

# TOWARDS THE GLOBAL COMPACTS ON MIGRANTS AND ON REFUGEES 2018



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# INTRODUCTION

This booklet presents teaching, reflections and guidance of Pope Francis regarding migrants and refugees. It contains a Message from the Holy Father and twenty action priorities in two versions. One is meant for active pastoral engagement with migrants and refugees. The other expanded presentation is for use in advocacy and negotiation with national governments to influence the Global Compacts on Migrants and on Refugees currently being developed.

From the beginning of his pontificate, using persuasive words and deeds, Pope Francis has encouraged the Church to accompany all people who are forced to flee. 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.

People in their displacement can find themselves in any one of the four following stages: leaving their home, transit, arrival and integration, and perhaps return

to their earlier home. In each of these stages, what is happening and why it is happening are of interest. The Church encourages its followers and everyone to respond personally, communally, practically and spiritually to the needs of asylum seekers, refugees, migrants, and victims of human trafficking. These may be called pastoral responses.

The first document in this booklet is the Message which Pope Francis has prepared for the 104th World Day of Migrants and Refugees to be celebrated on 14 January 2018. It was in 1914 that Pope Pius X instituted the World Day of Migrants and Refugees. Every year since, this has been an occasion for the Church and people of faith to express their concern for and solidarity with those who are forcibly displaced.

Entitled “Welcoming, protecting, promoting and integrating migrants and refugees”, the 2018 Message encourages everyone’s individual and communal responses locally and pastorally; and to contribute to the processes underway at the international level. For the Church is also concerned about the legal and policy frameworks which govern human mobility, with structural causes and long-term change.

At a U.N. Summit in September 2016, the world’s leaders 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. They should be agreed upon by the end of 2018.

With a view to contributing to these processes, the M&R Section, guided by the Holy Father, has prepared two documents.

The 20 Pastoral Action Points are for use by the Church's dioceses, parishes and religious congregations, by Catholic and other organizations of civil society, by schools and groups concerned with all those "forced to flee". The points are pastoral priorities for local programs and key points for homilies, education and media. M&R invites everyone to join in reflection, prayer, communication and action.

The 20 Action Points for the Global Compacts are expressed in legal language and in greater detail. They are for dialogue with governments and international organizations with the hope of seeing these concerns included in the Global Compacts. M&R invites everyone to join in this advocacy exercise, each according to their capacity and circumstances.

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



**MESSAGE OF HIS HOLINESS  
POPE FRANCIS FOR THE 104TH  
WORLD DAY OF MIGRANTS  
AND REFUGEES 2018  
[14 January 2018]**

“Welcoming, protecting, promoting and integrating migrants and refugees”

Dear brothers and sisters!

“You shall treat the stranger who sojourns with you as the native among you, and you shall love him as yourself, for you were strangers in the land of Egypt: I am the Lord your God” (*Leviticus* 19:34).

Throughout the first years of my pontificate, I have repeatedly expressed my particular concern for the lamentable situation of many migrants and refugees fleeing from war, persecution, natural disasters and poverty. This situation is undoubtedly a “sign of the times” which I have tried to interpret, with the help of the Holy Spirit, ever since my visit to Lampedusa on 8 July 2013. When I instituted the new Dicastery for Promoting Integral Human Development, I wanted a particular section – under my personal direction for the time being – to express the Church’s concern for migrants, displaced people, refugees and victims of human trafficking.

Every stranger who knocks at our door is an opportunity for an encounter with Jesus Christ, who identifies with the welcomed and rejected strangers of every age (*Matthew 25:35-43*). The Lord entrusts to the Church's motherly love every person forced to leave their homeland in search of a better future.<sup>1</sup> This solidarity must be concretely expressed at every stage of the migratory experience – from departure through journey to arrival and return. This is a great responsibility, which the Church intends to share with all believers and men and women of good will, who are called to respond to the many challenges of contemporary migration with generosity, promptness, wisdom and foresight, each according to their own abilities.

In this regard, I wish to reaffirm that “our shared response may be articulated by four verbs: *to welcome, to protect, to promote and to integrate*”.<sup>2</sup>

Considering the current situation, *welcoming* means, above all, offering broader options for migrants and refugees to enter destination countries safely and legally. This calls for a concrete commitment to increase and simplify the process for granting humanitarian visas and for reunifying families. At the same time, I hope that a greater number of countries will adopt private and community sponsorship programmes, and open humanitarian corridors for particularly vulnerable refugees. Furthermore, special temporary visas should be granted to people fleeing conflicts in neighbouring countries.

1 Cf. Pius XII, Apostolic Constitution *Exsul Familia, Titulus Primus, I*.

2 Address to Participants in the International Forum on “Migration and Peace”, 21 February 2017.

Collective and arbitrary expulsions of migrants and refugees are not suitable solutions, particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights.<sup>3</sup> Once again, I want to emphasise the importance of offering migrants and refugees adequate and dignified initial accommodation. “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>4</sup> The principle of the centrality of the human person, firmly stated by my beloved Predecessor, Benedict XVI,<sup>5</sup> obliges us to always prioritise personal safety over national security. It is necessary, therefore, to ensure that agents in charge of border control are properly trained. The situation of migrants, asylum seekers and refugees requires that they be guaranteed personal safety and access to basic services. For the sake of the fundamental dignity of every human person, we must strive to find alternative solutions to detention for those who enter a country without authorisation.<sup>6</sup>

The second verb – *protecting* – may be understood as a series of steps intended to defend the rights and dignity of migrants and refugees, independent of their legal status.<sup>7</sup> Such protection begins in the country of origin,

3 Cf. *Statement of the Permanent Observer of the Holy See to the 103rd Session of the Council of the IOM*, 26 November 2013.

4 *Address to Participants in the International Forum on “Migration and Peace”*, 21 February 2017.

5 Cf. Benedict XVI, Encyclical Letter *Caritas in Veritate*, 47.

6 Cf. *Statement of the Permanent Observer of the Holy See to the 20th Session of the UN Human Rights Council*, 22 June 2012.

7 Cf. Benedict XVI, Encyclical Letter *Caritas in Veritate*, 62.

and consists in offering reliable and verified information before departure, and in providing safety from illegal recruitment practices.<sup>8</sup> This must be ongoing, as far as possible, in the country of migration, guaranteeing them adequate consular assistance, the right to personally retain their identity documents at all times, fair access to justice, the possibility of opening a personal bank account, and a minimum sufficient to live on. When duly recognised and valued, the potential and skills of migrants, asylum seekers and refugees are a true resource for the communities that welcome them.<sup>9</sup> This is why I hope that, in countries of arrival, migrants may be offered freedom of movement, work opportunities, and access to means of communication, out of respect for their dignity. For those who decide to return to their homeland, I want to emphasise the need to develop social and professional reintegration programmes. The *International Convention on the Rights of the Child* provides a universal legal basis for the protection of underage migrants. They must be spared any form of detention related to migratory status, and must be guaranteed regular access to primary and secondary education. Equally, when they come of age they must be guaranteed the right to remain and to enjoy the possibility of continuing their studies. Temporary custody or foster programmes should be provided for unaccompanied minors

8 Cf. Pontifical Council for the Pastoral Care of Migrants and Itinerant People, Instruction *Erga Migrantes Caritas Christi*, 6.

9 Cf. Benedict XVI, *Address to the Participants in the 6th World Congress for the Pastoral Care of Migrants and Itinerant People*, 9 November 2009.

and minors separated from their families.<sup>10</sup> The universal right to a nationality should be recognised and duly certified for all children at birth. The statelessness which migrants and refugees sometimes fall into can easily be avoided with the adoption of “nationality legislation that is in conformity with the fundamental principles of international law”.<sup>11</sup> Migratory status should not limit access to national healthcare and pension plans, nor affect the transfer of their contributions if repatriated.

*Promoting* essentially means a determined effort to ensure that all migrants and refugees – as well as the communities which welcome them – are empowered to achieve their potential as human beings, in all the dimensions which constitute the humanity intended by the Creator.<sup>12</sup> Among these, we must recognize the true value of the religious dimension, ensuring to all foreigners in any country the freedom of religious belief and practice. Many migrants and refugees have abilities which must be appropriately recognised and valued. Since “work, by its nature, is meant to unite peoples”,<sup>13</sup> I encourage a determined effort to promote the social and professional inclusion of migrants and refugees, guaranteeing for all – including those seeking asylum – the possibility of employment, language instruction

10 Cf. Benedict XVI, *Message for the World Day of Migrants and Refugees (2010) and Statement of the Permanent Observer of the Holy See to the 26th Ordinary Session of the Human Rights Council on the Human Rights of Migrants*, 13 June 2014.

11 Pontifical Council for the Pastoral Care of Migrants and Itinerant People and Pontifical Council *Cor Unum*, *Welcoming Christ in Refugees and Forcibly Displaced Persons*, 2013, 70.

12 Cf. Paul VI, Encyclical Letter *Populorum Progressio*, 14.

13 John Paul II, Encyclical Letter *Centesimus Annus*, 27.

and active citizenship, together with sufficient information provided in their mother tongue. In the case of underage migrants, their involvement in labour must be regulated to prevent exploitation and risks to their normal growth and development. In 2006, Benedict XVI highlighted how, in the context of migration, the family is “a place and resource of the culture of life and a factor for the integration of values”.<sup>14</sup> The family’s integrity must always be promoted, supporting family reunifications – including grandparents, grandchildren and siblings – independent of financial requirements. Migrants, asylum seekers and refugees with disabilities must be granted greater assistance and support. While I recognize the praiseworthy efforts, thus far, of many countries, in terms of international cooperation and humanitarian aid, I hope that the offering of this assistance will take into account the needs (such as medical and social assistance, as well as education) of developing countries which receive a significant influx of migrants and refugees. I also hope that local communities which are vulnerable and facing material hardship, will be included among aid beneficiaries.<sup>15</sup>

The final verb – *integrating* – concerns the opportunities for intercultural enrichment brought about by the presence of migrants and refugees. Integration is not “an assimilation that leads migrants to suppress or to forget their own cultural identity. Rather, contact with others leads to discovering their ‘secret’, to being open

14 Benedict XVI, *Message for the World Day of Migrants and Refugees* (2007).

15 Cf. Pontifical Council for the Pastoral Care of Migrants and Itinerant People and Pontifical Council *Cor Unum*, *Welcoming Christ in Refugees and Forcibly Displaced Persons*, 2013, 30-31.

to them in order to welcome their valid aspects and thus contribute to knowing each one better. This is a lengthy process that aims to shape societies and cultures, making them more and more a reflection of the multi-faceted gifts of God to human beings”.<sup>16</sup> This process can be accelerated by granting citizenship free of financial or linguistic requirements, and by offering the possibility of special legalisation to migrants who can claim a long period of residence in the country of arrival. I reiterate the need to foster a culture of encounter in every way possible – by increasing opportunities for intercultural exchange, documenting and disseminating best practices of integration, and developing programmes to prepare local communities for integration processes. I wish to stress the special case of people forced to abandon their country of arrival due to a humanitarian crisis. These people must be ensured adequate assistance for repatriation and effective reintegration programmes in their home countries.

In line with her pastoral tradition, the Church is ready to commit herself to realising all the initiatives proposed above. Yet in order to achieve the desired outcome, the contribution of political communities and civil societies is indispensable, each according to their own responsibilities.

At the United Nations Summit held in New York on 19 September 2016, world leaders clearly expressed their desire to take decisive action in support of migrants and refugees to save their lives and protect their rights, sharing this responsibility on a global level. To this end, the

16 John Paul II, *Message for the World Day of Migrants and Refugees* (2005).

states committed themselves to drafting and approving, before the end of 2018, two Global Compacts, one for refugees and the other for migrants.

Dear brothers and sisters, in light of these processes currently underway, 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 (or who seek to be involved) in the process which will lead to the approval of the two Global Compacts.

Today, 15 August, we celebrate the Feast of the Assumption of Mary. The Holy Mother of God herself experienced the hardship of exile (*Matthew 2:13-15*), lovingly accompanied her Son's journey to Calvary, and now shares eternally his glory. To her maternal intercession we entrust the hopes of all the world's migrants and refugees and the aspirations of the communities which welcome them, so that, responding to the Lord's supreme commandment, we may all learn to love the other, the stranger, as ourselves.

*Vatican City, 15 August 2017*

Solemnity of the Assumption of the B.V. Mary

**FRANCIS**

## TWENTY PASTORAL ACTION POINTS

Global migration is a major challenge for much of today's world and a 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, refugees and victims of human trafficking.<sup>1</sup>

In addition, the Holy Father is guiding the Church to assist the world community in systematically improving its responses to the displaced. For 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 international migrants and the other on refugees.

The Church has already taken a stand on many of the issues which will be included in the Global Compacts

1 *Address to participants in the International Forum on "Migration and Peace"*, 21 February 2017.

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 **Twenty Action Points** on migrants and refugees. They do not exhaust the Church's teaching on migrants and refugees, but provide useful considerations which Catholic advocates can use, add to and develop in their dialogue with governments towards the Global Compacts. The 20 Points are grounded on migrants' and refugees' needs identified at the grassroots level and on the Church's best practices. The Points have been approved by the Holy Father.

The Migrants & Refugees Section, guided by the Holy Father, urges the Bishops' Conferences to explain the Compacts and the Points to their parishes and Church organizations, with the hope of fostering more effective solidarity with migrants and refugees. Given the great range of issues covered in the Points, each Bishops' Conference should 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 *Global Compacts 20 Points political version*.

Though grounded in the Church's experience and reflection, the **20 Points** are offered as valuable consid-

erations to all people of good will who might be willing to implement them and advocate their inclusion in their country's negotiations. 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, and to integrate* people obliged to leave their home and seeking a new one among us.

## 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.

## 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 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 illegal 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 to the right to nationality stated by international conventions, and citizenship should be recognized at birth.

## 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, 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.

## 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.

## TWENTY ACTION POINTS FOR THE GLOBAL COMPACTS

For centuries, people on the move have received the assistance and special pastoral attention 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 have been 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 that effective, 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 persons currently

on the move, including forced migrants, victims of human trafficking, asylum seekers, refugees and internally displaced persons.

The United Nations processes to produce Global Compacts, one on 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. 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 **Twenty Action Points**. They have been approved by the Holy Father. They are grounded on the Church's best practices responding to the needs of migrants and refugees at the grassroots level. They do not exhaust the Church's teaching on migrants and refugees, but provide practical considerations which Catholic and other advocates can use, add to and develop in their dialogue with governments towards the Global Compacts.

The 20 Points advocate effective and proven measures which together constitute an integral response to the current challenges. In accordance with Pope Francis's teaching, the points are grouped under four headings: *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 these Action Points will provide welcome guidance to policy-makers and everyone concerned with improving the situation of migrants, refugees, asylum seekers and internally displaced persons, especially those who are most vulnerable.

Empirical evidence shows that migration is more and more mixed. This 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 Migrants & Refugees Section offers the *Twenty Action Points* as a contribution to the drafting, negotiation and adoption of the Global Compacts on Migrants and on Refugees by the end of 2018. Guided by Pope Francis, the Section stands behind the principles embodied in these Points and looks forward to working with the international community toward their inclusion in the Global Compacts.

## 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.
  
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).
- 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.
  - 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.

1 Pope Francis, Address to Participants in the *International Forum on Migration and Peace*, 21 February 2017.

## 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> 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

2 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.

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.
  - b. Require national regulation and certification of employment recruiters.
  - c. Establish, at the Ministerial level, a department dedicated to diaspora affairs.

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

- 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.
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 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.
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 level no matter 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 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.
  - 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.

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 to the disabled (for example, wheelchairs, guide dogs, hearing aids) regardless of migratory status.
- 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.

#### 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).
  - 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:

- a. Increase donor funding for enhancing the infrastructure in areas of return or transitions 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).



In using the Action Points, please feel free to focus on those you deem more relevant in your area, and add others based on the Social Teaching of the Church. The Migrants & Refugees Section suggests the following:

1. To use the 20 Pastoral Action Points for information and awareness campaigns and to guide local efforts to welcome, protect, promote and integrate migrants and refugees in your diocese or region.
2. To share this booklet or its documents with Catholic NGOs and other civil society groups in your country -- especially those concerned with migrants, 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*.

The Migrants & Refugees Section is very keen to learn about the many different experiences of migrants, refugees, internally displaced persons and victims of human trafficking. We would also be glad to receive news about how these Action Points are taken up, pastorally, ecumenically and inter-religiously, by civil society and indeed how government reacts to them. Please send to:

*info@migrants-refugees.va*

For ongoing news, please visit the M&R website:

*migrants-refugees.va*

“Dear brothers and sisters,” Pope Francis invites us in his Message, “in light of these processes currently underway, 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.”