

Global Compact on Refugees

I. Introduction

The New York Declaration on Migrants and Refugees of 19 September 2016, adopted by the United Nations General Assembly, set the international community on a journey to achieving greater global solidarity with refugees and with host communities. To accomplish, as the Declaration states, “a more equitable sharing of the burden and responsibility to be better able to protect and assist refugees and to support the host States and communities involved” is a task that surpasses the good will of any single country and calls for flexibility, coherence and cooperation among the members of the family of nations.

In 2017 an unprecedented 68.5 million individuals worldwide were forcibly displaced. Among them, nearly 25.4 million are refugees, with more than half of them under the age of 18¹. The large majority of them is hosted in developing countries and often living in the poorest areas. These numbers and statistics might easily be ignored but it is much harder to escape the human tragedies and indignities that accompany these brothers and sisters.

Indeed, statistics are an alarming indicator of the violence, persecution and conflict that bedevil our age. Many of the problems faced by refugees remain without an adequate response. Resettlement quotas are being reduced while asylum procedures are becoming increasingly complicated, rendering them more difficult to execute and thus causing grief and despair to many. At the same time, the generosity and solidarity of those countries that welcome and host displaced persons, in spite of their own hardships, give an eloquent witness to the bonds that unite our human family.

Through the New York Declaration, the Office of the United Nations High Commissioner for Refugees was tasked to develop a Global Compact on Refugees (GCR) in consultation with States and other stakeholders. The Holy See welcomes the “vision” of the GCR of strengthened international cooperation and genuine solidarity with refugees and host communities through more equitable and predictable responsibility-sharing. The guiding principles and objectives are rooted in well-recognized values and principles that constitute a common patrimony of humanity enshrined in international law.

The GCR process has been an opportunity to elevate the standard approach of the international community - to protect, to assist and to find durable solutions - to that of a universal family, responding to the lofty principle of solidarity and fraternal compassion by offering a more concerted and equitable global response.]There are four objectives clearly spelt out in the GCR: to ease pressures on countries that host large numbers of refugees; to enhance refugee self-reliance; to expand access to third-country solutions (i.e. resettlement and complementary pathways for

¹ UNHCR, Global Trends Force Displacement in 2017 (2018)

admission); and to support conditions in countries of origin that enable refugees to return in safety and dignity.

Two novel features that stand out prominently in the GCR are the proposed Global Refugee Forum and the Support Platform. The GCR provides for the creation of a Global Refugee Forum, at the ministerial level, that would bring the international community together in Geneva every four years starting from 2019, to focus on the challenges faced by refugees and host countries and to review the collective progress that is being made towards more predictable and equitable burden- and responsibility-sharing.

The GCR also provides for the possibility of requesting the activation of a Support Platform, in specific large-scale refugee contexts – whether new or protracted – when a host State or country of origin is particularly in need of wide-ranging support to respond to a large-scale refugee situation, with the objective to galvanize political commitment and mobilize assistance.

II. The Holy See's position throughout the GCR process

As I have just mentioned, the GCR was forged over eighteen months of consultations, which included six thematic discussions on different aspects such as burden and responsibility sharing, the pursuit of durable solutions, protection of refugees, which culminated in a stocktaking exercise that took place during the High Commissioner's Dialogue on Protection Challenges in December 2017.

Since then, the international community has been engaged in an intensive process of six rounds of formal consultations – the last one took place in July 2018 - which were dedicated to working on a Zero Draft provided by the UNHCR. It is important to note that, unlike the Global Compact on Migration where the process was led by governments and facilitated by Mexico and Switzerland in consultations with civil society as well, the GCR was a process led and steered primarily by the UNHCR, in consultation with States and civil society. For this reason, it is more appropriate to refer to "formal consultations" rather than "negotiations".

The UN General Assembly will consider the GCR proposed by the High Commissioner for Refugees in conjunction with the annual resolution on the Office of the United Nations High Commissioner for Refugees. This resolution, which is currently still being negotiated, should be adopted in the near future.

Throughout the process, the Holy See was committed to reaffirming the centrality of the human person and the concepts of humanity, solidarity and non-refoulement that underlie the international protection regime for refugees, encouraging states to fully respect their commitments, and to revitalize humanitarian principles, through a concrete and tangible application of those values of welcome and fraternity which constitute a common heritage of humanity.

Among States, which have the primary responsibility for reception and admission of refugees, the Holy See, by virtue of its mission and on the basis of its experience, participated in the

consultations as a voice of conscience and an “expert on humanity”. The Holy See echoed Pope Francis’ inspiring words, urging that both Global Compacts “need to be inspired by compassion, foresight and courage, so as to take advantage of every opportunity to advance the peace-building process. Only in this way can the realism required of international politics avoid surrendering to cynicism and to the globalization of indifference”.²

The Holy See repeatedly stressed the importance for the GCR to be firmly centered on the human person, hoping that it truly would make a difference in alleviating the stories of pain and in supporting the stories of hope among those caught in a desperate search for a more secure and dignified existence. Throughout the GCR process, the Holy See has made an appeal to consider refugees not as numbers to be distributed and allocated, but persons with a name, a story, with hope and aspirations for an integral human development, who have been forced to flee their country and now need protection and assistance.

While it is important to stress what many States are doing for refugees, the Holy See also deemed it fair to highlight the contributions of refugees for the host communities. Indeed, despite the tragedy and gravity of their situations, refugees bring their talents through knowledge, practical skills, experience, culture and spirituality that can enrich the receiving countries.

At the same time, the Holy See has stressed the crucial importance of implementing forward-looking strategies and structures that serve the common good, thus benefitting not only those who arrive, but also the host countries, the majority of which encounter several developing problems, but whose generosity is commendable. On several occasions, the Holy See recalled that each refugee has duties towards the host communities, which require the respect for its laws and regulations with a view to the attainment of the common good of all.

In order to sustain the efforts of the international community in shaping the two Global Compacts, the Holy See, through its Permanent Missions to the United Nations in Geneva and in New York, organized numerous side events over the last two years.

[For instance, the Holy See Mission in Geneva, together with the International Catholic Migration Commission and Caritas Internationalis hosted an event on unaccompanied children on the move – which was the topic of last year’s Message for Refugees and Migrants of Pope Francis, co-sponsored by the Permanent Missions of Canada, Colombia, El Salvador, Honduras, Guatemala, Mexico, Philippines, African Union, European Union, Order of Malta, and other Catholic inspired NGOs.

In line with the four key verbs

charted by Pope Francis to guide the response of the international community - to welcome, to protect, to promote and to integrate - the Permanent Mission in Geneva also organized an event on “Mutual Contributions and Benefits: Integrating Migrants and Refugees in Host Societies”,

² Pope Francis, Message for the Celebration of the 51st World Day of Peace, 1 January 2018.

cosponsored by Germany, Canada, Morocco, European Union, Italy, Philippines, Uganda, Argentina, Brazil, IOM, UNHCR, ICMC, Caritas Internationalis and the Forum of the catholic NGOs.

These events have had an important echo and impact, with some of the best practices and ideas which served as a contribution to the Global Compacts.]

III. Particular aspects raised by the Holy See throughout the GCR process

I would like to highlight some particular aspects which were raised by the Holy See throughout the GCR consultations process:

1) The shared responsibility to address the root causes of forced displacement. This requires courage and political will, bringing to an end conflicts which breed hatred and violence, and striving for peace, reconciliation and respect for human rights and fundamental freedoms. Indeed, forced displacement is not just a matter of “bad luck”; more often than not, it is the result of political decisions. The Holy See did not fail to highlight the inconsistency and cynicism of providing humanitarian aid on the one hand, and to adopt policies that foment conflict on the other (including the massive proliferation and sale of weapons driven by pure economic profit), recalling the right of every person to remain in dignity, peace and security in their country of origin.

The Holy See also welcomed the inclusion in the GCR of efforts to support reconciliation and confidence-building measures as well as the participation of refugees and returnees in peacebuilding activities. As recalled by Pope Francis, “it is likewise important that the many refugees who have found shelter and refuge in neighboring countries... be able to return home.”³ This is particularly important if we consider the situation in the Middle East and the impact it has had on the Christian presence there.

The Holy See also reiterated its concern over the fact that natural disasters and environmental degradation are increasingly the causes of forced displacement, affecting for the most part the poorest and most vulnerable.

2) The crucial role of faith-based organizations (FBOs). The Holy See insisted on the recognition in the GCR of the role of faith-based organizations. Religious communities have an enduring presence in the field, which even predates the joint efforts of the international community. They are often the first providers of protection during emergencies. It is appreciated that the role of FBOs is well acknowledged and reflected in the GCR as this will be important in view of the implementation of the GCR.

3) The Holy See has drawn attention to the increasing phenomenon of unaccompanied children seeking asylum, especially because this is frequently the direct result of the desperate situation of many families and because it is too often “solved” by an ambiguous system of detention.

³ Pope Francis, Address to the Diplomatic Corps Accredited to the Holy See, 8 January 2018.

The Holy See recalled that, in the best interest of the child, special attention must be given when assisting with initial registration and identification of specific needs for unaccompanied and separated children. This has been positively reflected in the GCR.

4) The Holy See also welcomes the relevance given in the GCR to the health and education of refugees and of host countries alike, two areas where the Catholic Church through its many institutions is deeply engaged. Access to education and healthcare inspires hope among refugees and greatly contributes to restoring their dignity.

For these reasons, the Holy See highlighted the critical importance of adopting policies that allow refugee children to access quality education from the early stages of their displacement, in order to help protect them from human trafficking, forced labor and other forms of slavery. Similarly, the importance of granting access to healthcare is self-explanatory. The Holy See insisted that the right to the enjoyment of the highest attainable standard of health should be exercised through non-discriminatory, comprehensive laws, policies and practices firmly rooted in the centrality of the human person and founded on the right to life and be respectful of women's dignity and of their specific cultural and moral values.

While the Holy See acknowledges the particular risks that women and children face in the context of humanitarian emergencies and their specific and integral needs regarding access to basic healthcare, essential obstetric services, sanitary and food security, it cannot accept as a fitting solution those services that are against the dignity of the human person.⁵⁾ In order to have the most powerful impact, the Holy See has also warned about the importance for the GCR to retain a non-politicized and non-ideologized nature and to avoid becoming a "hunting ground" for competing interests.

As Pope Francis said, *"human beings are ends in themselves and never a means of resolving other problems. Once this conviction disappears, so do solid and lasting foundations for the defense of human rights, which would always be subject to the passing whims of the powers that be."*⁴

This aspect was raised several times throughout the process of the GCR both formally and informally with other Delegations, in order to avoid the attempts to insert some problematic language in the GCR. It is of particular importance, also in light of the GCR implementation, for the many Catholic-inspired organizations that are working in synergy alongside the UNHCR in the common objective of protection and assistance, which find themselves in the position to promote the true dignity of refugees.

6) Over the course of the GCR process, the Holy See also highlighted some concrete measures to expand the number and range of alternative legal pathways for safe, voluntary resettlement, in full respect of the principle of non-refoulement. These measures include more widespread implementation of private and community sponsorship programs; the opening of humanitarian

corridors and granting of special temporary visas for refugees in particularly vulnerable situations and promoting greater respect for the unity of the family, the natural and fundamental cell of society and an essential right of the refugee, by expanding family reunification visas; and the need to respect the universal right to a duly certified nationality for all children at birth. It is appreciated that the issue of statelessness has been duly reflected in the GCR.

While voluntary repatriation continues to be the durable solution sought by many refugees, it is also important to support countries that elect to resolve a refugee situation locally. The Holy See welcomes the fact that the GCR acknowledges the decision of some countries to opt for local integration of refugees, and appreciates that the GCR describes the integration process as a dynamic and two-way process, which, while respecting the rule of law, takes into account the needs of refugees and of the local communities as well, based on the culture of encounter.

7) Lastly, the complementarity between the Global Compact on Migration (GCM) and GCR. While the two processes, shaping the Compacts, followed independent paths, there are inevitably several touchpoints between the two. Existing instruments focusing on refugees, as well as other human rights conventions, constitute a continuum that the GCR and the GCM can help solidify and make more effective for the purposes of alleviating suffering and fostering hopes. This is particularly important to keep in mind when we consider the aspect of mixed flows to avoid the repetition of tragedies, with which we are all too familiar. The Holy See appreciates that the GCR positively dedicates attention to the issue of mixed flows and encourages closer operational partnerships among relevant actors, including UNHCR and the International Organization for Migration, in order to ensure a more coordinated approach to the benefit of people on the move.

IV. Conclusions

In conclusion, while it is our shared hope that nobody would have to be forced to flee his/her native lands, the plight of refugees continues to be "*a shameful wound of our time*"⁵. The Holy See continues to reiterate that refugees are our brothers and sisters. Let us keep in mind that, after all, the decision of our brothers and sisters to flee their home out of fear and desperation is a leap of faith in the solidarity and unity of the human family. To echo the words of Pope Francis "each one of us is also called to be close to refugees, to find moments of encounter with them, to appreciate their contribution, so that they too may be better integrated into the communities that receive them. In this encounter and in this mutual respect and support there is a solution to many problems."⁶

The development of the GCR presented the international community with the opportunity to shift from a reactive approach to a more proactive one, which will be more predictable and harmonized and thus more effective. As in all multilateral processes, the outcome of these

⁵ Cf. Saint John Paul II, *Letter to the High Commissioner of the United Nations for Refugees*, 25 June 1982.

⁶ Pope Francis, words *after the Angelus*, 17 June 2018.

consultations is a document which reflects compromises, a realistic balance of the interests and aspirations of hosting countries, of donors and other stakeholders.

Notwithstanding the encouraging developments brought forward by the GCR, we should also be realistic and resolute about its implementation, keeping in mind that the rights of refugees, as laid out in various international instruments, often continue to be violated.

The Holy See hopes that the GCR will truly contribute to improve the lives of millions of refugees who continually seek international protection and to better assist those local communities and States that generously host them. In this regard, the GCR is not the end of a process, but rather a new beginning for the human family based on a more universal and solid ethic that values the wellbeing of all humanity and of each and every person.