



Statement by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to
the United Nations and Other International Organizations in Geneva
at the 99th Session of the Council of the International Organization for Migration
Geneva, 29 November – 2 December 2010

Mr. President,

The persisting economic crisis has caused a negative impact on many sectors of society. Immigrants also have paid a price. The limits imposed on legal immigration, the reinforcement of border controls, the non-renewal of work permits, for example, are measures that often responded to widespread and legitimate security concerns but also to the pressure of public opinion and sometimes have created a perception of rejection and of fear that immigrants may exacerbate competition for jobs as well as become a threat to national cohesion. Voting patterns across continents give evidence of how a distorted image of immigrants can affect political behaviour. A contradiction emerges that, on one hand, sees the market of developed and emerging economies demand and absorb immigrants, while, on the other hand, the receiving societies begrudge and reject these same persons. Public policies to address the phenomenon of immigration from a human rights perspective often meet with great resistance on the ground. There is a need, therefore, to renew practical efforts at counteracting the negative trend and stereotypes, which are accentuated by the present economic situation, a trend that prevents sound legislative reforms and ignores the great contribution of migrants. It is necessary, as well, to avoid taking hasty legal and administrative measures that impose a disproportionate burden on the immigrants. A fair and coordinated re-examination by all States involved in certain practices regarding detention, especially of children, borders and high sea 'push backs', policies toward irregular migrants, and the conditions to which returnees are subjected, would signal respect for the basic requirements of human rights and give a message of hope that will facilitate the future process of integration.

Stranded immigrants are a clear example of the ambiguity we witness in the current treatment of immigrants. The Church and its agencies, as well as other faith-based organisations, closely accompany migrants and have collected numerous testimonies of migrants who are stranded, persons who are unable to return to a country of nationality or former residence due to legal, or intractable humanitarian or logistical, reasons¹. They cannot move forward nor back. Many of these stranded migrants share the same dreadful situation: they are denied access to basic social rights and services and live in constant fear of being detained and deported. Even if they already have stayed for several years in the same country, they completely lack future prospects and chances to build up their lives. These persons may not fall under the technical definition of refugee, and cannot escape the situation in the countries of transit because they are denied access to a country of destination. Their condition when they are in detention places is even worse. The international community hopefully will not turn a blind eye on the dreadful treatment of these

¹ Stefanie Grant, *The Legal Protection of Stranded Migrants*. In: *International Migration Law: Developing Paradigms and Key Challenges*. Ed. by Ryszard Cholewinski, Richard Perruchoud and Euan MacDonald. The Hague (T.M.C. Asser Press) 2007, p. 29-47, at p. 30.

trapped migrants in need of protection on the other side of the borders of the more developed countries. New protection mechanisms have been devised; now they need adequate support to become truly effective.

Cooperation among countries, on the other hand, can be the practical road to achieve effective results in the governance of today's massive migrations. Suspicions and objections toward an international management of migrations are not lacking as emphasis is placed on national responses and defence of sovereignty. But grave transnational phenomena, such as trafficking and smuggling and irregular migration flows, or the important attraction of labour from less to more developed and secure countries by the global market, all require better and comprehensive planning and action. The establishment of an international framework for some cross-border issues like trade, labour, human rights, intellectual property, and climate, has proven doable and useful. Individual States, citizens and migrants alike would find it advantageous to adopt and implement an international approach that would enhance collaboration and governance in the area of human mobility. The growing number of migrants around the world who are vulnerable and exploited and not adequately reached and protected by States and international institutions, as are stranded migrants, would certainly benefit from a global system that could close this and other protection gaps. Concrete steps can be taken starting with a greater coherence at the national level to exchanges of information and agreements among regional migration entities and to a greater collaboration engagement on the part of international organizations with a mandate to deal with migration. As indicated in its strategy, and as part of its priorities, the IOM can provide leadership to enhance, in accord with international law, the humane and orderly management of migrations and the respect of the human rights of migrants.

In conclusion, Mr. President, as international migration is expected to continue to grow in scale, global reach and variety, cooperation becomes urgent to achieve the fundamental goal of allowing migrants to be partners in economic development and as potential citizens by recognizing their human rights and the fact that they are already equal members of our one human family. As the Holy Father Benedict XVI has written in his Message for the next World Day for Migrants and Refugees: "In this regard, the Church does not cease to recall that the deep sense of this epochal process and its fundamental ethical criterion are given by the unity of the human family and its development towards what is good (cf. Benedict XVI, Encyclical *Caritas in veritate*, 42). All, therefore, belong to one family, migrants and the local populations that welcome them, and all have the same right to enjoy the goods of the earth whose destination is universal..."²

Thank you, Mr. President.

² Pope Benedict XVI, Message of His Holiness Benedict XVI for the 97th World Day of Migrants and Refugees (2011): "*One human family*"