

No Safe Haven: the Reception of Irregular Boat Migrants in Greece

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Abstract

Unauthorized entry of migrants into Europe's "Schengenland" is a social phenomenon that has not only increased rapidly in the last decade, it has also become a major concern of migration studies in recent years. The Greek-Turkish border, which separates EU territory from a non-European country and which is often crossed by irregular migrants and persons seeking refuge from the Middle and Far East, is especially relevant for studying irregular migration flows in Southeastern Europe. The article shall focus on the reception of unauthorized migrants on the Greek island of Lesbos who managed to cross the Greek-Turkish border by boat clandestinely. Based on anthropological fieldwork on the Greek island of Lesbos, ethnographic data on the migratory process from Turkey to Greece about how undocumented migrants cross the maritime border, how they are received in Greece and how their apprehension on the island of Lesbos works will be presented. In discussing the findings, the category of illegal migration shall be challenged. Based on empirical data from the Greek-Turkish maritime border, we have to think of managing unauthorized migration as a complex system with interrelated legal practices as well as unlawful actions of all actors involved.

1. Introduction

The unauthorized entry of clandestine migrants into Southeast European countries, be they Schengen member states or not, is a social phenomenon that has increased rapidly in the last decade. As a social problem occurring in a number of countries bordering the Mediterranean, it has also recently become a new and developing field in migration studies.¹

The concept of irregular migration applied in these studies refers to individuals who cross international borders without the necessary permits or visa documents.² Due to this unauthorized entry into the country, the presence of clan-

¹ An overview of migration processes in the Mediterranean area is given by Baldwin-Edwards (2004), King et al. (2000).

² The concept of irregular migration applied in many recent studies refers to migratory processes occurring on international borders with social actors who cross the state border clan-

destine migrants in the country's territory is also characterized by some authors as illegal.³ In other words, irregular (or illegal) immigrants are foreigners who are in a country where they have no right to be. It has to be stressed that their illegality refers mainly to the absence of residence (and work) permits and has to be understood clearly as being politically and socially constructed, resulting in a complex process of inclusion and exclusion.⁴ On the one hand, many irregular migrants are quickly integrated into the grey areas of the local labour and housing market of the host society. On the other hand, due to their illegal status in the country of residence, they are excluded from basic social rights and access to social security and health services available to the country's regular citizens. One of the most severe and far-reaching consequences of entering a country on clandestine land or sea routes is that most of the irregular newcomers have to stay underground.

Due to the irregular character of these transnational migratory processes, very few statistical data are available and little is known about the lived experience of irregular migration. The research project I am presently conducting at the Academy of Athens in Greece aims to partly fill this gap and provide qualitative and quantitative data on how irregular migration in a Southeast European country works.⁵

In the framework of this research project, the Greek border island of Lesbos was chosen as a case in point. It is situated in the northern Aegean Sea opposite the Turkish mainland, with a small water channel of five to ten nautical miles separating the island from Asia Minor. By using an anthropological approach in investigating irregular migration to Greece, and using qualitative research methods such as extended field work, participant observation and in-depth interviewing, it was possible to focus on a less investigated aspect of irregular migration: the arrival of undocumented boat migrants on a Greek border island. Based on anthropological field work on the island of Lesbos, the following chapters will present selected ethnographic data on illegal maritime migration from Turkey to Greece.

destinely, without identification documents, and who disregard national and European visa regulations. For a definition see also CLANDESTINO (2008).

³ On the concept of illegal migrants, see Duvell (2006), Chavez (2007).

⁴ The relationship between irregular migration and human rights is discussed by social anthropologists and lawyers in Bogusz et al. (2004).

⁵ First results of the research project "Migration to Greece: Legality and Illegality" are published in Greek in the Yearbook (2006) of the Research Centre for Greek Society of the Academy of Athens. See Lauth Bacas (2006).

2. Migratory pathways to Greece

To understand the specific character of clandestine migration to Greece, this chapter will give a short description of migratory pathways to Greece as they have developed in the last fifteen years.

It is generally accepted that since the 1990s Greece has become an important host country for labour migration and also for transit migration from the East to the West, that is, into the more industrialized countries of Western Europe. Looking at the available statistical data it is impressive to note that within a decade Greece has changed from a country sending labour migrants to Western Europe, America and elsewhere to a country receiving economic migrants from the neighbouring Balkan countries, from countries of the former Soviet Union and also from the Middle East and East Africa (Bacas 2002). Greece has experienced major changes in the composition of its population from the national census of 1991, where the percentage of foreigners in Greece was about one percent, to the national census of 2001, where the percentage of foreigners was about seven percent, until today, where approximately ten percent of the population are foreign labour migrants and their families in a country of 11.3 million inhabitants in total.⁶ The reasons and effects of this recent immigration flow into Greece are widely discussed in the national press and the subject of a number of scientific studies and research projects in Greece which cannot be presented here in detail.⁷

In relation to the ongoing discussion on irregular migration in Southeastern Europe, it is important to note that the large-scale arrival of economic migrants to Greece after the fall of the Iron Curtain was based mainly on irregular border crossing and thus could be characterized as illegal immigration.⁸ In the period after 1990, hundreds and thousands of economically motivated migrants from Albania, Bulgaria, Romania, and the former Soviet Union crossed the Greek-Albanian and the Greek-Bulgarian borders clandestinely and by disregarding national and European visa regulations. Most of the migrant workers who arrived in this period not only entered the country clandestinely, but also

⁶ An overview on recent population changes in Greece due to labour immigration after the fall of the Iron Curtain is given in Kasimis/Kasimi (2003) and Lauth Bacas (2002).

⁷ An overview of recent research as well as Greek and international literature on labour migration to Greece is presented by Petronoti, Triantafyllidou (2003).

⁸ On the social condition of illegality in migration processes see Chavez (2007). Important for a better understanding of recent transnational migration flows is the contribution of Glick Schiller et al. (1994): "From migrant to transit migrant".

entered the Greek job market unofficially, that is, without permits or without valid documents.⁹

There has never been an official recruitment programme that organizes the entry of economic migrants from the neighbouring Balkan countries to Greece, but especially in the decade before the Olympic Games of Athens (2004) there was a clear demand for a bigger labour force in the building sector, in agriculture and in tourism. The economic conditions in Greece at the turn of the century clearly favoured unauthorized immigration and the arrival of foreign labourers mainly from Albania, but also from other Balkan countries and the former Soviet Union (Lianos 2003). These newcomers adding to the existing work force were illegal immigrants in the strict sense that their presence in the country had not (yet) been authorized by Greek authorities. But in most cases they were not undocumented migrants, since they were able to prove their identity and to provide identification documents upon request. (Many of those who had crossed the mountain borders clandestinely possessed valid passports.) As a matter of fact, the Greek National Security Service (IKA) later proceeded to issue membership booklets for economic migrants based on these foreign passports, in spite of the fact that no valid Greek residence permits could be provided.¹⁰

This setting of large-scale irregular immigration from the Balkan countries to Greece changed after 1997, when the Greek government decided to implement regularization programmes for economic immigrants residing in the country for at least twelve months. First in 1997, then in 1999 and again in 2005, foreign labour migrants had the possibility to apply for a residence and work permit under specific conditions (most important to provide proof of regular employment and residence in the country for the previous twelve months).

The legalization process started in Greece in 1997 (with Presidential decrees 358/1997 and 359/1997) following the experiences of three other South European countries, where resident rights had been granted to foreign workers under certain preconditions. In the first Greek legalization programme, an impressive number of 372 000 foreigners (men and women) left the underground economy and applied for residence and work permits (Kavounidis 2003).¹¹ Since the number of foreign labourers tended to grow in the following years, a new opportunity for regularization was provided with the 2001 immigration law. Fol-

⁹ For a more detailed analysis of illegal migration pathways to Greece, see Antonopoulos/Winterdyc (2005). An analytical report on the reception and living conditions of irregular economic migrants in Greece is given by Kanellopoulos et al. (2006).

¹⁰ A detailed analysis of the consequences and economic impacts of irregular labour migration (mainly from Albania) is provided by Kanellopoulos et al. (2006).

¹¹ See Kavounidis 2002 (in Greek) for an analysis of the social profile of economic migrants in Greece based on the data submitted by applicants of the 1997 regularization programme.

lowing the (most recent) regularization programme of 2005 (according to Law 3386/2005), more than half a million residence permits have been issued to labour migrants all over Greece.¹² The most recent data of the Greek Ministry of Interior indicate that a total of 521 529 residence permits had been issued by September 2009 (for economic migrants and their family members), whereas another 99 271 applications of third country nationals for a residence permit (based on Law 3386/2005) were still pending by September 2009.¹³ Given the fact that those third country nationals with pending applications in most cases already stay in Greece legally before handing in their request (again) to the Greek authorities, the total number of foreign workers and their families originating from third countries composed a group of 620 000 persons by September 2009 (Tzioukas 2009: 49).

A majority of this immigrant population with valid residence permits are Albanian nationals (about 435 000 persons or 70 % of the foreigners holding permit according to Law 3386/2005). Other relevant countries of origin of foreign labour migrants in Greece with a legal residence title are the Ukraine (22 220), Pakistan (19 300), Georgia (18 400), Egypt (16 000), Russia (14 000), India (13 500), Moldavia (12 500) and the Philippines (11 000).¹⁴ Further analysis of their employment profile shows that the predominant employment of male immigrants in Greece is the construction sector (42 %), followed by agriculture (23 %) and industry (12 %). The employment of female migrants is different with a majority of women being employed in private households (52 %), in tourism (19 %) and to some extent in agriculture (15 %).¹⁵ In general, it can be stated that economic migrants in Greece work in a highly segmented labour market, doing mainly heavy and dangerous work, the men especially in construction, heavy industry and agriculture, the women mainly in the service sector, in housekeeping/child care and tourism (Lianos 2003).

As far as the management of labour migration to Greece is concerned, it is important to stress that the Greek government has proceeded to grant legal status to a large part of this initially irregularly working immigrant population originating from neighbouring Balkan countries and the former Soviet Union. The regularization programmes of 1997, 2001, and 2005 can be understood as a win-win arrangement for both parties involved, because foreign labour migrants with regular stay and work permits clearly have more rights and better social security than those working in the underground economy. Since the (yearly) renewal of a residence permit depends on the condition, that obligations towards

¹² The regularization programme of 2001 is analysed by Fakiolas 2003 and Skordas 2002.

¹³ Tzioukas (2009: 49).

¹⁴ Recent data provided by Tzioukas (2009: 49).

¹⁵ Alipranti-Maratou (2007: 190).

the state have been settled, most foreign workers in Greece are eager to pay their taxes in time (in contrast to some Greeks) and they also contribute substantially with their insurance payments to the National Security Service.¹⁶ This case of economic migrants from South European or East European countries to Greece who have been converted from irregular aliens to legal residents shows clearly that the illegality of a foreigner in a nation state is a social and legal construction, a classification granted or denied by state authorities.

In the following chapter of this article, special attention will be given to those foreigners on Greek territory who arrive without documents and in many cases stay in the country without authorization or applying for a residence permit. I am referring to irregular migrants and asylum seekers who arrive in Greece without any valid travel documents after having crossed the Greek-Turkish borders¹⁷. Due to the clandestine arrival and unauthorized presence in the country, their number is difficult to estimate. But from the available figures it is clear that a growing number of illegally registered foreigners have been apprehended and registered in Greece in the last decade. According to a recent estimation made in the framework of a European research programme on clandestine migration to Europe (named *CLANDESTINO*), by the end of 2007 there were 280 446 irregular migrants residing in Greece, a number adding substantially to the resident population of the country.¹⁸

In their majority, this group of not legally present migrants started their journey to Europe from conflict-torn countries in the Middle and Far East and from Africa, in many cases from countries at war or facing armed violence. They arrive in Greece under difficult circumstances and after exhausting and dangerous trips leading from the country of origin through various transit countries to Greece as the southeastern gate of Europe. Greece functions in many cases as neither the first choice nor the final destination in Europe, but due to its geographical position on the southeastern border between Europe and Asia Minor, it happens to be the first place of entry to "Schengenland" with all legal consequences involved. The following chapters will investigate the question of how the reception of these undocumented irregular migrants on a Greek-Turkish border island works and how the actors involved experience the process of clandestine maritime border crossing.

¹⁶ In order to renew a residence permit according to Law 3386/2005, third country nationals in Greece need to collect (or buy for themselves) a certain number of insurance stamps from the national security organization I. K. A.

¹⁷ The process of irregular entry to Greece on the land route (via Northern Greece) is analysed by O'Brien (2003) and Papadopoulou (2004). An anthropological investigation into the maritime route to Greece is presented in the following chapter.

¹⁸ See *CLANDESTINO* Greece (2008: 54).

3. Managing irregular migration by sea in Greece

The border island of Lesbos was chosen as a case in point to investigate and analyse the procedures and problems occurring with the massive arrival of undocumented boat people in Greece. Clearly, the main common characteristic of these foreigners arriving clandestinely on Lesbos is that they do not meet the Schengen visa requirements and have crossed the Greek-Turkish border without authorization. Next to this common feature, the differences between the boat people in regard to their social profile, their age and nationality are striking. Looking at the statistics available regarding their national origin, they state more than 21 different non-European countries. A further analysis of data shows that the largest group arriving on Lesbos is formed by boat migrants who declare they come from Afghanistan (70 %), followed by persons having departed from Iraq and Iran (10 %) as well as from Palestine (5 %), and then by smaller groups of persons arriving from East Africa, especially from Sudan and Somalia (about 5 % each)¹⁹. Striking is the fact that the three largest refugee-seeking groups arriving in Greece are not Turks, but originate from outside the region, from Afghanistan, Iraq/Iran and Sudan/Somalia, from three of the world's most resilient conflict areas.

The number of boat migrants arriving on Lesbos grew constantly in the last years, as the available data clearly illustrates. These data provided by the Lesbos Police Department refer to the number of apprehensions after clandestine entry. Since not all boat people arriving on Lesbos are seized and registered by the police, it must be assumed that besides the following official figures, there is an additional number of unreported cases. Still, the official data show clearly the constant increase of undocumented arrivals and the consequent pressure on the local reception structure.

Arrivals of undocumented migrants on Lesbos (2003–2009)

	2003	2004	2005	2006	2007	2008	2009
figures	1 037	1 453	1 696	1 766	6 147	13 252	8 896
increase [percent]		21	35	4	366	116	-33

Between 2003 and 2009, there was a dramatic increase in the number of undocumented arrivals, leading to a ten-fold figure of boat people in need of support and shelter within half a decade. Comparing the year 2003, when 1 037 boat people arrived on Lesbos, with the year 2009, when there were 8 896 arrivals,

¹⁹ More detailed figures on the social profile and the ethnic composition of irregular boat migrants arriving on Lesbos (2003–2006) are presented in Lauth Bacas (2006: 224 f.) and Lauth Bacas (2008a).

one can recognize the serious problems with regard to their accommodation and proper reception. Only after 2008, when border controls were tightened and the local coastguard received logistical reinforcement by a FRONTEX mission of the EU, the number of clandestine arrivals dropped. But although the figure was reduced in 2009 by one third in comparison to the year before, the total number of boat people arriving on Lesbos in 2009 was still higher than those arriving in 2007, clearly showing that strict border control is not a solution to irregular migration.

The reception of these irregular boat migrants on the island is managed by the local Greek authorities in a specific framework set by national laws and regulations, international agreements, and European approaches towards irregular migration.²⁰ But what really happens on the local level is the question in focus of the following anthropological analysis. Based on participant observation and fieldwork on the island of Lesbos, the following chapters shall analyse the reception of undocumented migrants on the Greek-Turkish border in more detail.²¹ During my fieldwork on Lesbos I collected first-hand data on various social sites, went to remote beaches where clandestine migrants arrive, crossed the strait between Greece and Turkey by boat, and visited the Detention Centre close to the island's capital several times. I had the chance to join the night shift of the Hellenic Coast Guard patrolling along the sea border, and I interviewed many representatives of the local authorities as well as newly arrived boat migrants to shed light on what exactly is happening in the process of clandestine sea border crossing (which usually takes place at night and hidden from the eyes of the observer).

First, the question of how undocumented migrants cross the maritime border between the Turkish mainland and the Greek border island of Lesbos will be discussed. Under the specific local conditions, sea border crossing involves a quick boat trip lasting from several minutes (by using a powerful speed boat) to several hours (in those cases where boat migrants have to row an inflatable dinghy). Nevertheless, these short voyages are often dangerous due to bad weather conditions and the miserable conditions of the vessels used for border crossing. Overloading them is a common practice increasing the risks involved in the trip.

Next to the difficulties related to the means of transport, many clandestine migrants put their own life at risk due to a common practice of sinking their in-

²⁰ The term "border regime" is used by social scientist to characterize these overlapping structures of control at international borders ruled by regulations of international, European and national institutions. See Hess/Tsianos (2004) and Roemhild (2006).

²¹ See Lauth Bacas (2006: 100 ff.) and Lauth Bacas (2008b).



Photograph 1: Abandoned inflatable dinghy used for clandestine sea border crossing on Lesbos. Photograph taken by the author in 200■.

flatable boat at the moment of encountering the patrol boat of the coast guard.²² The Hellenic Coast Guard and the local press report many cases where arriving migrants puncture their rubber dinghy with a sharp knife or a box cutter after having entered Greek national waters. Cutting the air chambers of a rubber dinghy in the middle of the strait between Greece and Turkey means in practice that the boat starts to sink immediately. Passengers end up in the open sea and the lives of the weakest, women with babies in their arms, small children without appropriate life vests, minors who never learned to swim in the Afghan mountains, are in acute danger.

Although the practice of puncturing ones own boat seems to be against common sense, a strategic element is involved in this dangerous action: by destroying their means of transport, the arriving boat migrants become ship-wrecked

²² See Bacas (2006:105) and Panagiotidis/Tsianos 2007 discussing the problematic practice of puncturing inflatable dinghies on the Greek-Turkish maritime border.

and urge the Hellenic Coast Guard to start a rescue operation (in line with the International Law of Sea²³). In other words: in the case of an emergency, the Hellenic Coast Guard is obliged to save any shipwrecked persons regardless of whether or not they are authorized to enter the country. In August 2008, I witnessed an operation where coast guards concluded a search and rescue operation with 49 people missing.²⁴ In this and other cases of successful rescue, the newcomers are transferred to Mytilini, the island's capital, where they are interviewed by the police, checked by a medical doctor and then brought to a detention centre situated at the outskirts of the island's capital (Lauth Bacas 2006: 108).

In contrast to Greek coast guard officials who stress the effective and legal way their staff monitor the maritime border,²⁵ other voices are more critical towards the patrol operations in the straight between Lesbos and Turkey. The NGO Pro Asyl was in particular very decisive in its criticism by arguing that boat migrants have been threatened by Greek patrol boats and obliged by force to return to Turkish waters in order to prevent their entry to Greek territory.²⁶ The Greek Ombudsman as an independent institution, which investigated the accusations, found no legally valid evidence for these allegations, but also hinted at a "grey zone" outside public control where it is difficult to estimate and to prove what is really happening on international sea borders at night.²⁷

In a second step, the analysis will focus on the local reception structure in Mytilini, the island's capital. Until November 2009, all boat migrants detected by the coast guard or the police were apprehended, regardless of their sex, their age or their health conditions and transferred to a closed detention centre at the outskirts of the island's capital. The aliens' detention centre was placed in a former two-story warehouse building with a total capacity for about 300 people, but from the very beginning of its operation it was clearly not appropriate for any kind of long-term detention due to serious shortcomings in the given infrastructure (large dormitories with no privacy and lacking sanitary facilities).²⁸ The problematic conditions of apprehension in the detention centre of Mytilini-Pagani have been widely discussed and criticized in the local, national and international press in 2009, referring to overcrowded hangars in which undocu-

²³ The legal issues involved in saving shipwrecked irregular migrants at sea are discussed by Pugh (2004) and Lauth Bacas (2006: 105 f.).

²⁴ See Lauth Bacas 2011 (in preparation).

²⁵ See Triantafyllidou/Maroufou (2008: 42).

²⁶ For more details see Pro Asyl 2007.

²⁷ See published letter of the Greek Ombudsman to the Greek Ministry of Merchandise and Marine from 22. 11. 2007 (in Greek on <http://www.synigoros.gr>).

²⁸ A report on the lacking infrastructure is given by Lauth Bacas (2008b).



Photograph 2: Pagani Holding Center: children behind bars on Europe's southeastern fringe. Photograph taken by the author in 200■.

mented migrants had to stay without proper sanitary and hygiene infrastructure. As a result of the ongoing criticism of insufficient reception and human rights violations occurring in Pagani, the Greek Ministry of Civil Protection closed down the centre in November 2009.²⁹

Until then, the apprehended persons were not allowed to leave the centre and they were kept under administrative detention until a bureaucratic decision on their future had been taken. Not surprisingly, disappointment and distrust prevailed. The boat migrants, who had just arrived at Europe's eastern fringe after many difficulties, found themselves registered, fingerprinted and finally deprived of their freedom for an unknown period in border camps with hundreds of detainees.³⁰ In the same period when economic foreign migrants crossing the Albanian and Bulgarian border were usually let free to continue their journey to

²⁹ See the press release from the Greek Ministry of Civil Protection of 22/10/2009 in Greek (<http://www.yptp.gr>).

³⁰ Various complaints and critical accounts of the reception structure for irregular boat migrants and asylum seekers have been made public, e. g. the reports Pro Asyl 2007 and Pro

the urban centres of Greece, unauthorized migrants and asylum seekers arriving from Turkey were usually apprehended. Clearly, the boat people found this procedure difficult to understand and they were left seriously disappointed after their high expectations for a better life. “Freedom, freedom!” was their outcry from behind the bars when an international delegation visited the detention camp in September 2008.³¹

One of the most striking violations of rights was experienced by children and unaccompanied minors in the Pagani detention centre. In the year 2008, 3 649 out of the 13 242 boat people detained on Lesbos were younger than 18 years. Some of them were accompanied by family or kin, but a large number of the 2 648 migrants were unaccompanied children without any protection or support during their dangerous journey from conflict-driven home countries.³² The constantly growing number of children among the boat migrants – and between them a growing number of unaccompanied children, mainly boys from Afghanistan – has to be seen as a phenomenon of particular concern. Regardless of their age, the foreign children experience a human drama after their arrival on Lesbos since they are arrested and kept in detention together with family members (or without, in case of unaccompanied minors) for weeks and months.³³

“When can we leave this place?” and “When can we finally go to Athens?”, these were the main concerns of refugee women from Afghanistan, who were obliged to share their beds and blankets with their children, as they complained to me about the difficult conditions they face in the camp.³⁴ Other eye-witnesses were shocked by the conditions caused by the severe overcrowding and characterized the situation in Pagani centre as “unacceptable”.³⁵ In August 2009, UNHCR staff found more than 150 women and 50 babies confined together, many suffering from illnesses related to the cramped and unsanitary conditions of the centre. UNHCR ends its report on the detention of unaccompanied children in Lesbos with the laconic conclusion: “Greece has no process for assessing the individual needs and best interests of these children.”

Asyl 2009. For an analysis of underlying problems in Greek asylum law (P.D. 61/1999), see Skordas/Sitaropoulos (2004).

³¹ See 11th European Conference on Asylum.

³² Figures of 2008 provided by the Lesbos Police Department.

³³ UNHCR reports that some of the children had been staying in the Pagani holding centre for four months under insufficient hygiene and sanitation conditions. See UNHCR News Stories, 19 Jan. 2009.

³⁴ A description of the living conditions for apprehended women, babies and children of various nationalities in Pagani Detention Centre in September 2008 is provided by Lauth Bacas (2008b).

³⁵ UNHCR Briefing Note of 28 August 2009 titled “UNHCR alarmed by detention of unaccompanied children in Lesbos, Greece”.

This conclusion can be understood as a sharp criticism in regard to a violation of children's rights in Greece in the light of the Convention on the Rights of the Child. According to this UN Convention on children's rights, the basic rights, physical and psychological needs, and best interests of all children in the country (including foreign children) should be respected by any government and its administration.³⁶ The child's basic right of well-being is explicitly not linked to any legal status in the residence country, making their well-being an acknowledged basic right of undocumented (or illegally present) foreign children as well.³⁷ The common treatment of arresting and detaining minors in completely insufficient facilities is clearly not in line with the UN Convention on the Rights of the Child, but used to be everyday practice in the reception of boat people on Lesbos (and still is on other Greek border islands). Squeezing them in a warehouse building shrouded in barbed wire hardly seems to be an adequate treatment meeting the best interests of babies, toddlers, school children, and adolescent minors who deserve shelter and international protection. Since all foreigners regardless of their age are detained after entering the national territory without authorization, Greece clearly disregards the UN Convention on the Rights of the Child, despite the fact that it agreed to respect it. By doing so, the Greek state adds to the complex mix of unlawful acts involved in international transit migration a national component ignoring the individual needs and best interests of undocumented foreign children.

Although changes in the reception structure of irregular migrants are under discussion, the Greek authorities do not comment on this problematic and ongoing practice of detaining children along with several hundred undocumented adults. Even if the Lesbos detention centre is temporarily closed, the question remains whether a newly opened reception centre will be more sensitive to the individual needs of children and unaccompanied minors.

Prior to the temporary closing of the centre, the bureaucratic machinery had reached an administrative decision to provide the immigration detainee with a Greek document after he or she had been detained for a maximum period of six months. Stamped and signed by the local authorities, the document was nothing but a deportation order, asking the immigrant to leave the country within thirty days (Lauth Bacas 2006). It is worth noting that according to information giv-

³⁶ Convention on the Rights of the Child. Adopted by the General Assembly of the United Nations, Resolution 44/25 of 20 November 1989.

³⁷ According to Article 2 of the Convention on the Rights of the Child, states shall respect and ensure the rights set forth in the convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

en by the Greek Council for Refugees, before Pagani was temporarily closed, it was common practice that babies and minors receive this expulsion order too, attached to the expulsion order of the family member they were accompanying.³⁸

Since the literal ruling is always of importance, it is interesting to reveal the by-effect of the expulsion order: in Greece, the expelled is asked to leave the country *after thirty days*, a period during which the illegally present person is allowed to make arrangement for a voluntary departure to a country of his or her choice(!). In practical terms this means that by the expulsion order the undocumented migrant is been granted *a moratorium of one month to be present in the country* in a grey zone between legality and illegality of residence (Lauth Bacas 2006: 130). In other words, together with the expulsion order, the Greek authorities grant a status of some sort where the undocumented migrant moves out of the black zone of detention into a *grey zone* of space to move and to manoeuvre.

A third step of the ethnographic analysis is to document what happens in Mytilini to boat people after they have received this detention order. As participant observation shows, the boat migrants are allowed to leave the island and continue their journey to mainland Greece. The vital point in the present system of managing irregular migration of third-country nationals in Greece is that they are *de iure* expelled and *de facto* set free (Lauth Bacas 2006: 108). In the case of Lesbos, the majority of the boat people who arrive on the island clandestinely do not stay on the island longer than several days, and move on to the capital as soon as possible. This observation is confirmed by official data: In 2008, for example, a total of 13 252 boat people arrived on Lesbos, including families with small children and babies, unaccompanied minors and other vulnerable persons. But only 25 of them decided to lodge an asylum application in Mytilini, with the result that they were asked to stay on the island until a final decision could be reached. Maybe because of this ruling, the majority prefers not to ask for political asylum in Mytilini at all and to maintain the option of moving on to mainland Greece.³⁹

Participant observation shows that boat migrants usually move on directly to the port where they embark on the next available ferry leaving the island – often boarding the boat under the eyes of the coast guard who arrested them a few days or weeks earlier. Quite remarkably, the boat people's trips from the Turkish coast to mainland Greece consist of two parts: the first is a short voyage crossing the maritime strait between Turkey and Lesbos, which is clandestine and expensive, and requires payment of between one and three thousand dollars

³⁸ Personal conversation with Spyros Koulocheris, Head of the Legal Department of the Greek Council for Refugees, Athens, on 10/11/2008.

³⁹ Data provided by the regional police authorities in Mytilini.

to anonymous people smugglers.⁴⁰ The second part of the journey from Lesbos to the Greek capital is “managed” and to some sort “authorized” by the Greek Ministry of Interior and costs only thirty-five euros, the price of a regular third-class ticket on the ferry to Piraeus. In many cases, this regular ticket is paid by the regional administration of Lesbos to support the boat migrants’ immediate departure from the island.

Despite the fact that all clandestine boat migrants are eventually to leave the island, they are still a long way off from reaching the white zone of regular resident rights, a right granted to half a million economic migrants in Greece. At the end of the moratorium created by an expulsion order, the undocumented irregular migrant often slips back into illegality, without any authorization to stay in the national territory he or she entered clandestinely. This status passage from a “black” existence in detention to a “grey zone” of manoeuvring and finally back to illegality is clearly socially constructed, and has most serious practical consequences. Without a valid residence permit and a work permit in the new country of residence, there is only one way to survive: going underground and working in the country’s shadow economy, getting involved in all sorts of “black” and unregistered economic activities. Needless to say, this practice of undocumented “underground” employment opens the door to all kinds of economic and other exploitation due to the completely unprotected social status of a foreign worker (male or female) without documents and permits.

Closing remarks

In the last chapter a comparison will be made between two types of irregular migrants arriving in Greece in the last decade and their different reception in the host country under investigation. This comparison shall shed light on the different management of the arrival of economic migrants from neighbouring Balkan countries in contrast to clandestine migrants arriving via Asia Minor (and coming from various countries in the Middle and Far East or Africa). As previously mentioned, the Greek government has proceeded to grant legal status to a large part of its initially irregularly working immigrant population originating from neighbouring Balkan countries and the former Soviet Union with the regularization programmes of 1997, 2001 and 2005. With these repeated attempts to legalize part of the foreign workforce in Greece, economic migrants were given the opportunity to apply for regular work permits, gaining next to legal status

⁴⁰ The price mentioned for clandestine entry to Lesbos is based on information given by boat migrants on the occasion of press or police interviews. See also Lauth Bacas (2006), Kehayiogloy (2007) and the local newspaper *Aiolika Nea* from 3/2/2010.

also increased social security in comparison to those working “without papers”. The case of half a million economic migrants from Southeast European countries who have been converted from irregular aliens to legal residents of Greece shows clearly that the illegality of a foreigner in a nation state is a social and legal construction, a classification granted or denied by state authorities.

It is interesting to see that among the large number of foreign immigrants living in Greece in 2009, 19 300 from Pakistan, 13 500 from India, and 11 000 from the Philippines have legal residence titles.⁴¹ These nationals from India, Pakistan and the Philippines were able to provide a valid passport upon application for a residence permit, and the long queue of individuals waiting each morning in front of the Pakistan embassy in Athens hint to the fact that dozens of Pakistan nationals attempt every day to settle their documents. In contrast to those “documented” immigrants from outside Europe, the situation for people crossing the Greek-Turkish borders without documents after fleeing war, armed conflict, or persecution is different. For undocumented foreigners of Afghan, Somali, Iraq or Iranian origin, the absence of valid documents prevent their possible integration in the host society and they have to stay underground in Greece for months and years. These “paperless” migrants, who often fled home countries without functioning administration, are trapped in illegality in a very special way, because they can neither return to a transit country (without passport) nor can they apply for a legal residence title in Greece (without a passport).⁴² Although violence and armed conflicts in countries such as Afghanistan, Iraq, Iran or Somalia often make voluntary return unfeasible, no regularization procedures are possible or under discussion at present in Greece.

In fact, the Greek government has little room to manoeuvre and design or implement a regularization programme for “paperless” irregular migrants arriving from countries which are involved in war and no longer provide their citizens with regular identification documents, since migration and asylum policy has become not only a national issue, but a European political matter, too. In the framework of the European Pact on Immigration and Asylum, EU member states jointly decided in 2008 to tackle illegal immigration, stating as a basic principle of the common EU immigration policy that “irregular aliens on member states territory must leave the territory” without exception.⁴³ In line with this

⁴¹ Figures by September 2009, see Tzioukas 2009: 49.

⁴² The British filmmaker Winterbottom shows in his documentary film the experiences of two Afghan boys who grew up in a refugee camp in Islamabad/Pakistan and managed to flee to London. Due to the circumstances of their family’s survival as refugees the acquisition of a passport was impossible.

⁴³ Council of the European Union: European Pact on Immigration and Asylum. Doc. No. 13440/08 ASIM 72. Brussels, 24 September 2008.

agreement, the European Commission insists on (voluntary or forced) return to the countries of origin or to a country of transit to send “a clear message to illegal residents in the Member States and potential illegal migrants outside the EU, that illegal entry and residence do not lead to the stable form of residence they wish to achieve”.⁴⁴

Maybe the time has come, not only in Athens, but also in Brussels, where basic concepts of immigration control are formulated in the framework of a common EU migration and asylum policy, to discuss that irregular immigration from outside of Europe is and will be a social phenomenon not only to be solved with enhanced border control and (forced or voluntary) repatriation. Other strategies and instruments for the effective management of irregular migration might be discussed, too, for example exceptions from the rule of return and preconditions for granting residence rights to undocumented migrants of third countries origin in spite of their unauthorized entry to European territory.⁴⁵

Finally, I would like to argue that the adequate analytical concept to be applied in migration studies is the term “undocumented migrant” or “irregular migrant” for this specific group of undocumented foreigners whose presence in the black zone of illegality is clearly constructed as a classification by state authorities, which categorize him or her as such. On the other hand, and especially for reasons of academic clarification, I prefer to use the term “illegal migration” instead of the also often used term “irregular migration” to characterize the complex process of unauthorized entry and reception management, which in the Greek case is characterized by unacceptable conditions in the local reception facilities and a series of legal omissions and violations of EU regulations that make Greece an unsafe haven for arriving undocumented irregular migrants.

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⁴⁴ Proposals of the European Commission on “Wide-ranging common actions to combat illegal immigration at EU level”. See: http://ec.europa.eu/justice_home/fsj/immigration/illegal/fsj_immigration_illegal_en.htm.

⁴⁵ For a discussion of approaches to control irregular migration to the EU see Düvell 2006.

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