

**ACT Alliance WCC CCME CWWM Statement on the
UN High-level Summit on addressing large movements of refugees and migrants**

"...And No One Shall Make Them Afraid" (Micah 4:4):

UN High Level Summit Must Deliver on Protection and Rights of the Uprooted

The ACT Alliance¹, World Council of Churches (WCC)², Churches' Commission for Migrants in Europe (CCME)³, and Churches Witnessing With Migrants (CWWM)⁴ welcome the initiative of the United Nations Secretary General to convene on the 19th of September a summit for addressing large movements of refugees and migrants. There is hope among global civil society that it will provide an opportunity to kick-start a process towards real and substantive improvements in government responses to the situation of refugees, migrants, and the world's displaced. The Summit on the Global Refugee Crisis hosted by US President Obama on 20th September is expected to focus on increased humanitarian aid, resettlement numbers, and an expansion in rights for refugees, and will provide an additional opportunity to strengthen states' commitments in this area, which must not be wasted.⁵

A major characteristic of large movements, especially in recent years, has been the mixed nature of forces driving people to move in an effort to escape persecution, violence, war and oppression, climate change, natural disasters, and desperate economic conditions. Millions are displaced internally, and some cross international borders into neighbouring countries and travel to distant shores seeking refuge and a new life. More restrictive border policies have tightened access to international protection, as well as labour markets. This development has also been driven by increasing instances of xenophobia and racism, gaining traction among populist parties in many developed and developing countries which are destination points for refugees and migrants, including in North America and Europe, as well as other regions such as Southern Africa and Southeast Asia.

¹ Action by Churches Together (ACT) Alliance is a global alliance of churches and church-related organisations committed to working ecumenically in the areas of humanitarian response, development and advocacy. Its membership includes 145 churches and church related organisations from over 70 countries, the majority from the global south. ACT members work in 140 countries around the world. <http://actalliance.org/about/>

² The World Council of Churches is a fellowship of churches which confess the Lord Jesus Christ as God and Saviour according to the scriptures, and therefore seek to fulfil together their common calling to the glory of the one God, Father, Son and Holy Spirit. It is a community of churches on the way to visible unity in one faith and one eucharistic fellowship, expressed in worship and in common life in Christ. It seeks to advance towards this unity, as Jesus prayed for his followers, "so that the world may believe." (John 17:21) <https://www.oikoumene.org/en/about-us>

³ The Churches Commission for Migrants in Europe (CCME) is an ecumenical organisation that serves the churches in their commitment to promote the vision of an inclusive community through advocating for an adequate policy for migrants, refugees and minority groups at European and national level. In the fulfilment of this mandate it is responding to the message of the Bible which insists on the dignity of every human being and to the understanding of unity as devoid of any distinction between strangers and natives. <http://www.ccme.be/who-we-are/>

⁴ The Churches Witnessing With Migrants (CWWM) is an international platform for advocacy and forthright action focused on global migration, particularly forced migration and all its forms. It is organized as a tripartite body of equals that includes migrants and representatives of migrant-serving institutions and faith-based organizations from various faith traditions. In its practice of a tripartite arrangement, it values working together and inclusively on acts of mercy, accompaniment and justice. <http://nccphilippines.org/our-programs/faith-witness-and-service/church-witnessing-with-migrants/>

⁵ <http://cwsglobal.org/leading-up-to-un-secretary-general-and-president-obamas-summits-on-refugees-and-migrants-cws-urges-action/>

We would like to highlight the significance of this global gathering, and the need for it to deliver on the expectations that are riding upon it. Substantive progress is desperately needed in view of the grave human rights violations faced by growing numbers of refugees, migrants, and displaced people in the world today.

According to the latest UNHCR statistics, there are roughly 65 million forcibly displaced persons, including over 21 million refugees, 3 million asylum-seekers and over 40 million internally displaced persons. The visibility of their suffering is highly contextual, depending on current news cycles and the interests of the viewing audiences and governments in developed countries. The suffering of Syrians in the course of the now 5-year old civil war has been well documented, with an estimated 400,000 deaths by April 2016, according to the UN and Arab League Envoy to Syria. 2.1 million displaced Syrians are currently registered by UNHCR in Egypt, Iraq, Jordan and Lebanon, 2.7 million in Turkey, and more than 29,000 in North African countries. Similar in scale, although less well recognized, has been the displacement of large numbers of people in other parts of the region, including Afghanistan and Iraq, as a consequence of ongoing violence. In search of refuge, many of them have been hosted by neighbouring countries while a comparatively limited number made their way into Europe, especially during 2015, triggering widespread concern among EU countries about their ability to cope with the influx. At the same time, large-scale refugee crises persist in other parts of the world – many of them have been ongoing for decades. This includes the plight of the Palestinians, displaced since 1948, the displacement of Somalis towards neighbouring Kenya, the internal displacement and regional refugee crisis emanating from South Sudan, and the ongoing and unaddressed flight of Rohingyas from Myanmar into Bangladesh, Malaysia and Australia, as well as the continuing internal displacement crisis in Colombia. While many countries have signed the 1951 Refugee Convention, its effectiveness has been diminishing in recent years as a result of states' increased emphasis on border control, which has limited access to asylum procedures and pushed forced migrants into the hands of smugglers and traffickers. In many countries of the North there is concern that the refugee convention is undermined by these stricter border regimes.

Many migrants have been facing a similar situation. Migration, while it has always been a feature of history, has accelerated in scale and significance in recent years. Currently, there are over 244 million migrants in the world, their numbers growing faster than that of the world's overall population. Roughly half of them are migrant workers. While they contribute significantly to their home countries through their earnings – officially recorded remittances to developing countries amounted to \$431.6 billion in 2015 – as well as skills acquired abroad, their rights are often poorly protected. Hampered by a lack of resources and dependency on an unequal global economic system, many developing countries also have become over-reliant on exporting their workforce in an attempt to access foreign currency for their economic development. In many of the regions where we work with our partners – including in South and Southeast Asia, Africa, as well as in Latin and Central America – many are from poor, rural areas, have little or no formal education, and are either semi- or low-skilled labourers, while others have college degrees but are forced to work abroad in low-skilled jobs paying higher wages than their skilled professions in their own countries in order to provide a better life for their families. These factors make them susceptible to various forms of abuse, including blackmail and corruption by recruitment agents, government officials, employers, and law enforcement in countries of origin, transit, and destination; debt bondage resulting from exorbitant migration costs, often lasting for several years; delay or non-payment of wages by employers in destination countries; visa trading

by agents in countries with strict exclusivity of employer-employee contracts, forcing migrant workers into illegality and exposing them to the threat of incarceration and deportation; denial of freedom of movement by confiscation of passports through employers and/or agents; contract substitution leading to different jobs than promised, often with lower pay, and under harsher conditions; mistreatment, including physical and mental torture, sexual abuse, and denial of food and water. These problems are particularly acute for female migrant workers, who face additional barriers to accessing outside assistance when working in private homes as domestic workers. This requires a strong international response. While all migrants are protected by universal human rights treaties, specific instruments such as the International Convention on the Rights of Migrant Workers and Members of their families, and relevant ILO conventions, remain woefully under-ratified by state parties. Simultaneously, most states' efforts to 'manage' migration by enacting stricter regulations for entry and stay have not only pushed many migrants into undocumented migration channels, but have also gone hand in hand with insufficient oversight of employers, effectively creating a situation of tolerated irregularity in many destination countries.

In this situation, the Summit should focus on delivering **concrete results** in the following areas:

- Firmly committing to the value of humanity and engaging in overcoming the current crisis of solidarity
- Endorsing a meaningful Outcome Document signalling the political will of the international community to live up to its responsibilities in the protection of the uprooted
- Launching a participatory process towards the formulation of a Global Compact on Responsibility Sharing for Refugees;
- Launching a participatory process towards the formulation of a Global Compact on Safe, Regular and Orderly Migration;
- Initiating decisive international action against racism and xenophobia worldwide.

What are the **main ingredients** for effectively addressing the issues facing refugees and migrants that should be taken up by these processes?

1. **Addressing the root causes of large-scale forced movements** of refugees, migrants, and displaced people, including those forced to move by climate change, natural disasters, poverty, and conflict: This necessitates a better understanding of the underlying reasons motivating people to move, rather than dealing only with the symptoms. States should make genuine efforts to identify specific drivers and respond holistically by working with governments and civil society alike. Useful responses would include a review of policies inducing economic and environmental exploitation, sustainable natural resource management, stronger insistence on observance of human rights standards worldwide, as well as support for community-based conflict resolution and peacebuilding and understanding the economy of wars.
2. **Supporting sustainable and equitable development:** Realising that all Goals of the 2030 Agenda have a bearing on migration and large movements, real efforts must be made towards achieving sustainable development. We argue for a human rights-based approach as the foundation of freedom, justice and peace, and as a solution for overcoming discrimination and lack of participation.

In our work with partners worldwide, it has become clear that, without enabling fair and equitable development for poor communities, it will not be possible to prevent the worst rights abuses linked to unsafe, large scale movements of people. Without alternative avenues for securing their livelihoods, many poor people will continue to be forced into making difficult and dangerous journeys abroad in search for the survival of their families. Any discussion of “safe, orderly and regular migration” must therefore address the macroeconomic realities underlying today’s surge in exploitative migration patterns and insist on developed countries taking on more responsibility for creating situations in which human rights are respected and guaranteed and migration becomes a matter of choice, not necessity, for all.

3. **Reaffirming existing international human rights, international refugee and international humanitarian law:** The pathway towards achieving these goals, and the one that the roadmap towards both Global Compacts should follow, is a significant strengthening of existing international instruments within the context of the UN system. Respect for human rights and their access for all is fundamental, without distinction of any kind. This would include adherence to and/or ratification of the 1951 Convention on the Status of Refugees and its 1967 Protocol, the UN Guiding Principles on Internal Displacement, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as core ILO conventions protecting migrants’ rights, most notably C97, C143, and C189. In order to be true to humanitarian principles, this approach would also mean providing support for Humanitarian Assistance and Protection efforts irrespective of political conditionalities. Anchoring state policies within the international rights framework would also guarantee the effective consideration of the specific protection needs of women, children, the elderly, persons with disabilities, and other groups vulnerable due to being discriminated on account of their race, religion, sexual orientation, or other factors. There are also implications from the impending alignment of IOM with the UN – as a service provider to governments, whose interests can be at odds with the rights of migrants in certain situations, a stronger anchoring within the UN human rights architecture is needed. IOM should therefore be given a normative mandate to assume legal responsibility for the protection of the human rights of those within its ambit, in accordance with relevant UN norms.
4. **Responsibility sharing among states:** States should commit to accepting adequate numbers of refugees on their territory – the current scenario in which the overwhelming majority of refugees (80%) is hosted by poor developing countries in the immediate vicinity of conflicts, while Western governments complain about the “burden” of hosting a fraction of people on their territory, is morally indefensible and politically unsustainable. In order to remedy this, states need to not only increase their resources for helping those countries hosting most refugees, but simultaneously commit to reliable quotas for resettlement, as well as the provision of safe and legal access to their territory for the determination of asylum claims. In addition, according to their rights, refugees must be granted access to social services, including education, health, and insurance, for which adequate public resources need to be made available. To further help with social and economic participation and fighting xenophobia and racism, refugees should also be allowed to work.

5. **Providing more legal channels for regular labour migration:** With regard to migration, similarly, more reliable and safe routes need to be offered to potential migrants, so that their reliance on undocumented migration can be reduced. While acting against traffickers, it is vital to ensure that those having been forced to make use of their services and having suffered egregious rights abuses during their journey, do not become victims of law enforcement in destination countries as well, but instead are provided access to rights-based reintegration services of their choice. Providing legal migration channels should also go hand-in-hand with the promotion of a decent work agenda and better enforcement of labour rights in destination countries (in line with Goals 8 and 10(7) of the 2030 agenda). This should also include access to social security, healthcare, education, and portable benefits, regardless of status.

6. **Ending the criminalisation of the uprooted:** For refugees and asylum seekers, this means access to fair status determination procedures and protection against *refoulement*, including by ensuring the right to be heard and the right to appeal against negative decisions – the increasing trend of fast-tracking and outsourcing of determination procedures to transit countries is particularly worrying in this regard. In addition, detention of those seeking protection needs to be ended as matter of urgency. Better protection should also be offered to migrants in precarious situations, which arise not only from political crises in destination countries, but also as a result of lopsided sponsorship systems, which leave all the power in the hands of employers – thus, in instances of contract substitution, non-renewal of work permits, or workers being forced to change employers due to non-payment of wages, they become subject to arrest and detention. Therefore, access to justice needs to be strengthened, and regularisation of undocumented migrants should be offered.

The time to act is now. Our vision is for a just, peaceful and sustainable world. It is our moral responsibility to create conditions where people will not be enslaved or fear for their lives. May all migrants, refugees, and displaced persons find safety and security in their homes. May *“Everyone will sit under their own vine and under their own fig tree, and no one will make them afraid,”* (Micah 4:4).