


# “We are aliens and transients before the Lord our God”<sup>1</sup>

## Pastoral Letter on Immigration and the Protection of Refugees

Episcopal Commission for Social Affairs  
Canadian Conference of Catholic Bishops

15 January 2006

World Day for Migrants and Refugees



**W**hen King David in the presence of all his people praised the Lord for the blessings that had been received, he also reminded us about our own situation before God: “*we are aliens and transients before the Lord our God, as were all our ancestors....*”<sup>1</sup> Awareness of our precariousness invites us as believers to be attentive to migrants and in solidarity with them.

2. Being an alien or transient is the reality for 2.9 per cent of the world population today. At least 175 million men, women and children are estimated to be living outside their country of origin; this includes economic migrants, refugees and asylum seekers.<sup>2</sup> However, the majority of the world’s displaced persons are now found within their own countries, sometimes having to move seasonally.<sup>3</sup> More than ever before, migration is a structural phenomenon of society and a bitter reality of the human condition.

3. There are several reasons for this. “The recent explosive growth in international migration is a response to perceived inequalities of opportunity between sending and receiving countries,” the United Nations states.<sup>4</sup> Its report notes that 80 per cent of the world’s gross domestic product belongs to the one billion people living in the developed world; the remaining 20 per cent is shared by five billion people in developing countries. The wealth of countries in the North too often results from the exploitation of the natural and human resources of the countries of the South. Economic globalization has exacerbated massive imbalances in the distribution of the planet’s wealth.

4. Other factors at the heart of forced migrations include ecological disasters, many of them because of inadequate development practices; the proliferation of armed conflicts; and persecution for political and religious reasons or because of gender and

sexual orientation. Countries especially in the industrialized North have responded to these increasing migratory flows by creating a “fortress” around their borders. Out of fear of terrorism, they have increased security and other controls which make migration even more difficult.

### **The Catholic perspective on migration**

5. When it is not a question of people being forced, migration can be a manifestation of the human search for freedom and new life-giving horizons. The Church supports the right to migrate; however, this is not seen as an absolute right of individuals. Instead, it is to be subject to the requirements of the common good. This means that states can exercise a certain control over immigration, although it is not to be inspired by selfish attitudes or “restrictive policies”.<sup>5</sup>

6. Based on the principle of the fundamental dignity of each human person and the consistent ethic of life, the Catholic Church is uncompromising on the rights of refugees.<sup>6</sup> At the same time as encouraging all states to become party to the 1951 *Convention on the Status of Refugees* and the related *Protocol of 1967*, the Holy See has repeatedly invited nations to recognize and not obstruct the exercise of the right of asylum as proclaimed by the Universal Declaration of Human Rights (Article 14.1).<sup>7</sup> The Church teaches that every country is to see that the rights

of refugees are assured and respected “as much as the rights of its own citizens”.<sup>8</sup>

7. The Catholic Bishops of Canada have long advocated for the rights of migrants. These many efforts include the encouragement of cultural diversity, the promotion of multicultural openness, and challenges to Canadians to face up to and eradicate racism.<sup>9</sup> Today, however, new challenges confront Canadian society. The Church must continue to raise its voice to defend the human dignity of migrants wherever they may be, and contribute to changing current policies which threaten their rights.

### **Migration to Canada**

8. According to the 2001 census, 18 per cent of Canadians were born outside the country – this is the highest this rate has been over the past 70 years.<sup>10</sup> Immigration makes significant contributions to Canadian society – economically, culturally, socially and politically. In 2004, Canada received 235,824 newcomers from a number of countries, of whom 14 per cent were refugees. Although Canadians consider themselves generous and open toward refugees, this acceptance rate pales when compared with the number of displaced people in the world today who need protection.

9. Because of lack of political will together with priority being given to security preoccupations, recent Canadian policies for the protection of refugees have become much more restrictive. In 2005, Canada will probably have the lowest number of refugee claimants since the mid-1980s.<sup>11</sup> One reason for this is the control measures the Canadian government has implemented, including the Safe Third Country Agreement between Canada and the United States of America which came into effect in December 2004. This requires asylum-seekers to make their claim in whichever of the two countries they first enter. Opposed by the Catholic Bishops of Canada and many refugee advocacy groups in both countries,<sup>12</sup> this agreement is particularly worrying for asylum-seekers who would be accepted as refugees in Canada but have difficulty obtaining U.S. protection.



A sponsorship was submitted in November 2001 for a family of four Ethiopian siblings, of whom the oldest was 19 years and the youngest 8. The family had been living without legal status in Nairobi, in constant fear of being stopped by police and extorted for money or thrown in jail. Given the lack

of a mature adult to take charge, the sponsor suggested that this be treated as a vulnerable case. Finally, after many inquiries, most of which went unanswered, the family arrived in September 2004, nearly three years after the sponsorship was submitted.

Excerpt from *No Faster Way?  
Private Sponsorship of Refugees:  
Overseas Processing Delays*,  
Canadian Council for Refugees, October 2004.

10. The Government of Canada is also involved in other practices which regrettably fail to live up to the international agreements to which this country is signatory. Arab and Muslim communities, in particular, seem to suffer from racial profiling that has taken various forms: longer waits for immigration processing from areas such as North Africa; the indefinite detention of persons who have been issued security certificates; as well as possible Canadian complicity or at least lack of diligence in the alarming practice of “extraordinary rendition” of Canadian nationals to countries where torture is practised.<sup>13</sup> No person should be sent back into a situation where their lives will be in danger or they are subject to torture. It is a fundamental inversion of values, according to Catholic teaching, when laws and policies place national interests and security before human dignity.<sup>14</sup>



### Sanctuary

11. In summer 2004, the then federal Minister of Citizenship and Immigration, the Hon. Judy Sgro, publicly asked Churches to abandon the tradition of offering sanctuary to refugee claimants under the threat of deportation.<sup>15</sup> In the preceding months, eight parishes or congregations from different Christian denominations had offered sanctuary to people whose need for protection had not been recognized by the federal government. In March that year, Quebec City police entered a church belonging to the United Church of Canada and arrested an Algerian refugee.<sup>16</sup> This violation of sanctuary broke a tradition that until then had been respected in Canada. The response of Church leaders, who held a joint press conference and then met with the Minister, was to point out that the problem is not recourse to sanctuary, but the flawed Canadian refugee determination system that leaves too many refugees without protection.<sup>17</sup>

### Right to appeal

12. Determining refugee status can mean a decision involving the death of a human being. Yet it is the one and only judicial decision for which an appeal mechanism does not exist. A refugee



Momena was born in Afghanistan where she studied nursing and midwifery. Because she was a social activist, she had to leave the country. Resettled in Canada as a refugee,

Momena had to redo her professional training because her diplomas were not recognized here. She repeated her high school classes and passed every subject except English, which was taught as if it were her original language, ending her dream of retraining here as a nurse. She resigned herself to taking a course for nursing assistants.

“I assist in taking care of the sick. I say to them ‘Good morning,’ ‘Good evening,’ ‘Rest well,’ ‘See you tomorrow,’ ‘Have a good lunch...’ While I change their sheets, or clean up or help them eat, I see nurses unsuccessfully trying to find a vein to give them an injection. A voice within me says: Take the syringe and find that vein. I see young pregnant women in the elevator of my building and I secretly look at them and want to hug them, to say I could deliver your baby when the time comes. I meet sick children in the street, and I know what is wrong and how to cure them.... I am not allowed to do these things. I am no longer a nurse and midwife. My name is nobody.”

From *Tout quitter pour la liberté: cinq parcours d'immigrants*, by Frans Van Dun, Editions Libre expression, 2005 [translation].

whose claim is turned down by a single officer at the Refugee Board hearing ought to have the right to appeal. The Parliament of Canada has recognized this, and provided for such an appeal in the Immigration and Refugee Protection Act (adopted in June 2002), but the government has refused to implement the appeal system. Members of all four federal political parties on two occasions in 2005 presented the House of Commons with over 24,000 signatures in an ecumenical petition (sponsored by KAIROS: Canadian Ecumenical Justice Initiatives, and supported by this Social Affairs Commission) calling for the implementation of the Refugee Appeal Division.<sup>18</sup>



### Separation of families

13. One of the greatest sufferings that many migrants face is separation from children and spouses. The separation of families, which can last as long as several years, has a detrimental

effect on all, but particularly on children and youth. The fees required for permanent residence status;<sup>19</sup> the numerous steps involved, including security checks, DNA tests and medical examinations; and slow administrative processes are major factors in causing long delays. Family unity and its contribution to the social fabric are important concerns. Christians should not hesitate to “take the initiative, to struggle for social policies and legislation that promote and protect the rights of the family, a just distribution of resources and support for the most vulnerable and helpless.”<sup>20</sup>



### Human trafficking and smuggling

14. Another negative consequence of restrictive measures by industrialized countries has been an increase in human trafficking, particularly of women and children. Described by the United Nations as the fastest-growing form of transnational organized crime, this affliction is a menace to Canadian migrants as well. Many victims think that once they succeed in entering industrialized countries they will find work, and so will be able to leave poverty behind and help family members who remain in their country of origin. Unfortunately, those whom they have trusted to help them in transit sometimes become their captors in order to exploit them in the sex industry. Although Canadian immigration law now recognizes this as a crime, there has been little progress in protecting the victims.

### Migrant agricultural workers

15. There are also growing concerns about the more than 18,000 seasonal agricultural workers, mostly from Mexico and the Caribbean, who come each year to do work that Canadians are less interested in doing. The conditions offered are not always respectful of human dignity, in part because of extended work periods without time off, poor housing conditions and lack of due medical attention. Together with advocacy groups, we also question the justice of migrant workers having to pay premiums for Employment Insurance benefits when their right to receive these remains theoretical and inaccessible.

### Poverty among newcomers

16. Perhaps the most prevalent hurdle confronting migrants to Canada is the growing poverty among newcomers. The rate of income among recent immigrants in the year 2000 was less than half that of other urban residents. Poverty and difficulties of integrating into the workforce affect women more than men. The causes are mainly labour market dysfunctions in the major urban centres where newcomers tend to reside, as well as inadequate government support. This is happening even though immigrants are increasingly well educated, sometimes more so than the host population. The problem is disturbing and demands a response if there is to be a healthy future for all Canadians.



### Welcoming migrants in Christian communities

17. Every expression of Christian commitment must be rooted in a growing knowledge and deeper appreciation of the biblical call to conversion. This is expressed as concern for the migrant and articulated in various ways in the social teaching of the Church. In addition, the faith witness of so many persons from such varied ethnic



Mindondo came to Canada in August 2000, having placed her two children with a friend in the Democratic Republic of Congo. Her husband fled separately and later was able to join her in Canada. In January 2002,

Mindondo was accepted as a refugee. In December 2002, her 13 year old son was assassinated, having been targeted as a member of a persecuted family, the reason that led Mindondo to be recognized as a refugee. Despite this killing in the family, processing of Mindondo's daughter does not appear to have been expedited. She is still in the Democratic Republic of Congo, running from village to village to hide from the rebels, sometimes unable to contact her mother.

Excerpt from  
*More than a Nightmare: Delays in Refugee Family Reunification*,  
Canadian Council for Refugees, November 2004.

backgrounds has become an extraordinary grace in the renewal of the life of the Church in Canada.

18. We wish to express our profound appreciation to the many members of Catholic parishes who responded to the provision by the Canadian government, just over 25 years ago, for the private sponsorship of refugees. Today, some two dozen Catholic dioceses in English-speaking



Canada have a sponsorship agreement with the federal government, while many Quebec dioceses and parishes work closely with their provincial government in related programs. It is estimated that over 180,000 persons have been admitted and assisted under such agreements.

However, these gestures of solidarity are now weakened by unacceptable waiting periods, although the process was intended to help those whose lives are in danger.

19. All the Church in Canada is also deeply grateful to the members of institutes of consecrated life and societies of apostolic life who have responded, and continue to respond, in the name of faith to the needs of newcomers. We congratulate the Canadian Religious Conference



(CRC) in its prophetic work to promote improved protection for those entrapped by human trafficking. Its victims, as reported by the CRC, are “among those who suffer most from economic globalization,

attitudes of gender inequality and the commodification of life.”<sup>21</sup>

### **Christian responsibility and solidarity**

20. Christians are to be in the forefront of international campaigns to promote just international development, cancel onerous debts, establish fair trade agreements and end child poverty – such as the Make Poverty History campaign.<sup>22</sup> Unless the root causes of migration are addressed in terms of violence, ecological degradation and social inequality, more and more people will be forced to move.



21. The social and political attitudes of Christians ought to reflect a deep concern for the plight of immigrants and transients. It is extremely important that the Christian community be a model of acceptance and appreciation for migrants in our society. This openness should be shown to persons of all cultures and origins, no matter their immigration status. Christians are to be among those who refuse to let injustice toward migrants continue, let alone increase.

### **Conclusion**

22. Migrants and refugees are a reminder that all of us before God are “aliens and transients”. Their presence among us is a source of mutual enrichment for humanity as well as an encouragement toward dialogue and unity.<sup>23</sup> Moreover, their presence is a sign of the Risen Christ. When people of different origins are welcomed, God is revealed: “I was a stranger and you welcomed me.”<sup>24</sup>

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- 1 1 Chronicles 29.15 (NRSV translation).
- 2 Pontifical Council for the Pastoral Care of Migrants and Itinerant People and the Congregation for the Evangelization of Peoples, "Joint Letter to Diocesan Ordinaries on the Pastoral Care of Human Mobility", undated; forwarded on 28 July 2005 by the Apostolic Nunciature in Canada to the President of the Canadian Conference of Catholic Bishops (CCCB), p. 1.
- 3 Pontifical Council for the Pastoral Care of Migrants and Itinerant People, *Erga migrantes caritas Christi* ("The Love of Christ towards Migrants"), Vatican City, 1 May 2004, no. 10.
- 4 United Nations Department of Economic and Social Affairs, *Report on the World Social Situation 2005: The Inequality Predicament*, 25 August 2005, p. 3.
- 5 *Erga migrantes caritas Christi*, no. 7.
- 6 Catholic Bishops' Conference of England and Wales, Office for Refugee Policy, *The Dispossessed: A brief guide to the Catholic Church's concern for refugees and migrants*, London, 2004, p. 14.
- 7 Pontifical Council *Cor Unum* and Pontifical Council for the Pastoral Care of Migrants and Itinerant People, *Refugees: A Challenge to Solidarity*, Vatican City, 1992, no. 13.
- 8 *Refugees: A Challenge to Solidarity*, no. 11.
- 9 Cf. Episcopal Commission for Theology of the CCCB, "A Prophetic Mission for the Church: Pastoral Message on the Acceptance and Integration of Immigrants and Refugees to Build a Community of Togetherness", 16 March 1993; also, Pastoral Message on Racism by the Episcopal Commission for Social Affairs and the Episcopal Commission for Interfaith Dialogue of the CCCB, "Eliminate Racial and Religious Discrimination: See Every Person as My Sister or Brother", 21 March 2004.
- 10 Statistics Canada, "Immigrants in Canada's Census Metropolitan Areas", Minister of Industry, 2004, p. 9.
- 11 The Canadian Council for Refugees, *Closing the Front Door on Refugees: Report on Safe Third Country Agreement*, 4 August 2005.
- 12 Letter of the Chairman of the Episcopal Commission for Social Affairs of the CCCB, Bishop Jean Gagnon, to Citizenship and Immigration Minister the Hon. Denis Coderre, 7 March 2003.
- 13 Jeff Sallot, "Road to Damascus began with CSIS", *Globe and Mail*, 29 August 2005, p. A1, describes the cases of Ahmed El Maati, Abdullah Almaki and Maher Arar, three Canadian citizens tortured in Syria and Egypt. On 17 December 2003, the Chairman of the Episcopal Commission for Social Affairs of the CCCB, Bishop Blaise Morand, wrote to the Hon. Bill Graham, Minister of Foreign Affairs, requesting an "independent and public inquiry" into the case of Mr. Arar.
- 14 *Refugees: A Challenge to Solidarity*, no. 9; and Sandie Cornish, *The Call to Hospitality: Catholic Teaching on Refugees*, Catholic Social Justice Series, no. 44, Australian Catholic Social Justice Council of the Australian Catholic Bishops' Conference, 2002, p. 8.
- 15 Canadian Press, 26 July 2004. Since 1993, approximately 250 people involved in 35 immigration and refugee cases have sought and received sanctuary in churches, according to a *Globe and Mail* editorial on 27 July 2004.
- 16 Mohamed Cherfi was immediately expelled to the USA where he was imprisoned 15 months. He was recognized as a political refugee in June 2005 after public pressure on his behalf.
- 17 A summary of the details of the sanctuary debate are found at [www.cccb.ca/Files/Note\\_Refugees.html](http://www.cccb.ca/Files/Note_Refugees.html), Office of Justice, Peace and Missions, Briefing Note for the Bishops of Canada concerning Sanctuary for Refugees in Catholic Churches, 4 January 2005. At the time of writing, a woman from the Ivory Coast was in sanctuary in Sacré Coeur Catholic Church, Ottawa.
- 18 See [www.kairoscanada.org/e/refugees/index.asp](http://www.kairoscanada.org/e/refugees/index.asp).
- 19 Processing fees for permanent residence in Canada are \$550 per adult and \$150 per child.
- 20 Pontifical Council for the Family, 2003, cited in Catholic Organization for Life and Family, "The Christian Family: Good News for the World," 15 June 2004. See [www.cccb.ca/Files/COLF\\_Message2004.pdf](http://www.cccb.ca/Files/COLF_Message2004.pdf).
- 21 Canadian Religious Conference news release, "Where is the Protection for Trafficked Persons in Bill C-49?", 25 May 2005. See [www.crc-canada.org](http://www.crc-canada.org).
- 22 The Episcopal Commission for Social Affairs of the CCCB supports this campaign and encourages everyone to participate. See [www.makepovertyhistory.ca](http://www.makepovertyhistory.ca).
- 23 *Erga migrantes caritas Christi*, no. 2; see also Pope John Paul II, Message for the World Day of Peace 2001, *Dialogue between Cultures for a Civilization of Love and Peace*, no. 12.
- 24 Matthew 25.35 (NRSV translation).



## Recommendations

The Bishops of the Social Affairs Commission of the Canadian Conference of Catholic Bishops are concerned about the weakening of protections for refugees and migrants. There is need to ensure that everything possible is done to respect their human dignity. We call on the Government of Canada to correct major flaws in our immigration system by:

- Abrogating the Safe Third Country Agreement between Canada and the United States
- Introducing the appeal system for refugee claimants as required by Canadian immigration law
- Eliminating obstacles which impede the speedy reunification of families
- Reducing the waiting period for collective sponsorships
- Reinforcing laws on human trafficking, particularly measures to protect victims

We also ask all levels of government to be more open to immigrants by providing:

- Better reception for newcomers
- Greater access to public services and decent living conditions
- Recognition of the education and competence of immigrants
- More opportunities in the workplace
- Improved protections for migrant workers



## Suggestions for study and action

■ The Pontifical Council for the Pastoral Care of Migrants and Itinerant People has asked that the World Day for Migrants and Refugees be celebrated the Sunday after Epiphany. Prayers and celebrations in the dioceses and parishes of Canada drawing attention to migrants could help create greater awareness of the situation of migrants around the world, their contributions to our country, and opportunities to be in solidarity.

■ The welcome we give to immigrants and refugees is of fundamental importance for their journey. Your diocese can assist with information on sponsorship possibilities, or you can contact agencies in your area which work with immigrants.

■ Many Internet sites provide resources that can assist you in reflecting on the challenges raised in this pastoral letter. Some sites also suggest actions for campaigns intended to influence government policies:

- A number of documents of the Holy See on migrants can be found at [www.vatican.va/roman\\_curia/pontifical\\_councils](http://www.vatican.va/roman_curia/pontifical_councils) – which is also the site for the Pontifical Council for the Pastoral Care of Migrants and Itinerant People.
- The United Nations High Commission for Refugees [www.unhcr.ch](http://www.unhcr.ch) and the International Organization for Migration [www.iom.int](http://www.iom.int) give an international perspective on the displacement of persons and the protection of refugees around the world.
- The Canadian Council for Refugees [www.web.net/~ccr](http://www.web.net/~ccr) offers information on campaigns and reports on various related issues. These include resolving the situations of persons from countries under moratorium, the Safe Third Country Agreement, separation of families, private sponsorship of refugees, and the treatment of women and children refugees.
- The Canadian Religious Conference (CRC) [www.crc-canada.org](http://www.crc-canada.org), as part of its campaign on the treatment of women and children, offers three kits for understanding this particular situation. Information on this national issue is under the heading Justice-Peace-Creation.
- KAIROS: Canadian Ecumenical Justice Initiatives [www.kairoscanada.org](http://www.kairoscanada.org) has a program on refugees and immigrants and offers resources for Christians who wish to become involved.