



## **Parallel-Event on “Family and Migration”**

*Geneva, 25 September 2018*

### **FAMILY AND MIGRATION IN THE 20 ACTION POINTS FOR THE GLOBAL COMPACTS**

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Allow me to start by thanking the organizers of this event for inviting the Migrants & Refugees Section of the Dicastery for Promoting Integral Human Development to contribute to the discussion on family and migration.

Under the direct guidance of Pope Francis, the Migrants & Refugees (M&R) Section drafted the document titled *20 Action Points for the Global Compacts*,<sup>1</sup> which was provided to the persons in charge of the two processes for the United Nations in September 2017. The *20 Action Points* advocate effective and proven measures which together constitute an integral response to the current migration challenges. In accordance with Pope Francis’s teaching, the points are grouped under four headings: to welcome, to protect, to promote, and to integrate. Each is an active verb and a call to action.

In today’s migration scenario, welcoming means offering broader options for migrants and refugees to enter destination countries safely and legally. One of the different suggestions offered in the *20 Action Points* encourages receiving countries to “provide family reunification visas or, if already available, expand the number of such visas issued, particularly for the reunification of all family members (including grandparents, siblings and grandchildren).” (2f) As Pope Benedict XVI stated in 2008,

The migrant’s family meets many difficulties. The distance of its members from one another and unsuccessful reunification often result in breaking the original ties. New relationships are formed and new affections arise. Some migrants forget the past and their duties, as they are subjected to the hard trial of distance and solitude.<sup>2</sup>

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<sup>1</sup> Migrants & Refugees Section, *20 Action Points for the Global Compacts*, <https://drive.google.com/file/d/1J6C31Y-2Bt3l4U80vJfJkmpsVSamEYHH/view> (accessed on 22 September 2018).

<sup>2</sup> Benedict XVI, *Message for the 93<sup>rd</sup> World Day of Migrants and Refugees* (2007), 18 October 2006.

The second verb, *to protect*, refers to the actions needed to protect migrants and refugees from the violence, abuse and exploitation that they often fall victim to, because of their extreme vulnerability. Such protection must be assured to migrant and refugee families too. As the Holy Father stated in his message to the Secretary-General of the United Nations in 2016, “there must be no family without a home, no refugee without a welcome, no person without dignity, no wounded person without care, no child without a childhood, no young man or woman without a future, no elderly person without a dignified old age”.<sup>3</sup> Protection should be assured in particular to the most vulnerable members of the migrant and refugee families. In the *20 Action Points* the M&R Section encourages

States to comply with their obligations under the Convention of the Rights of the Child (CRC) when enacting domestic legislation to address the vulnerable situation of unaccompanied children or minors separated from their family. For example: a) Adopt alternatives to mandatory detention, which is never in the best interest of the child, no matter their migratory status. b) Provide foster care or guardianship for unaccompanied children or minors while they are separated from their family. c) Establish separate processing centers for families, minors and adults. (7)

The verb *to promote* summarizes all the actions that have as their main goal the integral human development of migrants and refugees, as well as that of the communities that welcome them. In the *20 Action Points* the M&R Section encourages “States to adopt policies and practices which promote and preserve the integrity and well-being of the family regardless of migratory status.” (14). Besides issuing family reunification visas, as already mentioned, these policies and practices should include the right of reunified family members to work, the untying of the reunification of minors from financial guarantees of support by their parents, facilitation of family tracing and reunification, and the prevention of any abuse of minor workers. All families are important, no matter their nationality; so any program to assist families should extend to all with similar vulnerabilities. Therefore, in the *20 Action Points*, the M&R Section encourages “donor States to adopt policies that set aside a percentage of the direct assistance, as well as access to programs and services, provided to refugees and migrants, for the benefit of local families experiencing similar economic and social disadvantages.” (16b).

The verb *to integrate* refers to reciprocal processes involving both migrants and local communities in an enriching cultural exchange. In 2010 Pope Benedict XVI stated:

The future of our societies rests upon the meeting between peoples, upon dialogue between cultures with respect for identity and legitimate differences. In this scenario,

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<sup>3</sup> Pope Francis, *Message read by H.E. Card. Pietro Parolin, Secretary of State to the Secretary-General of the United Nations on the occasion of the first "World Humanitarian Summit"*, 21 May 2016.

the family retains its fundamental role. [Family] is a place and resource of the culture of life and a factor for the integration of values.<sup>4</sup>

In 2017 Pope Francis repeated the same concept: “the family dimension of the process of integration must not be overlooked: for this reason I feel the need to reiterate the necessity, often presented by the Magisterium, of policies directed at favouring and benefiting the reunion of families.”<sup>5</sup> This is why the M&R Section in the 20 *Action Points* encourages States to “Adopt laws which facilitate the legal migration of family members of foreign residents.” (18e). At the same time, policies and programs to foster family reunification should be balanced with others that address genuine integration between migrant and local families. As Pope Benedict XVI stated in 2006, “If the immigrant family is not ensured of a real possibility of inclusion and participation, it is difficult to expect its harmonious development.”<sup>6</sup> It is a two-way effort, where migrants “are duty bound not to close themselves off from the culture and traditions of the receiving country, respecting above all its laws.”<sup>7</sup> It is not an easy process and the obstacles to be overcome should be duly acknowledged:

There are real difficulties connected with some “defense mechanisms” on the part of the first generation immigrants, which run the risk of becoming an obstacle to the greater maturity of the young people of the second generation. This is why it is necessary to provide for legislative, juridical and social intervention to facilitate such an integration.<sup>8</sup>

The M&R Section is glad to acknowledge that its suggestions have been considered in the consultations and negotiations of the *Global Compact for Safe, Orderly and Regular Migration* to be adopted before the end of 2018. In the final draft,<sup>9</sup> released on 11 July 2018, the right to family life and unity is mentioned several times. It is gratifying to note the commitment of States to various actions which connect to the four verbs of Pope Francis.

For the verb *to welcome*, States “commit to adapt options and pathways for regular migration in a manner that [...] upholds the right to family life” (21). And this can be done by facilitating “access to procedures for family reunification for migrants at all skills levels through appropriate measures that promote the realization of the right to family life and the best interests of the child” (21/i).

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<sup>4</sup> Pope Benedict XVI, *Address to Participants in the Plenary Assembly of the Pontifical Council for the Pastoral Care of Migrants and Itinerant People*, 28 May 2010.

<sup>5</sup> Pope Francis, *Address to Participants In the International Forum on "Migration and Peace"*, 21 February 2017.

<sup>6</sup> Benedict XVI, *Message for the 93<sup>rd</sup> World Day of Migrants and Refugees (2007)*, 18 October 2006.

<sup>7</sup> Pope Francis, *Address to Participants In the International Forum on "Migration and Peace"*, 21 February 2017.

<sup>8</sup> Benedict XVI, *Message for the 93<sup>rd</sup> World Day of Migrants and Refugees (2007)*, 18 October 2006.

<sup>9</sup> See *Final Draft of the Global Compact for Safe, Orderly and Regular Migration*, <https://www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/migration.pdf> (accessed on 22 September 2018).

Regarding the verb *to protect*, States pledge to “Protect unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification” (23/f). They also commit to “Ensure that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests [...], including by training border officials in the rights of the child and child-sensitive procedures, such as those that prevent family separation and reunite families when family separation occurs” (27/e). Moreover, States pledge to “Ensure [...] that family unity is protected, and that anyone legitimately claiming to be a child is treated as such” (28/d) and “promote, implement and expand alternatives to detention, favouring non-custodial measures and community-based care arrangements, especially in the case of families and children” (29/a).

As for *promoting*, States commit to “Enable migrants to communicate with their families without delay to inform them that they are alive by facilitating access to means of communication” (24c). Communication with families left behind is to be assured as well in the case of missing or deceased migrants (see 24). Regarding return and readmission processes involving children, States should ensure that they “are carried out only after a determination of the best interests of the child, [and] take into account the right to family life, family unity” (37/g). Moreover, the transnational dimension of development can be fostered by supporting “the United Nations International Day of Family Remittances [...] as an important platform to build and strengthen partnerships for innovative solutions” (36b)

Under the last verb, *to integrate*, States commit to “Develop national short, medium and long term policy goals regarding the inclusion of migrants in societies, including [...] family reunification” (32/c). It is also worth noting that there are several acknowledgments of the importance of the family dimension in the process of inclusion of migrants in receiving societies (see 36-38).

The Migrant & Refugee Section is looking forward to the adoption of the Global Compacts, but it is also looking beyond the Compacts. Together with its partners, the Section is committed to ensuring that, “as a sign of shared global responsibility, concrete engagement follows from the words that will be codified in the aforementioned two agreements.”<sup>10</sup>

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<sup>10</sup> Pope Francis, *Address to the Members of the Plenary Council of the International Catholic Migration Commission*, 8 March 2018.