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ILLEGAL IMMIGRATION AND ORGANIZED CRIME IN GREECE

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Introduction

During the 1990's the immigration problem in Greece started to have explosive dimensions due to political and economic developments in South-East Europe, but also due to the continuous conflicts in the Middle East and North Africa. An important factor which played an important role in shaping these developments was the collapse of Alia's regime in Albania (1991) and the subsequent flow of illegal immigrants from Albania into Greece and also from other Balkan countries (Serbia, Romania, Bulgaria, FYROM) due to the political unrest that took place in the Balkans during that period. In Greece, immigration policy is facing the same inflexibility which does not solve the problem but rather functions in a fragmentary way and does not constitute a substantial effort in solving the problem.

Dealing with illegal immigration as a national security threat is a strategic option and it is absolutely necessary the formation of an immigration policy which will prevent the flow of illegal immigrants and give directions in regard to the integration of the legal immigrants in Greek society in coordination with the European Immigration Policy which will be formed by the European Commission. Greece has to form and implement a long term immigration policy which will include efficient mechanisms of internal and external control (cooperation of Ministries of Employment, Interior, National Defense, Foreign Affairs, Public Health and Mercantile Marine) in cooperation with our European Union partners and non- European Union states like Turkey, where the bigger number of illegal immigrants are flowing to Greece.

This article has three sections. The first section is referring to the institutional framework in Greece and the observations in regard to the implementation or not of this framework in order to handle in a more efficient way the immigration problem. The second section is describing the causes of the flow of illegal immigrants in Greece and the repercussions on national security. Finally, the third section is referring to the latest developments in European Union immigration policies and the role of Immigration Liaison Officers (ILO) in facing illegal immigration. Liaison Officers (ILO) are serving in the immigration offices of the European Union Member States and they try to coordinate and implement national immigration policies into a common European Immigration Policy.

Legal Framework and Greek Immigration Policy: Observations and Mapping of the Weaknesses.

During the 1980's thousands of refugees from Lebanon (mainly Palestinians) Turkey (mainly Kurdish), Iran and Ethiopia are seeking political asylum in Greece as a result of external conflicts and internal social unrest. During this period many of these refugees immigrated in the U.S.A, Canada and Australia with the support of the International Immigration Organization (IMO) after they had stayed in Greece for a short time. In the beginning of the 1990's, the problem of illegal immigration had taken explosive dimensions not only in Greece but also in other European Union states due to the collapse of communist regimes in Eastern Europe (1989) along with the increased flow of illegal immigrants from Balkan countries (Albania, Bulgaria, Romania, Serbia and FYROM).

Since the census of 1991, 10,260,000 inhabitants lived in Greece. In March 2001, the population increased to 10,964,020 inhabitants where 797,091 were foreigner citizens. In the number of foreigners, 47,000 inhabitants are citizens of European Union Member States who live in Greece. (1) A recent study of the Institute for Immigration Policy of the Greek Ministry of Interior mentions that the number of legal immigrants is 480,000 persons (data of October 2007) and the number of illegal immigrants is somewhere between 172,250 and 209,402 in the Greek society. (2)

The immigration policy implemented by Greece was mainly restrictive and was based upon prohibitive measures which were aiming at the restriction of the flow of illegal immigrants at the Greek borders with few results. It is necessary for the Greek state to study the past and current situation and to make observations of the weaknesses of the legal framework and design a realistic and sustainable long term immigration policy because the problem of immigration and illegal immigration in particular will be more visible in the coming decades with serious repercussion on national security and employment in Greece.

Studying the legal framework someone can observe that the first law which was facing issues of foreigners living in Greece was voted in 1929 (Law 4319/1929) and lasted till 1991 when it was replaced by the Law 1975/1991 (3) according to which residence permits were given only to foreigners who had labor contracts. The following years the number of illegal immigrants flowing to Greece started to increase rapidly due to the dissolution of former Yugoslavia and the social, economic and political unrest in the rest of the Balkans. In a peculiar way this situation led to the relaxation of the deportation policy of immigrants who lived in Greece and were coming from Balkan countries.

Since 1991, Presidential Decrees (PD 358/1997 and 359/1997) (4) were signed and led not only to the relaxation of the deportation of illegal immigrants but also to the first programme of legalizing them which was implemented in 1998. Moreover the new Law 2910/2001 replaced the word **deportation** of the previous laws with legalization and other measures. (5) Furthermore, a new Law 2910/2001 introduced the concept of family reunification when the legalization of immigrants is under the perspective of permanent residence in Greece. (6)

Unfortunately, since the implementation of Law 2910/2001, instead of setting goals which would strictly mark out the fight against illegal immigration, was inaugurated a practice of legalization of illegal immigrants, with the fewest possible preconditions required for them, which led in the following years in the flow of illegal immigrants especially from Africa, Middle East and Asia. A question which is posed to every wannabe future illegal immigrant is why not to pursue to come to Greece when the perspective of their acceptance, integration and permanent residence in Greece is so easy. In 2005 a new law was voted (Law 3386/2005) which emphasizes the concept of integration and hints a policy of integration of illegal immigrants in Greek society. A National Committee for the social integration of immigrants (Law 3536/2007) is created under the supervision of the Ministry of Interior. The National Committee composed a Report that stated all the developments related to the social integration of immigrants in national and international level. The Report was submitted to the Greek Parliament and included policy recommendations and the necessary measures that have to be taken in order to face the problem. (7)

If someone studies the legal framework of the Greek immigration policy, several questions can only be answered by officers of the Greek police who deal operationally with the problems of illegal immigration. Having had the opportunity to take an interview from such an officer who desires anonymity several questions were answered such as: "why the huge and massive flow of immigrants in Greece brings great difficulty in implementing the above mentioned Law 1975/1991?" (8) Which are these difficulties? The answer to this question is that there is a great jostle of illegal immigrants in the detention cell of law enforcement agencies (Police and Coast Guard). There is a great jostle because the deportation procedures in many cases (depends on the nationality and the country of origin of the immigrant) are taking a very long time. For the deportation procedure it is necessary the identification of illegal immigrants who most of the times do not posses any document of their identity. At this point Greek authorities are addressing to the diplomatic missions of the countries that the immigrants declared that they belong to, in order to issue the travel documents that are needed for the deportation procedure to be completed. Problems also come up when the declared country of the arrested immigrant does not recognize the illegal immigrant as its citizen. Furthermore, in most of the cases, the

problems are deteriorating when the country that the illegal immigrant declared is coming from is not represented by a diplomatic mission (like the example of the Republic of Saint Mauritius). As a result of this bureaucratic dead end, illegal immigrants are detained illegally for months in the detention cells of law enforcement agencies with serious consequences for their own health and human conditions. Usually what is happening is that illegal immigrants that come from countries which are not represented diplomatically are released in order to leave Greece within 30 days (Law 1975/1991) in their own expenses.

Questions that will be hardly answered by the laws that are already implemented are how many of the illegal immigrants will leave Greece? What will happen in the case they will not leave? Are they involved in illegal commercial activities or criminal activities? Which are the repercussions of illegal immigration on national security?

Illegal Immigration, Organized Crime and Repercussions on National Security

In the last decade, Greece has become a recipient country of an indefinite number of illegal immigrants from Asian and African countries. Half of the illegal immigrants arrested by the Greek Police are Albanians. However, most of the illegal immigrants are flowing to Greece mainly through the Greek-Turkish borders with the tolerance or even the assistance of the authorities of the Turkish state regardless the bilateral agreements that have been signed for this matter since 2003. (9) In May 2010, during the official visit of the Turkish Prime Minister, Recep Tayyip Erdogan to Greece, Michalis Chrisochoidis, the Greek Minister of Citizen Protection and Besir Atalay, the Turkish Minister of Interior agreed to take all necessary measures to ensure full and effective implementation of the provisions of the bilateral Readmission protocol in force in order to combat illegal Immigration. (10) Turkey agreed to accept a minimum of 1,000 requests for readmission every year. In the field of combating illegal immigration, Turkey pointed out that possible participation of other states in the broader region in necessary.

Illegal immigration is actually an asymmetrical threat that destabilizes the Greek state and it is of special importance to study the causes which are leading Turkey to violate the Readmission Protocol for illegal immigrants that has signed with Greece

(April 2002). Unfortunately, Turkish authorities are not complying with the terms of the Protocol and are not cooperating in issues of readmission as well as they are particularly creating many problems during the procedures of surrender of the illegal immigrants in the borders with Greece. Furthermore, the Turkish authorities aim to make more difficult, to postpone or even to "cancel" the readmission procedure. The answers that Turkish authorities are giving to Greek authorities are usually negative despite the existence of specific proofs (Turkish smugglers of illegal immigrants arrested by Greek authorities and validations of passports). The Turkish authorities have limited themselves in accepting only Iraqis and Iranians illegal immigrants, giving a priority to them due to the common borders they have with these countries. Naturally, we have to mention here that the Readmission Protocol does not make any distinction in regard to citizenships of illegal immigrants and oblige the signatory parties (Greece and Turkey) to readmit in their territory all illegal immigrants regardless of their citizenship. In the tables 1 & 2 (at the end of the article) someone can observe the ratios of arrested illegal immigrants in Greek territory which were increased 30.2% in 2008 in comparison to 2007. Furthermore table 2 is analytically presenting the number of illegal immigrants that were arrested in the Greek-Turkish land and sea borders.

Turkish governments are implementing the <u>Ozal doctrine</u> which says "we do not need to make war with Greece .We just need to send them a few millions illegal immigrants from Turkey and finish with them." (11) The uncontrolled flow of illegal immigrants has multiple dangers for Greek national security because: i) it can destabilize social cohesion through demographic denaturation. ii) it encourages the spread of organized crime and terrorist networks. As an illegal immigrant, a high-level operative of Al-Qaeda passed the Greek borders and was arrested by the Greek authorities since he tried with forged documents to receive political asylum. (12)

Recently, the U.S. State Department published a report for human rights and terrorism in which is referring to Greece as the first entrance point of the Schengen zone (13) from its south and east borders (which are at the same time borders of the European Union) and that because of the extended coast yard, there is danger that terrorists will pass by its borders. Criminality index has increased during the last years as it shows (table 3) from the Directorate of Public Security of the Greek Police. iii) it consists a

threat for public health the import of new or unknown diseases or the reappearance of diseases that had long time ago eclipsed from Greece. iv) there is a huge economic burden for the social services in the Greek state.

Greece has never been a colonial power, neither has asked for more working force, however, received an uncontrollable number of illegal immigrants in a short period of time. The vast majority of these immigrants is extremely difficult to be absorbed by Greek society due to ethnic, cultural and religious reasons. Greek governments have to understand that the time in which the issue of illegal immigration could be "solved" by arid discussions and confrontations between politicians has long passed by. The intensity of the phenomenon is "ante portas" if we judge from the over- population of many Asian and African countries along with the current global financial crisis. This situation described above is creating an even greater tension in the Greek borders. Greece has to declare to the European Union and the International Community that it can no longer be the ideal geographical area from which illegal immigrants are seeking to pass by in order to reach other more attractive destinations.

The Contribution of Immigration Liaison Officers (ILO) in Combating Illegal Immigration.

Immigration in the EU member-states is presented as the result of social problems since it is taking such dimension that is disturbing the social cohesion of a state. However, every European Union member-state has the capability of encouraging or discouraging the creation of such circumstances that may effect negatively or positively the immigration flow towards the European continent.

How can the European Commission in cooperation with the EU member-states face the problem of illegal immigration which is taking uncontrollable dimensions that can lead to explosive social unrest in the future with the increase of domestic unemployment and the intensification of the global financial crisis and the creation of a culture of fear for the next generations?

The European Commission has taken the necessary measures during the European Council of Seville (June 2002) asking for the creation of "a network of European

Immigration Liaison Officers (ILO) from the EU member-states before the end of 2002". (14) Moreover, the European Council of Thessalonica (June 2003) referred to the strategic importance of the intelligence that will be provided from the network of the ILO and for the "development of a mechanism that will assess the relations with non EU countries (mainly Asiatic and African countries) that are not cooperating with the EU in combating illegal immigration." (15). Immigration Liaison Officers in European Union Member-States will have as their central objective the collection and intelligence sharing for an operational as well as strategic level. Furthermore, EUROPOL (European Police Agency) (16) will be informed from Immigration Liaison Officers (ILO). The intelligence collection of the ILO network will focus mainly on: i) the flow of illegal immigrants through a reception country and the roots that groups of illegal immigrants are following in order to reach territories of other EU member-states, ii) the means (transportation, participation of intermediaries) that illegal immigrants are using to reach other member-states, iii) the existence and operations of criminal organizations that are participating in the flow of illegal immigrants, iv) the measures and the means that the European Commission is using to **prevent** the flow of illegal immigrants from or through their countries, v) the means of facilitating the outflow of illegal immigrants in their countries of origin and vi) the intelligence that is communicated (ILO Data Base) through the rapid alert system.

The European Commission is positive that with the creation of the ILO network the uncontrollable and explosive problem of illegal immigration will be contained and will also give the opportunity to EU member-states to cooperate with each other and share strategic intelligence that will enable them to prevent future inflow of illegal immigrants in their countries. The ILO network is the base for the fulfillment of the European Immigration Policy given the fact that the European Commission will clarify what kind of legal immigrants needs (absence of job specialties etc). Greece is exploiting in full scale the intelligence that is taking from the ILO network and is coordinating its operational activities with the other EU member-states. Substantial effort of course is demanded for the efficient coordination and management of information inside the agencies of EU member-states. At this point, Greece has to give much importance in evaluating competent officers who will be able to coordinate rapidly between them and to undertake operational activities for combating illegal immigration with the least of bureaucratic inflexibility.

Concluding Remarks

Combating illegal immigration in Greece as well as in other EU member-states is a matter of national security, social cohesion and employment. During the 1990's, Greece received a great number of illegal immigrants mainly from Balkan countries and Turkey. **Unfortunately, Greece was not ready at all to receive such a big and uncontrollable number of immigrants.**

Greek governments reacted to the inflow of illegal immigrants with new legislation voted by the Greek Parliament and amending previous ministerial decisions and Presidential Decrees in order to face efficiently illegal immigration. It was observed that the implementation of the legislation from the law enforcement agencies (mainly Police and Coast Guard) was often facing bureaucratic obstacles that were mainly focused on the lack of cooperation from third countries (mainly Turkey), in the clear violation of the Readmission Protocols that have been signed with non-EU countries. Furthermore, the lack of diplomatic missions in Greece creates enormous difficulties because many illegal immigrants are not officially represented in Greece. This situation brings obstacles to the law enforcement agencies in handling efficiently illegal immigrants.

Because of illegal immigration there is an increase in criminality in Greece, and in several streets around Athens, one can observe the creation of "ghettos" of illegal immigrants. Moreover, employment and the social system in Greece are being affected negatively from the number of illegal immigrants and along with the global financial crisis many small and medium enterprises are firing employees and the Greek government faces a rapid increase of unemployment rate.

The main question that is addressed on this article is whether the Greek authorities have understood that if illegal immigration is not confronted in a rational and intelligent manner, it will inflect the ethnological base at the Greek society. It is not by chance the publication of a report from the United Nations

(UN) that is referring that by the year 2015, Greece will have around 4.2 million immigrants. (17)

Furthermore, the United Nations report is underlined the necessary measures that are to be taken in order to combat illegal immigration at a national and European level. Special emphasis is given in the stricter penalties that have to be implemented for the traffickers of illegal immigrants and their collaborators. The United Nations report also states the necessity of immediate readmission of illegal immigrants to the countries of their origin with the intervention of the European Union. Recently, in the Euro-Mediterranean Parliamentary Assembly (18) it was discussed the problem of illegal immigration that Greece is facing mainly through Turkey since every year approximately 100,000 illegal immigrants arrive in Greece in order to attempt to travel to other European Union Member-States.

The European Commission in order to confront efficiently and operationally the uncontrollable problem of illegal immigration has created the network of Immigration Liaison Officers (ILO). The aim of ILO is to promote intelligence sharing between European Union member states in order to **prevent** the traffickers of illegal immigrants to bring them in European territory and not only to deal with the problem after the illegal immigrants are already in European territory.

In conclusion, we may say that the question of illegal immigration is undoubtedly an extraordinary complicated problem that demands from policy makers to fully understand the mechanisms that are fueling the phenomenon of illegal immigration and requires the development of such a policy that will enable the design of a **realistic** and long term inspired Immigration Policy not only in Greece but at an European level as well. The analysis of the illegal immigration issue, its repercussions for Greek society (national security, social cohesion, unemployment) and the recommendations that are mentioned in this article are presenting the immediate priorities of a modern policy for the substantial confrontation of illegal immigration in Greece.

Tables:

Total number of arrested illegal immigrants in Greek Territory (2004-2008)

Year	Total Arrested Illegal Immigrants
2004	44.987
2005	66.351 (+48%)
2006	95.239 (+ 44%)
2007	112.364 (18%)
2008	146.337 (+30,2%)

Source: Hellenic Police (2008) - **Table 1.**

Total number of arrested illegal immigrants in Greek-Turkish borders (2004-2006)

Year	Total	Overland	Percentage	Greek-	Percentage	
	arrested in	Greek-	out of total	Turkish Sea	out of total	
	Greek-	Turkish	(*)	Borders		
	Turkish	Borders				
	Borders					
2004	6.985	2.957	42,3%	4.028	57,6%	
2005	7.944	3.706	46,6%	4.238	53,3%	
2006	22.151	15.265	68,9%	6.886	31%	

Source: Hellenic Police (2006) – **Table 2.**

^(*) Arrests of illegal immigrants from Port Police and Hellenic Police

Robberies and Burglaries in Greek Territory (1991-2007)

Year	Committed	Attempts	Total	Detected	Perpetrators-	Perpetrators-	Total
					Indigenous	Foreigners	
1991	41628	1310	42938	6152	7242	-	7242
1992	40924	1167	42091	7841	7053	-	7053
1993	43634	887	44521	5962	7273	-	7273
1994	46299	755	47054	5455	6989	-	6989
1995	60398	1160	61558	5746	7603	-	7603
1996	63216	483	63699	5053	5532	-	5532
1997	67971	506	68477	5256	6065	-	6065
1998	60863	527	61390	7729	3870	3139	7009
1999	49006	805	49811	7701	3983	2929	6912
2000	46233	908	47141	8154	4625	2597	7222
2001	45689	1160	46849	7815	5036	2214	7250
2002	48365	1276	49641	10536	5210	2527	7737
2003	49352	1657	51009	8803	5507	2447	7954
2004	42397	1536	43933	8273	5026	1985	7011
2005	44100	2464	46564	8465	5291	2020	7311
2006	49403	2224	51627	10438	5655	2401	8056
2007	58472	2638	61110	10051	5751	3471	9222

Source: Hellenic Police, Yearbook of Statistics, (1991-1997) & data from the Directorate of Public Security (1998-2007). **Table 3**

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- (1) John M. Nomikos "Immigration, Illegal Immigration and the Repercussions for Greek society", Chapter 5, Yearbook Labor Market 2006, p.121-144, Employment Observatory Research-Informatics, Athens, Greece.
- (2) Maria Delithanasi, "Immigrants first victims of the financial crisis", p.14 Kathimerini (Greek Newspaper), 07/12/2008
- (3) Law 1975 (04/12/1991) clarifies explicitly the Police responsibility for controlling the borders (article 3, paragraph 4), the entrance of immigrants (article 6), the stay of immigrants (articles 12, 13, 14), work permits of immigrants (articles 21, 22, 23) and restrictions and deportation procedures (articles 26, 27, 28, 29).
- (4) Presidential Decree (P.D. 358/97): "Prerequisites and procedures for the legitimate stay and work of foreigners who are not citizens of EU member-states", and the Presidential Decree (P.D 359/97): "Issue of residence card of limited duration for foreigners."
- (5) The Law was voted in 2001 (L.2910): "Entrance and Stay of Foreigners in Greek territory, Legitimization and other measures."
- (6) Article 3 of Law 3386/2005 is referring to the process of social dialogue in order to shape policies which are promoting the integration of immigrants in all spheres of society according to the International Law and the European Vest.
- (7) Law 3536/2007 is referring to the foundation of the National Committee for the integration of immigrants from the Greek Ministry of Interior. Articles 3 & 4 are referring to the general prerequisites for the renewal of the residence permit of immigrants.
- (8) On 30th November 2008, a Greek Police Officer (who wants to keep his anonymity) who has worked in immigration issues gave me an **interview** and he talked about the practical problems that the Police is facing with illegal immigrants and the difficulties they have in order to implement the Laws for combating illegal immigration.
- (9) Since 2003, Greece is implementing the Dublin II regulation according to which the responsibility for handling illegal immigrants in the EU belongs to the country that they first entered. Actually, wherever in Europe an illegal

immigrant is arrested (who has passed through Greece) is pushed back to Greece which has become a Reception Center for illegal immigrants. However, on 15th July 2010, Greek Deputy Minister attended an European Union Ministerial Council of Justice and Interior Ministers (in Brussels) on "How to Achieve a Common European Asylum System until 2010" and he asked the temporary postponement of the Dublin II regulation for Greece.

http://www.yptp.gr/index.php?option=ozo_content&perform=view&id=3239&Itemid =441&lang= Press Release, Ministry of Citizen Protection, 15 July 2010, Athens.

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 - 11) Theodoros Katsanevas, "Nobody is Worrying", To Paron (Greek Newspaper), Sunday, 08/03/2009.
 - 12) "High ranking Al-Qaeda operative arrested between illegal immigrants", To Paron (Greek Newspaper), Sunday 08/03/2009. Look also on the Greek Police Report on Organized Crime in Greece, (2005) at http://www.astynomia.gr/images/stories/STATS/Attachment16319_EKTHESI %20ORGANOMENOY%20EGLIMATOS.pdf
 - 13) "The slaps are .." To Paron, (Greek Newspaper), 15/03/2009. "Schengen Zone" constitutes from EU member-states that they do not require passports from their citizens to travel within their territory.
 - 14) European Commission, Regulation No.377/2004 of the European Council of 19th February 2004 put the bases for the creation of a network of Immigration Liaison Officers (ILO). Official Journal of EU, 02.03.2004, L.64/1.
 - 15) Ibid.
 - 16) The European Police Agency (EUROPOL) was founded in July 1995 and started working on 1st October 1998. EUROPOL is responsible for combating crime and terrorism but it is not a European Police. It is an institutional body in the service of EU member-states which has an aim to assist them in dealing more efficiently with criminal activities.
 - 17) "In the year 2015, immigrants in Greece will exceed 4,200,000!" To Paron, (Greek Newspaper), Sunday 22nd March 2009.

18) In the Euro-Mediterranean Parliamentary Assembly, thirty six countries participate (European Union Member States, North African countries, Lebanon, Syria and Turkey) and the European Parliament", ProtoThema (Greek Newspaper), 19 March 2009.

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