

# TOWARDS THE GLOBAL COMPACTS ON MIGRANTS AND ON REFUGEES 2018



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The M&R Section is keen to collect the experiences of migrants and refugees and of those involved in their welcome and integration. The intention is to give visibility in particular to positive experiences and good practices. The Section is also interested in receiving feedback about how the action points are taken up pastorally, ecumenically and inter-religiously; by civil society; and how government reacts to them. Please send such news to:

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To access the files of this booklet or its documents, or for updates and reflections, please visit the M&R website:

*migrants-refugees.va*

“In light of these processes currently underway,” Pope Francis writes in his Message for the 2018 World Day of Migrants and Refugees, “the coming months offer a unique opportunity to advocate and support the concrete actions which I have described with four verbs. I invite you, therefore, to use every occasion to share this message with all political and social actors involved in the process which will lead to the approval of the two Global Compacts.”

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The M&R Section suggests to the local Churches and Catholic organizations, when raising awareness or doing advocacy, to please feel free to focus on those action points which seem especially relevant in your area, and add others based on the Social Teaching of the Church. More specifically, the Section suggests the following:

1. To use the **20 Pastoral Action Points** in information and awareness campaigns and to guide local efforts to welcome, protect, promote and integrate migrants and refugees.
2. To share this booklet or its documents with Catholic NGOs and other civil society groups in your country -- especially those concerned with migrants, asylum seekers, refugees and victims of human trafficking -- inviting them to join in common action and advocacy.
3. To identify your country's government officials who are responsible for the negotiations towards the Global Compacts, and to enter into dialogue with them on the basis of the **20 Action Points for the Global Compacts**.

- a. Increase donor funding for enhancing the infrastructure in areas of return or transition assistance for returning workers caught up in foreign crisis.
- b. Enact laws that recognize and allow for the transfer of educational or other credentials earned abroad by returning citizens and permit rapid access to labour markets for those with professional or vocational credentials (e.g. trained teachers, electricians, medical personnel and heavy equipment operators).

From the beginning of his pontificate, using persuasive words and deeds, Pope Francis has urged the Church to accompany all people who are compelled to leave their country. In 2017, he established the Migrants and Refugees Section (M&R) to help him implement this pastoral objective. While M&R forms part of the new Dicastery for Promoting Integral Human Development under the direction of Cardinal Peter Turkson, the Section is personally guided by the Holy Father for the time being. Concerned with immediate humanitarian needs as well as long-term integral human development, the M&R Section focuses on the legal and policy frameworks which govern migration; on understanding the structural causes of forced displacement; and on achieving beneficial changes in the long run.

Migration has four possible stages. Migrants may be leaving their place of origin; in transit; arriving, with its subsequent process of integration; and perhaps choosing or obliged to return to their former homeland. In each of these stages, what is happening and why it is happening are of great interest. The Church encourages the Catholic faithful and everyone of good will to respond personally and communally to the material and spiritual needs of asylum seekers, refugees, migrants, internally displaced persons and victims of human trafficking.

This booklet presents three documents which provide the teaching, reflections and pastoral guidance of Pope Francis regarding the various issues concerning migrants and refugees.

The first document is the **Message of Pope Francis for the 2018 World Day of Peace**, celebrated on the 1st of January. Each year since 1968, the Pope gives a special Message, which indicates the Holy See's diplomatic priorities during the coming year and is sent to all the foreign ministries around the world. Entitled *Migrants and refugees: men and women in search of peace*, the 2018 Message highlights the many different contributions made by asylum seekers, migrants and refugees to everyone's goals of security, prosperity and peace, whether in the country welcoming them or in their original homeland. The Message encourages everyone, individually and communally, to develop and implement suitable effective responses at the local level and, at the same time, to contribute to the processes underway towards the adoption of the U.N. Global Compacts.

At a U.N. Summit in September 2016,<sup>1</sup> the Member States agreed to develop two Global Compacts to address today's large movements of people. There will be a global compact regarding refugees and a global compact for safe, orderly, regular, and responsible migration.<sup>2</sup> They should be agreed upon by the end of 2018. With a view to contributing to these processes of consultation and negotiation, the M&R Section has prepared two documents published in this Booklet.

1 *New York Declaration*, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/71/1](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1)

2 <https://refugeesmigrants.un.org/>

- e. Adopt laws which facilitate the legal migration of family members of foreign residents.
- f. Adopt laws which allow for the regularization of status for long term residents of the host country.

19. Encourage States to adopt policies and programmes which actively promote a positive narrative on migrants and refugees and the solidarity towards them. For example:
  - a. Provide subsidies to municipalities and faith-based communities to host events which showcase positive aspects of the culture of the members of the foreign community.
  - b. Engage in public campaigns that identify and promote positive examples of individuals and groups hosting refugees and migrants and integrating them into their local communities.
  - c. Require public announcements to be issued in the language spoken by larger groups of migrants and refugees.
  - d. Enact policies that promote hospitality within the local communities, and which actively seek to welcome and integrate migrants into the local community.
20. When foreign nationals are forced to flee from violence or environmental crisis in the host country, they are often eligible for voluntary repatriation programmes or evacuation programmes. In these cases, the host State, donor States or the State of origin should be encouraged to adopt policies and procedures which facilitate the reintegration of returnees. For example:

#### IV. To Integrate: Enriching Communities through Wider Participation of Migrants and Refugees

The acceptance of migrants and refugees is an opportunity for new understanding and broader horizons, both on the part of those accepted, who have the responsibility to respect the values, traditions and laws of the community which takes them in, and on the part of the latter, who are called to acknowledge the beneficial contribution which each immigrant can make to the whole community. Both sides are mutually enriched by their interaction, and the community as a whole is enhanced by a greater participation of all its members, both resident and migrants. This is also true for the migrant or refugee who chooses to return home. The following actions points are suggested:

18. On the basis that integration is neither assimilation nor incorporation, but a “two-way process,” which is essentially rooted in the joint recognition of the other’s cultural richness, encourage States to enact legislation which facilitates local integration. For example:
  - a. Adopt laws and constitutional provisions aimed at granting citizenship at birth.
  - b. Adopt laws which provide timely access to citizenship for all refugees.
  - c. Adopt a rights- and needs-based approach to the granting of citizenship. Citizenship should not be contingent on economic status or the ownership of property.
  - d. Adopt laws that grant citizenship without “new language requirements” for older applicants (over fifty years of age).

The first, **20 Pastoral Action Points**, is for use by the Catholic dioceses, parishes and religious congregations, by Catholic and other organizations of civil society, by schools and groups catering to migrants and refugees. The twenty points are pastoral priorities for local programs and key points for homilies, education and media. The M&R Section invites everyone to join in reflection, prayer, communication and action.

The second, **20 Action Points for the Global Compacts**, presents the proposals which the Holy See has formally submitted to the United Nations and the Member States as its input for the intergovernmental consultations and negotiations towards the Global Compacts. Accordingly, the document has been posted in the six official United Nations languages: <http://www.undocs.org/a/72/528>. It may also be found in electronic form on the M&R website: <https://migrants-refugees.va/>

The M&R Section invites everyone to join in this important effort of advocacy, each according to their capacity and circumstances.

**Fabio Baggio C.S. and Michael Czerny S.J.**  
Under Secretaries

- b. Enact policies which promote rapid access to special education or vocational training as well as health care for unaccompanied or separated minors who are disabled.
16. Encourage the international community to increase its share of development and emergency assistance to States which host and support large influxes of refugees and migrants fleeing armed conflict so all may benefit, regardless of migratory status. For example:
- a. Encourage donor States to tailor aid and assistance to include the development of medical, educational, and social services infrastructure in hosting areas upon arrival. For example, paying for the construction of additional classrooms and funding teacher training where local capacity has been overwhelmed or exhausted.
  - b. Encourage donor States to adopt policies that set aside a percentage of the direct assistance, as well as access to programmes and services, provided to refugees and migrants, for the benefit of local families experiencing similar economic and social disadvantages.
17. Encourage States to adopt policies and practices that guarantee the freedom of religion, in both belief and practice, to all migrants and refugees regardless of their migratory status.



**MESSAGE OF HIS HOLINESS  
POPE FRANCIS FOR THE  
51st WORLD DAY OF PEACE  
1 JANUARY 2018**

*Migrants and refugees:  
men and women in search of peace*

14. Encourage States to adopt policies and practices which promote and preserve the integrity and well-being of the family regardless of migratory status. For example:
  - a. Enact laws which allow for the reunification of refugees and migrants with their families and that recognize the right of these family members to work. A minimum level of income, or proof of the ability to provide financial support, should not be a requirement for the reunification of minors with their parents.
  - b. Enact laws which expand the scope of family reunification policies to include all family members (including grandparents, siblings and grandchildren) in order to allow the entire family to remain united in the resettlement process.
  - c. Enact policies which facilitate family tracing and reunification.
  - d. Enact laws which prohibit and actively prevent the abuse of minor workers, ensuring that the work is safe and does not harm their health, well-being or jeopardize their educational opportunities.
15. Encourage States to adopt policies and practices that provide migrants, asylum seekers and refugees with special needs or vulnerabilities with the same opportunities as other disabled citizens. For example:
  - a. Enact policies which provide all disabled with access to assistance devices (for example, wheelchairs, guide dogs, hearing aids) regardless of their migratory status.

*1. Heartfelt good wishes for peace*

Peace to all people and to all nations on earth! Peace, which the angels proclaimed to the shepherds on Christmas night,<sup>1</sup> is a profound aspiration for everyone, for each individual and all peoples, and especially for those who most keenly suffer its absence. Among these whom I constantly keep in my thoughts and prayers, I would once again mention the over 250 million migrants worldwide, of whom 22.5 million are refugees. Pope Benedict XVI, my beloved predecessor, spoke of them as “men and women, children, young and elderly people, who are searching for somewhere to live in peace.”<sup>2</sup> In order to find that peace, they are willing to risk their lives on a journey that is often long and perilous, to endure hardships and suffering, and to encounter fences and walls built to keep them far from their goal.

<sup>1</sup> Luke 2:14.

<sup>2</sup> Angelus, 15 January 2012.

In a spirit of compassion, let us embrace all those fleeing from war and hunger, or forced by discrimination, persecution, poverty and environmental degradation to leave their homelands.

We know that it is not enough to open our hearts to the suffering of others. Much more remains to be done before our brothers and sisters can once again live peacefully in a safe home. Welcoming others requires concrete commitment, a network of assistance and goodwill, vigilant and sympathetic attention, the responsible management of new and complex situations that at times compound numerous existing problems, to say nothing of resources, which are always limited. By practicing the virtue of prudence, government leaders should take practical measures to welcome, promote, protect, integrate and, “within the limits allowed by a correct understanding of the common good, to permit [them] to become part of a new society.”<sup>3</sup> Leaders have a clear responsibility towards their own communities, whose legitimate rights and harmonious development they must ensure, lest they become like the rash builder who miscalculated and failed to complete the tower he had begun to construct.<sup>4</sup>

## 2. *Why so many refugees and migrants?*

As he looked to the Great Jubilee marking the passage of two thousand years since the proclamation of peace by the angels in Bethlehem, Saint John Paul II pointed to the increased numbers of displaced persons as one of the consequences of the “endless and horrifying sequence of wars, conflicts, genocides and ethnic cleansings”<sup>5</sup> that had characterized the twentieth century. To this date, the new century has registered

<sup>3</sup> John XXIII, Encyclical Letter *Pacem in Terris*, 106.

<sup>4</sup> Luke 14:28-30.

<sup>5</sup> *Message for the 2000 World Day of Peace*, 3.

- b. Enact policies which provide equal access to apprenticeship and internship programmes for qualified migrants, asylum seekers and refugees on the same basis as citizens.
- c. Enact policies which facilitate the assessment, validation and recognition of academic and vocational education, including higher education, of migrants and refugees through, for example, inter-university arrangements as well as bilateral and multilateral agreements.

13. Encourage States to adopt laws, policies and practices which facilitate the local integration of migrants, asylum seekers and refugee populations. For example:

- a. Where they do not already exist, enact laws that recognize the right of asylum seekers and refugees to freedom of movement and freedom to choose their place of residence.
- b. Where they do not already exist, enact laws that recognize the right of asylum seekers and refugees to work, at the time of registration with appropriate national authorities.
- c. Adopt policies which provide access to classes and training in the local language and customs as well as the printing of public notices and information in those languages most common among migrant and refugee populations within the host country.

statelessness and human rights treaties and provisions relevant to the right to a nationality.

- b. Enact legal and policy reforms that are necessary to address statelessness effectively, working in the four areas of statelessness – identification, prevention, reduction and protection – and aiming at granting citizenship to children at birth.

### III. To Promote: Advancing Migrants' and Refugees' Integral Human Development

At the present time the average duration of exile for those who have fled armed conflict is 17 years. For labour migrants as well, the time away from home can amount to many years. Hosting states, rather than providing merely emergency responses and basic services, should assure structures which allow those staying long-term to develop as human beings and to contribute to the development of the host country. Moreover, since a basic principle of the 2030 Sustainable Development Goals is to “leave no one behind”, the international community should take care to include refugees, asylum seekers and labour migrants in their development plans. The following action points are suggested:

12. Encourage States to enact legislation that enables the recognition, transfer and further development of the formal skills of all migrants, asylum seekers, and refugees residing in the host country. For example:
  - a. Enact policies which provide access to tertiary education as well as support for qualified migrants, asylum seekers and refugees.

no real breakthrough: armed conflicts and other forms of organized violence continue to trigger the movement of peoples within national borders and beyond.

Yet people migrate for other reasons as well, principally because they “desire a better life, and not infrequently try to leave behind the ‘hopelessness’ of an unpromising future.”<sup>6</sup> They set out to join their families or to seek professional or educational opportunities, for those who cannot enjoy these rights do not live in peace. Furthermore, as I noted in the Encyclical *Laudato Si'*, there has been “a tragic rise in the number of migrants seeking to flee from the growing poverty caused by environmental degradation”.<sup>7</sup>

Most people migrate through regular channels. Some, however, take different routes, mainly out of desperation, when their own countries offer neither safety nor opportunity, and every legal pathway appears impractical, blocked or too slow.

Many destination countries have seen the spread of rhetoric decrying the risks posed to national security or the high cost of welcoming new arrivals, and thus demeaning the human dignity due to all as sons and daughters of God. Those who, for what may be political reasons, foment fear of migrants instead of building peace are sowing violence, racial discrimination and xenophobia, which are matters of great concern for all those concerned for the safety of every human being.<sup>8</sup> All indicators available to the international community suggest that global migration will continue for the future. Some consider this a threat. For my part, I ask you to view it with confidence as an opportunity to build peace.

<sup>6</sup> Benedict XVI, *Message for the 2013 World Day of Migrants and Refugees*.

<sup>7</sup> No. 25.

<sup>8</sup> Cf. *Address to the National Directors of Pastoral Care for Migrants of the Catholic Bishops' Conferences of Europe*, 22 September 2017.

### 3. *With a contemplative gaze*

The wisdom of faith fosters a contemplative gaze that recognizes that all of us “belong to one family, migrants and the local populations that welcome them, and all have the same right to enjoy the goods of the earth, whose destination is universal, as the social doctrine of the Church teaches. It is here that solidarity and sharing are founded.”<sup>9</sup> These words evoke the biblical image of the new Jerusalem. The book of the prophet Isaiah (chapter 60) and that of Revelation (chapter 21) describe the city with its gates always open to people of every nation, who marvel at it and fill it with riches. Peace is the sovereign that guides it and justice the principle that governs coexistence within it.

We must also turn this contemplative gaze to the cities where we live, “a gaze of faith which sees God dwelling in their houses, in their streets and squares, [...] fostering solidarity, fraternity, and the desire for goodness, truth and justice”<sup>10</sup> — in other words, fulfilling the promise of peace.

When we turn that gaze to migrants and refugees, we discover that they do not arrive empty-handed. They bring their courage, skills, energy and aspirations, as well as the treasures of their own cultures; and in this way, they enrich the lives of the nations that receive them. We also come to see the creativity, tenacity and spirit of sacrifice of the countless individuals, families and communities around the world who open their doors and hearts to migrants and refugees, even where resources are scarce.

A contemplative gaze should also guide the discernment of those responsible for the public good, and encourage them to

<sup>9</sup> Benedict XVI, *Message for the 2011 World Day of Migrants and Refugees*.

<sup>10</sup> Apostolic Exhortation *Evangelii Gaudium*, 71

9. Encourage States to adopt national policies that provide equal access to education for migrant, asylum seeker and refugee learners of all levels. For example:
  - a. Enact national or regional policies which provide migrants and refugees with access to primary and secondary education, no matter what their migratory status.
  - b. Enact policies which provide that the primary and secondary education to which migrants and refugees have access meets the same standards of education received by citizens.
10. Encourage States to adopt legislation which provides migrants and refugees with access to adequate social protections. For example:
  - a. Enact legislation which ensures the right to health of migrants and refugees, including access to primary health-care services, regardless of their migratory status and immediately upon arrival.
  - b. Enact legislation that grants access to national pension schemes and that guarantees the portability of social security coverage and benefits between and among countries to prevent migrants and refugees from losing entitlements due to their migration status.
11. Encourage States to enact legislation to prevent migrants and refugees from becoming “stateless”. In particular:
  - a. Enact legislation granting adequate protection and standards of treatment in respect of rights and freedoms as established by international conventions addressing

situation of unaccompanied children or minors separated from their family. For example:

- a. Adopt alternatives to mandatory detention, which is never in the best interest of the child, no matter their migratory status.
  - b. Provide foster care or guardianship for unaccompanied children or minors while they are separated from their family.
  - c. Establish separate processing centers for families, minors and adults.
8. Encourage States to comply with their obligations under the Convention of the Rights of the Child (CRC) when dealing with all migrant minors and recommend the following actions, among others:
- a. Adopt procedures that guarantee legal protections to minors approaching the age of majority. In particular, enact legislation that preserves their legal status and prevents them from becoming undocumented and thus subject to detention and deportation.
  - b. Adopt procedures that permit minors that are close to the age of majority to continue their education without interruption.
  - c. Adopt policies that require the registration of all births, providing each newborn with a birth certificate.

pursue policies of welcome, “within the limits allowed by a correct understanding of the common good”<sup>11</sup> — bearing in mind, that is, the needs of all members of the human family and the welfare of each.

Those who see things in this way will be able to recognize the seeds of peace that are already sprouting and nurture their growth. Our cities, often divided and polarized by conflicts regarding the presence of migrants and refugees, will thus turn into workshops of peace.

#### *4. Four mileposts for action*

Offering asylum seekers, refugees, migrants and victims of human trafficking an opportunity to find the peace they seek requires a strategy combining four actions: welcoming, protecting, promoting and integrating.<sup>12</sup>

“Welcoming” calls for expanding legal pathways for entry and no longer pushing migrants and displaced people towards countries where they face persecution and violence. It also demands balancing our concerns about national security with concern for fundamental human rights. Scripture reminds us: “Do not forget to show hospitality to strangers, for by so doing some people have shown hospitality to angels without knowing it.”<sup>13</sup>

“Protecting” has to do with our duty to recognize and defend the inviolable dignity of those who flee real dangers in search of asylum and security, and to prevent their being exploited. I think in particular of women and children who find them-

<sup>11</sup> John XXIII, Encyclical Letter *Pacem in Terris*, 106

<sup>12</sup> *Message for the 2018 World Day of Migrants and Refugees*.

<sup>13</sup> Hebrews 13:2.

selves in situations that expose them to risks and abuses that can even amount to enslavement. God does not discriminate: “The Lord watches over the foreigner and sustains the orphan and the widow.”<sup>14</sup>

“Promoting” entails supporting the integral human development of migrants and refugees. Among many possible means of doing so, I would stress the importance of ensuring access to all levels of education for children and young people. This will enable them not only to cultivate and realize their potential, but also better equip them to encounter others and to foster a spirit of dialogue rather than rejection or confrontation. The Bible teaches that God “loves the foreigner residing among you, giving them food and clothing. And you are to love those who are foreigners, for you yourselves were foreigners in Egypt.”<sup>15</sup>

“Integrating”, lastly, means allowing refugees and migrants to participate fully in the life of the society that welcomes them, as part of a process of mutual enrichment and fruitful cooperation in service of the integral human development of the local community. Saint Paul expresses it in these words: “You are no longer foreigners and strangers, but fellow citizens with God’s people.”<sup>16</sup>

##### *5. A proposal for two international compacts*

It is my heartfelt hope this spirit will guide the process that in the course of 2018 will lead the United Nations to draft and approve two Global Compacts, one for safe, orderly and regular migration and the other for refugees. As shared

<sup>14</sup> Psalm 146:9.

<sup>15</sup> Deuteronomy 10:18-19.

<sup>16</sup> Ephesians 2:19.

6. Encourage States to adopt national policies which enable migrants, asylum seekers, and refugees to make the best use of their skills and capacities, in order to better contribute to their own and their communities’ well-being. For example:
  - a. Grant refugees and asylum seekers freedom of movement and provide work permits as well as travel documents which allow for their return to the host State, particularly for those that find employment in other States.
  - b. Adopt programs engaging local communities in hosting small groups of asylum seekers in addition to larger reception and identification centers.
  - c. Enact legislation which allows asylum seekers, refugees and migrants the ability to open bank accounts, establish enterprises, and conduct financial transactions.
  - d. Enact national policies which allow migrants, asylum seekers and refugees to access and use telecommunications, such as internet or sim cards for mobile telephones, without burdensome procedures or fees.
  - e. Enact national policies which allow repatriated and returning migrants and refugees to have swift access to employment opportunities in their countries of origin, thus encouraging their reintegration into society.
7. Encourage States to comply with their obligations under the Convention of the Rights of the Child (CRC) when enacting domestic legislation to address the vulnerable

- b. Require national regulation and certification of employment recruiters.
  - c. Establish, at the Ministerial level, a department dedicated to diaspora affairs.
  - d. Adopt national policies that protect the interests of and assist diaspora and migrant communities abroad, including through consular protection and legal services.
5. Encourage States with significant labour migrant inflows to adopt national policies which protect against exploitation, forced labour, or trafficking. Some examples would be:
- a. Enact legislation which forbids employers from withholding the passports and other forms of identification from their employees.
  - b. Enact national policies which provide foreign residents with access to justice, regardless of their migratory status, allowing them to report human rights abuses and violence without fear of reprisal, including detention and deportation.
  - c. Enact national policies which allow migrants to open private, personal bank accounts that also permit direct deposits by employers.
  - d. Adopt national minimum wage laws which require the regular and predictable payment of wages, at least on a monthly basis.

agreements at a global level, these compacts will provide a framework for policy proposals and practical measures. For this reason, they need to be inspired by compassion, foresight and courage, so as to take advantage of every opportunity to advance the peace-building process. Only in this way can the realism required of international politics avoid surrendering to cynicism and to the globalization of indifference.

Dialogue and coordination are a necessity and a specific duty for the international community. Beyond national borders, higher numbers of refugees may be welcomed — or better welcomed — also by less wealthy countries, if international cooperation guarantees them the necessary funding.

The Migrants and Refugees Section of the *Dicastery for Promoting Integral Human Development* has published a set of twenty action points that provide concrete leads for implementing these four verbs in public policy and in the attitudes and activities of Christian communities.<sup>17</sup> The aim of this and other contributions is to express the interest of the Catholic Church in the process leading to the adoption of the two U.N. Global Compacts. This interest is the sign of a more general pastoral concern that goes back to the very origins of the Church and has continued in her many works up to the present time.

#### 6. *For our common home*

Let us draw inspiration from the words of Saint John Paul II: “If the ‘dream’ of a peaceful world is shared by all, if the refugees’ and migrants’ contribution is properly evaluated, then humanity can become more and more a universal family and our earth a true ‘common home’.”<sup>18</sup> Throughout history,

<sup>17</sup> “20 Pastoral Action Points” and “20 Action Points for the Global Compacts” (2017); cf. also U.N. Document A/72/528.

<sup>18</sup> *Message for the World Day of Migrants and Refugees 2004*, 6.



many have believed in this “dream”, and their achievements are a testament to the fact that it is no mere utopia.

Among these, we remember Saint Frances Xavier Cabrini in this year that marks the hundredth anniversary of her death. On this thirteenth day of November, many ecclesial communities celebrate her memory. This remarkable woman, who devoted her life to the service of migrants and became their patron saint, taught us to welcome, protect, promote and integrate our brothers and sisters. Through her intercession, may the Lord enable all of us to experience that “a harvest of righteousness is sown in peace by those who make peace.”<sup>19</sup>

*From the Vatican, 13 November 2017*

Memorial of Saint Frances Xavier Cabrini,  
Patron Saint of Migrants

## FRANCIS

<sup>19</sup> James 3:18.

Migrants, asylum seekers and refugees should be received as human beings, in dignity and full respect for their human rights, regardless of their migratory status. While it is the right of every State to manage and control its borders, migrants and refugees must be received in conformity with applicable obligations under international law, including international human rights law and international refugee law. The more alternative and legal pathways are available to the migrant and refugee, the less likely they are to be taken advantage of by criminal networks and to find themselves victims of human trafficking, or victims of exploitation and abuse in the context of the smuggling of migrants.

The right to life is the most basic guarantee of civil and political freedom. Article 6 of the International Covenant on Civil and Political Rights states that “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”<sup>3</sup> Every response to migrants, refugees and asylum seekers, particularly in search and rescue operations, should be directed primarily to ensure and protect the right to life of all, regardless of their status. With this in mind, the following action points are proposed:

4. Encourage States with significant labour migrant outflows to adopt policies and practices which provide protections for citizens choosing to emigrate. For example:
  - a. Create national pre-departure information systems and training which alert and educate citizens and employers, as well public officials and law enforcement officers who work in border areas, to identify signs of forced labour or trafficking.

<sup>3</sup> GA res. 2200A (XXI), 21 UN GAOR Supp. (No. 16) at 52, UN Doc.A/6316 (1966); 999 UNTS 171; 6 ILM 368 (1967).



- c. Adopt national security policies that prioritize the safety and protection of refugees and asylum seekers fleeing armed conflict, persecution or widespread violence to find safety quickly by ensuring an expeditious screening and admission process.
  
- d. Adopt national policies which prefer alternatives to the detention of those seeking access to the territory.

## II. To Protect: Ensuring Migrants' and Refugees' Rights and Dignity

The Church insists on the importance of taking a holistic and integrated approach, with a focus on the centrality of the human person. A holistic approach remains, indeed, the best way to detect and overcome harmful stereotypes, and to avoid stigmatizing anyone in respect to a few specific aspects, to take account of all dimensions and fundamental aspects of the person as a whole.

The proper implementation of human rights becomes truly beneficial for migrants, as well as for the sending and receiving countries. The measures suggested are not a mere concession to migrants. They are in the interest of migrants, host societies, and the international community at large. Promoting and respecting the human rights of migrants and their dignity ensures that everyone's rights and dignity in society are fully respected.<sup>2</sup>

<sup>2</sup> Statement of the Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the 29th Session of the Human Rights Council Interactive Dialogue with the Special Rapporteur on Migrants, Geneva, 15 June 2015.

Global migration is a major challenge for much of today's world and a real priority for the Catholic Church. In words and deeds, Pope Francis repeatedly shows his deep compassion for all who are displaced. Witness his encounters with migrants and refugees on the Islands of Lampedusa and Lesbos. Witness his call for their full embrace: *to welcome, to protect, to promote* and *to integrate* migrants and refugees.<sup>1</sup>

In addition, the Holy Father is guiding the Church to assist the world community in systematically improving its responses to the challenges of contemporary migration, with the involvement of all stakeholders. And such promotion is especially relevant at this historic juncture, when the international political community has launched a multilateral process of consultations and negotiations with the goal of adopting two Global Compacts by the end of 2018, one on refugees and the other for safe, orderly and regular migration.

<sup>1</sup> Pope Francis, Address to participants in the International Forum on "Migration and Peace", 21 February 2017.

The Church has already taken a stand on many of the issues which will be included in the Global Compacts and, drawing on its varied and longstanding pastoral experience, would like to contribute actively to this process. To support this contribution, the Vatican's Section on Migrants & Refugees (Dicastery for Promoting Integral Human Development), consulting with various Bishops' Conferences and Catholic NGOs, has prepared the following **20 Pastoral Action Points**. While they cover a great range of issues, the Points do not exhaust the Church's rich teaching on migrants and refugees. The twenty points are grounded on their real needs and on the Church's best practices at the grassroots level, and have been approved by the Holy Father.

The Migrants & Refugees Section, guided by the Holy Father, encourages the Bishops' Conferences to distribute and explain the twenty points to their parishes and Church organizations, with the hope of fostering more effective solidarity with migrants and refugees. Each Bishops' Conference is invited to select the most relevant points for their national situation and bring them to their Government's attention, specifically the Ministers responsible for the country's negotiations on the Global Compacts. Each country has already begun to prepare its position, and the negotiations will take place during the first six or eight months of 2018. The same Points in more formal language, for use in advocacy, may be found in the document **20 Action Points for the Global Compacts**.

Though deeply grounded in the Church's experience and reflection, the twenty points are offered as valuable considerations to all people of good will. Leaders and members of all faiths, and organizations of civil society, are welcome to join in this effort. Let us unite *to welcome, to protect, to promote*

- g. Adopt national policies which permit those forced to flee armed conflict, persecution or widespread violence in their countries of origin to be received immediately, even if temporarily, by neighboring States through, for example, the granting of temporary protection status.
  - h. A responsible and dignified welcome of migrants and refugees "begins by offering them decent and appropriate shelter. The enormous gathering together of persons seeking asylum and of refugees has not produced positive results. Instead these gatherings have created new situations of vulnerability and hardship. More widespread programmes of welcome, already initiated in different places, seem to favour a personal encounter and allow for greater quality of service and increased guarantees of success."<sup>1</sup>
3. Encourage States to adopt a national security perspective that fully takes into account the security and human rights of all migrants, asylum seekers and refugees entering its territory. For example:
- a. Provide training in international human rights law and international refugee law to public officials and law enforcement officers who work in border areas.
  - b. Adopt national policies which respond first to the needs and vulnerabilities of those seeking admission, including access to basic services, before addressing an applicant's legal status.

<sup>1</sup> Pope Francis, Address to Participants in the International Forum on "Migration and Peace", 21 February 2017.

2. Encourage States and all actors involved to expand the number and range of alternative legal pathways for safe and voluntary migration and resettlement, in full respect for the principle of non-refoulement. Examples of such avenues would include:
  - a. Adopt the practice of extending humanitarian visas, or if already present, expand their use as a national policy priority.
  - b. Encourage the wider use of student visas, including for apprenticeship and internship programmes as well as all levels of formal education.
  - c. Adopt humanitarian corridor programs that grant legal entry with a humanitarian visa to people in particularly vulnerable situations, including those forced to flee conflict and natural disasters.
  - d. Adopt legislation which enables local integration through community and private sponsorship by citizens, communities and organizations.
  - e. Adopt resettlement policies for refugees or, if already present in the legal framework, increase the number of refugees resettled on a scale that would enable the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees to be met.
  - f. Provide family reunification visas or, if already available, expand the number of such visas issued, particularly for the reunification of all family members (including grandparents, siblings and grandchildren).

and *to integrate* people obliged to leave their own homes and seeking a new one elsewhere.

## I. Welcoming: Increasing Safe and Legal Routes for Migrants and Refugees

The decision to emigrate should be made freely and voluntarily. Migration should be an orderly process which respects the laws of each country involved. To this end, the following points are to be considered:

1. The collective or arbitrary expulsion of migrants and refugees should be avoided. The principle of non-refoulement should always be respected: migrants and refugees must never be returned to a country which has been deemed unsafe. The application of this principle should be based on the level of safety effectively afforded to each individual, rather than on a summary evaluation of a country's general state of security. The routine application of a list of "safe countries" often fails to consider the real security needs of particular refugees; they must be treated on an individual basis.
2. Legal routes for safe and voluntary migration or relocation should be multiplied. This can be achieved by granting more humanitarian visas, visas for students and apprentices, family reunification visas (including siblings, grandparents and grandchildren), and temporary visas for people fleeing conflict in neighbouring countries; by creating humanitarian corridors for the most vulnerable; and by launching private and community sponsorship programmes, programmes for relocating

refugees in communities rather than concentrating them in holding facilities.

3. The value of each person's safety – rooted in a profound respect for the inalienable rights of migrants, asylum seekers and refugees – should be correctly balanced with national security concerns. This can be achieved through appropriate training for border agents; by ensuring that migrants, asylum seekers and refugees have access to basic services, including legal services; by ensuring protection for anyone fleeing war and violence; and by seeking alternative solutions to detention for those who enter a country without authorisation.

## II. Protecting: Defending the Rights and Dignity of Migrants and Refugees

The Church has repeatedly underlined the need for an integral approach to the issue of migration, in profound respect for each person's dignity and rights and in consideration of the multiple dimensions of each individual. The right to life is the most fundamental of all rights, and cannot depend on a person's legal status. To this end, the following points are suggested:

4. Emigrants must be protected by their countries of origin. Authorities in these countries should offer reliable information before departure; should ensure that all channels of emigration are legalised and certified; should create a government department for the diaspora; and should offer consular assistance and protection abroad.
5. Immigrants must be protected by their countries of arrival, in order to prevent exploitation, forced labour and

advocates can use, add to and develop in their dialogue with governments towards the Global Compacts.

Empirical evidence shows that migration is more and more mixed. This often makes it difficult to maintain a clear-cut distinction between migrants and refugees. Often their needs are very similar if not identical. Accordingly, let the drafting and negotiating strive for the greatest possible harmony between the two Global Compacts. Moreover, both Compacts should have a real impact on people's lives and should, therefore, include targets and goals to be met as well as reporting mechanisms.

The Holy See offers the **20 Action Points** as its contribution to the drafting, negotiation and adoption of the Global Compacts on refugees and for safe, orderly and regular migration by the end of 2018.

### I. To Welcome: Enhancing Safe and Legal Channels for Migrants and Refugees

Migration should be safe, legal and orderly, and the decision to migrate voluntary. With this in mind, the following action points are suggested:

1. Encourage States to ban arbitrary and collective expulsions. The *non-refoulement* principle should always be respected. This principle is based on the individual situation of the person and not on how 'safe' a country is generally claimed to be. States should avoid using safe country lists, as such lists often fail to meet the refugee's needs for protection.

internally displaced persons, with special attention for those who are in situations of greater vulnerability.

The twenty points advocate effective and proven measures which together constitute an integral response to the current challenges. They are grounded on the Church's best practices responding to the needs of migrants and refugees at the grassroots level. In accordance with Pope Francis's teaching, the points are grouped around four verbs: *to welcome*, *to protect*, *to promote*, and *to integrate*. Each is an active verb and a call to action. Starting from what is currently possible, their ultimate goal is the building of an inclusive and sustainable common home for all. Our sincere hope is that the proposed points will provide welcome guidance to policy-makers and to everyone concerned with improving the situation of those obliged to leave their homeland.

The current United Nations processes to produce two Global Compacts, one for safe, orderly and regular migration, and the other on refugees, are a unique opportunity to respond together through international cooperation and shared responsibility. The Church has already taken a stand on many of the issues which will be included in the Global Compacts and, drawing on its diverse and longstanding pastoral experience, would like to contribute actively to the two processes underway.

To support this contribution, the Vatican's Section on Migrants & Refugees (Dicastery for Promoting Integral Human Development), consulting with various Bishops' Conferences and Catholic NGOs working in the field, has prepared the following **20 Action Points for the Global Compacts**. These points, approved by the Holy Father, do not exhaust the Church's teaching on migrants and refugees, but provide a series of practical considerations which Catholic and other

human trafficking. This can be achieved by prohibiting employers from withholding employees' documents; by ensuring access to justice for all migrants, independently of their legal status and without negative repercussions on their right to remain; by ensuring that all immigrants can open a personal bank account; by establishing a minimum wage applicable to all workers; and by ensuring that wages are paid at least once a month.

6. Migrants, asylum seekers and refugees must be empowered to leverage their skills and competencies in order to improve their own wellbeing and the prosperity of their communities. This can be achieved by guaranteeing in-country freedom of movement and permission to return after work abroad; by providing ample access to the means of communication; by involving local communities in the integration of asylum seekers; and by developing programmes of professional and social reintegration for anyone who chooses to return to their home country.
7. The vulnerability of unaccompanied minors and minors separated from their families must be tackled in accordance with the international Convention on the Rights of the Child. This can be achieved by seeking alternative solutions to detention for legally underage migrants who enter a country without authorisation; by offering temporary custody or foster homes for unaccompanied or separated minors; and by setting up separate centres for the identification and processing of minors, adults and families.
8. All underage migrants must be protected in accordance with the international Convention on the Rights of the Child. This can be achieved through the compulsory

registration of all births and by ensuring that underage migrants do not become irregular when they reach adulthood and that they can continue their education.

9. Access to education should be assured to all underage migrants, asylum seekers and refugees, so that they have access to primary and secondary schooling at the same standard as citizens and independently of their legal status.
10. Access to welfare should be assured to all migrants, asylum seekers and refugees, respecting their right to health and basic healthcare independently of legal status, and ensuring access to national pension schemes and the transferability of benefits in case of moving to another country.
11. Migrants should never become a-national or stateless, in accordance with the right to nationality stated by international conventions, and citizenship should be recognized at birth.

### III. Promoting: Fostering the Integral Human Development of Migrants and Refugees

The Church has repeatedly emphasised the need to promote integral human development for migrants, asylum seekers and refugees alongside local residents. Countries should include migrants, asylum seekers and refugees in their plan for national development. To this end, the following points are to be considered:

12. The competencies of migrants, asylum seekers and refugees should be valued and developed in countries of arrival by guaranteeing equal access to higher education,

## **RESPONDING TO MIGRANTS AND REFUGEES: 20 ACTION POINTS FOR THE GLOBAL COMPACTS**

For centuries, people on the move have received the special pastoral attention and assistance of the Catholic Church. Today, facing the largest movement of displaced peoples in recent memory, the Church feels compelled to continue this work in solidarity with them and in cooperation with the international community.

While massive numbers of people are being forced to leave their homes due to persecution, violence, natural disasters and the scourge of poverty, migration should nevertheless be recognized, not as a new phenomenon, but rather as a natural human response to crisis and a testament to the innate desire of every human being for happiness and a better life. This reality, with its important cultural and spiritual dimensions, is having a significant impact on attitudes and reactions all over the world.

Even amidst the current crisis, experience teaches us that relevant, effective and shared responses are available. The Church looks forward to working together with the international community to promote and adopt such measures to protect the dignity, rights and freedoms of all migrants, victims of human trafficking, asylum seekers, refugees and

specialization courses, apprenticeships and internships, and by validating qualifications obtained elsewhere.

13. The social and professional inclusion of migrants, asylum seekers and refugees within local communities should be supported by recognising their freedom of movement and their right to choose where to live; by making information available in their languages of origin; by offering language classes and courses on local customs and culture; and by granting asylum seekers and refugees the right to work.
14. The integrity and well-being of the family should always be protected and promoted, independently of legal status. This can be achieved by embracing broader family reunification (grandparents, grandchildren and siblings) independently of financial requirements; by allowing reunified family members to work; by undertaking the search for lost family members; by combating the exploitation of minors; and by ensuring that, if employed, their work does not adversely affect their health or their right to education.
15. Migrants, asylum seekers and refugees with special needs are to be treated just like citizens with the same conditions, guaranteeing access to disability benefits independently of legal status, and enrolling unaccompanied or separated minors with disabilities in special education programmes.
16. The funds for international development and humanitarian support, sent to countries which receive a significant influx of refugees and migrants fleeing from armed conflict, should be increased, ensuring that the needs of both newcomer and resident populations can be met.



This can be achieved by funding the establishment and development of institutions for medical, educational and social care in countries of arrival, and by extending financial help and assistance programmes to local families in situations of vulnerability.

17. The right to religious freedom – in terms of both belief and practice – should be assured to all migrants, asylum seekers and refugees, independently of legal status.

#### IV. Integrating: Greater Participation of Migrants and Refugees to Enrich Local Communities

The arrival of migrants, asylum seekers and refugees represents an opportunity for growth as much for local communities as for the newcomers. The encounter of different cultures is a source of mutual enrichment, since inclusion and participation contribute to the development of societies. To this end the following points are to be implemented:

18. Integration, as a two-directional process which acknowledges and values the riches of both cultures, should be promoted. This can be achieved by recognising citizenship at birth; by rapidly extending nationality to all refugees, independently of financial requirements or linguistic knowledge (at least for over-50s); by promoting family reunification; and by declaring a one-off period of amnesty and legalisation for migrants who have lived in a country for a considerable amount of time.
19. A positive narrative of solidarity towards migrants, asylum seekers and refugees should be promoted. This can be achieved by funding intercultural exchange projects; by

supporting integration programmes in local communities; by documenting and disseminating good practices in integration; and by ensuring that public announcements are translated into the languages spoken by larger numbers of migrants, asylum seekers and refugees.

20. Those who are forced to flee humanitarian crises and are subsequently evacuated or enrolled in assisted repatriation programmes must be ensured appropriate conditions for reintegration in their countries of origin. This can be achieved by increasing the funds assigned to temporary assistance for those affected by humanitarian crises and by developing infrastructure in countries of return, by validating educational and professional qualifications obtained abroad, and by encouraging the rapid reintegration of workers in their countries of origin.