CITIZENSHIP ACQUISITION IN GREECE: SEEKING THE DEVIL IN THE (ADMINISTRATIVE) DETAILS

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INTRODUCTION

Recent reports of an increase in the number of honorary naturalizations in Greece have brought back to the fore the issue of granting citizenship to foreigners, the link between naturalization and immigration and, in essence, the organic link that exists or is formed between individuals and a nation.

There are different reasons for the honorary conferral of Greek citizenship to foreign citizens, many of which are legitimate, and potentially desirable. There are, after all, numerous examples of individuals of other nationalities who have rendered outstanding service to Greece, and have consequently received honorary citizenship, such as Katherine Elizabeth Fleming, Michael Herzfeld and Mark Mazower, among others.

In this context, part of the public debate has focused on whether individuals who have a limited relationship with a state can be summarily granted citizenship on the grounds of offering outstanding services. In particular, the recent naturalization of a basketball player who was granted honorary Greek citizenship, despite having been employed in Greece for less than two years, has called into question the aforementioned expansive possibility of granting citizenship. The reasoning that ‘through his professional activity he can offer significant services to the country by contributing to the distinctions of the national team’ (FEK 2547/B/18.04.2023) is deemed unsatisfactory by many.

In any case, the granting of citizenship in the modern States concerns predominantly people of immigrant origin, who have been living in a country for a number of years. Academically, the debate is highly multifaceted and extensive, and a full presentation of it is beyond the purpose and scope of the present contribution.

One main aspect of the debate concerns the interconnection between citizenship and integration. Here, this relationship can go down two different paths and directions: should the granting of citizenship be understood as the outcome and culmination of a successful integration process, as it traditionally has been approached in Greece, or should citizenship be the starting point leading to successful integration? And furthermore, how do the relevant legislative and administrative provisions affect citizenship acquisition by different generations of immigrants?
Acquiring citizenship in Greece

Historically, the granting of citizenship in Greece did not primarily concern the immigrant population but was rather treated as an administrative practice. During the 1946-1949 Civil War and the post-civil war regime, the Greek state utilized its ability to remove Greek citizenship as a tool to dispose of populations it considered as hostile. These were primarily Greek communists and minorities who had fought for the communist side during the Civil War, and subsequently left Greek territory in its aftermath. In this context, granting of Greek citizenship in this period was also examined under the light of public order. During the interview process for example, the applicant’s “morals and personality” were evaluated, while applications were often rejected for reasons of national security.

Since the early 1990s, Greece transformed into a country of immigration. It is estimated that by the mid-1990s, more than half a million immigrants had entered the country, mainly from Albania and other Southeastern European countries. The initial response of the state was to adopt containment and deterrence policies; however, these practices proved to be ineffective in practice. Gradually, the state reached the realization that a significant portion of this immigrant population had come to stay, leading to a shift towards a more favorable approach to the phenomenon starting from the early 2000s. In 2010 an important break with the past occurred. An effort took place to reform the naturalization process for people of migrant origin that were born and/or raised in Greece, and therefore, to redress the question “who is a Greek citizen?”. This reform though proved ephemeral, as the relevant provisions of Law 3838/2010 ceased to apply only one year later, based on a decision of the 4th Chamber of the Council of State. Eventually the provisions were deemed unconstitutional by its plenary session in 2013. According to the decision of the plenary session, the conditions described in Law 3838/2010, such as duration of residence, birth in the country, or participation in the Greek educational system for 6 years, were merely formal and legal requirements and were not sufficient on their own to certify the integration of this population into the country. Therefore, they did not adequately demonstrate the existence of a “genuine bond” between foreigners and the Greek state and society.

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Until recently, citizenship to foreign citizens was primarily regulated by the provisions of Law 3284/2004, as amended by Law 3838/2010 and eventually Law 4604/2019. However, two major weaknesses were observed during the process of granting citizenship to foreigners: uneven judgments between different Naturalization Committees across the country, and significant delays in the process of acquiring citizenship itself. In an effort to resolve these weaknesses, the Code of Greek Citizenship was updated (Law 4735/2020), with the explicit aim (Article 2) of “reducing bureaucracy and speeding up the examination of naturalization applications, as well as ensuring objectivity, transparency and equality in the naturalization process of foreigners”.

To this end, new naturalization procedures have been established and two new Regional Directorates of Citizenship have been created.

The current system

Administrative procedures play a key role in the proper functioning of a bureaucratic system for granting citizenship, as highlighted by international experience\(^2\). The new procedures are meant to ensure objectivity, transparency, and equality in the process of awarding citizenship. However, the chosen method of examining citizenship applications, as well as the way in which the economic criteria for integration have been defined, may end up excluding from the process a large part of the target group. Additionally, the effective integration of this population into Greek society and economy may not be sufficiently examined in substance but rather, in form. The above may result in a rupture between citizenship and integration.

More specifically, two main points can be identified which hamper the process of granting citizenship through naturalization, which are briefly analyzed below.

The first point concerns the new examinations for the Certificate of Knowledge Adequacy for Naturalization (PEGP). Candidates take a written test on their knowledge of the Greek language, history, geography, culture and constitutional processes. The examination is conducted with questions randomly selected from a bank of questions, which was developed precisely to reduce value judgments and ideological attitudes of members of the relevant Citizenship Committees.

However, both the scope of the examination (500 questions in total) and, more importantly, the content on which candidates are asked to take the test have been subject to heavy criticism. As it is rightly pointed out, many of the subjects are considered extremely difficult. For example, “subjects such as who was Mordechai Frizis, who was Aspasia Manou, how many are the deans and secretaries of the Presidency of the Parliament” or the fact that the question “What is Areios Pagos?” requires the full response “the highest annulment court of civil and criminal justice in Greece” are akin to higher education entrance examinations and encourage extensive memorization rather than learning. Moreover, and this is the crucial point, they are not directly relevant and therefore do not examine in substance the degree of integration of the applicants into Greek society.

The second main point concerns the introduction of income criteria in order to assess the financial inclusion of applicants. It is worth noting that a provision for income criteria was included in the proposed Legislation, but this provision was removed before its adoption, due to the strong criticism it received during the consultation stage. However, income criteria were nevertheless introduced a few months later, through Ministerial Decision 29845/16-4-2021.

Under these criteria, the sufficient annual income, dependent on the minimum wage, is set at €7,500 for a person without a spouse and children, plus 10% for each dependent family member. Particularly worrying is the provision for retroactive proof of sufficient income for 3, 5 or 7 years, depending on the type of residence permit. This completely disregards the harsh Greek economic reality, as it has developed over the last decade. Furthermore, as the National Commission for Human Rights rightly points out, the retroactivity of the new procedural and substantive regulations constitutes a violation of the principle of good administration.

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3 Σωτηρόπουλος, Μ., Ψυλλάκου, Ε., 2021, Η Τράπεζα Θεμάτων στην πολιτογράφηση: μια χριστιανική αποτίμηση; Ελληνική Ένωση για τα δικαιώματα του Ανθρώπου, 2021, Σχετικά με την τράπεζα θεμάτων πολιτογράφησης (in Greek).
4 Generation 2.0. Η Ιθαγένεια στην Πράξη – Έκθεση Προτάσεων (in Greek).
5 Ministry of Interior, 2021, Τεκμήρια για την οικονομική και κοινωνική ένταξη του αλλοδαπού που αιτείται την ελληνική ιθαγένεια
6 Greek National Commission for Human Rights (GNCHR), 2021, Παρατηρήσεις της ΕΕΔΑ στην Απόφαση του Υπουργού Εσωτερικών 29845/2021 σχετικά με τα τεκμήρια για την οικονομική και κοινωνική ένταξη του αλλοδαπού που αιτείται την ελληνική ιθαγένεια
In addition to the granting of citizenship by naturalization, important issues are also recorded in the process of granting citizenship by birth and/or education. The critical issue concerns the complications and delays created as a consequence of the reorganisation of the General Secretariat of Citizenship brought about by Law 4735/2020. Surprisingly, the explicit aim of the reorganisation was to reduce the burden on the Citizenship Directories and to speed up the processing of second-generation applications in Athens and Thessaloniki.

Based on these changes, two new Regional Directorates of Citizenship were established in Attica (Athens) and Central Macedonia (Thessaloniki), which will have the exclusive competence to examine pending and new applications for citizenship by birth and/or education. Naturalisation applications remain to be processed by the existing Directorates of Citizenship in Attica and Central Macedonia.

However, the two new Regional Directorates took more than 1 year to become operational, resulting in the suspension of the processing of second-generation files. Consequently, due to the accumulation of pending applications, the waiting time for the issuance of citizenship decisions in Athens has exceeded 4 years, while the waiting time for the rest of Greece is estimated at 2-3 months or less.

Taking into account the developments regarding naturalization and birth/education in Greece, the existing statistical data confirm a clear downward trend in granting citizenship to foreigners. As shown in Table 1 below, there is a significant decrease in the absolute number of citizenships acquired. Thus, from a total of 33,487 attributions of citizenship in 2016 and 34,814 attributions in 2017, in 2021 the number has decreased to 1/3, namely to 10,604. Further analysis of the data shows that the group most affected is 2nd generation (birth/residence in Greece), due to the significant delays observed in Athens and Thessaloniki. Therefore, from 25,528 attributions of citizenship in 2017 and 21,559 in 2018, this number has been reduced in 2021 to 1/5, and more specifically to 5,154.

7 Generation 2.0. Η Ιθαγένεια στην Πράξη – Έκθεση Προτάσεων
## Table 1: Citizenship acquisition by category, 2011-2021

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<tbody>
<tr>
<td>Naturalization of co-ethnic Greeks</td>
<td>12.6</td>
<td>13.4</td>
<td>22.5</td>
<td>15.7</td>
<td>8.56</td>
<td>7.47</td>
<td>3.71</td>
<td>2.74</td>
<td>1.01</td>
<td>1.463</td>
<td>1.198</td>
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<tr>
<td>Naturalization of aliens</td>
<td>930</td>
<td>1,149</td>
<td>1,869</td>
<td>2,019</td>
<td>1,487</td>
<td>3,624</td>
<td>3,486</td>
<td>2,530</td>
<td>1,882</td>
<td>1,817</td>
<td>2,843</td>
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<tr>
<td>Birth/ school attendance in Greece (L. 3838/2010, L. 4332/2015)</td>
<td>3,103</td>
<td>5,543</td>
<td>529</td>
<td>0</td>
<td>305</td>
<td>19,3</td>
<td>67</td>
<td>25,5</td>
<td>21,5</td>
<td>12,8</td>
<td>9,099</td>
</tr>
<tr>
<td>Citizenship determination procedures (by birth/recognition etc.)</td>
<td>946</td>
<td>928</td>
<td>1,917</td>
<td>2,029</td>
<td>1,529</td>
<td>1,183</td>
<td>978</td>
<td>883</td>
<td>382</td>
<td>876</td>
<td>623</td>
</tr>
<tr>
<td>Unmarried/ minor children of those acquiring Greek citizenship</td>
<td>1,627</td>
<td>622</td>
<td>3,337</td>
<td>1,990</td>
<td>2,294</td>
<td>1,837</td>
<td>1,096</td>
<td>501</td>
<td>585</td>
<td>547</td>
<td>777</td>
</tr>
<tr>
<td>Naturalization of co-ethnic Greeks from former USSR</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>13</td>
<td>190</td>
<td>100</td>
<td>71</td>
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<tr>
<td>Total</td>
<td>19.2</td>
<td>21.7</td>
<td>30.2</td>
<td>21.8</td>
<td>14.1</td>
<td>33.4</td>
<td>34.8</td>
<td>28.4</td>
<td>16.8</td>
<td>13.873</td>
<td>10.6</td>
</tr>
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</table>

Source: Compilation by author, based on data from the Ministry of Interior 2021\textsuperscript{a}, 2022\textsuperscript{b}

\textsuperscript{a} Ministry of Interior 2021, Statistical Data 2011-2020
\textsuperscript{b} Ministry of Interior 2022, Statistical Bulletin 2021
Conclusion

Summarizing the above, the new Code of Citizenship provisions may contribute to reducing the uneven judgments that were recorded until recently between the different Naturalization Commissions. However, the procedures provided for, may not be the most appropriate for certifying the successful integration of the population concerned into the Greek society and economy.

Through the relevant criteria and procedures applied, a significant part of the population is excluded either in advance or in the process of undergoing the examination process. In addition, the long delays recorded for citizenship acquisition by the second generation, place a burden on a population that has been born, raised, participated in the educational system and essentially integrated into Greek society through its own actions and initiatives.

The critical issue raised is that these practices may shape and prolong conditions of alienation and marginalization for a portion of the population, which is however highly likely to continue living and working in the country. Thus, the existing system lays the conditions for a self-fulfilling prophesy: populations of migrant origin cannot be integrated into the host country, and therefore are not entitled to acquire citizenship.

In conclusion, what is essential to the citizenship agenda is not the recent increase in the number of honorary naturalizations. Rather, the key issue is the significant decline in the number of citizenship grants, especially to children of immigrant origin. This development has important implications and consequences, both at present and especially in the near future, and should not be downgraded to a secondary priority in the migration policy portfolio.