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Nationality and Political and Social Participation in a Transnational Context

Remarks by the Deputy Permanent Representative of Greece, Ambassador M.C.Diamessis, on the recent bill on the acquisition of Greek citizenship and the political participation of Greek expatriates and legally residing immigrants

The modern history of Greece reveals a complex relationship with the migration phenomenon. In fact, Greece faced the issue of transnationalism from a dual perspective.

For almost a century, Greece was a sender of immigrants, a country of origin, in particular after major national disasters or in times of dire economic situation (after the First World War, during the 1930ies, following the Second WW and the ensuing civil war etc).

However the prosperity of 80's and the 90's and the fall of iron Curtain in Europe, created the conditions for the repatriation of a considerable number of Greek immigrants, from Eastern European Countries or the former USSR, and the influx of incoming migration from neighbouring, at the beginning, countries. So Greece was called not only to integrate quickly and in a most creative way, a significant number of Greek nationals who decided to return home, but also to live in harmony with the economic immigrants who entered the country seeking a better life as soon as the conditions allowed them to leave their countries of origin.

Today, the number of legally residing and working migrants in Greece amounts to more than 500.000 people. An unknown large number of irregular immigrants is also living in Greece and takes advantage of the system and the possibilities to work part time and living in the margins of legality.

Attempts to correct the inequalities of the system and to legalize many of those immigrants, or to apply measures to limit the irregularities, had relatively limited effect,

for many reasons that are not a matter of today's presentation.

The immigrants, both regular and irregular remained for many years at the margins of the Greek society especially in large cities like Athens, Thessaloniki or Patras. Insecurity, uncertainty and marginalization did not contribute, of course, to social cohesion. Relatively restrictive nationality policies alienated immigrants and did not bring any solution. On the other hand, massive legalization of irregular migrants was not, and could not be, a solution to the problem. On the contrary it facilitated the creation of a grey zone, regarding the legal status of immigrants and also created false expectations for recurring regularization of their status, enhancing, thus, the migration flows. It should be noted, however, that their legalization created a critical mass of immigrants that, though working in Greece for many years, sending their children to Greek schools and living in harmony inside the Greek society, they could lose their legal status, even for bureaucratic reasons, and felt uncertain for their future and the future of their families.

A new policy was, thus, contemplated in order to integrate these regular immigrants and make them feel an integral part of the Greek social life. Innovative practical measures, for the Greek society, are planned by our Policy and lawmakers in order to enhance the migrants' political participation in their country of destination, without, of course, disrupting their ties with the country of origin.

The new bill is a first step in a long term strategic planning, which safeguards the smooth coexistence of legal migrants, and long term residents in Greece, with Greek nationals, ensuring their unhindered and full participation in the social and economic life of the country. The main objective is strengthening the social inclusion of long term migrants legally living and working in Greece. In accordance with the common European legal framework, the new bill has three main objectives:

- a) To create a status of safety for legally residing aliens,
- b) To ensure their individual and social rights, at all levels of governance,
- c) To encourage gradually the right to take collective action leading to enhanced participation in social life.

The first part of the bill introduces a new way for immigrants to acquire the Greek citizenship. This is done either by being born in Greece or by attending a Greek school, followed by the expression of interest either by the parents or by the individual himself. The bill allows the children of the so called "second generation" of immigrants to acquire the Greek citizenship through simplified procedures, provided, of course, that the requirements of the law are met, mainly in terms of their legal residence.

More specifically, the children of immigrants born in Greece to parents legally residing in the country for at least five consecutive years will be eligible to acquire the Greek citizenship. If a child is born in Greece, before both of his/her parents have completed the five years of legal residence period in the country, that child can, still, acquire the Greek citizenship upon the completion of the five year consecutive legal residence period required for both parents.

In addition, a foreigner's child can acquire the Greek citizenship even if he/she is not born in Greece, provided the child has successfully attended at least six years of a Greek school in Greece and has a permanent and legal residence in the country. It should be noted that primary education in Greece is compulsory for all children irrespective of their nationality or legal status in the country.

Changes in the naturalization process are also included in the same draft legislation.

The provisions of the new law limit the period of legal residence required, from ten to seven years, before a foreigner is allowed to submit his application for naturalization. It also reduces the amount of the deposit required for the application.

Moreover, a foreigner has to obtain first a resident's permit, which already means that he enjoys a certain degree of social inclusion, before he applies for the Greek citizenship in order to complete, in a way, his/her integration process.

The conditions for naturalization are redefined and further specified through specific and concrete criteria. The notion of direct involvement of their future fellow citizens in the process is introduced: Greek nationals have to provide references for the foreigner applying for naturalization. In the same vein, it will be necessary for the Greek competent Authorities to justify rejected naturalization applications. Under the previous legislation, no such justification was required.

In addition, The bill aims at speeding-up the bureaucratic procedures of dealing with these requests, by changing the organizational framework of the services involved.

The second part of the bill deals with the harmonization of national legislation with the provisions of the Convention on the Participation of Foreigners in Public Life at Local Level (adopted by the Council of Europe on 05/02/1992) and the provisions of the Stockholm Programme of the EU, which is under elaboration, on granting rights to third country nationals in accordance to the rights enjoyed by EU citizens.

Foreign EU residents have been already granted voting rights in their place of residence at local elections and at the European Parliament elections. In this context, the right to elect and be elected at local elections is also granted to third country nationals legally residing in the country for at least five years. Thus, those who have been integrated into the greek society and have resident's permit will be allowed to participate in the shaping of their future at the local level.

The political participation of expatriate nationals and third country nationals, who are long term legal residents, at local elections is the most active form of integration. It contributes to removing exclusion and segregation, marks the essential social interaction between immigrants and the local host societies and highlights the pioneering role of self government authorities in implementing a model of democratic society open to diversity.

In order to identify the beneficiaries, the criterion applied is the type of the residence permit which is held by the interested person, quite a safe presumption in favor of the foreigner's integration process. The participation of foreigners with a

criminal past would, obviously, be an obstacle, as it is the case for Greek nationals. For those who want to participate actively and be elected, special provision is made for the adequate knowledge of the Greek language, which will enable them to perform their duties.

We consider this bill being a major step forward for the social integration of legal migrants in the Greek social web. It will enhance their sense of affiliation to their new home and will permit them to participate as actively as they desire in the local level and, of course, at a later stage in the national level. The fact that after so many years the Greek lawmakers will soon decide to abandon the principle of the *jus sanguinis* regarding the acquisition of the Greek citizenship is indeed a major step to the right direction.

On the other hand we must not forget that, in a transnational context, many Greeks are still living outside Greece, all over the world. In fact some claim that there are as many Greeks abroad as they are in Greece. So, while taking care of the social and political integration of migrants in Greece, one must not overlook the importance and the role of the Greek diaspora and the need to keep them involved in the life of their country of origin as well.

These Greeks have created, in their countries of destinations, the infrastructure for building the “transnational” bridges between their two countries in every aspect: social, economic and political.

The challenge for the Greek policymakers was and still is to also include these expatriates in their planning and to keep the second and third generation as close as possible to the country of origin. Thus, the provisions of the Greek law do not impede dual nationality. On the contrary the Greek nationality is retained for the descendants of any Greek national and citizenship can be granted to them, provide that one of their parents has been registered in the Greek state’s Registries.

Greeks of the diaspora can and are encouraged to vote in local and national elections in Greece as long as they have a Greek ID. For the time being though, absentee vote, or vote by letter of procurement, is not yet allowed. Lawmakers are considering, though, changes in the electoral law in order to accommodate that possibility which will enable greater participation for the expatriates. In that case the expatriates would vote for the election of Deputies who will represent their interest in the Parliament, reinforcing thus their influence in the political life of the country of origin.

Of course, the issue of nationality and the political, civic and social participation in a Transnational context can not be exhausted in a short presentation. I hope that the Greek experience would help further deliberation on this important issue.