



WELCOMING CHRIST IN REFUGEES & DISPLACED PERSONS: Discussion Guide to the PASTORAL GUIDELINES

PURPOSE

These Pastoral Guidelines were published by the Pontifical Council for the Pastoral Care of Migrants and Itinerant People and the Pontifical Council *Cor Unum* on 6 June 2013. They update *Refugees: A Challenge to Solidarity* which was published in 1992.

The Guidelines are intended to raise renewed awareness of forced migration and the challenges involved in welcoming people and thus make Christians aware of their duties (n7). They call on all of us – whether we are Pastors, lay faithful or Catholic organisations – to “be the arms of the Church” (n 7) and respond to the material and spiritual needs of refugees and forcibly displaced people.

The Guidelines can be downloaded in PDF form from the website of the Australian Catholic Migrant and Refugee Office www.acmro.catholic.org.au Look for the document called “Vatican Pastoral Guidelines on Refugees”.

CONTEXT

Since *Refugees: A Challenge to Solidarity* was published in 1992 the movement of people has become increasingly complex. Neat distinctions between refugees and migrants are often difficult to make as ‘mixed flows’ are more and more common (n1). Access to asylum has become more restricted with increasing electoral hostility towards asylum seekers in many nations. The ‘durable solutions’ of local integration in countries of first asylum, resettlement in a third country, and voluntary repatriation anticipated by the Refugee Convention have proven inadequate (n 43). New forms of forced displacement have developed and new issues have emerged. The guidelines note increasing numbers of internally displaced people, stateless people, trafficking in persons, and people smuggling as issues that have grown since the previous guidelines.

CONTENT OF THE GUIDELINES

The introductory section of the document explains the purpose of the guidelines and sets out the foundations of the Church’s love for refugees and other forcibly displaced persons.

Part One explains briefly the history of the Church’s pastoral care for people on the move and examines the fundamental principles that guide the pastoral care of refugees and other forcibly displaced persons. The dignity of the human person, the need for family, charity and solidarity, the need for cooperation, and the need for service that embraces the spiritual are emphasized.

Part Two examines a number of key concepts in the field of human mobility and the present state of affairs, especially in relation to stateless persons, internally displaced persons, trafficked persons and smuggled persons.

Part Three considers the rights and duties of forcibly displaced persons, and of states. It says that refugees and other forcibly displaced persons are entitled to enjoy the full range of human rights and fundamental freedoms, and that the right of States to regulate irregular immigration is contingent on respect for human rights.

Part Four gives concrete guidelines on some specific aspects of pastoral care of refugees and other forcibly displaced persons, for example integration into the local church, the role of catholic charitable organisations, and ecumenical and interreligious dimensions.

UNPACKING THE GUIDELINES

Our Motivations For Action

Paragraph numbers 8 to 14 set out the motivation or basis of the Church's love for refugees and other forcibly displaced persons. They spell out why we as Catholics care about these people and the issues they face.

They say that:

- the love of God and love of neighbor are inseparable (n 8);
- as sisters and brothers in Jesus we are one human family (n 9-10);
- the baptised belong to one another as the mystical body of Christ (n 11);
- we are all destined to be in communion with God (n 12);
- Jesus is present in refugees and other forcibly displaced people (n 13); and that
- Jesus, through the incarnation is united to every person (n 14).

Read and reflect on these paragraphs.

- Which of them spoke to your motivation to respond to the needs of forcibly displaced people?
- Does something else move you to act?
- How would you explain why you feel called to respond?

Foundational Principles

Paragraphs 25 to 37 spell out the fundamental principles that guide the church's response to forcibly displaced people. Read these paragraphs or simply focus on the quotes below.

Human dignity

"Every person is priceless, human beings are worth more than things, and the gauge of the values any institution holds is whether it threatens or enhances the life and dignity of the human person." (n 25)

The need for family

"... the Church has always called for the reunification of families separated by the flight of one or more of its members due to persecution. She knows that refugees and other forcibly displaced persons, too, like any other person, need a family for their proper growth and harmonious development." (n 27)

Charity

"Charity is the gift of God revealed in Jesus Christ: it is in this love that the Christian serves the neighbour (cf. Dce 18), for fraternal communion is born from the "word of God-who-is-Love" and this gift received from God is at the heart of "that force that builds community ... [and] brings all people together without imposing barriers or limits" (CIV 34)." (n 28)

Solidarity

"Solidarity, on the other hand, is the sense of common belonging, given already by human reason, that we all form one human family, in spite of our national, ethnic, and cultural differences, and that we are also dependent on each other." (n 28)

"Solidarity calls us to stand together especially with the poor and powerless." (n 29)

Cooperation

"Everyone has the responsibility to respond personally to the call to globalize love and solidarity and be a primary actor in this regard. Those who are powerful or influential need to feel responsible for the weaker and be ready to help them. The Catholic Church believes, in any case, that the effort towards international solidarity, "based on a broader concept of the common good, is the way which can guarantee everyone a truly better future. In order for this to happen, it is necessary for a culture of solidarity and interdependence to spread and deeply penetrate the universal conscience and in this way sensitise public authorities, international organizations and private citizens to the duty of accepting and sharing with those who are poorest". (n 31)

Spiritual service

"Although dealing respectfully and generously with their material problems is the first duty to be fulfilled, one must not forget their spiritual formation, through specific pastoral programmes which take into account their language and culture" (n 36)

- *How do these principles inform what I think and feel about forcibly displaced people? Do I experience confirmation or challenge?*
- *How might these principles guide the action of my school, parish or social justice group in relation to forcibly displaced people?*
- *Assess our government's immigration policies using these principles to spell out why you agree or disagree. Express your view in a letter to the editor or a reflection for a parish or school newsletter.*

Looking at the Bigger Picture

Paragraphs 38 to 55 introduce some of the concepts used in international humanitarian law in relation to human mobility. They place these concepts in the context of the international developments to which they responded.

Stateless persons do not have any citizenship and do not enjoy the protection of any state (n 49).

Internally displaced persons have been forced to flee their home or habitual place of residence but have not crossed an internationally recognized State border (n 50).

The Guidelines do not give the legal definition of trafficked persons but note that they have been deceived about their future activities and are no longer free to decide about their lives (n 52). It is seen as a new form of slavery.

People smuggling and trafficking are distinct but often linked. Smugglers are paid to arrange for people to enter irregularly into a country. In this process the smuggled people may lose control of their situation and end up being trafficked (n 55 – 56).

Read these paragraphs.

- Are these concepts used accurately in the immigration policy debate in our country?
- Does our domestic debate reflect our place in the global context?

Rights & Duties

Paragraphs 57 to 81 set out the Church's view of the rights of forcibly displaced people and of the State. The rights of States are not absolute but are conditioned by respect for human rights. The rights of people come before those of the State and should frame discussion of responses to forcible displacement. This is what the guidelines say:

"It is commonly accepted that States have the right to take measures against irregular immigration, with due respect for the human rights of all. At the same time it is necessary to keep in mind the essential difference between individuals fleeing political, religious, ethnic or other kinds of persecution and wars (these are refugees and asylum seekers) and those who are simply seeking to enter a country irregularly, as well as between "those who flee economic [and

environmental] conditions that threaten their lives and physical safety" and "those who emigrate simply to improve their position". (n 57)

"... in dealing with the problem of asylum seekers and refugees, "the first point of reference should not be the interests of the State or national security but the human person". This implies full respect for human rights as well as safeguarding the "need to live in community, a basic requirement of the very nature of human beings". (n 58)

- If the human person were the first point of reference, what would our immigration policy look like?
- How might human rights limit the State's freedom to act against irregular immigration?
- Do you understand the rights of States in the same way as these Guidelines do?

The Guidelines do not set out to systematically present all of the rights of refugees and other forcibly displaced persons - an extensive body of international humanitarian law does this. The Guidelines simply remind us that as persons, refugees and other forcibly displaced persons are entitled to the full range of human rights and fundamental freedoms. They highlight some key issues in paragraphs 60 to 75.

Here are some examples:

"Any person at a frontier, who has a well founded fear of persecution has the right of protection and should not be returned to his / her country, irrespective of whether or not they have been formally recognized as refugees. Refugees should be treated on the same level as citizens of the hosting country ..." (n 61)

"... they have the right of equal protection by the law, with freedom of thought, conscience and religion." (n 61)

"Families should enjoy personal and family privacy, and the possibility for family reunification in the country of asylum; earn a dignified livelihood with a just wage, live in dwellings fit for human beings; while their children should receive adequate education, as well as healthcare." (n 61)

"Regarding asylum seekers and other forcibly displaced persons found in danger at sea, in distress or in need of help, international conventions require that they be given assistance and conducted to a place of safety. Only after the person in distress has arrived in a place of safety, which might not be identified with the rescuing vessel, can his / her request for authorization to enter the country of arrival or request for asylum be examined. Care must be

taken that the principle of *non-refoulement* is respected also in these cases, which may involve the reality of mixed flows.

It would be opportune that the countries to which asylum seekers are attracted adopt a common strategy so that the countries of first arrival do not bear the full burden of the problem.” (n 64)

- [Do the laws and practice of our country honour the rights of forcibly displaced people? If not, what needs to change?](#)

Particular Issues

The Guidelines note the need for a clearer system of responsibility for internally displaced persons and a clearer understanding of the responsibility to protect i.e. the duty of others to intervene when a State fails to protect the human rights of people within its jurisdiction (n 69).

Turning to the plight of stateless persons, the Guidelines say:

“States should treat stateless persons living in their territory in accordance with international human rights law.” (n 70)

The Guidelines say that stricter immigration policies and tighter border controls are not sufficient to combat trafficking in persons and may endanger the lives of the victims (n 71). It is necessary to address root causes.

“Protection and programmes for victims require integrated policies, which emphasize their well-being and interest ... This could include offering residence permits beyond the duration of the legal process against traffickers. This also means services such as protection, socialization, counseling, psycho-social and medical support, and legal assistance.” (n 72)

Victims of trafficking may be subject to forced labour. Education and awareness raising, labour laws and regulation are needed. Consumers must also play a part:

“Consumers have to be aware of their responsibilities and the conditions under which certain products are cultivated or manufactured. Moreover, the introduction of trade labels and codes of conduct could promote decent labour conditions.” (n 74)

Trafficked children may also be used as child soldiers.

“Child soldiers (boys and girls) need to be part of disarmament, demobilization and reintegration (DDR) programs after a conflict, in order to offer them authentic integration that signifies affording these children the ability to support themselves. At the same time, local communities need to get involved in assisting them to come to terms with the serious human rights abuses that have often been committed against them and also by them, leading to their reintegration into the life of the community.” (n 75)

Conflicts are one of the main causes of forcible displacement. Early warning mechanisms, capacity building and training for peace, dialogue and collaboration between opposing groups are recommended (n 77 - 78).

The Guidelines say that reconciliation and the healing of memory should be promoted in post conflict situations:

“This requires communication and participation in a non-violent lifestyle, taking into account reparations in which individual and collective, symbolic and material forms of compensation are combined.” (n 79)

The international community needs to be involved and to address the root causes that force people to flee (n 80).

- [Are you aware of action on these issues by our government or community groups? How can your school, parish or social justice group get involved?](#)

Moving to Action

Paragraphs 82 to 124, set out specific guidelines for the pastoral care of forcibly displaced people. They emphasize the need to provide:

- Hospitality in parishes
- Spiritual as well as material care
- Formation for those who involved in this work
- Care that is sensitive to ecumenical and interreligious dimensions
- Opportunities for forcibly displaced persons to become agents of evangelization themselves.

Read and reflect on these paragraphs.

- [How might these guidelines inform the way in which your parish, school or social justice group takes action?](#)



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