



THE HOLY SEE
2015 Human Dimension Implementation Meeting
Working Session 10: Migrant workers, the integration of legal migrants
Monday, September 28, 2014

Mr. Moderator,

In recent years we have witnessed great movements of migrants towards and within the OSCE region. This phenomenon leaves no one unaffected. Specific strategies are being developed and proper measures have been applied in order, on one hand, to accommodate numerous persons seeking a safer and better place of life and, on the other, to respect the laws of countries into which the migrants come. The Holy See's approach to the migration phenomenon, in all of its aspects, including irregular migration, is one considered always from the perspective of the human person, and his or her fundamental rights as such.

Irregular migration is seldom the result of simple political or legislative problems, but the product, rather, of a complex interaction between various factors. There are individual migrants (or migrants with their families) who wish to migrate but, if impeded or prohibited in one form or another, nevertheless still choose to migrate and violate the law. On the other hand, employers are in need of labourers, but when in some situations these people are not legally available, some meet this need by turning to an irregular supply. Nations, in essence, negotiate between these interests, the public opinion and other considerations. Unfortunately, more often than not, irregular migrant labour becomes the likely response. It is also worth noting that, in this interaction of factors, different nations exhibit different levels of tolerance towards both regular or irregular migration, as well as irregular employment. In his recent statement at the Joint Session of the United States Congress Pope Francis emphasized that "Our world is facing a refugee crisis of a magnitude not seen since the Second World War. This presents us with great challenges and many hard decisions. On this continent, too, thousands of persons are led to travel north in search of a better life for themselves and for their loved ones, in search of greater opportunities. Is this not what we want for our own children? We must not be taken aback by their numbers, but rather view them as persons, seeing their faces and listening to their stories, trying to respond as best we can to their situation. To respond in a way which is always humane, just and fraternal. We need to avoid a common temptation nowadays: to discard whatever proves troublesome." (*Address of Pope Francis at the Joint Session of the United States Congress, 24 September 2015*).

My delegation is not ignorant of the fact that irregular migration is politically and juridically problematic and it is clear that those who find themselves in an irregular situation with regard to the law of a particular nation, in fact, fall foul of that country's law. Therefore, every nation has the right and obligation to regulate the movement of people, and

should do so with a clear system of migration laws. This, however, should not come in conflict with the subjective individual right to emigrate and to be treated always with the respect due to every human person. Severe immigration laws and restrictive immigration policies, including limits to migrants' access to social services, have hardly discouraged international migration. Rather, they have actually exacerbated irregular migration and compounded the considerable risk it involves. Migrants who finally manage to enter another country irregularly may find that, instead of honest and well-paying jobs promised to them, they end up exploited through prostitution, indentured labour, slave-like services or even the extraction of organs. Unwittingly, they may find themselves the victims of trafficking in human beings. Migrants in an irregular situation are vulnerable. Although they retain all their human rights and dignity, these are no longer guaranteed by law. Protecting the rights of irregular migrants, therefore, would constitute an important step forward towards preventing migrant abuse and exploitation.

An important characteristic of contemporary migration is the increasing proportion of women involved in it. In many parts of the world, women's rights need to be defended. This is doubly true in the case of migrant women.

Furthermore, the right to migrate includes the right to emigrate as a family, as well the right to remain with one's family. Family separation brings about problems for the stability of the couple and of the family itself, as well as for the education of the children.

Beyond the political aspect of the problem lie humanitarian concerns. People in an irregular migration situation find themselves ignored and neglected by public institutions. In a certain sense, they simply do not exist. Left to themselves, they must often continue living in fear of expulsion or deportation. Whatever the reasons or situation that led them into a situation of irregularity, they are still human beings with their fundamental rights and dignity – rights that are also recognized and protected at the international level. The criminalization of irregular immigration is a negative reaction that not only impedes the resolution of the problem, but also further aggravates the situation. The implementation of solely repressive and restrictive legislation towards irregular migrants only places them in an even more vulnerable situation. Vigilance must therefore be kept so as not to lose the human face of the migration situation.

Mr. Moderator,

The commitment of the Catholic Church towards migrants is pursued at various levels, where communities pay special attention to migrant workers and their families by accompanying them with prayer, solidarity and charity, by enhancing what is reciprocally enriching, as well as by fostering new political, economic and social planning that promotes respect for the dignity of every human person, the safeguarding of the family, access to dignified housing, to work and to welfare. The numerous educational institutions of the Catholic Church are also deeply engaged in this field. The Holy See works actively together with governmental institutions or volunteers at national and international levels that offer their resources and expertise to care for migrants. The Catholic Church continues to offer her contribution in the complex and vast phenomenon of human mobility, by willingly valuing migrants, within the ecclesial community and society, as an important element for mutual enrichment and the construction of the human family, in a fruitful intercultural exchange of gifts.

A new effort is required on all levels to address the political responsibility to work together to assist those in need of assistance, whether it be in the country of origin before they begin their journey, in transit, or ultimately in the country of destination in whatever situation they find themselves – and to promote respect for the intrinsic human dignity of every person.

Thank you, Mr Moderator.