

Re-thinking approaches to labour migration

Potential and Gaps in EU Member States' Migration Infrastructures Case Study Summary — Greece



KEY MESSAGES

- Due to demographic trends, Greece may find it difficult to sustain its economic growth without targeted labour migration in addition to other nationally-focused strategies with its domestic labour force. Opening of other EU markets to non-EU workers from the neighbouring Balkan countries (i.e. Albania), and their prospective EU accession means Greece needs low-skilled labour in agriculture, experienced in cultivating produce specific to the Mediterranean. Migrants from the MENA (Middle East and North Africa) region, or those with agricultural experience, are often in demand for this kind of labour in Greece.
- The access to the labour market is regulated and restricted by biannual quotas, and the “metaklisi” system, i.e. invitation of the potential worker by the potential employer who submits their needs to the Ministry of Labour. The Ministry then “answers” to the demand, through consultation with representatives of social partners, employers’ associations, regional and local authorities, and in coordination with other involved Ministries: of Interior, of Economy, of Infrastructure, of Mercantile Marine and Tourism, of Rural Development and Food, of Environment and Energy, of Labour and Social Security, and of the Minister responsible in each case, which indicates the areas of involvement and demand. The “answer” is issued in the form of a Joint Ministerial Decision, which sets quotas for particular sectors and ascribes them to administrative units. Those quotas further form the “invitations” of TCN workers, managed by state administration at the decentralised regional level.
- Seasonal work is among the most important regularised pathways restricted to several sectors, such as: agriculture, fisheries, and recently: tourism and accommodation. All pathways by invitation, including highly-skilled labour (EU Blue Card), are falling under the quota system.
- In order to facilitate targeted access of third country nationals to the local labour market, and build a good cooperation with countries of origin in the area of migration, the government promotes a new type of bilateral agreements with non-European states (such as the 2022 Bangladesh and Egypt memoranda) which include tailored terms of cooperation and constitute instruments of migration management.
- While Greece actively promotes an innovative Digital Nomad scheme which is successful in attracting highly-skilled individuals, it needs to focus on pathways for low- and medium-skilled jobs, and facilitating access to the labour market for asylum seekers and beneficiaries of international protection to fulfil the needs of its economy, especially in the primary and tertiary sector.



BACKGROUND AND CONTEXT

Greece is a country with a long history of both immigration and emigration with seasonal, internal, circular, and long-term migration interwoven into the experience of the country. Labour migration as a strategic mechanism, in times of economic downturn, is embedded in Greek society: with the main OECD emigration countries being Germany, Netherlands, and the UK. As for immigration, Greece has historically received workers from the MENA region, Turkey, and neighbouring Balkan countries (mainly: Albania). Given Greece's geography as the first EU border country on the East side of the Mediterranean, the arrival of people from Afghanistan, Iraq, but also from Asian countries such as Pakistan, Bangladesh, and India has been noticeable in Greece long before the 2015 migration peak. Hence, the historical background indicates that the Greek society and its political system are familiar with labour migration, seasonal movements, and relocations due to war or economic challenges. These experiences influence Greek society's mentality, political language, its legal migration pathways, and practical solutions.

The most recent immigration to Greece is related to the so-called *European migration crisis* of 2015. The increase in immigration temporally coincided with the Greek financial crisis. While there is no direct causation between the two events, their concurrent presence has complicated associating the rapid decline in Greek society's quality of life from the arrival of distinct foreign groups. This connection persists and has been exploited by populist rhetoric.

The Greek government of the liberal-conservative New Democracy Party (ND) has been implementing a "tough but fair" migration management policy, particularly regarding border protection and asylum. In addition, the government addresses the issue of labour shortages through facilitating migration by promoting programs of attracting highly-skilled labour (e.g. EU Blue Card or Digital Nomad program), it also attempts a practical approach to already existing migrants, and those in irregular status.

Historically, Greece witnessed the biggest arrival of TCNs in the 1990s. While until 1989, most immigrants would come from countries with a significant presence of Greek diaspora (Germany and former USSR countries), the 2021 data show that, after 1989, the majority would come rather from Albania, the countries of the former USSR, and other European countries – mainly the neighbouring post-socialist

and post-communist Balkan states (i.e. Bulgaria, North Macedonia, and Serbia). In the 2010s, the ethnic composition of incomers has changed, with larger shares of such states of origin as Afghanistan, India, Pakistan, Middle Eastern, or African countries. The politicised issue of irregular migrants, refugees, and asylum seekers has accentuated the protection of the Greek borders, which in the last 5 years have witnessed much lower inflows than during the peak of the so-called migration crisis of 2015–2016. This diminishing trend is however slowly reversing, while it is unsure yet, how permanent, and how big will be the increase in new arrivals.

Following the COVID19 pandemic, the government introduced a new type of bilateral agreements: a memorandum with Bangladesh for access to seasonal employment at an annual quota, which includes also provisions for good cooperation of the two countries in the area of returns. It also includes a once-off provision for the regularisation of Bangladeshi citizens already in Greece through a seasonal work permit. This type of tailor made bilateral agreement is proposed as model solution for other European states for filling labour shortages while enhancing cooperation in irregular migration management.

The Greek legal systems governing labour and migration policies appear disjointed. Migration and asylum laws prioritise restricting access to Greece and protecting its borders. In contrast, labour laws focus on maximising worker protections, ensuring access to collective agreements for all workers regardless of nationality, and guaranteeing fair and dignified working conditions, including appropriate remuneration. Regular cooperation between the ministries is not formalised, and the legal landscape consists of fragmentary, sometimes mutually restricting or excluding regulations.

CURRENT AND FUTURE LABOUR SHORTAGES

The Greek economy has recovered from the crisis of the 2010s, and faster than many other EU countries, with cumulative growth of 15% in the last two years. Ten-year Greek government bonds now yield only 3,7 %, which is only 1,4 percentage points more than equivalent German debt instruments. This is a consequence of the IMF-EU-supervised reforms in return for the famous three bailout packages granted to Greece, but also of a policy of targeted financial shielding by the government: financing for both

consumers and businesses facing rising prices due to the energy crisis.

All predictions indicate that the ageing of the population will be the main factor of changes in the future in Greece. The main labour shortage sectors are agriculture, tourism and accommodation sector, retail, construction, and technical services. Greece is facing a serious problem of labour shortages, in a contradictory environment in which unemployment rate remains very high, but nevertheless, businesses cannot find personnel, beginning with low-skilled workers to specialists and experts in science.

Among the main reasons for the shortages are the unsatisfactory wages which are not always competitive with other EU markets. Hence, companies have difficulty in hiring competent employees; workers either lack the necessary skills or they have migrated to other countries or moved to other industries with greater employment prospects. This causes major skill mismatches.

Another reason is a lack of sufficient forward planning for human resources. The procedures are lengthy and do not consider the seasonal character of some jobs (e.g. agriculture and tourism). In certain cases, procedures must be swift, and land workers from abroad must be recruited immediately, for short contracts. A good example of this is when the picking season is, for instance, in spring, and the landowner does not know until it is winter how big the crops are going to be and how many workers will be needed; thus, the procedure, in this case, cannot last for six months but needs to be more agile. Attitude-related problems are another obstacle, which hinder the process of hiring people from developing countries. Malpractice occurrences, although not widespread, indicate the need for wider labour inspection.

LABOUR MIGRATION POLICY IN GREECE

The Greek *Migration and Social Integration Code* (Law 4251/2014 with its 2023 amendments L. 5038/2023) sets legal framework for migration, which despite codification under one umbrella, remains a heterogeneous system of migration, labour and social security laws of various origins, functions and aims. The articles 61–63 describe the **invitation** process (known as the **metaklisi system**) of labour, which pertains to the majority of working TCNs in Greece.

This includes an invitation of the potential worker by the potential employer who submits their needs to the Ministry of Labour. The Ministry then “answers” to the demand, through consultation with representatives of social partners, employers’ associations, regional and local authorities, and in coordination with other involved Ministries: of Interior, of Economy, of Infrastructure, of Mercantile Marine and Tourism, of Rural Development and Food, of Environment and Energy, of Labour and Social Security, and of the Minister responsible in each case, which indicates the areas of involvement and demand.

Moreover, Greek labour migration is governed by **quotas**. Quotas are applied to all employment contracts by invitation, set in a Joint Ministerial Decision (JMD), which is issued every two years setting out the **maximum number** of third-country nationals who may work in Greece.

The sectors covered by the JMD are stretched from unskilled land and construction workers to slaughterers and workers in dairy production, unlike previously. It is also allowed to cover part of the needs in the tourism sector: chefs, kitchen assistants, lancers, but also porters, gardeners, and cleaners. The quotas are unlikely to cover the needs of the market and of employers. Employers had submitted a request of 379.165 vacancies to be filled by foreign workers, yet the government approved an import of labour of 147.925 TCNs with additional 20.000 positions to be filled by bilateral agreements with Egypt and Bangladesh; thus, falling short of the wishes of the employers.

The 2023–2024 quotas cover: primary sector (disaggregated into: dependent work, seasonal work, fishermen), construction, industry, accommodation and catering, services, and separately, highly-skilled specialists which cover the reestablished EU Blue Card scheme, the last one amounting to 600 posts which cover only 27% of the needs of employers. The lowest coverage of anticipated needs entails high-skilled labour, accommodation and catering, and services, while the highest – construction (80%), fisheries (64%), and seasonal work which translates into agriculture (54.30%).

Legal Provisions and Their Use

At the national level, potential legal pathways which enable entrance to the labour market for non-EU TCNs are:

- **Residence permits with the right to work** issued by a Department of Residence Permits attributed to a specific organ of decentralised administration (usually linked to the employer's address), by the Ministry of Migration and Asylum, or the competent authority which had granted the last relevant residence permit (for long-term residents, for a period of ten years).
- **Certificate of submission** of documents for issuing a **residence permit with the right to work, i.e. a certificate of application for initial residence permit** (Article 8(5) of *Law 4251/2014*). Such a certificate is valid for one year. A TCN who has applied for the issuance or renewal of their residence permit with all the required documents, is considered as legally residing in the country for the time duration of the certificate's validity, and enjoys the rights provided by the requested residence permit, or the previous' residence permit, in case of application for renewal. Depending on the type of the residence permit, applications are submitted and reviewed in one-stop services of the Residence Permit Departments at the offices of local decentralised administration relevant to the applicant's place of residence, or to the Immigration Policy Directorate of the Ministry of Immigration and Asylum.
- **Visa with the right to work.** Not all visas grant a Greek residence permit or the right to work. The visas need to be issued by a competent consular authority in the country of origin or residence of the TCN before entering Greece.
- **Special Identity Card for Expatriates (EDTO)** for Greek Nationals expatriates from 1) countries of the former USSR, 2) Turkey, 3) Albania, under the provisions of *Law 2790/2000* (GG A' 24) may work with this card, which is issued by the Hellenic Police.

Seasonal workers Directive

In 2015, Greece modified its Immigration Code *Law 4251/2014* by the *Law 4332/2015* with the aim of adjustment to the *Directive 2014/36/EU (Seasonal workers Directive)*. As further amended with *Law 5038/2022* and in force, seasonal work may be offered up to nine months on an annual basis in certain sectors. Traditionally, in Greece, **seasonal work** was only allowed in the agriculture, the animal husbandry sector, and the fishing sector.

The current Greek legislation protects seasonal workers in the tourism sector mostly regarding their re-employment during the following season, provided they apply for it. During the so-called *dead period*, seasonal workers may receive provisions concerning the unemployment benefit from DYP, and special seasonal allowance by DYP, usually in the autumn, depending on their field of specialty and their insurance days during the previous period.

Highly-skilled employment (EU Blue Card)

The EU Blue Card scheme for highly-skilled TCNs who fulfil certain criteria and can apply for an EU Blue Card and work in Greece has been in use since 2012 (*Law N° 4071/2012 transposing 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*), but its use in practice is low. Only 12 EU Blue Card residence permits were issued in 2019, 3 in 2020, 12 in 2021, and 22 in 2022.

The March 2023 amendment of the Immigration Code (*L. 5038/2023* from April 2024 replacing the existing *L. 4251/2014*) implements *EU Directive 2021/1883* which introduces changes to the EU Blue Card scheme by requiring the TCN applicants to have a work contract for a high-qualified post with a Greek company valid for at least six months (down from 12 months currently) and guaranteeing that the worker's remuneration corresponds to the minimum remuneration for highly-skilled employment set by the Ministry for Migration and Asylum, amounting to 1,6 of the average gross annual remuneration in Greece based on ELSTAT data (up from 1,5 times currently).

Non-EU/EEA TCNs are eligible if they have a university degree or five years of work experience in a highly-skilled profession. The profession must

be in high demand in Greece. In case of unregulated professions, the applicant needs to prove highly specialised qualifications through studies or minimum of professional experience. The medical care insurance is the responsibility of the applicant to arrange at the time of submission. With the new Immigration Code amendment, TCNs who are already legally in Greece with a visa, residence permit or valid passport (for TCNs who do not need a visa) will be able to apply for an EU Blue Card from Greece if they meet the eligibility criteria (the change removes the obligation to hold a visa for the purpose of highly-qualified employment at the moment of application for the EU Blue Card from Greece). Also, TCNs who already have an EU Blue Card issued by another EU Member State and have resided in it for a minimum period of 12 months (down from 18 months) will be eligible to apply for an EU Blue Card residence permit in Greece. The duration of the permit is up to four years and may be renewed.

Intra-corporate transfers

TCNs wishing to enter and reside in Greece within the framework of an intra-corporate transfer (ICT) may be granted entry under the ***Intra-corporate transfer (ICTs)*** scheme if they provide evidence that the host entity and the undertaking established in a third country belong to the same group of undertakings in Greece, where they will be employed as a manager, a qualified worker, or an employed person. The work experience required is 12 continuous months before the date of ICT for managers and qualified workers, and 6 continuous months for trainee employees. The duration of the intra-corporate transfer to Greece should be longer than 90 days. The scheme is not widely used yet.

Digital Nomads scheme is rising in interest. From 2024 it will require obtaining a Digital Nomad Visa from the Greek consulate in the country of citizenship or prior residence before applying for the related residence permit in Greece. Individuals already staying in Greece with a C visa or who have a residence permit may apply for the scheme from Greece.

Holiday work and travel scheme is underutilised and pertains only to Greek-Canadian and Greek-Australian exchange of youth. There is no institutional interest in expanding the scheme.

Bilateral Agreements as Innovative Pilot

Schemes

The Memorandum of Understanding (MoU) between Greece and Bangladesh on Migration and Mobility was signed 9 February 2022 with the aim of examining pathways for regular migration, facilitating low-skilled labour developing flexible labour mobility schemes for migrants in accordance with national labour market needs. The MoU is a pilot programme planned for an initial period of five years and may be extended for further five years periods upon agreement with possibility of termination with six months notice. A groundwork for launching a technical dialogue to negotiate a possible agreement with Pakistan covering the return of those entering illegally was conducted for the institutionalisation of legal pathways for migration similarly to the Greek-Bangladeshi memorandum.

The MoU with Bangladesh also includes terms for good cooperation in the area of returns. Last but not least it also comprises a provision for the regularisation of a number of Bangladeshi citizens already in the country through a seasonal work permit.

Because the residence permit is issued and valid for 9 months per year, and the regime is valid for up to five years after which the beneficiary will automatically lose the possibility of returning to Greece, it does not lead to permanent residence status or confer a right of subsequent access to citizenship. It also does not allow family reunification, in accordance with European legislation on seasonal work, and, at the end of the five-year period, they will be required to return to their country.

From the point of view of the host country, it is also aimed at directing migrants already present in the country to rural areas, because the aim is to utilise the labour force of migrants in agriculture, and support primary sector with agriculture in particular as the requests submitted by the Decentralised Administrations of Greece for seasonal land workers per year reach 101.000 and a total of 144.000 for foreigners.

The Agreement between Greece and Egypt on the employment of seasonal workers in the agricultural sector, signed in 2022 and ratified in 2023, sets out the conditions of entry and residence of 5.000 Egyptian citizens in Greece, for the purpose of their employment in the agricultural sector. It comprises a pilot period of one year for the evaluation of procedures and conditions of implementation.

The maximum length of employment in agriculture is set at nine months within a given year. Interested employers and seasonal workers must submit relevant information as part of their application to participate in the scheme.

Schemes Targeting Low-skilled, Medium-skilled and High-skilled Workers

Low-skilled labour is addressed mostly by the schemes for seasonal work. The effectiveness is, however, difficult to assess; the grey zone is wide, and statistical data provided by responsible institutions do not form a coherent system. The difference between the supply shown by employers and the quotas set by Joint Ministerial Decisions (JMDs) indicate that the effectiveness of the schemes is below the needs of the labour market.

Schemes for high-skilled labour are underutilised; Greece has been among the countries with the lowest issuance of EU Blue Cards in the EU despite participating in the programme since 2018.

From 2024, the scheme of Intra-Corporate Transfers and EU Blue Cards, set to replace the **residence permits for executives (managerial personnel)**, is supported by residence permits for special purpose employees, provided they meet the relevant requirements. It is, therefore, impossible to assess yet how effective they are.

SUGGESTIONS FOR POSSIBLE FUTURE ADAPTATIONS TO LABOUR MIGRATION POLICY AND THE USE OF EXISTING PROVISIONS

Harmonisation of the law and enhancing cooperation between the institutions

There is no formalised institutional cooperation between the Ministry of Labour and the Ministry of Migration and Asylum which would cooperate on a day-to-day basis. Communication between the institutions could be enhanced and include vigorous cooperation with the employers' associations which stretches beyond the invitation the employers send when participating in the *metaklisi* system, that currently takes into consideration the needs of employers only biannually in the quota-setting process, making the system slow and lacking in

flexibility. The two separate systems of immigration and labour law could be further harmonised. A comprehensive system of collecting statistical data on labour migration, now covered by separate systems provided by multiple institutions, could also be usefully established.

Updating the quota system to match real needs of the market

The quotas for invitations do not match or cover the needs of employers in any of the sectors. It is also based on the *metaklisi* invitation arrangement, which matches the situation from one or two years before the actual need in hiring, not corresponding to the market in a particular season. Especially in seasonal work, which is heavily dependent on external factors that cannot be predicted in a two-year span (weather in agriculture or geopolitical and economic situation of potential tourist origin countries), this lack of flexibility results in loss of potential workers, jobs, and profit.

Facilitating the procedures for entrance to job market for TCNs including the asylum seekers

Despite vigorous attempts to introduce online services available in multiple foreign languages, there still exists a lack of coordination between institutions. The process and the system are too complicated and perplexing, which was underlined by all interviewees.

Further cooperation with EU Talent Partnership Framework countries

Because Greece is a country in need of low-skilled but specialised labour in agriculture, particularly workers who know how to cultivate olive trees and are physically fit for agricultural work, interviewees pointed to EU Talent Partnership Framework countries, especially MENA countries, as key sources of skilled labour. This labour benefits the Greek economy in areas where the local population is unable to meet the demand, particularly as workers from former Socialist and Communist Balkan countries (Bulgaria, North Macedonia, and Albania) have shifted toward other destinations for labour migration and can no longer fill the gaps in Greece's primary sector.

European Talent Pool

Although Greece was not among pilot countries in the European Talent Pool pilot scheme, it is perceived by the respondents as potentially useful. However interviewees voiced concerns about competition within Europe regarding attracting talent and the role that such a tool plays in that.

Expansion of bilateral agreements with non-European countries while protecting workers

Bilateral agreements with non-EU countries, promoted by the current Greek government as a model framework, are an interesting and promising tool. At the same time, to protect the rights of migrants residing in Greece, a stronger role for labour inspection is needed – the inspectors are few, underfunded, and third-country nationals who work in remote rural areas face language barriers. The government could thus usefully focus on allocating more resources to labour inspections, implementing language training to reduce communication barriers between inspectors and migrant workers and strengthen legal support for migrants (e.g. through expanding legal aid programs targeting migrant workers).



**Funded by
the European Union**

This summary is based on findings from MPF (2024). Re-thinking approaches to labour migration. Potentials and gaps in EU member states' migration infrastructures. Case Study: Cyprus, Brussels: ICMPD. Research took place between July 2023 and February 2024 and the content described applies to this period. Any changes made to the labour migration system thereafter are not systematically included. This publication was funded by the European Union and commissioned through the Migration Partnership Facility. Its contents are the sole responsibility of the author and do not necessarily reflect the views of the European Union nor ICMPD.

© ICMPD 2024