

PONTIFICAL COUNCIL FOR THE PASTORAL CARE
OF MIGRANTS AND ITINERANT PEOPLE

PONTIFICAL COUNCIL
COR UNUM

WELCOMING CHRIST
IN REFUGEES AND FORCIBLY
DISPLACED PERSONS

Pastoral Guidelines

VATICAN CITY

2013

ACRONYMS AND ABBREVIATIONS

<i>AAS</i>	<i>Acta Apostolicae Sedis</i>
<i>CCC</i>	<i>Catechism of the Catholic Church</i> , 11 October 1992
<i>CiV</i>	BENEDICT XVI, Encyclical Letter <i>Caritas in veritate</i> , 29 June 2009
<i>CPM</i>	PONTIFICAL COMMISSION FOR THE PASTORAL CARE OF MIGRATION AND TOURISM, Letter to Episcopal Conferences <i>Church and People on the Move</i> , 4 May 1978
<i>Dce</i>	BENEDICT XVI, Encyclical Letter <i>Deus caritas est</i> , 25 December 2005
<i>EMCC</i>	PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, Instruction <i>Erga migrantes caritas Christi</i> , 3 May 2004
<i>EV</i>	<i>Enchiridion Vaticanum</i>
<i>ILO</i>	International Labour Organization
<i>O.R.</i>	<i>L'Osservatore Romano</i>
<i>POM</i>	PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, Review <i>People on the Move</i>
<i>Refugees</i>	PONTIFICAL COUNCIL COR UNUM and PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, <i>Refugees, a Challenge to Solidarity</i> , 1992
<i>UNHCR</i>	<i>The Office of the United Nations High Commissioner for Refugees</i>
<i>WDMR</i>	<i>Message for the World Day of Migrants and Refugees</i> (“ <i>World Migration Day</i> ” in earlier editions)

PRESENTATION

Pope Benedict XVI affirmed that love rises above any boundaries or distinction: *“The Church is God’s family in the world. In this family no one ought to go without the necessities of life. Yet, at the same time caritas-agape extends beyond the frontiers of the Church. The parable of the Good Samaritan remains as a standard which imposes universal love towards the needy whom we encounter by chance, whoever they may be”* (Dce 25). Motivated by the charity of Christ and His teaching: *“For I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me, naked and you clothed me, ill and you cared for me, in prison and you visited me”* (Mt 25:35-36), the Church offers her love and assistance to all forcibly displaced persons without distinction as to religion or background, respecting in each of them the inalienable dignity of the human person, made in the image of God.

For this reason, the Church’s commitment to migrants and refugees can be attributed to the love and compassion of Jesus, the Good Samaritan. By responding to the divine commandment and attending to the spiritual and pastoral needs of them, the Church not only promotes the human dignity of each human person, but also proclaims the Gospel of love and peace in situations of forced migration.

Pope Francis connected this to the Resurrection and our own attitude: *“Let us enable the power of his love to transform our lives too; and let us become agents of this mercy, channels through which God can water the earth, protect all creation and make justice and peace flourish”*. It means *“to change hatred into love, vengeance into forgiveness, war into peace. Yes, Christ is our peace, and through him we implore peace for all the world. That every act of violence may end, and above all for its people torn by conflict and for the many refugees who await help and comfort”*. Peace for those who *“have been forced to leave their homes and continue to live in fear. May disagreements be overcome and a renewed spirit of reconciliation grow... Peace in the whole world, wounded by the selfishness which threatens human life and the family, selfishness that continues in human trafficking, the most extensive form of slavery in this twenty-first century; Peace to this our*

Earth! Made the risen Jesus bring comfort to the victims of natural disasters and make us responsible guardians of creation.” (Easter Message of the Holy Father and Apostolic Blessing “Urbi et Orbi”, 31 March 2013)

In today’s world, migration has changed and is destined to increase in future decades. In the past it was much easier to distinguish between voluntary and forced migration, between those who moved away looking for a better job or education and those whose life was threatened by persecutions. But over the years the situation has become more complex and consequently the protection awarded to refugees has been extended to other groups, such as people fleeing from war.

In Africa and Latin America, despite the fact that broader concepts of refugees were adopted, some groups were left out, like those whose human rights were violated but never left their own country. These internally displaced persons also needed protection. But only after a better understanding of their situation and condition were they included in appropriate programmes. New challenges arose with the victims of human trafficking. There are on-going discussions in order to delegate responsibilities to agencies concerning migration policies for the consequences of climate-induced migration and internally displaced persons because of natural calamities. They obviously need the protection of the international community.

The obligations to respect the rights and duties originating from international legal instruments with their standards contribute towards the dignity of those on the move, asylum seekers and refugees. They are to be provided with due process, fair trial, and basic rights necessary for them to live a free, dignified and self-reliant life and to be able to build this new life in another society. The human person is put in at the centre of attention. This is in line with the convictions and the concern of the Roman Catholic Church on the dignity of the human person. Already in 1963, the Encyclical *Pacem in Terris* stated: “*We see that every man has the right to life, to bodily integrity, and to the means which are suitable for the proper development of life; these are primarily food, clothing, shelter, rest, medical care, and finally the necessary social services*”.

Throughout history, the Church has been close to people on the move in many different ways. Several projects and services gave direct assistance by providing them with accommodation, food, health care and reconciliation programmes, as well as various forms of advocacy. The goal of these interventions of the Church is to offer an opportunity for refugees, internally displaced persons and victims of human trafficking to reach their human dignity by working productively and assuming the rights and duties of the hosting country and never forgetting to nurture their spiritual life.

Hence, the document is fruit of a theological and pastoral research, whereby the Church considered migration to be a missionary field, where the Good News should be witnessed. The call of the Church is to witness and proclaim in these circumstances the meaning of God's love in Jesus Christ for every person, to remain faithful through its ministry to its call and interpret the signs of the times.

Pope Benedict XVI sums it up when he says: "*The Church cannot neglect the service of charity any more than she can neglect the Sacraments and the Word*" (*Dce*, no. 22).

The purpose of this document is to direct and raise renewed awareness to the various forms of forced migration and the challenges as a community in welcoming them, showing compassion, treating them fairly which are just a few simple steps to take, yet offer them hope for the future. It is necessary to seek out innovative solutions, through new and profound research, and defend the dignity of all those who are forced to leave their homes. It represents forms of renewal that will bring us closer to God by listening to His voice in Sacred Scriptures, in the Magisterium of the Church and in every human being, created "*in the image and likeness of God*" (*Gen* 1:27-28). May this open our eyes to discover traces of God's presence in every forcibly displaced person.

As an update to the joint publication of the 1992 "*Refugees, A Challenge to Solidarity*", this document will serve as guidelines for the Pastors of the Church, those Catholic organizations involved in the various programs of assistance and support for refugees and forcibly displaced persons, all the faithful, and all men and women of good will

who are open to listen to the voice of the Church. May this help them build the “*one family of brothers and sisters in societies that are becoming ever more multiethnic and intercultural*” (*Message for the World Day of Migrants and Refugees 2011*), while “*acting justly, loving tenderly and walking humbly with God*” (*Micah 6:8*).

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INTRODUCTION

1. The phenomenon of human mobility today oftentimes entails suffering due to the inevitable uprooting from one's own country. Every person has "*the right not to emigrate, that is, the right to live in peace and dignity in one's own country*".¹ Yet, there are those who are forced to move due to persecution, natural calamities, environmental disasters, or other factors causing extreme difficulties including danger for their life. Others decide to leave their homeland because they can no longer afford to live with dignity there, while there are those who simply want to find better life opportunities abroad.

There is, therefore, a difference between migrants and refugees or asylum seekers. This must be maintained although there are "mixed" migration flows, in which it becomes difficult to distinguish between classically-defined asylum seekers, those in need of other kinds of protection or aid, and those who simply take advantage of the migration flow.

Refugees and other persons who have been forcibly driven away from their homelands have always challenged Christian communities not only to recognize Christ in the stranger and the needy, but also to welcome him, which means "*to make a commitment to securing authentic integral human development inspired by the values of charity and truth*" (*CiV* 67).² The Christian faithful and organizations have taken to heart the scene of the Last Judgment and striven to put its message into action in many tangible ways during the past two millennia (cf. *Mt* 25: 31-46).³

¹ JOHN PAUL II, *WDMR* 2004, no. 3: *O.R.*, Weekly Edition in English, 31 December 2003, 3.

² BENEDICT XVI, Encyclical Letter *Caritas in veritate*, 29 June 2009: *AAS* CI (2009) 641-709.

³ The version of the Holy Bible used as reference throughout the whole document is the *New American Bible* published by the United States Conference of Catholic Bishops in 1970, partly revised in 1986 (The New Testament) and in 1991 (The Book of Psalms).

2. Having left behind what has been defined the “century of refugees”, we can affirm that the service of the Church has made a positive impact on the lives of millions of these marginalized and despised people. As the new millennium begins, the need for the Church’s specific pastoral contribution in favour of refugees and other forcibly displaced persons is more necessary than ever. While statistics on the refugee population may increase or decrease, the conditions that produce forced migration have, in fact, multiplied rather than diminished.
3. The Church has the duty and the responsibility to take the Gospel to the ends of the earth. In the person of Jesus Christ, the Kingdom of God has been made visible and tangible to humankind and, by their words and deeds, Christians continue to proclaim the good news of salvation, particularly to the poor. Undoubtedly, among the most abandoned of the poor are refugees and other forcibly displaced persons. Very often, through the Gospel-inspired action of Church-related Agencies or even of individuals, done with great generosity and personal sacrifice, people come to know of Christ’s love and the transforming power of his grace in these situations which, in themselves, are very frequently desperate.
4. The Kingdom of God is indeed present in our world (cf. *Lumen Gentium* 3 and 5), but Christ’s disciples have the duty and the grace of spreading it to all nations (cf. *Mt* 28:19-20) until the *parousia*, when God will be all in all (cf. *1 Co* 15:28). Up to that time we must be instruments of the Kingdom’s growth from a tiny mustard seed into a large tree (cf. *Mt* 13:31-32). Consequently, it will be possible to overcome evil with good and division with reconciliation, until the time when the Lord will come in glory. In fact, “*according to his promise we await new heavens and a new earth in which righteousness dwells*” (*2 Pt* 3:13).
5. In the meantime, the Church is guided in her commitment to refugees and other forcibly displaced persons essentially by the Sacred Scripture, the Tradition and the Magisterium, and for what concerns social matters, by the “permanent principles” of her Social Doctrine that “*constitute the very heart of Catholic social teaching. These are the principles*

of: the dignity of the human person ... which is the foundation of all the other principles and content of the Church's social doctrine; the common good; subsidiarity; and solidarity".⁴ If this God-given and great dignity of the human person is violated, then all members of the Body of Christ suffer and are accordingly called to see, act and correct this evil and sin.

6. Pope Benedict XVI states that, "*charity is at the heart of the Church's social doctrine*" (*CiV* 2). This supernatural gift, which is "*the principal driving force behind the authentic development of every person and of all humanity*" (*Ibid.* 1), impels Christians to get actively involved in caring for the vulnerable, so that, uniting their efforts with those of other men and women of good will, they may help in finding a solution to the miserable situation in which they live.

7. Through this Document, we hope to make all Christians, pastors and faithful alike, aware of their duties as regards refugees and other forcibly displaced persons. We call on each one of them to be the arms of the Church in attending constantly to the aforementioned people's sufferings and needs, both spiritual and material.⁵

We also feel it imperative to invite the ecclesial community as a whole to seriously take its responsibility in this regard by providing

⁴ PONTIFICAL COUNCIL FOR JUSTICE AND PEACE, *Compendium of the Social Doctrine of the Church*, 2 April 2004, art. 160, Libreria Editrice Vaticana, Vatican City 2004, 91; cf. JOHN XXIII, Encyclical Letter *Pacem in Terris*, 11 April 1963, Part I: *AAS* LV (1963) 259-269; SECOND VATICAN ECUMENICAL COUNCIL, Dogmatic Constitution on the Church *Lumen Gentium*, 21 November 1964, nos. 1, 7 and 13: *AAS* LVII (1965) 5, 9-11, 17-18; ID., Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, 7 December 1965, Proemio, nos. 22, 30-32: *AAS* LVIII (1966) 1025-1027, 1042-1044, 1049-1051; ID., Decree on the Apostolate of the Laity *Apostolicam Actuositatem*, 18 November 1965, no. 14: *AAS* LVIII (1966) 850; PONTIFICAL COUNCIL *COR UNUM* and PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Refugees, a Challenge to Solidarity*, 1992: *EV* 13 (1991-1993) 1019-1037; PONTIFICAL COMMISSION FOR JUSTICE AND PEACE, *Self-Reliance: compter sur soi*, 15 May 1978: *EV* 6 (1977-1979) 510-563; PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Instruction Erga migrantes caritas Christi*, 3 May 2004, nos. 9, 11, 29-30: *AAS* XCVI (2004) 766, 768, 777.

⁵ BENEDICT XVI, Encyclical Letter *Deus caritas est*, 25 December 2005, no. 21-22: *AAS* XCVIII (2006) 234-235.

an organized and orderly service to forcibly displaced persons.⁶ This Document serves also as an invitation to collaborate with, and on the part of, the entire International Community, without which it would be difficult, if not impossible, to give a durable solution to the serious questions that are dealt with herein.

THE CHURCH'S LOVE FOR REFUGEES AND OTHER FORCIBLY DISPLACED PERSONS

A sign of love

8. “If anyone says, «I love God» and hates his brother, he is a liar; for he who does not love his brother whom he has seen, cannot love God whom he has not seen” (1 Jn 4:20). Pope Benedict XVI explains this “*unbreakable bond between love of God and love of neighbour*” saying that, “*to say that we love God becomes a lie if we are closed to our neighbour or hate him altogether. ... Love of neighbour is a path that leads to the encounter with God, and ... closing our eyes to our neighbour also blinds us to God*” (Dce 16).

Humankind, one family

9. “The preaching and mediation between the different cultures and the Gospel which Paul, «a migrant by vocation», carried out”,⁷ prompted him to assert, at the Areopagus in Athens, that “God who made the world and all that is in it ... made from one the whole human race to dwell on the entire surface of the earth” (Acts 17:24,26). This implies that “because of its common origin the human race forms a unity” (CCC 360). Further on in his discourse, Saint Paul affirmed that all human beings have their being in God “as even some of your poets have said, «For we too are his offspring» ... therefore we are the offspring of God...” (Acts 17:28-29).

10. Humankind, therefore, is one family; hence all men and women are brothers and sisters in humanity and are also destined to be so, by

⁶ Cf. *Ibid.*, no. 20.

⁷ Cf. *Id.*, WDMR 2009: O.R., 9 October 2008, 10.

grace, in the Son of God, Jesus Christ. From this perspective, we can say that refugees, migrants, people on the move and local populations all form a single family. Hence, human solidarity and charity must not exclude any person, culture or people (cf. CCC 361). Those who are most vulnerable are not simply people in need for whom we are graciously doing an act of solidarity, but are members of our family with whom we are duty-bound to share the resources that we have.

The Mystical Body of Christ

11. Those who are baptized belong to one another in a way that is even closer than the ties existing among the members of a human family because they form part of one Body, as St. Paul wrote to the Corinthians, “*now you are Christ’s body, and individually parts of it*” (1 Co 12:27). “*As a body is one though it has many parts, and all the parts of the body, though many, are one body, so also Christ. For in one Spirit we were all baptized into one body*” (1 Co 12:12-13).

One Bread, one Body

12. Furthermore, “*in sacramental communion I become one with the Lord, like all the other communicants ... Union with Christ is also union with all those to whom he gives himself. I cannot possess Christ just for myself; I can belong to him only in union with all those who have become, or who will become, his own ... We become «one body», completely joined in a single existence. Love of God and love of neighbour are now truly united: God incarnate draws us all to himself*” (Dce 14). This is the destiny towards which God is calling the whole humankind, recapitulating all things in Christ (cf. Eph 1:10).

Jesus Christ present in refugees and other forcibly displaced persons

13. In the Gospel of Matthew, the evangelist narrates the scene of the Last Judgment. Those who will be invited to enter the kingdom of God will ask: “*Lord, when did we see you hungry and feed you, or thirsty*

and give you drink? When did we see you a stranger and welcome you, or naked and clothe you? When did we see you ill or in prison, and visit you?” (Mt 25:37-39). The answer will be: “Whatever you did for one of these least brothers of mine, you did for me” (Mt 25:40). Likewise those who will be sent away will ask: “Lord, when did we see you hungry or thirsty or a stranger or naked or ill or in prison, and not minister to your needs?” (Mt 25:44). They will receive this reply: “What you did not do for one of these least ones, you did not do for me” (Mt 25:45).

14. In fact, by his Incarnation, Christ has in some way united himself to every person (cf. CCC 618), whether or not one is aware of this. Christ will consider done to himself the kind of treatment that is reserved to any human person, in particular, to the least among them, the stranger (cf. EMCC 15).

Pope John Paul II recalls this when he reminded the Council Members of the International Catholic Migration Commission of their mission: *“I wish to invite you to an ever deeper awareness of your mission: to see Christ in every brother and sister in need, to proclaim and defend the dignity of every migrant, every displaced person and every refugee. In this way, assistance given will not be considered an alms from the goodness of our heart, but an act of justice due to them”*.⁸ This is the vision that guides the Church in what she does in favour of the strangers of our times, refugees, internally displaced people and all forcibly displaced persons.

⁸ JOHN PAUL II, *Address to the Participants in the Assembly of the Council of the ICMC*, 12 November 2001, nos. 2-3: O.R., Weekly Edition in English, 21 November 2001, 4.

PART ONE

THE CHURCH'S MISSION IN FAVOUR OF FORCIBLY DISPLACED PERSONS

15. In the Church, no one is a stranger because she embraces “every nation, race, people, and tongue” (Rv 7:9). In this regard, Pope John Paul II affirmed that, “The Church’s unity does not stem from her members having an identical national or ethnic origin but from the Spirit of Pentecost, who makes all nations a new people whose goal is the kingdom, whose condition is the freedom of sons and daughters, and whose statute is the law of love (cf. *Lumen Gentium*, no. 9)”⁹

For this reason the Church, sign and instrument of communion with God and unity among all persons, feels closely involved in the evolution of society of which mobility has become a striking feature,¹⁰ and is called to proclaim the Gospel of love and peace also in situations of forced migration.

16. Refugees and other forcibly displaced persons have been, are and will always be in the heart of the Church. She expressed and showed this on numerous occasions especially during the last century (cf. *EMCC* 20-33). Already in 1949, Pope Pius XII manifested his anxiety for the Palestinian refugees in his Encyclical Letter *Redemptoris Nostris*.¹¹ Three years later, in 1952, he issued the Apostolic Constitution *Exsul Familia*,¹² considered as the *magna charta* of the pastoral care of migrants and refugees. In 1963, Pope John XXIII drew attention again to the suffering and the rights of refugees in his Encyclical Letter *Pacem*

⁹ JOHN PAUL II, *WDMR* 1992, no. 6: O.R., Weekly Edition in English, 5 August 1992, 4; cf. *EMCC* no. 16, *l.c.*, 771.

¹⁰ Cf. PONTIFICAL COMMISSION FOR THE PASTORAL CARE OF MIGRATION AND TOURISM, Letter to Episcopal Conferences *Church and People on the Move*, 4 May 1978, no. 8: *AAS* LXX (1978) 362, and *EMCC*, nos. 1 and 12, *l.c.*, 762, 768-769.

¹¹ PIUS XII, Encyclical Letter *Redemptoris Nostris*, 15 April 1949: *AAS* XLI (1949) 161-164.

¹² ID., Apostolic Constitution *Exsul Familia*, 1 August 1952: *AAS* XLIV (1952) 649-704.

in Terris (nos. 103-108). The Second Vatican Ecumenical Council and following interventions of the Magisterium¹³ dealt with this phenomenon, considered as a sign of the times, through a number of specific pastoral responses.

17. Finally, in 1970, Pope Paul VI instituted the “*Pontifical Commission for the Pastoral Care of Migration and Tourism*”, which became the Pontifical Council for the Pastoral Care of Migrants and Itinerant People in 1988, with the issuance of the Apostolic Constitution *Pastor Bonus*. The said Council was entrusted, among others, with the pastoral care of all those “*who have been forced to abandon their homeland, as well as those who have none*”.¹⁴

In 1971, “*prompted by the duty of charity to encourage the whole human family along the path of sincere and mutual solidarity*”,¹⁵ Pope Paul VI established the Pontifical Council *Cor Unum* giving it the function “*to stimulate the Christian faithful, as participants in the mission of the Church, to give witness to evangelical charity and to support them in this concern; to foster and coordinate the initiatives of Catholic organizations that labour to help peoples in need ...; [and] to give serious attention and promote plans and undertakings for joint action and neighbourly help serving human progress*”.¹⁶ Pope Benedict XVI defined the Pontifical Council *Cor Unum* as “*the agency of the Holy See responsible for orienting and coordinating the organizations and charitable activities promoted by the Catholic Church*” (*Dce* 32).

18. In 1981, just a few years after the beginning of his pontificate, Pope John Paul II asserted that what the Church undertakes in favour of refugees is an integral part of her mission in the world.¹⁷

¹³ Cf. SECOND VATICAN ECUMENICAL COUNCIL, Pastoral Constitution *Gaudium et Spes*, no. 4, 27, 84, *l.c.*, 1027-1028, 1047-1048, 1107-1108 and, *e.g.*, BENEDICT XVI, *WDMR* 2006: O.R., Weekly Edition in English, 16 November 2005, 2; *EMCC*, Part I.

¹⁴ JOHN PAUL II, Apostolic Constitution on the Roman Curia *Pastor Bonus*, 28 June 1988, Art. 149: *AAS* LXXX (1988) 899.

¹⁵ PAUL VI, Pontifical Letter *Amoris Officio*, 15 June 1971: *AAS* LXIII (1971) 669.

¹⁶ JOHN PAUL II, Apostolic Constitution *Pastor Bonus*, Art. 146, *l.c.*, 898.

¹⁷ Cf. JOHN PAUL II, *Speech at the Refugee Camp in Morong, Philippines*, 21 February 1981, no. 3: O.R., 22 February 1981, 3.

On his part, Benedict XVI spoke in favour of refugees barely a month after his election as Supreme Pontiff in April 2005, on the occasion of the celebration of World Refugee Day, promoted by the United Nations every 20th June. He emphasized “*the strength of spirit demanded of those who have to leave everything, sometimes even their family, to escape grave problems and dangers*”.¹⁸ The Christian community, which “*feels close to all who are experiencing this painful condition*”, tries its best “*to encourage*” and show them “*its interest and love*”.¹⁹ This is done through “*concrete gestures of solidarity so that everyone who is far from his own country will feel the Church as a homeland where no one is a stranger*”.²⁰

A PASTORAL CARE BORN FROM THE PROCLAMATION OF THE GOSPEL

19. All throughout the history of salvation, already in some pages of the Old Testament, it is imperative that foreigners be welcomed (cf. *Lv* 19:34; *Dt* 24:17-22), although there was some fear that relations with foreigners might lead to a loss of religious purity and, consequently, of national identity (cf. *Dt* 7:3; 13:6-9).

20. Nonetheless, foreigners were to be treated in the same way as Israelites (cf. *Lv* 19:34 and *Dt* 1:16; 24:17; 27:19). Justice, as obedience

¹⁸ BENEDICT XVI, *Angelus*, 19 June 2005: O.R., Weekly Edition in English, 22 June 2005, 1.

¹⁹ *Ibid.*

²⁰ *Ibid.* On a similar occasion the following year, Pope Benedict stated “*the hope that the rights of these people will always be respected*”: *Angelus*, 18 June 2006. He also expressed the “*heartfelt wish that these brothers and sisters of ours ... may be guaranteed asylum and the recognition of their rights*” and invited “*the leaders of Nations to offer protection to those who find themselves in such delicate situations of need*”: *Appeal at the General Audience*, 20 June 2007. The Supreme Pontiffs speak on behalf of the forcibly displaced persons not only on the occasion of the World Refugee Days promoted by the United Nations, but also and especially through their annual Messages for the Catholic celebration of the World Day of Migrants and Refugees. This fortunate tradition dates back to the beginning of the XX century, even though at that time the Messages had not yet acquired a universal dimension. However, Paul VI pointed out that “*it is not enough to recall principles, state intentions, point to crying injustice and utter prophetic denunciations; these words will lack real weight unless they are accompanied for each individual by a livelier awareness of personal responsibility and by effective action*”: Apostolic Letter *Octogesima Adveniens*, 14 May 1971, no. 48: *AAS* LXIII (1971) 437-438.

to the divine law, was the basis of the concern for them and for those who were vulnerable, like the poor, the widows, and the orphans. They were often subject to oppression, exploitation and discrimination. The Israelites were therefore frequently reminded of God's particular concern for the weak (cf. *Ex* 22:21-22; *Dt* 10:17-19), and ordered not to molest them (cf. *Ex* 22:20; *Jr* 7:6). They were not to be abused (cf. *Dt* 24:14).

21. Jesus Christ is the point of reference for our pastoral care since, with His life, He has taught us the nature of charity, giving all of Himself (cf. *Jn* 15:12-15). In this, Christ had special concern for the little ones and the poor, including foreigners and the "unclean", such as lepers. His healing was both physical and spiritual (cf. *Mt* 9:1-8). The New Testament has left us a marvellous synthesis of Christ's work in which we, too, are called to participate as shown in the Parable of the Good Samaritan (cf. *Lk* 10: 25-37).

22. When Jesus Christ identified himself with the stranger, He shed light on what the Christian way of considering and dealing with the stranger should be. "*In «foreigners», the Church sees Christ who «pitches His tent among us» (cf. Jn 1:14) and ... «knocks at our door» (cf. Rv 3:20)» (EMCC 101).*

23. For the early Christian community, welcome and hospitality became a fundamental attitude and a relevant practice.²¹ When travelling to spread the Gospel, Christians depended on welcome and hospitality they received. Sometimes this was planned (cf. *Acts* 18:27; *Phm* 22), or offered spontaneously (cf. *Acts* 16:15). Inspired by Luke 14:12-14, hospitality was extended to the poor. Hence, welcome, compassion and equal treatment were all distinctive elements of Christian practice.

²¹ Cf. EMCC, note 11, *l.c.*, 771, citing CLEMENT OF ROME, *Letter to the Corinthians*, X-XII: PG 1, 228-233; *Didaché*, XI, 1; XII, 1-5, ed. F.X. FUNK, 1901, 24, 30; *Apostolic Constitutions*, VII, 29, 2, ed. F.X. FUNK, 1905, 418; JUSTIN, *Apologia* I, 67: PG 6, 429; TERTULLIAN, *Apologeticum*, 39: PL 1, 471; ID., *De praescriptione haereticorum*, 20: PL 2, 32; AUGUSTINE, *Sermo* 103, 1-2, 6: PL 38, 613-615.

As people of their time and place, they respected the existing social order, although they did not fail to make appeals for slaves to be treated as brothers (cf. *Phm* 16-17). This was an important attitude that eventually transformed society.

24. Following the course of history, structures for the practice of hospitality were set up – for example, shelters for travellers and hospitals for sick pilgrims – without forgetting to help the local poor. Special homes for widows and the needy were also made. Gradually, care for them evolved and was institutionalised. With the succeeding generations, attention for those in need of assistance – among them migrants, refugees and itinerant people – underwent changes in form, but care for them has always remained an essential component of Christianity.

SOME FUNDAMENTAL PRINCIPLES IN THIS PASTORAL CARE

Human and Christian dignity

25. God's revelation in Christ and the Church assigns a central role to the significance of the dignity of the individual person,²² including political refugees, displaced and trafficked people. This is based on the conviction that all people are created in the image of God (cf. *Gn* 1:26-27). In fact this is the basis of the Christian vision of society according to which “*individual human beings are the foundation, the cause and the end of every social institution*”.²³ 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.

26. The Encyclical Letter *Pacem in Terris* stated that “*every man has the right to life, to bodily integrity, and to the means which are suitable for the proper*

²² Cf. JOHN XXIII, Encyclical Letter *Mater et Magistra*, 15 May 1961, no. 220: *AAS* LVIII (1961) 453; SECOND VATICAN ECUMENICAL COUNCIL, Pastoral Constitution *Gaudium et Spes*, no. 66, *l.c.*, 1087-1088.

²³ JOHN XXIII., Encyclical Letter *Mater et Magistra*, no. 219, *l.c.*, 453; cf. *EMCC* nos. 40-43, *l.c.*, 783-785.

development of life; these are primarily food, clothing, shelter, rest, medical care, and finally the necessary social services” (no. 11).

It can be deduced that if a person does not enjoy a humane life in his/her country, he or she has the right, under certain circumstances, to move elsewhere,²⁴ since every human person has an inherent dignity which should not be threatened. “*The Magisterium has likewise always denounced social and economic imbalances that are, for the most part, the cause of migration, the dangers of an uncontrolled globalisation in which migrants [in general] are more the victims [rather] than the protagonists of their migration”* (EMCC 29).

In any case, “*every migrant is a human person who, as such, possesses fundamental, inalienable rights that must be respected by everyone and in every circumstance”* (CiV 62).

The need for a family

27. At the same time, 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. In fact, in his Message for the World Day of Migrants and Refugees in 2007, Benedict XVI remarked: “*I feel it my duty to call your attention to the families of refugees, whose conditions seem to have gone worse in comparison with the past, also specifically regarding the reunification of family nuclei. ... Everything must also be done to guarantee the rights and dignity of the families and to assure them housing facilities according to their needs”*.²⁵

²⁴ Cf. EMCC no. 21, *l.c.*, 773: “*Later on the Second Vatican Council worked out important directives for this particular pastoral work. It called on Christians in particular to be aware of the phenomenon of migration (cf. GS 65 and 66) and to realise the influence that emigration has on life. The Council reaffirmed the right to emigrate (cf. GS 65), the dignity of migrants (cf. GS 66), the need to overcome inequalities in economic and social development (cf. GS 63) and to provide an answer to the authentic needs of the human person (cf. GS 84). On the other hand the Council recognised the right of the public authorities, in a particular context, to regulate the flow of migration (cf. GS 87)”*; cf. *Ibid.*, note 17, *l.c.*, 773.

²⁵ BENEDICT XVI, *WDMR 2007*, 18 October 2006: O.R., Weekly Edition in English,

Charity, solidarity and assistance

28. 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).

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. This implies a responsibility: we are indeed our brothers’ and sisters’ keepers, wherever they live. Openness to the needs of others includes our relationship to the foreigner, who can be rightly considered as “*God’s messenger who surprises us and interrupts the regularity and logic of daily life, bringing near those who are far away*” (*EMCC* 101).

Pope John Paul II affirmed that solidarity “*is undoubtedly a Christian virtue ... It has been possible to identify many points of contact between solidarity and charity, which is the distinguishing mark of Christ’s disciples (cf. Jn 13:35). In the light of faith, solidarity seeks to go beyond itself, to take on the specifically Christian dimension of total gratuity, forgiveness and reconciliation*”.²⁶ Hence, the concept opens itself to charity, which includes God’s grace. Pope Benedict XVI describes charity as “*an extraordinary force which leads people to opt for courageous and generous engagement in the field of justice and peace. It is a force that has its origin in God*” (*CiV* 1).

29. Solidarity calls us to stand together especially with the poor and powerless. Therefore “*welcoming refugees and offering them hospitality is for everyone a rightful gesture of human solidarity, so that they do not feel isolated as a*

13 December 2006, 7; cf. PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Plenary Session on the Theme “The migrant family”*, 13-15 May 2008: POM 107 (2008).

²⁶ JOHN PAUL II., Encyclical Letter *Sollicitudo rei socialis*, 30 December 1987, no. 40: *AAS* LXXX (1988) 568.

result of intolerance and indifference".²⁷ This applies to meeting both immediate and long-term needs.²⁸

For their part, refugees must have "*a respectful behaviour and openness towards the host country*"²⁹ and be faithful in the observance of its laws. To assist in this process, "*pastoral workers with competence in cultural mediation are called upon to help bridge the legitimate requirements of order, legality and social security with the Christian vocation to welcome others with practical expression of love*".³⁰

A call for international cooperation

30. Through the centuries, the Church has manifested God's love towards humankind. Today in an increasingly interdependent world, this testimony, which is ever ancient and ever new, remains her task and must acquire global dimensions.

31. 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*

²⁷ BENEDICT XVI, *Appeal at the General Audience*, 20 June 2007, *l.c.*

²⁸ Cf. JOHN PAUL II, *Speech to the participants in the Third World Congress on the Pastoral Care of Migrants and Refugees*, Vatican City, 5 October 1991, no. 3 – O.R., Weekly Edition in English, 14 October 1991, 9: "*The long-term planning of policies which promote solidarity must be accompanied by attention to the immediate problems of migrants and refugees who continue to press against the borders of the nations which enjoy a high level of industrial development ... It will be necessary to abandon a mentality in which the poor – as individuals and as peoples – are considered a burden, as irksome intruders ... The advancement of the poor constitutes a great opportunity for the moral, cultural and even economic growth of all humanity ... it is not enough ... to open one's doors ... and allow them to enter; one must also make it easier for them to become a real part of the society which receives them. Solidarity must become a daily experience of assistance, sharing and participation*".

²⁹ *Refugees*, no. 26, *l.c.*, 1033.

³⁰ *EMCC*, no. 42, *l.c.*, 784. Cf. the whole Section of the Instruction on "Welcome and Solidarity", nos. 39-43, *l.c.*, 783-785.

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".³¹

32. Aware of the gravity of the refugee situation and the inhuman conditions in which many of them live, the Church, over and above her own commitment, considers it her task to make public opinion aware of this serious issue. She strongly believes that this tragic situation cannot and should not persist.

In fact, John Paul II said that, "*every situation in which human persons or groups are obliged to flee their own land to seek refuge elsewhere stands out as a serious offence to God. ... The dramatic plight of refugees demands that the international community do everything possible not only to treat the symptoms, but first of all to go to the root of the problem: in other words, to prevent conflicts and promote justice and solidarity in every context of the human family*".³² All this is also applicable to other forcibly displaced persons.

33. The Church insists on the protection of human rights also of internally displaced persons. This "*requires the adoption of specific and appropriate juridical instruments and of mechanism of coordination on the part of the international community, whose legitimate interventions cannot be considered as violations of national sovereignty*".³³

34. In 2001, the Holy See once more appealed for global responsibility towards refugees at a Ministerial Conference of 140 Signatory States of the 1951 Convention on the Status of Refugees. The Holy See Representative affirmed that, "*our task is to make solidarity a reality. It implies acceptance and recognition of the fact that we, as one human family, are interdependent. It calls us to international cooperation in favour of the poor and*

³¹ JOHN PAUL II, *Speech to the participants in the Third World Congress on the Pastoral Care of Migrants and Refugees*, no. 3, *l.c.*

³² JOHN PAUL II, *Angelus*, 15 June 2003: O.R., Weekly Edition in English, 18 June 2003, 1-2.

³³ *Refugees*, no. 21, *l.c.*, 1031.

powerless as our own brothers and sisters. ... Effective responsibility and burden sharing among all States is therefore indispensable to promote peace and stability. This should be an inspiration for the human family of nations to reflect on the challenges of today and find the required solutions in a spirit of dialogue and mutual understanding. Our generation and future generations demand this, so that refugees and internally displaced persons will benefit from it'.³⁴

A spiritual service

35. In 1992, echoing the voice of the Popes, the Pontifical Council for the Pastoral Care of Migrants and Itinerant People, jointly with the Pontifical Council *Cor Unum*, published a Document, entitled *Refugees, a Challenge to Solidarity*. The publication states that “*the Church offers her love and assistance to all refugees without distinction*” (no. 25), and to carry this out, “*the responsibility to offer refugees hospitality, solidarity and assistance lies first of all with the local Church. She is called on to incarnate the demands of the Gospel, reaching out without distinction towards these people in their moment of need and solitude. Her task takes on various forms: personal contact; defence of the rights of individuals and groups; the denunciation of the injustices that are at the root of this evil; action for the adoption of laws that will guarantee their effective protection; education against xenophobia; the creation of groups of volunteers and of emergency funds; pastoral care*” (no. 26).

36. In the preceding year, Pope John Paul II called to mind the various dimensions that characterize the Church’s mission towards migrants and refugees as follows: “*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*”.³⁵

³⁴ HOLY SEE REPRESENTATIVE, *Statement at the Ministerial Conference of 140 Signatory States of the Convention of 1951 on the “Status” of Refugees and its Protocol 1967*, Geneva, 12 December 2001 : O.R., 16 December 2001, 2.

³⁵ JOHN PAUL II, *Speech to the participants in the Third World Congress on the Pastoral Care on Migrants and Refugees*, no. 4, *l.c.*

37. Therefore, in her service of charity to migrants, refugees, internally displaced and trafficked people, the Church constantly attends to their sufferings and material needs, without forgetting other necessities. Since the time of the Apostles, in fact, it has always been clear that the social service of the Church is certainly concrete, yet at the same time it is spiritual (cf. *Dce* 21). This is precisely why the present Document wants to be highly pastoral in nature. It broadly describes the present situation and future prospects of refugees and other forcibly displaced persons in order to offer a pastoral response to their needs, their dreams and their hopes.

PART TWO

REFUGEES AND OTHER FORCIBLY DISPLACED PERSONS

CONCEPTS AND PRESENT STATE OF REFUGEES

38. Refugees belong to all times. Throughout history, people have looked for protection by fleeing from situations of persecution and many countries have developed a tradition of granting asylum to refugees. A whole series of treaties, their extensions, as well as organizations have shaped the international legislation in favour of refugees.

39. The main and extensively accepted international instrument for the protection of refugees is the Convention relating to the Status of Refugees.³⁶ It contained both a geographical and a time clause, which were later removed by the 1967 Protocol. The Office of the United Nations High Commissioner for Refugees (UNHCR), already established on 1 January 1951, was given, among other tasks, the supervisory role. It later received the mandate to extend its protection activities to specific categories of people who were not covered by the previous instruments, such as stateless persons,³⁷ returnees, and certain groups of internally displaced persons. Over the years, various concepts related to the protection of refugees were introduced: among them that of *prima facie* determination on a group basis in situations of mass

³⁶ The Convention Relating to the Status of Refugees, adopted on 28 July 1951, art 1-A2, defines a refugee as one who “*as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it*”.

³⁷ A stateless person is one “*who is not considered as a national by any State under the operation of its law*”: 1954 Convention relating to the Status of Stateless Persons, 28 September 1954, art 1.

influxes, and that of temporary protection. The aforementioned Convention and its additional Protocol, however, did not include people who were fleeing civil war, generalized violence or massive violation of human rights. Thus, regional instruments were subsequently developed to address these situations.³⁸

Restrictive measures of asylum and enduring solutions

40. Since the mid-1980s, attitudes towards asylum seekers have changed in industrialised countries where increasing numbers were arriving, though the overall majority stayed in the home region. A downward trend in recognizing the refugee status had started to emerge, with the introduction of restrictive measures, such as visa requirements and carrier sanctions and opposition to the encouragement of independent living and working. Smugglers and traffickers benefited from this situation by “assisting” people in entering economically advanced countries.

41. The debate concerning asylum seekers, unfortunately, also became a forum for political and administrative election purposes, which fed hostile and aggressive attitudes among the electorate. This attitude had negative effects on the refugee policies of developing countries, which deemed that their sharing the burden of the social and economic costs connected with those who were reaching their countries was not sufficiently faced by the International Community. It resulted in a

³⁸ These include the Convention of the Organization of African Unity of 10 September 1969, that regulates the specific aspects of refugee problems in Africa, in addition to containing elements of the 1951 Convention and the 1967 Protocol, and expands the definition of refugee to “*every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality*”. The Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama on 22 November 1984, addresses the situation of Central America, and recommends the inclusion of those “*who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order*”.

diminution of hospitality and agreement to receive considerable refugee populations for an indefinite period of time.

42. The negative labelling of asylum seekers and refugees themselves increased xenophobia, at times racism, fear and intolerance in their regard and a culture of suspicion from a generalized assumption of a possible correlation between asylum and terrorism and still has repercussions on the situation of refugees and other forcibly displaced persons worldwide. In this regard, the information media have an important role to play in public opinion-making and a responsibility in using correct terminology, particularly in what concerns refugees, asylum seekers, and other forms of migration, considering the existence of “mixed” migration flows.

43. The International Community has responded to the refugee question by identifying three main solutions: local integration in the place of arrival, resettlement in a third country and voluntary repatriation.³⁹

REFUGEE CAMPS

44. However, the implementation of the traditional durable solutions sometimes remains insufficient as was already observed in the 1950s,

³⁹ *Local Integration.* One of the envisaged solutions is the permanent settlement in the country of first asylum, and the eventual acquisition of citizenship therein. In Africa, for example, rural refugees were locally integrated to a high degree in the 1960s and 1970s. However, in the aftermath of economic adjustment and democratisation many Governments have become less willing to permit the process.

Resettlement. Resettlement is the transfer of refugees from a State in which they have initially sought protection to a third State that has agreed to admit them with a permanent-residence status. During the Cold War, this was the preferred solution. Over time, since the mid-eighties, a change in policy occurred so that voluntary repatriation has increasingly been promoted as the preferred option. Hence, nowadays only a small minority is allowed to resettle in a third country.

Voluntary repatriation. The decision to return to the country of origin must not only be made freely, but should also take into account the sustainability of such a repatriation. While many refugees may desire to return home, the degree of freedom involved in the decision-making process is minimal, especially when motivated by reduced food rations, an increase in excessive limitation of movement and other restrictive measures.

when hundreds of thousands of people waited for years in retention camps in Europe. A similar situation exists today, whereby the majority of refugees continue to live in protracted refugee situations.⁴⁰ They sought or received asylum in other countries of their own geographical region of origin where host countries, almost invariably suffering from poverty themselves, have had to bear the burden of their assistance, unfortunately with woefully inadequate international solidarity.

The result is that camps, originally intended to be temporary shelters, have become permanent “residences”, where refugees stay for years, usually restricted in their movements, not permitted to make a living, and forced into dependency.⁴¹ In these situations the International Community seems to pay little attention to them or simply accepts their “warehousing”⁴² as a normal situation.

45. Under the pressures of camp life, both individual and family values are threatened. Tensions can easily arise, leading to violence. Indeed emergency provisions are inadequate for the long-term needs of a human being. More seriously, when the necessary funding and supplies for camps do not arrive regularly, refugees face shortages in basic items, drastic cuts in food rations, resulting in malnutrition, health risks and increasing mortality rates among the most vulnerable.⁴³

⁴⁰ Cf. UNHCR, *Protracted Refugee Situations*, Document submitted to the 30th Meeting of the Standing Committee of the Executive Committee of the High Commissioner’s Programme, EC/54/SC/CRP.14, 10 June 2004, no. 3: “*A protracted refugee situation is one in which refugees find themselves in a long-lasting [for five years or more] and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance*”.

⁴¹ Cf. HOLY SEE REPRESENTATIVE, *Statement at ExCom 55*, 4 October 2004: O.R., Weekly Edition in English, 20 October 2004, 10.

⁴² *Ibid.*: “*In fact, if international cooperation is lacking, then we are left with a fourth de facto, albeit unofficial, solution: warehousing of millions of people in camps in subhuman conditions, without a future and without the possibility of contributing their creativity. Camps must remain what they were intended to be: an emergency and therefore a temporary solution*”.

⁴³ The UN HIGH COMMISSIONER FOR REFUGEES, addressing the 58th Session of the United Nations Commission on Human Rights in Geneva, on 20 March 2002, affirmed: “*We, in the international community, must ask ourselves whether or not we are violating the human rights*

URBAN REFUGEES

46. A gradual but constant move has been noticed over the years, whereby refugees, with or without permission of the authorities, settle down outside designated areas like refugee camps in built-up areas like cities and towns.⁴⁴ They are called urban refugees. At present more than half of the refugee population are located outside camps. The reasons for setting down independently are that they were already residing in an urban environment and are not used to living in a rural area or assume to have a better prospect for their future, especially with regard to earning a living.

47. ‘Urban’ refugees are entitled to the same protection, with the same rights and responsibilities under international legislation, as refugees in designated areas. However, in ‘urban’ areas their situation will become more complex. They are living among the local population, with whom they have to compete for employment, social and other infrastructural services. Access to education and medical services can become difficult because of financial constraints. Registration and obtaining identity papers are essential for refugee protection. This can become a difficulty especially when their stay has not been approved by the authorities. The provision of documents identifying the person as a person of concern to UNHCR might overcome a range of protection risks.

48. National authorities and municipalities have to take their responsibility for these refugees, though sometimes they will be supported in these tasks by international agencies. UNHCR tries to increase the capacity of services, like health and education, and to involve development partners to provide livelihood opportunities, which also will be of benefit for the surrounding population.

of refugees and other vulnerable people by not providing them with enough assistance for them to live with a minimum of dignity’. (retrieved from <http://www.unhcr.org/3c988def4.html>).

⁴⁴ The UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas*, September 2009 (retrieved from <http://www.unhcr.org/refworld/docid/4ab8e7f2.html>).

OTHER PERSONS IN NEED OF PROTECTION

Stateless persons

49. Another group in need of protection consists of stateless persons. The circumstances of their lives, which have a global dimension, are closely connected with those of refugees, because they too do not enjoy the protection of a State, not having any citizenship. The reasons for this situation are manifold and include conflict between the laws of different States, or the transfer of a territory, or sovereignty over a territory, from one State to another.⁴⁵

Internally displaced persons

50. Internally displaced persons (IDPs) have been forced to flee, to leave their homes or places of habitual residence, particularly as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, but who have not crossed an internationally recognized State border.⁴⁶

⁴⁵ The UNHCR is mandated to ask States to take measures to reduce statelessness and to adhere to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (cf. UN GENERAL ASSEMBLY, *Resolution 3274* of 10 December 1974, and UN GENERAL ASSEMBLY, *Resolution 31/36* of 30 November 1976). This would provide stateless persons with certain rights, the most important of which is nationality, leading to the right to reside permanently within the territory of a State and the right to its protection.

⁴⁶ Recent years have seen an evolution in the protection of internally displaced persons with the introduction of a non-binding international legal framework, the *Guiding Principles on Internal Displacement*, which draws on the existing provisions of International Law concerning the needs of the internally displaced. The UNHCR itself has already been, and continues to be, involved with protection and assistance to IDPs under well-established conditions. A further development occurred in 2005, with the endorsement of the so-called “cluster-approach”, a collaborative response of the UN system and the broader humanitarian community to address crises. One of its aims is to respond to internal displacement. Cf. UNITED NATIONS COMMISSION ON HUMAN RIGHTS, *Guiding Principles on Internal Displace-*

51. Instruments of International Human Rights and Humanitarian Law oblige States to provide for the security and well-being of all those under their jurisdiction, in conformity with the dignity of the human person.⁴⁷ “Every State has the primary duty to protect its own population from grave and sustained violations of human rights, as well as from the consequences of humanitarian crises, whether natural or man-made. If States are unable to guarantee such protection, the international community must intervene with the juridical means provided in the United Nations Charter and in other international instruments. The action of the international community and its institutions, provided that it respects the principles undergirding the international order, should never be interpreted as an unwarranted imposition or a limitation of sovereignty. On the contrary, it is indifference or failure to intervene that do the real damage”.⁴⁸ Therefore, the classical concept of sovereignty seems to develop in a concept of sovereignty as responsibility.⁴⁹

Trafficked persons

52. Trafficking in human beings is an outrageous offence against human dignity, and a grave violation of fundamental human rights. The victims have been deceived about their future activities and are no longer free to decide about their lives. They end up in situations akin to slavery, or in servitude, from which it is very difficult to escape. Threats and violence are often used for this purpose.

ment, Addendum to the Report of the Representative of the Secretary-General, UN Doc. E/CN.4/1998/53/Add. 2, Art. 2, 11 February, 1998.

⁴⁷ Cf. BENEDICT XVI, *World Day Message of Peace* 2007, nos. 4, 6, 13, *l.c.*, 6-7.

⁴⁸ Cf. ID., *Address to the United Nations General Assembly*, 18 April 2008: *AAS* MMVIII (2008) 333.

⁴⁹ Cf. INTERNATIONAL COMMISSION ON INTERVENTION AND STATE SOVEREIGNTY, *The Responsibility to Protect*, International Development Research Centre, Ottawa 2001, and COMMISSION ON HUMAN SECURITY, *Human Security Now*, New York 2003.

53. Trafficking in persons⁵⁰ is a multi-dimensional problem, which is frequently linked to migration. It extends to the sex industry and beyond, to include forced labour of men, women and children in various industries, like construction, restaurants and hotels, agriculture and domestic services. Forced labour,⁵¹ on one hand, is linked to discrimination, poverty, customs, family and social disintegration, landlessness, and illiteracy on the part of the victim. On the other hand, it has to do with armed conflicts and also, in some cases, with cheap and flexible labour, frequently resulting in low consumer prices that makes the deal attractive on the part of the employers. Trafficking in human beings could also involve organ trafficking, begging and the recruitment of children for armed conflicts. Slavery of a sexual nature also exists among child soldiers during armed conflicts. The different forms of trafficking demand distinct approaches and measures to restore the dignity of its victims,⁵² while various legal instruments exist to protect children from being recruited as soldiers into armed forces or other armed groups.⁵³

⁵⁰ Article 3 of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, of 15 November 2000, specifies that for its purposes “ (a) «Trafficking in persons» shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used; (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered «trafficking in persons» even if this does not involve any of the means set forth in subparagraph (a) of this article; (d) «Child» shall mean any person under eighteen years of age”.

⁵¹ Cf. ILO, *A Global Alliance Against Forced Labour. Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, no. 12, Geneva 2005, 5. ILO’s definition of forced labour comprises two basic elements, that is, work or service is exacted under the menace of a penalty and is undertaken involuntarily.

⁵² Cf. HOLY SEE REPRESENTATIVE, *Address at the Vienna Forum on “Trafficking in Human Beings”*, 13-15 February 2008: O.R., Weekly Edition in English, 7 May 2008, 9-10.

⁵³ Cf. UNITED NATIONS, *Convention on the Rights of the Child*, adopted by General

54. Basic human rights are at stake in this new form of slavery, which not only destroys young lives but also families around the world. Although the International Community adopted the *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* in 2000, its application, at the national level, has been quite varied, depending on whether a Nation stresses a “criminal justice”, a migration or a human rights approach in dealing with trafficking.

In most countries, the victims of sexual exploitation consequent to trafficking are allowed to stay, for the duration of the investigation against the traffickers. During this period, however, the needs of the trafficked people are often only partly taken into consideration, notwithstanding their situation of vulnerability and risk. Once the juridical investigation has been completed, they are generally repatriated to their country of origin, with or without a “repatriation packet”. Measures which guarantee their protection,⁵⁴ by providing them with the possibility of staying and of integrating into the receiving society, at least under certain conditions, have been put in place only in a few countries. Without proper support they could be at risk of being re-trafficked. Catholic institutions – and in particular Institutes of consecrated life, Societies of apostolic life, movements and associations of lay persons – are offering pastoral and material support to victims as well as rehabilitating them and raising awareness. Faith-based organizations

Assembly Resolution 44/25 of 20 November 1989; ID., *Optional Protocol* to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted by General Assembly Resolution 54/263 of 25 May 2000; ILO, *Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*, no. 182, adopted by the General Conference on 17 June 1999.

⁵⁴ As the UNHCR *Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked* (HCR/GIP/06/07) of 7 April 2006 state, some of the victims of trafficking “*may fall within the definition of a refugee contained in Article 1A(2) of the 1951 Convention and may therefore be entitled to international refugee protection*” (no. 12). In fact, UNHCR’s *Agenda for Protection* of 26 June 2002 calls upon States “*to ensure that their own asylum processes are open to receiving claims from individual trafficked persons, especially women and girls who can base their claim to asylum on grounds which are not manifestly unfounded*”.

are partnering and combining efforts and energies to combat this global moral and social scourge.

Smuggled persons

55. This is another category of migrants that deserves mention here. The smuggling of persons⁵⁵ is a phenomenon that has long existed in history. Its aim is to let a person enter irregularly into a country, bypassing migration laws, and is therefore a migration offence. Both the smuggled person and the smuggler agree on the conditions of the “service”, often with the payment of considerable amounts of money, in what could be considered similar to a commercial transaction. Intermediaries can range from individuals who occasionally accompany people across borders to organized networks.

56. As soon as a person arrives in the destination country, the relation with the smuggler comes to an end. However, it is necessary to note that the parties are on unequal terms since smuggled people depend on the smuggler and can easily lose control of the situation. This sometimes leads to the point that smugglers not only choose the destination country, but also take advantage of the high risk that people run, once they are unlawfully introduced into a country. In that situation, smuggling becomes trafficking.

⁵⁵ For the purposes of the *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime*, of 15 November 2000, article 3 specifies that, “(a) «Smuggling of migrants» shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident; (b) «Illegal entry» shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State”.

PART THREE
RIGHTS AND DUTIES: LOOKING AT THE FUTURE

STATES, REFUGEES AND ASYLUM SEEKERS

The Right of States

57. 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*”.⁵⁶

When hatred and systematic or violent exclusion of ethnic or religious minorities from society cause civil, political, ethnic conflicts, the flood of refugees overflow (cf. *EMCC* 1). It would, therefore, be necessary to guarantee adequate protection for those who flee from violence and social disorder, even when these are caused by non-State agents, and grant them “subsidiary protection status”.⁵⁷

58. Hence, 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*”.⁵⁸

59. On their part, refugees and asylum seekers have duties to observe in relation to the receiving State. Pope Benedict XVI also stated this

⁵⁶ Cf. *Refugees*, no. 4, *l.c.*, 1023.

⁵⁷ Cf. EUROPEAN UNION COUNCIL, *Directive 2004/83/CE* of 29 April 2004.

⁵⁸ *Refugees*, no. 9, *l.c.*, 1025.

in his Message for the World Day of Migrants and Refugees in 2007: “Refugees are asked to cultivate an open and positive attitude towards their receiving society and maintain an active willingness to accept offers to participate in building together an integrated community that would be a «common household» for all”.⁵⁹

Rights of refugees and asylum seekers and future prospects

60. Refugees and asylum seekers too are entitled to human rights and fundamental freedoms that need to be particularly considered. It is certainly not the purpose of this Document to give definitions and information which can be found in the various International instruments in force. Therefore, only some relevant parts are referred to here, without this being exhaustive of the obligations of States towards refugees and asylum seekers present in their territory or seeking to enter it.

61. Any person at a frontier, who has a well-founded fear of persecution, has the right on protection and should not be returned to his/her country, irrespectively whether or not they have been formally recognized as refugees.⁶⁰ Refugees should be treated on the same level as citizens of the hosting country, or at least on the same level as other resident foreigners. They should be entitled to the rights which are ensured to them. These include freedom of movement and the right to work. In addition they have the right to be recognized as a person in law and the right of equal protection by the law, with freedom of thought, conscience and religion.

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 health care.

⁵⁹ BENEDICT XVI, *WDMR* 2007, par. 4, *l.c.*, 7.

⁶⁰ Cf. UNHCR EXECUTIVE COMMITTEE, *Conclusion on Non-Refoulement*, No. 6 (XXVIII) 1977 at par. (c).

In brief, they should enjoy all those rights sanctioned in the Universal Declaration of Human Rights, the relevant human rights instruments, the 1951 Convention of the United Nations relating to the Status of Refugees and its 1967 Protocol, as well as the subsequent UNHCR Executive Committee Conclusions.

62. It is not superfluous, in particular, to say that the right to religious freedom of refugees means the absence of coercion on the part of individuals or of social groups and of any power, such that no one is to be forced to act in a manner contrary to his/her own beliefs and conscience, whether privately or publicly, whether alone or in association with others. The right to religious freedom has its foundation in the very dignity of the human person.⁶¹ Each country has the responsibility to accord refugee's freedom to practice their religion and freedom regarding the religious education of their children, at least as favourable as it is accorded to their nationals.

All refugees, therefore, have the right to a type of assistance that includes their spiritual needs during the time of asylum, possibly spent in a camp set up for them, and during the process of integration in the host country.⁶² Therefore ministers of different religions must be allowed full freedom to meet with refugees, and to offer them an adequate assistance. Refugees cannot lose their rights, not even when they are deprived of their country's citizenship (cf. *Pacem in Terris* 105). International organizations, especially those responsible for the protection of human rights, and the media, should have free access to the aforementioned camps.

63. Though the rights of asylum seekers and refugees are guaranteed by International Conventions and recognized by subsequent important conferences, the reality shows that, in general, they are still not guaranteed sufficient protection. At times, this leads to their inability to gain

⁶¹ Cf. SECOND VATICAN ECUMENICAL COUNCIL, Declaration on Religious Freedom *Dignitatis Humanae*, 7 December 1965, no. 2: *AAS* LVIII (1966) 930.

⁶² Cf. *Refugees*, no. 28, *l.c.*, 1034.

access to the asylum procedure, when they are unnecessarily held in detention centres, and even to *refoulement*, especially in cases of mixed flows.

It could therefore be opportune to put into practice the spirit that animates the principle of *non-refoulement*,⁶³ and thereby presuming that asylum seekers are refugees, for the duration of the period in which their status is being verified.

64. 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.⁶⁴ 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.

65. In many refugee camps, people find it difficult to see any future for them, especially as the years go by. In these places, they need to

⁶³ Cf. UNITED NATIONS GENERAL ASSEMBLY, *Convention relating to the Status of Refugees*, of 28 July 1951, art. 33(1); ID., *International Covenant on Civil and Political Rights*, of 16 December 1966, art. 7; ID., *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* of 10 December 1984, art. 3; COUNCIL OF EUROPE, *European Convention for the Protection of Human Rights* of 4 November 1950, art. 3.

⁶⁴ Cf. UNITED NATIONS GENERAL ASSEMBLY, *United Nations Convention on the Law of the Sea*, 1982; INTERNATIONAL MARITIME ORGANIZATION, *International Convention on Maritime Search and Rescue*, 1979, with amendments of 1998; ID., *International Convention for the Safety of Life at Sea*, 1974; and the Conclusions of the UNHCR EXECUTIVE COMMITTEE of relevance to the particular needs of asylum-seekers and refugees in distress at sea (in particular: *Conclusion on Refugees without an Asylum Country*, No. 15 (XXX) - 1979; *Conclusion on Protection of Asylum-Seekers at Sea*, No. 20 (XXXI) -1980; *Conclusion on Problems Related to the Rescue of Asylum-Seekers in Distress at Sea*, No. 23 (XXXII) -1981; and *Conclusion on Stonaway Asylum-Seekers*, No. 53 (XXXIX) – 1988).

know clearly the way to start living again a safe and dignified life. Considering this, the proposed consultation and participation of refugees in decisions that affect their daily living are necessary and need to be strengthened. It is also necessary to assure the participation of refugee women in camp administration as a way of guaranteeing sufficient attention especially to problems affecting them and children.

66. In this context, “*A Note for the Bishops’ Conferences*”, issued by the Pontifical Council for the Pastoral Care of Migrants and Itinerant People jointly with the Pontifical Council for the Pastoral Assistance to Health Care Workers and the Pontifical Council for the Family, under the title “*The Reproductive Health of Refugees*”⁶⁵ reiterates the Catholic Church’s reservations “*regarding the ideology of «reproductive health»*”, specifying that “*the Holy See ... cannot refrain from expressing its own reservations when the ways in which help is given, or even the means employed, could cause grave damage to the dignity of the person and his life, from the first stages of conception until natural death, as is recognized by human reason and expressed by Catholic morality*” (Part I).

67. Refugees who have returned to their homeland need to be given the possibility of living a dignified life, proper independence and income-generating activities.⁶⁶ This presupposes that basic services are in place, that sufficient preparation for return has been made, and that people are indeed able to accept this challenge in countries that are sometimes still in disarray. Returnees need to have access to common resources and the same rights as other citizens.

68. Different views on how to overcome discrepancy between emergency assistance and reconstruction have been extensively discussed over the years during meetings at regional and international level. The

⁶⁵ PONTIFICAL COUNCIL FOR THE PASTORAL ASSISTANCE TO HEALTH CARE WORKERS, PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, PONTIFICAL COUNCIL FOR THE FAMILY, *The Reproductive Health of Refugees*, 14 September 2001.

⁶⁶ Cf. UNHCR, *Handbook for Repatriation and Reintegration Activities*, Geneva 2004, 1-3: “The core components of voluntary repatriation are physical, legal and material safety and reconciliation.”

Holy See affirms that “*voluntary repatriation does not mean just going back. Otherwise there is the risk that people are moved from one difficult situation to a life of misery in their own country*”.⁶⁷

STATES, INTERNALLY DISPLACED PERSONS, STATELESS AND TRAFFICKED PERSONS

Internally displaced persons

69. It is necessary to develop a clearer system of designating responsibility for internally displaced persons. Member States of the United Nations are invited “*to have the courage to continue their discussions on the application and practical consequences of the ‘Responsibility to protect’, in order to find the most opportune solution ... to those situations in which national authorities either cannot or will not protect their own populations in the face of internal or external threats*”.⁶⁸

In any case, “*through the creation of legal norms, arbitration of legal disputes and the establishment of safeguards, especially when States fail in their responsibility to protect, the United Nations is called to be the propulsive forum for the rule of law in all corners of the globe*”.⁶⁹

Effective protection will require not only the availability of more human and financial resources, but also of greater institutional support and clearer mandates.

Stateless persons

70. The right to a nationality is recognized in the 1948 Declaration of Human Rights,⁷⁰ and is underlined by various Conventions and

⁶⁷ HOLY SEE REPRESENTATIVE, *Statement at ExCom 55*, 4 October 2004: O.R., Weekly Edition in English, 20 October 2004, 10.

⁶⁸ HOLY SEE SECRETARY OF STATE, *Address to the Summit of the Heads of State and Government during the 60th General Assembly of the United Nations*, New York, 16 September 2005: O.R., Weekly Edition in English, 21 September 2005, 8.

⁶⁹ HOLY SEE REPRESENTATIVE, *Address to the 6th Committee of the 62nd Session of the General Assembly of the United Nations on the Rule of Law*, 26 October 2007: O.R., Weekly Edition in English, 3-16 January 2008, 10.

⁷⁰ Cf. UNITED NATIONS, *Universal Declaration of Human Rights*, adopted and pro-

UNHCR Conclusions adopted by the international community⁷¹ as a fundamental human right. Stateless persons risk being considered as “nonexistent” and may easily be denied their basic rights, *i.e.* to education, employment, property ownership, legal marriage, political participation, etc.

States should treat stateless persons living in their territory in accordance with international human rights law. They are invited to adopt nationality legislation that is in conformity with the fundamental principles of international law and take appropriate measures with a view to reduce statelessness, particularly in case of State creation or succession. Just legislation must ensure that individuals cannot be arbitrarily deprived of their nationality nor renounce their citizenship without acquiring another one, that children are registered at birth⁷² and provided with adequate certificates.

Trafficked persons

71. Stricter immigration policies, tighter border controls and fighting organized crime are frequently considered nowadays as the means to prevent the trafficking in human beings. This approach is insufficient to counteract the phenomenon and runs the risk of endangering the lives of the victims. It is therefore necessary to deal courageously with its root causes in order to prevent the repeated trafficking of repatriated trafficked persons who were returned to the same circumstances

claimed by General Assembly Resolution 217 A (III) of 10 December 1948, Art. 15: “(1) Everyone has the right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality”.

⁷¹ Cf. especially UNHCR EXECUTIVE COMMITTEE, *Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons*, No. 106 (LVII) - 2006. Cf. also the 1954 *Convention relating to the Status of Stateless Persons* and the 1961 *Convention on the Reduction of Statelessness*. There are also regional treaties that recognize the right of every person to a nationality, like the 1969 *American Convention on Human Rights* and the 1997 *European Convention on Nationality*.

⁷² Cf. UNITED NATIONS, *International Covenant on Civil and Political Rights*, 1966, Art. 24, no. 2, and *UN Convention on the Rights of the Child*, 1989, Art. 7.

from which they sought to escape. Therefore anti-trafficking initiatives should also aim to develop and to offer real prospects of escaping the cycle of poverty, abuse and exploitation.⁷³

Moreover, the plague of internal trafficking, implicitly covered by the existing international legislation, should not be neglected, but given attention and solutions.

72. Protection and programmes for victims require integrated policies, which emphasize their well-being and interest. “*We must ensure that victims have access to justice, social and legal assistance and compensation for damages that they have suffered*”.⁷⁴ This could include offering residence permits beyond the duration of the legal process against traffickers. This also means services such as protection, socialisation, counselling, psycho-social and medical support, and legal assistance.

People subject to sexual exploitation

73. Trafficked sexually-exploited women are worthy of special protection. A residence permit is necessary for them to start a new life. In case they desire to return home, they need to have access to financial aid, preferably in the form of micro-credit, to facilitate their reintegration, while measures to overcome discrimination should also be taken⁷⁵ and sufficient protection must be in place to prevent the victims from falling again into the hands of traffickers, who are frequently known in their place of origin.

Within a legal framework, provisions are necessary so that individual traffickers or legal entities involved can be prosecuted and

⁷³ Cf. HOLY SEE REPRESENTATIVE, *Address at the Vienna Forum on “Trafficking in Human Beings”*, 13-15 February 2008: POM 106 (2008) 167-169.

⁷⁴ HOLY SEE REPRESENTATIVE, *Statement at the 15th Organization for Security and Co-operation in Europe (OSCE) Ministerial Council*, 29 November 2007: O.R., Weekly Edition in English, 2-9 January 2008.

⁷⁵ Cf. PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Guidelines for the Pastoral Care of the Road/Street*, 24 May 2007, nos. 92 and 102 - POM 104 Suppl. (2007) 119 and 121.

their financial resources impounded. On the other hand, those who sexually exploit women should be warned and educated on the damage caused. Knowledge of the motives behind their behaviour is necessary in order to address the problem of women being abused.⁷⁶

People subject to forced labour

74. Victims of trafficking may also end up being subject to forced labour. Considering the factors that promote forced labour, it is necessary to develop programmes of awareness-building and education, so that cultural contexts that allow this practice to survive can be modified. Labour laws that regulate employment conditions and practices, such as working hours and rest days as well as just and fair wages, need to be implemented, while legislation to address discrimination may need to be introduced. 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.

Child soldiers

75. Trafficking in children may also provide child soldiers for armed conflicts. Since their recruitment is considered a war crime, measures need to be taken at different levels so that those who are involved could be held accountable and effectively prosecuted.

Such measures include mandated international control of the sale and distribution of small arms to countries and armed groups recruiting children, as well as mechanisms to prevent the selling of natural resources to finance conflicts. Child soldiers (boys and girls) need to be part of disarmament, demobilisation and reintegration (DDR) programmes after a conflict, in order to offer them authentic integration that signifies affording these children the ability to support

⁷⁶ Cf. *Ibid.*, nos. 94-95, *l.c.*, 120.

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.

A CAUSE OF FORCED DISPLACEMENT: CONFLICTS

76. Conflict is one of the main causes of forced displacement. It has a very high cost: the suffering of individuals, loss of lives – not to speak of human, spiritual and religious values – and financial outlay of the national and international community in both assisting and caring for its victims.

Prevention

77. Early warning mechanisms for the avoidance of such crises need to be established, combined with adequate policy responses, in order to address the first symptoms as they appear while they can still be managed, controlled or prevented.⁷⁷ Costs of the humanitarian emergency response of the International Community after a conflict breaks out greatly surpass those necessary for earlier interventions.

78. In these cases, it is necessary to analyse objectively the factors that lead to violence. Capacity building and training for peace, that take into account the cultural setting and backgrounds of the people involved, are to be promoted. Dialogue, interaction and collaboration between the opposing groups need to be maintained.

Durable solutions to conflicts

79. Once a conflict has ceased, measures for a peaceful future need to be taken, so that countries may not relapse again into violence. This

⁷⁷ Cf. BENEDICT XVI, *Address to the United Nations General Assembly*, 18 April 2008, §§ 1, 2 and 13: *AAS* MMVIII (2008) 333.

requires support, including funding, for sustainable peace, which takes into account education, health care, rehabilitation, State reconstruction and economic recovery, programmes for demining, treatment of different forms of trauma, demobilization and reintegration of combatants and child soldiers.

Social reconstruction needs to embrace the former conflicting parties so that, if the hostility is internal, they are enabled to live together as citizens of one country. For communities or individuals to come to terms with the painful past, reconciliation and healing of memory need to be promoted. 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.

80. This certainly requires the involvement of the International Community in adequate and long-term funding commitments for post conflict situations, thereby allowing refugees and internally displaced persons to return home with dignity and start a normal life all over again, together with the entire population. Guided by its own humanitarian principles, the International Community would be ready to get involved in creative, daring and innovative plans that can equal tragic historical situations.⁷⁸

81. Moreover, it would be necessary to address the root causes which force people to flee from their homes, as underlined by some Post-Synodal Apostolic Exhortations. In that for Africa, John Paul II states that, “*the ideal solution [to address the phenomenon of refugees and displaced persons] is the re-establishment of a just peace, reconciliation and economic development*”.⁷⁹ This – the Pope affirms in the one for Europe – needs “*a courageous commitment on the part of all to bring about a more just*

⁷⁸ Cf. BENEDICT XVI, *Letter to the Chancellor of the Federal Republic of Germany, Dr. Angela Merkel about the Summit of the G8, AAS XCIX* (2007) 351-353; HOLY SEE REPRESENTATIVE, *Statement at ExCom 55, l.c.*

⁷⁹ JOHN PAUL II, Apostolic Exhortation *Ecclesia in Africa*, 14 September 1995, no. 119: *AAS LXXXVIII* (1996) 70-71.

international economic order capable of promoting the authentic development of every people and country”,⁸⁰ which – John Paul II further asserts in the Apostolic Exhortation for America – should be “*dominated not only by the profit motive but also by the pursuit of the common good of nations and of the international community, the equitable distribution of goods and the integral development of peoples*”.⁸¹

⁸⁰ ID., Apostolic Exhortation *Ecclesia in Europa*, 28 June 2003, no. 100: *AAS* XCV (2003) 705; cf. *EMCC* no. 8, *lc.*, 766.

⁸¹ ID., Apostolic Exhortation *Ecclesia in America*, 22 January 1999, no. 52: *AAS* XCI (1999) 789.

PART FOUR

**THE SPECIFIC PASTORAL CARE OF REFUGEES
AND OTHER FORCIBLY DISPLACED PERSONS**

PARTICULAR ASPECTS OF THIS PASTORAL CARE

Ecclesial welcome and eventual integration into the local Church

82. Welcome and hospitality are fundamental characteristics of pastoral ministry, including the one among asylum seekers, refugees, IDPs and trafficked persons.⁸² They guarantee that we regard the other as a person and, if a Christian, as a brother or sister in the faith, thus preventing us from considering him/her as a number, a case, or a workload. Welcome is not so much a task, but a way of living and sharing.

83. Offering hospitality grows out of an effort to be faithful to God, to listen to His voice in the Sacred Scriptures and recognize Him in the people around us. Through hospitality, the stranger is welcomed into the local Church, that must be a safe place where he/she finds comfort, which respects, accepts and is friendly to him/her. Such a welcome involves attentive listening and mutual sharing of life stories. It requires an openness of heart, a willingness to make one's life visible to others, and a generous sharing of time and resources. From giving things to offering time and friendship, and finally giving Christ, our treasure, to others, as a respectful and humble proposal.

84. An ecclesial community which welcomes strangers, however, is a "sign of contradiction", a place where joy and pain, tears and peace

⁸² Cf. EMCC, no. 16, *l.c.*, 771: "*This means that for Christians it is not all that important where they live geographically, while a sense for hospitality is natural to them*". See also *ibid.*, no. 30, *l.c.*, 777: The Magisterium "*emphasizes a vast range of values and behaviour (hospitality, solidarity, sharing) and the need to reject all sentiments and manifestations of xenophobia and racism on the part of host communities*".

are closely interwoven. This becomes especially visible in societies that are hostile to those who are welcomed. Over the years, there have been countless examples of selfless and heroic actions by members of local Churches who have received forcibly displaced persons, some even at the cost of their lives and properties. To offer hospitality means to repeatedly rethink and reshape priorities.

85. Hope, courage, love and creativity are necessary so that lives can be restored. However, priority must be given to a concerted effort not only to provide these people with logistic and humanitarian assistance but, even more, with specific moral and spiritual support. The aspects of spirituality and formation are to be considered as an integral part of an “*authentic culture of welcome*” (EMCC 39). In this regard, the local Christian community could be of great help.

In those places which, given previous experiences, are potential arrival areas for refugees or IDPs, the local Church needs to be prepared and organized to face such a challenge. Indeed, “*the Church [must seek] ... to be present with and among the refugee community, accompanying them during their flight, their period of exile, and their return to the home community or country of resettlement*”.⁸³

86. In this regard, it is important to take into account the different groups of refugees and forcibly displaced persons: Catholics in general, Catholics of the Eastern rite, those who belong to other Churches and Ecclesial Communities, and those who follow Islam and other religions in general (cf. EMCC 49-68).

87. Welcoming refugees and other forcibly displaced persons is an important expression of the Gospel. Newcomers from a non-Christian or a-religious culture are privileged recipients of evangelization, as the new poor to whom the Gospel is witnessed. Clergy and lay pastoral agents, and the receiving Christian community, have to be prepared and sensitized in this regard.

⁸³ PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Pastoral Care of Refugees in Eastern, Central and Southern Africa: A Consultative Meeting*, Lusaka (Zambia), 5-9 January 1993, Vatican City 1993, 134.

88. Moreover, it is important to remember that refugees and forcibly displaced persons themselves have a great potential for evangelization. They could easily be in places and situations where they can carry this mission. Here too, it is necessary to build awareness and provide them with the necessary formation, first of all by enlightening them on the value of witness, without excluding explicit proclamation that takes into consideration situations and circumstances, fully respecting the other in all cases.

Establishing the necessary pastoral structures

89. The local Church must, therefore, be pastorally involved with people on the move.⁸⁴ This concern must be visible in the services of parishes, whether territorial or personal, “*missiones cum cura animarum*”, religious congregations, charitable organizations, ecclesial movements, associations and new communities. National and/or diocesan/eparchial pastoral structures have to be set up, when necessary.

90. The role of the chaplain, as well as religious men and women, is essential and crucial in this specialised pastoral care among refugees and forcibly displaced persons, whether it is in camps or increasingly in urban areas. They are at the forefront of the reality of today’s migration. The people to whom they are assigned have lived many stressful moments and they still have to cope with the present situation, while their future is not secure. This results in a challenging pastoral task which demands a lot from the individuals. This missionary pastorate needs to be taken seriously, well regarded and appreciated. It requires support so that they can cope with this pastoral reality and remain innovative in their ministry. The recruitment and appointment policy should reflect all these factors.

⁸⁴ “For the Church, charity is not a kind of welfare activity which could equally well be left to others, but is a part of her nature, an indispensable expression of her very being” (Dce, 25).

91. The setting for pastoral action is first and foremost the parish,⁸⁵ which can thus live out in a new and fresh way its ancient vocation of being “*a house where a guest feels at ease*”.⁸⁶ If necessary, personal parishes or “*missiones cum cura animarum*” can be set up – as previously mentioned – to better cope with pastoral necessities of forcibly displaced persons.⁸⁷ Nonetheless, the ultimate responsibility lies with the diocesan/eparchial Bishops,⁸⁸ as underlined by Pope Benedict XVI in *Deus caritas est* (no. 32): “*In conformity with the episcopal structure of the Church, the Bishops, as successors of the Apostles, are charged with primary responsibility for carrying out in the particular Churches the programme set forth in the Acts of the Apostles (cf. 2:42-44): today as in the past, the Church as God’s family must be a place where help is given and received, and at the same time, a place where people are also prepared to serve those outside her confines who are in need of help*”. Indeed, in the rite of episcopal ordination, the candidate is called to promise “*expressly to be, in the Lord’s name, welcoming and merciful to the poor and to all those in need of consolation and assistance*” (*ibid.*).

92. Depending on the judgement of the local Ordinary, larger refugee camps can become either a parish or a similar territorial pastoral structure. If the faithful are too few for this provision, they could be constituted members of “outstations”, or “*missiones cum cura animarum*”, maybe attached to a nearby territorial parish.⁸⁹

⁸⁵ Cf. JOHN PAUL II, *WDMR* 1999, no. 6 - O.R., Weekly Edition in English, 24 February 1999, 8: “*The importance of the parish in welcoming the stranger, in integrating baptized persons from different cultures and in dialoguing with believers of other religions stems from the mission of every parish community and its significance within society. This is not an optional, supplementary role for the parish community, but a duty inherent in its task as an institution*”. Cf. *EMCC* no. 89, *l.c.*, 805, and no. 24, *l.c.*, 774-775.

⁸⁶ JOHN PAUL II, *WDMR* 1999, no. 6, *l.c.*; cf. ID, *WDMR* 2002, no. 4: O.R., Weekly Edition in English, 14 November 2001, 8; ID., *WDMR* 2003, no. 3: O.R., Weekly Edition in English, 11 December 2002, 6.

⁸⁷ *EMCC* nos. 24, 26, 54, 55, and 91, *l.c.*, 774-775, 775-776, 789-790, 806-807.

⁸⁸ Cf. SECOND VATICAN ECUMENICAL COUNCIL, Decree on the Pastoral Office of Bishops in the Church *Christus Dominus*, 28 October 1965, no. 18: *AAS* LVIII (1966) 682 and *EMCC* no. 70, *l.c.*, 796.

⁸⁹ Cf. *EMCC* nos. 90-95, *l.c.*, 806-808, which can be applied, *mutatis mutandis*, to the pastoral care of refugees and IDPs.

93. Collaboration between the Churches of origin and of arrival is indispensable.⁹⁰ Coordination of Catholic pastoral activities addressed to them must be carried out by Bishops' Conferences or the corresponding structure in the Eastern Catholic Churches, usually through a specific Bishops' Commission. The Church of origin is, therefore, urged to keep in touch with her members who, for any reason whatsoever, move elsewhere, while the receiving Church needs to assume her responsibilities for them who have now become her members. Both local Churches are called to maintain their specific pastoral responsibilities in a spirit of active and practically-expressed communion.⁹¹

94. In those local Churches where a Bishops' Commission for the pastoral care of migrants (or of human mobility) is absent and cannot for the moment be instituted, it is recommended that a Bishop Promoter for this specific pastoral care be appointed.

95. A previous attempt to improve the coordination of the Church in Africa's response to the refugee crisis was the project called "Pastors without Borders". It intended to form "*a team of qualified pastoral agents ready to help by offering their competence when there is need*".⁹² The idea stemmed from the words of Pope Paul VI which inspired an assertion in the document *Church and People on the Move*: "*The pastoral care required by the people on the move is necessarily a pastoral care, so to say, without frontiers ... Suitable instruments can only be found through collaboration and solidarity between the Churches concerned*" (CPM 26).

96. Hosting large numbers of today's refugees and IDPs and still being young and deficient in financial resources, Churches in Africa must be given special support in welcoming them. At the same time, however, the continent generates relatively few economic emigrants,

⁹⁰ Cf. *Ibid.*, no. 70, *l.c.*, 796-797.

⁹¹ Cf. CPM, no. 19, *l.c.*, 367-368 and EMCC, Juridical Pastoral Regulations, art 16, *l.c.*, 818.

⁹² PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *The Three Consultations of 1998 for a More Coordinated Pastoral Response of the Church in Africa to the Present Refugee Crisis: The Official Texts with Commentary*, Vatican City 1999, 28.

but sustains the human costs of forced migration, without, however, reaping all the benefits that emigration, at least to some extent, normally brings with it.

Pastoral agents and their formation

97. The situation of people in forced migration urgently calls on priests, deacons, religious and lay people to be adequately prepared for this specific apostolate.

It is also appropriate for some consecrated persons to devote themselves to ministry among people on the move, whether outside their home countries or at home.⁹³

98. In this context, it is worth reiterating that the presence of pastoral agents from the refugees' and forcibly displaced persons' Churches of origin, who are familiar with their language and cultural background, is highly desirable if not essential (cf. *EMCC* 70 and 77). However, catechists, who have been uprooted themselves, may already be present in the midst of the displaced populations. This is of great value because they can offer a noteworthy contribution to the life of the Christian community. Forcibly displaced persons themselves can be effective agents of witness and evangelization not only among their peers but also for the local population.

99. Furthermore in this regard, *“rather than proposing the institution of a special course or an ancillary subject, it would be better to recommend co-ordination and a greater sensitivity when explaining the various theological subjects more directly relevant to the phenomenon of people on the move”*,⁹⁴ because *“this is no*

⁹³ Cf. CONGREGATION FOR INSTITUTES OF CONSECRATED LIFE AND SOCIETIES OF APOSTOLIC LIFE - PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Joint Letter to the Superiors General of Institutes of Consecrated Life and Societies of Apostolic Life on the Pastoral Commitment to Migrants, Refugees and Other Persons Involved in the Crisis of Human Mobility*: 13 May 2005, POM 99 (2005) 133-139.

⁹⁴ CONGREGATION FOR CATHOLIC EDUCATION, Circular letter *Pastoral Care of People on the Move in the Formation of Future Priests*, addressed to local Ordinaries and the Rectors

ordinary ministry common to the general body of believers, but a specific ministry, suited to the situation of uprootedness”.⁹⁵

100. It would also be worthwhile for the receiving local Church to give particular attention to the continuing training of catechists who themselves are refugees or IDPs, especially during mass displacements, which may last for many years. This could also be a precious contribution and a valid assistance to their Church of origin, even to the point of reviving Christian communities therein, should they decide to return home.

101. This ministry clearly requires adequate formation for all those who intend, or are mandated, to carry it out.⁹⁶ It is, therefore, necessary that, from the outset, in the seminaries, “*spiritual, theological, juridical and pastoral formation ... be geared towards the problems raised by the pastoral care of people on the move*”.⁹⁷

International Catholic charitable organizations and local Churches

102. Catholic charitable organizations are called to be present in situations of need in the name of Jesus Christ, embodying the “values” necessary to orient their actions. They must be guided by his Spirit in their services, sacrifices, awareness-building, analyses, advocacy and dialogue. With the Gospel as their guide, they should try to build a

of their seminaries, on the inclusion of pastoral care for human mobility in the training of future priests, no. 3, Vatican City 1986. See also *EMCC* no. 71, *l.c.*; CONGREGATION FOR CATHOLIC EDUCATION and PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Joint Letter on the Pastoral Care of Migrants in the Formation of Future Priests and Permanent Deacons*, 3 December 2005: *AAS* XCVIII (2006)70-71.

⁹⁵ JOHN PAUL II, *WDMR* 1990, no. 10: O.R., Weekly Edition in English, 6 August 1990, 11; cf. *EMCC* no. 77, *l.c.*, 799.

⁹⁶ Cf. CONGREGATION FOR THE EVANGELISATION OF PEOPLES - PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Joint Letter to Diocesan Ordinaries on the Pastoral Care of Human Mobility*: 13 October 2005, *POM* 99 (2005)109.

⁹⁷ *CPM*, no. 33, *l.c.*, 375; cf. *EMCC* no. 71, *l.c.*, 797.

society where opportunities are equal, social prejudices disappear, and close neighbourliness, solidarity, care for one another and respect for human rights are a reality.

This should be true from the start of the projects undertaken in response to various needs up to their completion. When possible and appropriate, these Catholic-inspired organizations are encouraged to collaborate also with their non-Catholic counterpart. In all cases, it is important to avoid leaving a vacuum once programmes end. It is, therefore, necessary to determine how the local Church can be strengthened so that it can be capable of taking up future challenges that arise due to some degree of continuity of commitments. To this end, Catholic charitable organizations at all times should work closely in collaboration with the local diocese/eparchial structure under the guidance of the diocesan/eparchial Bishop. In terms of international organizations, the competent Dicasteries of the Holy See can offer advice and assistance.

103. In the field of cooperation, worthy of mention are the international Catholic charitable organizations, especially the ICMC⁹⁸ and the Jesuit Refugee Service, which are involved in pastoral care, welfare and development activities upholding the human and Christian dignity of refugees and other forcibly displaced persons. Christian values undoubtedly play an important role in defining their identity, achieving their goals and urge them to preserve what makes them distinct.⁹⁹

⁹⁸ Cf. EMCC no. 33, *l.c.*, 779: “Among the principal Catholic organizations for assistance of migrants and refugees, we cannot fail to mention the International Catholic Migration Commission established in 1951. It has great merit for the help it provided in its first fifty years to governments and international organizations, in a Christian spirit, and for its own original contribution in the search for lasting solutions for migrants and refugees all over the world. ... Nor, finally, must we forget the important commitment of the various Caritas organizations and other similar organisms of charity and solidarity in the service of migrants and refugees”; cf. *Ibid.*, no. 86, *l.c.*, 804.

⁹⁹ Cf. Dce, no. 31, *l.c.*, 244: “Those who work for the Church’s charitable organizations must be distinguished by the fact that they do not merely meet the needs of the moment, but they dedicate themselves to others with heartfelt concern, enabling them to experience the richness of their humanity. Consequently, in addition to their necessary professional training, these charity workers need a ‘formation of the heart’: they need to be led to that encounter with God in Christ which awakens their love and opens their spirits to others”.

104. In carrying out their duty to serve, however, some Catholic institutions have frequently grown dependent on funds from non-Catholic sources. In so doing, they run the risk of paying heed only to given opinions of their donors, enabling them to set their policies, becoming “donor-driven” instead of “mission-driven”, thereby putting their identity into question.

In any case, it would also be appropriate for Catholic funding agencies, individuals and groups to give priority to proposals submitted by Catholic institutions in deciding which projects to support. “*The diocesan Bishop is to ensure that charitable agencies dependent upon him do not receive financial support from groups or institutions that pursue ends contrary to Church’s teaching. Similarly, lest scandal be given to the faithful, the diocesan Bishop is to ensure that these charitable agencies do not accept contributions for initiatives whose ends, or the means used to pursue them, are not in conformity with the Church’s teaching*”.¹⁰⁰ Catholic institutions need to give their members the necessary formation that would enable them to preserve their own specific identity. In fact, the urgency of formation for the Church’s aid workers is underlined by Pope Benedict XVI in *Deus caritas est* (no. 31a), highlighting the need for specific initiatives to respond to this need.¹⁰¹

105. Since some local Churches lack adequate resources for their ordinary life and activity, the sudden arrival of refugees or movements of IDPs can cause unbearable conditions. This becomes even more crucial when the majority of cases are protracted for years, making the cost of maintaining them exceed all financial possibilities.¹⁰² Inevitably, this

¹⁰⁰ Cf. BENEDICT XVI, Apostolic Letter issued “Motu Proprio” *Intima Ecclesiae natura* on the Service of Charity, Art. 10 §3 (from http://www.vatican.va/holy_father/benedict_xvi/apost_letters/index_en.htm).

¹⁰¹ Since June 2008, the Pontifical Council *Cor Unum* has been organizing Spiritual Exercises for Bishops and other persons responsible for the Church’s charitable institutions in the different continents. This is being done likewise at the level of the local Church and within the institutions themselves.

¹⁰² Cf. JOHN PAUL II, Apostolic Exhortation *Christifideles Laici*, 30 December 1988, no. 26 - *AAS* LXXXI (1989) 439-440: “*Many parishes, whether established in regions affected by urban*

means seeking assistance from aid organizations. To facilitate their task, these Catholic organizations might consider to function jointly, almost as a single agency, which handles all applications and provides appropriate information. Together they could study the projects and determine which among them is/are the suitable donors, thereby simplifying procedures.

106. The fundamental pastoral question, however, is how the Church can authentically express charity, welcome and pastoral commitment. This would enable local communities to address the holistic needs of refugees and forcibly displaced persons, support pastoral commitment and small social welfare assistance projects, adequately train pastoral agents, support specific pastoral structures and intervene in upcoming conflicts at an early stage. A sharing of resources according to these needs may require an updating of the present programmes of social assistance in the Church. Both traditional and innovative steps are necessary to enable the local Church to cope with this challenge of Christian love.

Involvement of the laity

107. The Christian commitment of lay people is fundamental in carrying out the mission of the Church in the various socio-cultural situations of the time.¹⁰³ This presupposes that the lay faithful receive adequate formation and education to be able to competently engage in social analysis, an important tool in translating Gospel values into concrete action in a context that is continuously, sometimes very rapidly, being transformed.

progress or in missionary territory, cannot do their work effectively because they lack material resources or ordained men or are too big geographically or because of the particular circumstances of some Christians (e.g. exiles and migrants)”.

¹⁰³ Cf. JOHN PAUL II, *WDMR* 1987, no. 1 - O.R., Weekly Edition in English, 7 September 1987, 3: “*The participation of the laity in the mission of the Church in the various socio-cultural situations of the time has represented one of the most fruitful ways in meeting the proposal of integral salvation brought by Christ*”; *EMCC* nos. 86-88, *l.c.*, 804-805 and its Juridical Pastoral Regulations, Chapter I, *l.c.*, 813.

Inspired by the Sacred Scripture, the Tradition and the Church's Magisterium, they will be sensitive to the plight of their neighbours, especially those in need, and accordingly perform acts of charity to alleviate their suffering. This requires a continuing process of conversion, which will bring them closer to the other and, at the same time, lead to a deeper relationship with God.¹⁰⁴

108. It is necessary to give adequate responses to the needs of refugees and other forcibly displaced persons, addressing existing behaviour of discrimination, xenophobia or racism,¹⁰⁵ and working for policies that safeguard, strengthen and protect their rights.¹⁰⁶ Through the commitment of the lay faithful, new relations between Church and society will come about, contacts also with non-Christian religious communities¹⁰⁷ will grow and be strengthened, and collaboration between Church of origin and receiving Church will develop.

109. Involvement of the laity is also necessary at the service of Liturgy and popular piety (cf. *EMCC* 44-48). Participating in the unfurling of the liturgical year, celebrating the Sacraments and taking part

¹⁰⁴ Cf. JOHN PAUL II, *WDMR* 1999, no. 4, *l.c.*: “Charity, in its twofold reality as love of God and neighbour, is the summing up of the moral life of the believer. It has in God its source and its goal”.

¹⁰⁵ Cf. BENEDICT XVI, *Angelus*, 24 December 2006 - O.R., Weekly Edition in English, 3 January 2007, 12: “The corresponding duty is to increasingly overcome preconceptions and prejudices, to break down barriers and eliminate the differences that divide us, or worse, that set individuals and peoples against one another, in order to build together a world of justice and peace”.

¹⁰⁶ Cf. JOHN PAUL II, *WDMR* 1999, no. 6, *l.c.*: “Catholicity is not only expressed in the fraternal communion of the baptized, but also in the hospitality extended to the stranger, whatever his religious belief, in the rejection of all racial exclusion or discrimination, in the recognition of the personal dignity of every man and woman and, consequently, in the commitment to furthering their inalienable rights”.

¹⁰⁷ Cf. *EMCC* nos. 59-68, *l.c.*, 791-795. No. 59 states: “In the case of non-Christian immigrants, the Church is also concerned with their human development and with the witness of Christian charity, which itself has an evangelising value that may open hearts for the explicit proclamation of the Gospel when this is done with due Christian prudence and full respect for the freedom of the other. In any case the migrant of another religion should be helped insofar as possible to preserve a transcendent view of life. The Church is thus called upon to open a dialogue with these immigrants, and this ‘dialogue should be conducted and implemented in the conviction that the Church is the ordinary means of salvation and that she alone possesses the fullness of the means of salvation’ (*Redemptoris Missio*, 55; cf. also *Pastores gregis*, 68)”.

in other familiar liturgical services and activities, refugees and other forcibly displaced persons will find the strength needed to bear the harsh trial of displacement and grow in living Christ's paschal mystery, reassured that "*all things work for good for those who love God, who are called according to his purpose*" (Rm 8:28).

Ecumenical and inter-religious cooperation

110. In answering to the needs of contemporary world, it is important for Christians to bear witness together of the deep commitment to make present the Kingdom of God.¹⁰⁸ This could be accomplished through common action and cooperation, which should lead them closer to one another and renew their service in response to the challenges of suffering and oppression. "*In this unity in mission, which is decided principally by Christ himself, all Christians must find what already unites them, even before their full communion is achieved. This is apostolic and missionary unity ... Thanks to this unity, we can together come close to the magnificent heritage of the human spirit that has been manifested in all religions*".¹⁰⁹

Common action and cooperation with the different Churches and ecclesial communities,¹¹⁰ as well as joint efforts with those who profess other religions, could give rise to the preparation of increasingly urgent appeals in favour of refugees and other forcibly displaced persons.

¹⁰⁸ Cf. PONTIFICAL COUNCIL FOR THE PROMOTION OF CHRISTIAN UNITY, *Directory for the Application of Principles and Norms on Ecumenism*, 25 March 1993, no. 162 - *AAS* LXXXV (1993) 1097: "*Christians cannot close their hearts to the crying needs of our contemporary world. The contribution they are able to make to all the areas of human life in which the need for salvation is manifested will be more effective when they make it together, and when they are seen to be united in making it. Hence they will want to do everything together that is allowed by their faith*". This perspective is articulated in EMCC nos. 56-58, *l.c.*, 790-791.

¹⁰⁹ JOHN PAUL II, Encyclical Letter *Redemptor Hominis*, 4 March 1979, no. 12: *AAS* LXXI (1979) 278.

¹¹⁰ Cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, Declaration *Dominus Jesus*, 6 August 2000, no. 17: *AAS* XCII (2000) 758-759, and *Note on the Expression 'Sister Churches'* (June 30, 2000): O.R., Weekly Edition in English, 1 November 2000, 9.

111. Pope John Paul II explicitly reiterated this to the ICMC Council Members, defining the “soul” of the institution’s work in favour of migrants and refugees as “*a vision of human dignity which is based upon the truth of the human person created in the image of God (cf. Gn 1:26), a truth which illumines the entire Social Teaching of the Church*”. This – according to the Pope – is “*a profoundly religious vision which is shared not only by other Christians, but also by many followers of the other great religions of the world*”.¹¹¹ He therefore urged them never to grow weary in the search for new modes of ecumenical and inter-religious cooperation, which are now more necessary than ever.

112. Cooperation does not certainly mean going against our faith or conscience. Indeed, to remain authentic and credible, Christian communities must take Jesus Christ as their constant point of reference. “*If we have truly started out anew from the contemplation of Christ, we must learn to see him especially in the faces of those with whom he himself wished to be identified ... This Gospel text [Mt 25:35-37] is not a simple invitation to charity: it is a page of Christology which sheds a ray of light on the mystery of Christ*”.¹¹²

Pastoral care of asylum seekers and stateless persons in detention centres

113. Increasingly, asylum seekers and stateless persons are detained in restricted locations, including prisons, closed camps, detention facilities or airport transit zones, where freedom is substantially curtailed. Detention is frequently implemented as a tool of asylum and immigration policymaking. People confined to detention-like situations are intended recipients of the concern of chaplains and pastoral agents.¹¹³

¹¹¹ JOHN PAUL II, *Address to the Participants in the Assembly of the Council of the ICMC*, 12 November 2001, no. 4, *l.c.*, 11.

¹¹² ID., Apostolic Letter *Novo Millennio Ineunte*, 6 January 2001, no. 49: *AAS* XCIII (2001) 302.

¹¹³ PONTIFICAL COUNCIL FOR THE PASTORAL CARE OF MIGRANTS AND ITINERANT PEOPLE, *Catholic Civil Aviation Pastoral Directives*, 14 March 1995, in http://www.vatican.va/roman_curia/pontifical_councils/migrants/documents/rc_pc_migrants_doc_19950314_avci_directives_en.html.

114. The local Church, of which port chaplaincies, airport chaplaincies or chaplains in detention-like situations and prisons are a part, has the primary responsibility for the pastoral care of refugees.¹¹⁴ This, of course, implies cooperation with the various components of the local Church, especially when other tasks and responsibilities for different kinds of recipients of pastoral care need to be fulfilled.

115. Indeed, in those pastoral situations the members of the Catholic chaplaincy do much for those who are detained in migration facilities. They visit them regularly and try to see how they can be helped, especially regarding their basic needs. They listen to and give them advice, which is more important than what others usually perceive. They also respond to the pastoral and sacramental needs of Catholics, and to the spiritual requests of other Christians, too, in line with the Catholic norms of ecumenical cooperation. They try to have good relations with the security personnel, which is essential to be able to give adequate aid to these people in need. They may also work with other Agencies present for the purpose of assisting asylum seekers and stateless persons.

116. It is necessary for chaplains to have an adequate preparation and ability to cope with the demands of such a pastoral care so as to effectively handle the situation of people held in detention. The issue needs to be more widely known in order to have a common commitment, and this requires greater awareness-building and appropriate training.

117. An important aspect in facing the needs of those who are in detention centres is collaboration between chaplaincy members (both Catholics and those belonging to other Churches and ecclesial Communities) and all other agents (social workers, lawyers, medical and paramedical workers, interpreters, cultural mediators, etc.) working in these areas. Another effective form of collaboration is networking among chaplaincies in different countries.

¹¹⁴ *Refugees*, no. 26, *l.c.*, 1033.

CONCLUSION

118. The present Document abides by the numerous indications of the Magisterium during the past century, after experiencing two terrible world wars, followed by a Cold War and additional conflicts in all regions of the world that caused flows of people suffering from want and persecution. It also contains an echo of the subsequent ministry which updated, in continuity with the past, the specific pastoral care of forcibly displaced persons.

119. If charity is in us, it would be impossible to remain silent before the disquieting images showing stretches of refugee and IDP camps throughout the world. We are before people who have tried to escape an unendurable fate, only to end up living in makeshift dwellings, still in dire need. They, too, are human beings, our own brothers and sisters, whose children are entitled to the same legitimate expectations of happiness as other children.¹¹⁵

120. Each and every one of us, therefore, must have the courage not to turn our eyes away from refugees and forcibly displaced persons, but allow their faces to penetrate our heart and welcome them into our world. If we listen to their hopes and despair, we will understand their feelings.

121. The memory of how much humanity suffered as a result of wars and conflicts, which forced millions of people to flee and abandon their homes and their lands, makes people particularly sensitive in this regard, especially in those places where these events took place. We encourage everyone, therefore, to act tirelessly so that all discord and division may end. This will allow the building of the civilization of truth and love in the context of solidarity between nations everywhere.¹¹⁶

¹¹⁵ Cf. BENEDICT XVI, Apostolic Exhortation *Sacramentum caritatis*, 22 February 2007, no. 90: *AAS* XCIX (2007), 174-175.

¹¹⁶ Cf. JOHN PAUL II, *Speech at the Ceremony Awarding the 1986 International John XXIII*

122. The problem of refugees and other forcibly displaced persons can be solved only if the conditions for genuine reconciliation are in place. This means reconciliation between nations, between various sectors of a given national community, within each ethnic group and between ethnic groups. For this to come about, it is necessary to forgive what took place in the past, to be able to work together and build a better future.¹¹⁷ There is a need for a *healing of memories* since “before any process of reconciliation can start with other people or communities, it is necessary first of all to be reconciled with the past”.¹¹⁸

123. Indeed, all those who generously and unselfishly work in favour of refugees and other forcibly displaced persons are “peacemakers” and deserve to be considered blessed by God, because they recognized the face of Jesus Christ in the faces of thousands of forcibly displaced persons and other suffering people whom they met in the course of their work. Their task will certainly not be over as long as there are people around them who suffer and to whom they will respond “by giving them the means of persevering and establishing their dignity”.¹¹⁹ This continues to hold true in our days.

124. May the Virgin Mother, who, together with her blessed Son and Saint Joseph, her Spouse, experienced the sorrow of exile, help us understand the tragedy experienced by those who are forced to live far away from home, in displacement, as refugees, IDPs, stateless persons, victims of human trafficking or forced labour, and child soldiers. May She teach us to continually take care of them through our pastoral service of welcome that is both truly human and fraternal.

Peace Prize to the Catholic Office for Emergency Relief and Refugees (COERR), 3 June 1986, no. 9: O.R., Weekly Edition in English, 4 June 1986, 4.

¹¹⁷ ID., *Address to the Members of the Government of Thailand and to the Diplomatic Corps of Bangkok*, 11 May 1984, no. 6: *Insegnamenti di Giovanni Paolo II* (tr. Teachings of John Paul II), VII/1 (1984) 1380.

¹¹⁸ ID., *Message on the Occasion of the 100th Anniversary of the Death of Pope Leo XIII*, 28 October 2003, no. 6: O.R., Weekly Edition in English, 3 December 2003, 2.

¹¹⁹ ID., *Speech at the Ceremony Awarding the 1986 International John XXIII Peace Prize to the Catholic Office for Emergency Relief and Refugees (COERR)*, no. 8, *l.c.*

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