish side in Greek readmission requests is limited and selective depending on the nationalities of foreigners.

At the European Union level, Greece encourages the signing and entry in force of an EU/Turkey Readmission Agreement.

Noteworthy is the signing of a Memorandum of Understanding between Frontex and Turkey, in which the two sides agreed to cooperate in the exchange of information, experience and practice on the basis of reciprocity. In the memorandum there are mentioned practical issues, which could include the exchange of strategic information, for example statistics on the management of external borders and trends in the methods observed in cross-border crime. Also, the two sides agreed to examine the possibility of increased involvement of the Turkish authorities in risk analysis and the possibility to have a Turkish expert participating in the Frontex Regional Risk Analysis Network. In any case, our country requests the signing of an operational cooperation agreement as well between Frontex and Turkey, which would render the commitment of the neighbouring country, legally binding at international level.

#### **Priority IV: Better tackling of abuse of legal migration channels**

The relevant challenges in the Strategic Response for this sub-section are in particular:

##### ***IV.1 Prevent an increase in unfounded asylum applications as a direct consequence of introducing visa free regimes in third countries and decrease the number of overstayers in the Schengen area***

Please describe any measures introduced to monitor the effects of visa free regimes in your Member State. What have been the results of these monitoring activities? Describe here any key findings – especially in relation to the impact of visa free regimes on the number unfounded asylum applications registered in your Member State.

Greece is not facing any problems regarding submission of abusive asylum claims by nationals of countries which introduced visa free regimes.

#### ***IV.2 Combating and preventing irregular migration caused by visa liberalisation***

Please describe measures taken to ensure the accelerated and swift return of persons from visa-free third countries found to be making unfounded asylum applications, to be overstaying permissions to stay or otherwise abusing legal migration channels.

Greece implements national and EU legislation regarding returns.

#### **Priority V: Safeguarding and protecting free movement by prevention of abuse by third-country nationals**

The relevant challenges in the Strategic Response for this sub-section are in particular:

##### ***V.1 Improve the understanding of abuse of free movement rights by third country nationals and organised crime aiming at facilitating irregular immigration***

Please describe Member State activities taken to gather, analyse and share information on the fraud and abuse of free movement. In particular, describe any monitoring activities that have worked particularly well and any efforts taken to improve monitoring tools and procedures for detecting false documents, and the dissemination of findings that may contribute to a better understanding of misuse of free movement. In particular, describe any activities undertaken as part of EU Joint Investigation Teams, via the FREEMO expert group, or through the EUROPOL Platform for Experts.

The competent authorities of the Ministry of Interior in implementing legislation on free movement, are in constant contact and communication with both the responsible authorities of the Ministry of Public Order and Citizen Protection and other relevant regional bodies (decentralized administration of the country) in order to identify and address any immediate attempt to abuse the right of free movement. Moreover, the authorities of the Ministry of Interior are involved in the work of the Expert Group of the European Commission FREEMO to share experiences and practices followed by the member states to deal with such phenomena in all the member states of the EU

## ***V.2 Prevent the fraudulent acquisition and use of free movement rights by third-country nationals***

Please describe measures taken to implement enhanced security standards for EU documentation on legal stay (residence cards etc.), including use of biometrics and any actions taken to ensure common validation standards at borders and domestic controls. Describe also any measures to improve the security of the application and issuance processes for identity/EU documentation.

The responsible departments of the Ministry of the Interior, under the provisions of L.4018/2011 have begun the procedures for issuing residence permits in the form of a separate document (Regulation 380/2008). In this context, family members of a m-s national, who are TCNs will receive a residence permit in the form of an electronic card with biometric data and enhanced safety standards.

## **Priority VI: Enhancing migration management, including cooperation on return practices**

The relevant challenges in the Strategic Response for this sub-section are in particular:

### ***VI.1 Ensuring that all Member States have efficient migration management systems in place in order to be prepared for fluctuating migration pressures***

Please describe any specific measures undertaken to address unexpected migration flows.

The most important measures are:

- (a) Strengthening border control with technical equipment and human resources reallocation.
- (b) Establishment of detention centres and first reception centres near the border.

### ***VI.2 Maximising the potential of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis***

Please describe measures taken to develop swift, sustainable and effective return using a common EU approach and in particular actions to (i) share best practice on return (voluntary and forced); (ii) improving cooperation with stakeholders in the field; (iii) improving operational cooperation on joint return operations; (iv) support voluntary return programmes; (v) improve cooperation on assisted voluntary return programmes,

The competent authorities of the Ministry of Public Order and Citizen Protection / Hellenic Police Headquarters:

- (a) Participate in joint return flights organized by FRONTEX.
- (b) Cooperate with the International Organization for Migration (IOM), which is responsible for the voluntary repatriation of TCNs illegally staying in Greece
- (c) Have improved cooperation with foreign consulates in Greece to facilitate the supply of migrants under return procedures with the necessary travel documents.

## 2.2 Key statistics

<b>RETURNS: STATISTICS 2012</b>					
<b>Period of time</b>	<b>RETURNED THROUGH COERCIVE MEASURES <sup>(1)</sup></b>			<b>ASSISTED VOLUNTARY RETURNS (IOM)<sup>(2)</sup></b>	<b>TOTAL</b>
	<b>FORCED RETURNS (DEPORTATIONS)</b>	<b>VOLUNTARY RETURNS (HELLENIC POLICE)</b>	<b>RETURNS</b>		
JANUARY	528	472	328	210	<b>1.538</b>
FEBRUARY	713	384	270	260	<b>1.627</b>
MARCH	949	417	443	334	<b>2.143</b>
APRIL	826	342	491	615	<b>2.274</b>
MAY	532	246	605	1.073	<b>2.456</b>
JUNE	468	254	434	784	<b>1.940</b>
JULY	411	619	527	-	<b>1.557</b>
AUGUST	714	377	193	-	<b>1.284</b>
SEPTEMBER	253	427	306	605	<b>1.591</b>
OCTOBER	693	323	407	727	<b>2.150</b>
NOVEMBER	500	203	457	1.045	<b>2.205</b>
DECEMBER	240	143	298	671	<b>1.352</b>
TOTAL 2012	<b>6.827</b>	<b>4.207</b>	<b>4.759</b>	<b>6.324</b>	<b>22.117</b>
	<b>15.793</b>				

Source: Ministry of Public Order and Citizen Protection

(1) With regard to third country nationals who have returned through coercive measures, the dominant nationalities are: 1. Pakistan, 2. Albania, 3. Bangladesh, 4. Afghanistan 5. Iran.

(2) With regard to third country nationals who have returned through the assisted voluntary return implemented by IOM in collaboration with the Hellenic Police and funded by the European Return Fund, the dominant nationalities are: 1. Pakistan, 2. Afghanistan 3. Morocco, 4. Bangladesh 5. Iraq.

Additionally, we present for your information the following longitudinal data:

<b>Third country nationals arrested for illegal entry, deported and returned and smugglers arrested 2002-2012 and January 2013</b>				
<b>Year</b>	<b>Arrested by Police and Coastguard Forces for illegal entry and stay</b>	<b>Deported</b>	<b>Returned (through northern borders)</b>	<b>Smugglers arrested by Police or Coastguard Authorities</b>
<b>2002</b>	58.230	11.778	37.220	612
<b>2003</b>	51.031	14.993	31.067	525
<b>2004</b>	44.987	15.720	25.831	679
<b>2005</b>	66.351	21.238	40.284	799
<b>2006</b>	95.239	17.650	42.041	994
<b>2007</b>	112.364	17.077	51.114	1.421
<b>2008</b>	146.337	20.555	48.252	2.211
<b>2009</b>	126.145	20.342	43.977	1.716
<b>2010</b>	132.524	17.340	35.127	1.150
<b>2011</b>	99.368	11.357	5.922	848
<b>2012</b>	76.878	17.358	4.759	726
<b>January 2013</b>	2.940	1.582	303	81

*Source: Ministry of Public Order and Citizen Protection*

Note: The reduction in the number of TCNs deported and returned observed in 2011, is due to liberalisation, from December 2010, of the visa regime for Albania nationals travelling to the EU member states

### 3. INTERNATIONAL PROTECTION INCLUDING ASYLUM

This Section will also be used to provide information to inform EASO's Annual Report

#### 3.1 Common European Asylum System

Please describe any specific measures undertaken to support the further development of the Common European Asylum System, including projects undertaken with other Member States under the ERF.

Greece faces the greatest pressure among member states at its external borders, while the country's infrastructure is insufficient with respect to the disproportionately large mixed flows it is called upon to manage. Simultaneously, Greece has serious infrastructure deficiencies in terms of managing refugee flows. In fact the last two years due to a number of ECHR convictions against Greece on issues of asylum seekers treatment, almost all EU countries have suspended the return of asylum seekers under the 'Dublin II' regulation to Greece. These decisions held that Greece did not have a "fair and efficient asylum system". Consequently, asylum claims placed in Greece would be examined with an uncertain amount of delay while the conditions of living and detention of asylum seekers were insufficient.

In the ongoing development of the Common European Asylum System Greece in 2012 sought to improve the hosting infrastructure of asylum seekers and the examination system of asylum claims. Especially after the enactment of the law 3907/2011 "*Establishment of Asylum Service and First Reception Service, Adaptation of Greek legislation to the provisions of Directive 2008/115/EC on common standards and procedures in Member - States for returning illegally staying third-country nationals "and other provisions"* in 2012 Greece proceeded to the staffing of the Asylum Service, which is the first autonomous structure of the country charged with the examination of asylum claims, and broader international protection claims and the staffing of the First Reception Service.

In the allocation of European funds to Member States on the basis of the provisional budget of the four Funds of the General Program "Solidarity and Management of Migration Flows" for 2012, Greece received) 3,601,857 euros from the European Refugees Fund (ERF. To harmonize the Greek asylum system to the CEAS the national action plan under the ERF has been implementing various programs regarding the improvement of infrastructure and asylum system supporting institutions.

In particular, the actions funded two related programs:

A) Improving the conditions and infrastructure reception and asylum procedures.



**Specific Actions:**

- A.1. Increase capacity and upgrade hosting services for asylum seekers
- A.3. Services for providing legal support and assistance to asylum seekers and people who enjoy international protection
- A.4. Social care, health services, psychological support and related consulting services with emphasis on vulnerable cases of the target group
- A.5. Provide information to local communities, including increasing awareness and positive influence on public opinion as well as specific training of the staff of local authorities and organizations which will come in contact with the target group in the process of reception.
- A.7 Interpreting / Translation Services to the relevant asylum authorities

B) Integration of persons of the target group whose stay in Greece has a permanent and steady nature.

**Specific Actions:**

- B.1. Counseling and assistance in areas such as housing, basic means of living, integration into the labor market and assistance provided to medical, psychological and social level
- B.2. Activities that help the target group to adjust to Greek society at social and cultural level
- B.3. Activities focusing on education, vocational training, greek language courses and skills acquisition

### **3.2 Cooperation with the European Asylum Support Office (EASO)**

#### ***3.2.1 Participation in EASO activities***

Please provide information on your (Member) State's relevant participation in EASO activities, by type of activity (e.g. provision of staff for Asylum Support Teams).

Greece participates in the following activities of EASO:

- 1) Board Members meetings, 2) Participation of Greek NGO's in the Consultative Fora, 3) Provisions of statistics and information on the situation of asylum in Greece to assist in achieving the objectives of the European Asylum System

#### ***3.2.2 Provision of support by EASO to the Member States***

Please provide information on relevant support provided by EASO to your (Member) State, by type of activity (e.g. training, emergency support etc.)

In 2012, the EASO established an action program which focused on a set of priorities to meet the expectations of the Stockholm Programme.

Key priority for 2012 was the implementation of the Operational Plan for Greece which requested in February 2011 to be provided with emergency support in order to address the challenges of the increasing pressures on its borders. Since then, EASO has developed more than 40 groups that support Greece in its efforts to build a new asylum system. In particular it has provided support for the establishment of the First Reception Service, of the Asylum Service, of the Appeals Authority and for the improvement of reception conditions. EASO manages on site these groups and works closely with the Greek government, UNHCR, FRONTEX and the other interested parties.

On November 13th an EASO delegation visited Greece and following a meeting with an amendment of the EASO Operations Action Plan in Greece was signed. The, on November 15<sup>th</sup>, the Minister of Public Order and Citizen Protection visited the offices of EASO in Malta, where he met with the Executive Director of EASO.

Under the operation plan, EASO and the Greek authorities have managed:

1. To draft a training plan for staff of the new services. The plan has already been initiated and some trainers having been trained over the sections of the European program on asylum are then training staff employed most recently
2. To plan the transition of Eurodac and DubliNet databases to the new services.
3. To develop guidelines for the calculation of age, the assessment of vulnerable groups and a strategy to increase reception and accommodation facilities.

According to the schedule contained in the business plan, the activities of EASO in Greece will continue at least until April 1, 2013.

### **3.3 Intra-EU solidarity including Relocation**

#### ***3.3.1 Support to national asylum systems***

Please provide information on support provided to (Member) States experiencing specific and disproportionate pressures on their national asylum systems. This might include support in the processing of requests for international protection, seconding staff (for the Asylum Intervention Pool / EAC Expert Pool), sending resources or equipment.

Greece did not participate in support programs because it is facing specific and disproportionate pressures on its own national asylum system

### 3.3.2 Relocation

Please describe any action undertaken with regard to the relocation from (Member) States experiencing specific and disproportionate pressures of beneficiaries of international protection to other (Member) States. This relates to intra-EU movements, for example, as part of EU projects.

There were no relocation programs in Greece in 2012

<b>Third-country nationals Relocated to your (Member) State</b>	
	Relocated
Third-country nationals	<b>0</b>

### 3.4 Enhancing the external dimension including Resettlement

#### 3.4.1 Cooperation with third countries

Please describe *specific* cooperation with relevant non-EU countries to strengthen their asylum systems, including national asylum legislation and asylum policy frameworks (e.g. through Regional Protection Programmes).

Greece does not cooperate with non-EU countries in this aspect

#### 3.4.2 Resettlement

Please describe resettlement activities to Greece of people placed under the protection of the Office of the UNHCR in third countries, specifying from which countries.

There were no resettlement activities in Greece in 2012

<b>Third-country nationals Resettled in your (Member) State</b>	
	Resettled
Third-country nationals	<b>0</b>

## 4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

### 4.1 Unaccompanied minors and other vulnerable groups

Please describe any developments in relation to unaccompanied minors (UAMs) at national and international levels, including in the context the Action Plan<sup>184</sup> on UAMs and its Mid-term Review. Please also describe developments in relation to other vulnerable groups.

Greece's asylum system which in recent years has surpassed its capabilities has affected mostly vulnerable groups of asylum seekers, in particular unaccompanied minors and women. During the restructuring of the Greek asylum system in order to meet the requirements of the CEAS, the Law 3907/2011 by which the Asylum Service and the First Reception Service were established, provides for special care for proper treatment of unaccompanied minors and vulnerable groups. In the framework of implementation of the law 3907/2011, two Presidential Decrees issued in 2012 regulate issues relating to the organization and operation of the First Reception Service and the Asylum Service.

Greece also took part in 2012 in six expert meetings of EASO, which are designed to implement the Action Plan on increased protection of unaccompanied minors entering the EU. The following issues were analysed: determining the age of the minors, EASO training and the EAC Interviewing Children Module, the use of x-ray and other medical evidence, legal aspects, including the roles of the courts and judiciary, impact and connection between age assessment and other asylum procedures, the way forward and the possibilities for guidelines on unaccompanied minors and age assessment.

### 4.2 Key statistics

<b>Unaccompanied minors</b>		
Total (from 1-1-2012 to 31-5-2012)	Unaccompanied minors not applying for asylum	Unaccompanied minors applying for asylum (first 10 months of 2012)
1953		98

Source: Hellenic Police

<sup>184</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF> plus the Mid-term Review Report: [http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam\\_report\\_20120928\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf)

## 5 ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS

This Section should be completed also in the context of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)"<sup>185</sup>, and you should liaise with your national rapporteur on Trafficking in Human Beings.

### 5.1 Measures to identify, protect and assist victims of trafficking

Please describe any (planned) actions at national level to fight human trafficking, including measures to identify, protect and assist victims of trafficking.

#### State level:

Current relevant legislative framework remains as in 2011, after the significant changes that the ratification of the 'Palermo Convention' and its Protocols, esp. the 'Protocol against trafficking in Human Beings' have brought about (L. 3875/2010). The transposition of Directive 2011/36/EU shall also have an impact on Greek legislation. The fight against human trafficking is an integral part of the Anti-Crime Policy Programme (2010-2014) (see s. 5.2 for more details). Police authorities have specific guidelines in managing cases of human trafficking regarding the victims, in cooperation with state and non-state actors. In this field the *National Centre for Social Solidarity* (E.K.K.A.-Line 197) under the Ministry of Labor acts as the national coordinator for the cooperation among state and non-state actors. Foreign diplomatic missions in Greece also contribute to the task of assisting victims of trafficking and their return. The *National Coordination Mechanism* tasked with monitoring and combating trafficking in human beings under the coordination of the Greek Ministry of Foreign Affairs participates in the Programme *Towards a Pan-european Monitoring System of Trafficking in Human Beings* (2012-2014), along with other EU member-states and international organisations.

#### Non-state level:

- Establishment of the 1109-Human trafficking resource Line (3<sup>rd</sup> April 2012) by A21, an NGO active in many countries in the field of awareness-raising campaigns, prevention, assistance to the victims of trafficking, legal aid against the traffickers.

- The National Center for Lost and Abused Children continues its work (European Line for Lost Children 116000).

- KMOP (Center for Family and Child Care) in cooperation with respective centers in Italy, Cyprus, Portugal runs the EC funded Programme 'Improving and Monitoring Protection Systems against Child Trafficking and Exploit (2012-2014)'.

<sup>185</sup><http://ec.europa.eu/anti-trafficking/>

-ARSIS Greece in cooperation with NGOs based in Bulgaria, Romania, Hungary and France runs the Ecn funded programme 'REVENI- Transsnational Monitoring of return procedures for Romanian and Bulgarian children (2011-2012)'.

- Under the MARIO project the 2<sup>nd</sup> state conference on Protection of children-victims of trafficking and abuse (March 23<sup>rd</sup> 2012) took place in Sofia.

## **5.2 Measures to prevent trafficking in human beings, and to increase the prosecution of traffickers**

Please describe any (planned) actions at national level to enhance the prevention of trafficking in human beings, and to increase the prosecution of traffickers.

Prevention and combat against trafficking in human beings are priority targets in the Anti-Crime Policy Programme (2010-2014) realized by Ministry of Public Order and Citizen's Protection and the Hellenic Police. Specific measures relate to a) updated reports on various attributes of trafficking in human beings, b) education/trainings of staff employed in Police task forces for aliens' control and passport check points aiming at enhancing its knowledge and sensitivity on the issue at stake, c) uphold and coordination of the work of the 14 regional Hellenic Police Anti-trafficking Task Forces and the Anti-trafficking Group at Hellenic Police Headquarters, d) collection and clearing of information and the planning of and realizing special operations against organized crime rings, including trafficking in human beings.

Non-state actors have also been working towards the same direction, as can be seen in section 5.1. Their activities relate to all the phases of fighting trafficking in human beings (prevention, combat, information, identification-assistance-protection for victims of trafficking, legal aid to trafficking victims against traffickers). The most striking cases are:

-In addition to 'Line 1109', A21 has organized wide range awareness-raising campaigns in public schools, Universities, and other public places, with the support of state agencies, local government, sport unions (football team), international organizations. Its activities have the form of leaflets, '27.000.000 reasons' (special movie-day, June 1<sup>st</sup> 2012), semi-marathon (November 21<sup>st</sup> 2012), advertising the '1109' on bottle-labels and football players' shorts etc..

- Basket game, at Olympic Stadium (OAKA), organized by involved Ministries, state agencies and a foreign diplomatic mission (April 3<sup>rd</sup> 2012).

## **5.3 Coordination and cooperation among key actors**

Please describe enhancements in coordination and cooperation among key actors and policy coherence, including to increase knowledge of and effective responses to changing trends in human trafficking. Please also identify cooperation with third countries (e.g. awareness raising actions in third countries addressing communities at risk). Please only refer to cooperation with

regard to combating human trafficking in this section.

Concrete information may be drawn from sections 5.1 & 5.2 on different cooperations among the various stakeholders at state and non-state level, in a national, bilateral or international context. Having in mind the above discussed situations, it should be taken into account that, in the aftermath of the initiative 'ILAEIRA (2009) for combating trafficking in women and children and assisting and protecting victims of trafficking', as read in the two Manuals (on interagency coordination and operations; on exchange of best practices for police task forces) and realized: a) experts meetings take place at national level, b) bilateral meetings with experts from neighboring states (Albania, Bulgaria) representing state and non-state actors or meetings for cross-border cooperation restricted to regional police authorities are also being organized, c) special operations against organized crime rings can be planned and successfully accomplished. Having concluded TACT III (2006-2009), cooperation with Albania regarding protection and assistance to minors as victims of trafficking continues in the context of the Guidelines/Principles agreed upon between the two countries and the ratification of the respective Agreement (Law 3692/2008).

At international and european level, the assets of EUROPOL, INTERPOL, SECI, and the liaison officers may serve the cause against TIP. The all-comprising EU funded programme 'Prevention of and Fight against Crime (2007-2013) consists of separate but supplementary projects regarding TIP: collection and clearing of data on TIP; informing communities at risk; training and operational cooperation. In these projects participants are state and non-state actors.

Last but not least awareness-raising event for communities at risk was organized in the context of UN by the Permanent Representatives of Greece and Bulgaria to UN under the title 'Prevention and combat against trafficking in human beings in South-East Europe - Joining forces (June 29<sup>th</sup> 2012, Geneva).

#### 5.4 Key statistics (01.01.2012-31.12.2012)

<b><i>Third-country nationals receiving a residence permit as victims of human trafficking</i></b>			
Third-country nationals		7	
<b><i>Traffickers arrested as suspects and traffickers convicted</i></b>			
	Arrested/otherwise involved in a criminal proceeding		Convicted
Traffickers (art. 323 <sup>A</sup> & art. 351 Penal Code)	arrested	171	49
	otherwise involved in a criminal proceeding	76	

Notes:

- Residence permits granted to victims of human trafficking according to special provisions of art. 46 Law 3386/2005, as amended.
- Due to mixed migration, facilitators of illegal entry into the country may also act as traffickers. As this cannot be easily ascertained, the above number of traffickers refers to those arrested for trafficking in human beings.
- The nature of the crimes, the time of the arrest determine the course and the completion of the criminal proceedings. The above number of convictions includes both 1<sup>st</sup> and 2<sup>nd</sup> instance court decisions.

Sources:

*Residence Permits:* Ministry of Interior.

*Traffickers arrested:* Ministry of Public Order and Citizen's Protection/Hellenic Police, Ministry of Shipping and Aegean/ Hellenic Coastguard.

*Data on criminal proceedings and convictions:* Ministry of Justice, Transparency and Human Rights.



## 6. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

### 6.1 Mainstreaming of migration in development policies

Please describe any relevant activity, for example studies, and development of approaches to make migration an integral part in sectoral policies (e.g. agriculture, health, education etc.), solidarity development projects, etc. Please also highlight any migration-related initiatives with third countries in the framework of development policy.

Even though there were no specific developments in this area, two government actions should be noted. The first one was the participation Global Forum on Migration and Development held in Mauritius in November 2012, as well as the overall contribution to the work of the Forum. The second one was the contribution, to the extent possible, to the preparation for the Dialogue on Migration and Development in the framework of the 2013 UN General Assembly.

### 6.2 Migrants' Remittances

Please describe any relevant developments and activities in the area of remittances, including financial support to such actions, implementation of an instrument for transferring migrants' remittances, co-development actions etc.

There have been no significant developments.

According to official figures from the Bank of Greece, for the financial year 2012, remittances from Greece amounted to 598,9 million euros. This amount is significantly lower compared to both 2011, when outflows amounted to 922.4 million euros, and 2010, when the outflows amounted to 1,080.6 million euros.

### 6.3 Working with Diasporas

Please provide information on a possible national policy or actions with regard to how diaspora groups may be further involved in EU development initiatives, and how EU Member States may support diaspora groups in their efforts to enhance development in their countries of origin. Please describe any specific activities to address migrant rights and the empowerment of migrants.

There are no significant developments in this area. It should be noted however, that the Ministry of Interior, as Responsible Authority for the European Fund for the Integration of third-country nationals in Greece, implements actions which, among other, aim at strengthening diaspora groups living in our country, and thus indirectly enhances the possibility that these groups shall contribute to the development of their home countries.

Indicatively, in 2012, two actions that were implemented were: a) Action 1.3/10 "Supporting immigrant communities for their organization at primary

and secondary level," implemented by the Labour Institute of GSEE in cooperation with the Greek Forum of Migrants and, b) Action 1.2/2010 "Legal and Administrative support for third-country nationals that legally reside in the country" by AKMON Training Organisation, NGO PRAKSIS and the Greek Forum of Migrants.

Additionally, throughout 2012, Immigrant Integration Councils (SEM) were formulated in the municipalities that had not yet formed these bodies. It should be reminded that members of the SEM are, among others, Councillors (mandatory for those that are immigrants), representatives of immigrant organizations and representatives selected by the regions immigrant community.

Regarding the Greek diaspora we should note the following:

On 11 December 2012 the draft law on the "Organization of World Council of Hellenes Abroad" (hereafter: SAE) came to public consultation. According to the Ministry of Foreign Affairs relevant press release, SAE, which according to the Greek Constitution's has the mission to express all forces of Greeks worldwide, has run its course, and therefore the time has come to build a more representative and henceforth more creative SAE, that will have the capacity to mobilize all forces of Ecumenical Hellenism. In this context, the draft law emphasizes on the adjustment of its institutional framework to the current circumstances, the self-organization and self-financing of the institution, and in providing the opportunity to any Greek men and women across the globe to participate in SAE.

More specifically, the responsibilities of SAE as now defined in Article 2 of the draft law are defined as follows:

**A. 1.** SAE suggests, consults and advises the Greek Government on matters relating to Hellenism, such as: a) the maintenance and promotion of the Greek language and cultural identity of Greeks living abroad; b) strengthening the bonds of worldwide Hellenism both abroad and in Greece; c) contributing to strengthening of relations between the countries of residence and Greece; d) recruitment, financial and social security issues of Greeks living abroad. **2.** SAE seeks to promote issues related to Hellenism in the respective countries and geographical regions. **3.** SAE collaborates with the Ecumenical Patriarchate, the Patriarchates and the Church.

**B.** SAE activates in areas related to Hellenism, such as: a) The preservation of the Greek language and cultural identity b) strengthening bonds of worldwide Hellenism both abroad and in Greece.

The consultation remained active until January 31, 2013, with 137 remarks made on its individual articles.

Furthermore, in October 2012, the Minister of Interior informed the members of the Special Parliamentary Committee on the Diaspora, regarding the vote rights of expatriates. As announced, a working group is preparing a draft law with its main axes being the political expression of expatriates, ensuring equality of votes, process credibility (legitimacy-transparency), administrative readiness, and the ability to run operations at low-cost. The draft law will be

followed by a public consultation and after receiving corrective suggestions, it will be submitted to Parliament for vote.

Finally, in the same month a conference was organized by the International Herald Tribune and "Kathimerini", entitled "Moving Forward», on the topic of investments in Greece. The way in which the Greeks of the Diaspora can contribute to overcoming the current crisis was the subject of an interesting discussion at this conference, as all participants focused their suggestions to the usefulness of communication among the Greeks of the Diaspora and Greece. The question, as stated, was not on collecting money and other material assistance, but on how to open channels of communication between the two sides.

#### **6.4 Efforts to mitigate 'brain drain'.**

Please describe any (planned) measures to mitigate brain drain, for example awareness rising actions, development of data and indicators on this phenomena, prevention, list of countries and professions subject to brain drain.

In terms of brain drain from third countries, there were no noteworthy developments.

It is of interest though, that due to the economic crisis, Greece is at the moment facing "brain drain". While there are no specific measures to limit this phenomenon at the moment, there is a long-term effort to address this issue through development initiatives.

## **7. PROVISION AND EXCHANGE OF INFORMATION TO SUPPORT POLICY DEVELOPMENT**

### **7.1 Exchange of Information at EU level**

Please describe any additional actions to provide and exchange information to support policy development at EU level. This might include for example, through networks such as the EMN, the Mutual Exchange Mechanism (MIM), EASO etc.

Greece participates in the European Migration Network (EMN), through the Ministry of Interior, in order to provide objective, reliable and updated data on migration and asylum, and to support the mapping out of policy of European Union in these sectors.

In this context, the Greek National Contact Point of EMN, as per its competences, has created a National Migration Network, which consists of a wide range of organizations and institutions active in the field of migration and asylum. The members of the national network are actively involved in the activities of the Greek National Contact Point, informed about the activities of EMN and they are provided with information, and details on immigration and asylum policies at national and EU level.

Moreover, Greece is one of the 16 Member States, which had contributed to the Mutual Information Mechanism, providing information regarding policies adopted by the Greek authorities, which were expected to have an effect on an EU level, during 2007 and 2008.

Additionally, the participation of Greece in EASO assists in the exchange and analysis of information on asylum between Member States in the scope of highlighting common trends and common assessment.

Greece also participates in the network of National Contact Points on Integration, which aims to provide a forum for the exchange of information and best practices between the central governments of member states, with a view to finding solutions for the successful integration of legal immigrants in all the member states, setting common principles and objectives, and enhance coordination of national and European political integration. Within the network there are regular meetings approximately every 3 months, in which Greece participates actively. Also, the Network has held specialized thematic seminars of national experts, including the European Modules on Integration and the Common indexes on Immigrant Integration.

The Ministry of Interior as Responsible Authority for the European Fund on Integration of third-country nationals in Greece organised in 2011 under the Annual Programme 2009, a European conference on "Social integration of

immigrants - Good practices in the areas of health, welfare and social security." Moreover, under the 2010 annual program, two actions that promote the exchange of information at European level were implemented in 2012: 1) Creating a network of cooperation at local level between EU Member States and 2) Creating a collaborative network of representatives of migrant associations at European level. Finally, as part of the annual program 2011, the Ministry of Interior has published a call for proposals, that among others include the following related actions: 1) Development of a cooperation network that will interconnect representatives of Mediterranean Member States which face similar challenges in integration of third country nationals, 2) Develop collaborative network that will bring together representatives of Councils for the Migrant Integration and similar institutions of local government at EU level and representatives of migrant organizations at European level.

## **7.2 Exchange of Information at Regional and National levels**

Please describe any additional actions to provide and exchange information to support policy development at regional and national levels. These might include specific actions with national contact points or rapporteurs, and the exchange of information within the 'regions' of Europe, for example, amongst the Baltic States. Please also describe any (planned) sharing and exchanging of information on migration with other (Member) States, through existing networks and other instruments (e.g. the European Migration Network, the Mutual Information Mechanism (MIM)). Please also describe the involvement of EU agencies

On 14 December 2012 the first National Conference of the Greek National Contact Point of the European Migration Network (EMN) was organised to strengthen the national information network. Members of the academic community, civil servants and representatives of NGOs provided an overview of immigration policy and practice in Greece and the role of Greek EMN NCP.

Also, the Ministry of Interior as Head Authority for the European Integration Fund of third-country nationals in Greece, has published (in the framework of the 2011 annual program) a call to submit proposals for actions related to the training of the parties involved in the Immigrant Integration Councils in order to facilitate networking and exchange of best practices among them.