# World Council of Churches

# United Nations Advocacy Week Annex – UNAW 2008

**Ecumenical Advocacy Priorities: Migration** 

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A Theological Approach of Migration

# 1. Migration today

Migration is a modern phenomenon, which affords mainly economic, but also social, political and cultural dimensions. It concerns the crossing of geographical, political and cultural borders and consequently the experience of geographical, political and cultural diversity. Despite the fact that the phenomenon of population movements characterizes many historical periods, migration is related to the birth and function of contemporary industrial society and is connected with the development of capitalism. One can distinguish between external and internal migration, legal and illegal, voluntary and non-voluntary; migration also has many facets: movement from rural to urban regions, from an economic branch to another, from poor to rich countries.

Nowadays, in the framework of globalized economy, the movement of populations is more intensive than in the past. The internationalization of the market and commerce increases the movement of capital, as well as the movement of goods, services and people. At the same time, it leads to the constant augmentation of inequality between the developed and developing countries and to the increasing dependence of the latter on the former. On the one hand, the "opening" of borders, and on the other the pressure that derives from the environmental and demographical problems of the Third World, which actually aggravate the problems of underdevelopment, intensify the population movement not only towards urban regions of developing countries (in Latin America, Africa, Asia), but also towards developed countries. This movement encounters many obstacles, because despite the fact that the internationalization of economy demands the facilitation of migration, the economic crisis and the rising unemployment in the developed world necessitate strong control (i.e. Schengen Agreement).

The present migrational phase affords some characteristics, which differentiate it from the previous ones. In the past migrational phases the migration movement (from Europe to North America or from Southern to Western Europe) was organized and controlled (a specific number of workers), was based on inter-state agreements (i.e. the agreement between Germany and Greece or Turkey) and therefore concerned homogenous ethnic and cultural groups. The present phase of migration is massive, unorganized and illegal, because of the intense control of migration flow. The strict control though cannot deter migration due to the dire economic conditions in the Third World. According to data from the International Organization of Migration, 3% of the global population – almost 200 million- are migrants. In Europe only there are 56 million migrants who come from a variety of countries and cultures. In some countries – Greece being one of them- the percentage of migrants reaches 10% of the local population

From an economic point of view, migration is currently considered as a positive factor, which contributes to the development of the western model of economy. Both the United Nations and the European Union recognize that the presence of migrants is essential for the conservation of present welfare. No one doubts the economic benefits of migration as it is an undoubted fact that migrants contribute to the Gross National Product in many ways such as: increase of man power, that balances the ageing population, productivity of labor, revival of problematic -especially rural areas- increase of consumer power, and maybe improvement of the insurance policy problem, although all these benefits are many times based on the financial exploitation of migrant.

From a social point of view, however, the problems are many and diverse. The presence of migrants in the contemporary society shows a dynamically transforming and ambiguous "new" world. The coexistence of people with different national and cultural origin, questions the traditional classical nation-state, redefines its natural and symbolic borders, challenges its single and mono-cultural identity. The European societies in particular are not nationally and culturally homogenous any more, but are constantly transforming into pluralistic and multicultural ones. In this way a new social reality is created, a reality that may function as a source of bonds of solidarity and sociability, but at the same time, it may trigger tensions, breaches in the social network, social exclusions and violations of human rights; it

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may either enrich the societies in a creative way, or lead to their destabilization. Migration creates a new sociocultural field where either interaction and pluralism may be experienced, or phenomena of conflicts and violence may be created.

So, the major social issue today appears to be the treatment of diversity which seems to create serious problems as it poses a "threat" to the national, racial and cultural identity and homogeneity of a society. An important dimension of this issue is, on one hand the protection of diversity as a value by itself and on the other its integration into the local and national society. This topic involves many problems regarding social coherence, coexistence and peace, which are examined from different points of view and are addressed to many recipients, such as the host country, the host community and its citizens as well as the migrants themselves.

# 2. Migration as a theological issue

The treatment of diversity constitutes an important theological issue to. The theological approach to diversity offers possibilities for the treatment of migration in particular. For this reason, in this paragraph we will discuss the theological presuppositions for the understanding of diversity and more specifically the theological discourse about it.

The teaching of Church for the human being as "image of God" – based on the first chapters of the Old Testament- may constitute a basis for the discussion in question. The understanding of human being as "image of God" contributes to overcoming barriers and discriminations based on sex, national or social origin, financial situation or religious faith. On this basis may rely the communion of people that comes as a result of their common origin from God and in accordance to the communion of the three persons of the Holy Trinity. "The Trinitarian theology remains the best theological basis for the development of the human being and its harmonious coexistence with other human beings in a communion of love within the mystery of the Trinitarian God".

The theology of person acquires a new dynamic with the incarnation of Christ, which provides new argumentation for the treatment of diversity. The incarnation of Christ meant renovating and saving the whole mankind, thus abolishing discriminations and inequalities. The "other" is considered the person for whom Christ died. The human being is called to imitate God and to cultivate unselfish love towards others.

The above theological presuppositions acquire special dimensions through the teaching of the New Testament. The parable of the Good Samaritan teaches the love for the neighbor who is not identified with people of the same nation, religion, family, or neighborhood, but with the other, the stranger. In other words, the neighbor is not defined by place or relationship; it is not the one who is next to us, but the one whom we approach in love. In this parable, Christ 'attacks' the xenophobia of Judaists and at the same time every future xenophobia, as the unexpected help comes from the culturally and religiously other. The parable is actually a projection in the future as the phobia, insecurity and uncertainty that characterizes the multicultural environment of the late Roman Empire seems to be repeated in the contemporary times.

Moreover, it is Christ himself who confirmed with the parable of Last Judgment that our attitude towards strangers constitutes an important criterion of salvation. In this parable Christ himself identifies with the stranger ("I was a stranger and you took care of me' Math. 25,35). Of course the image of the stranger incorporates all the characteristic categories of diversity. Stranger is not the "familiar" who is easy to face- but the "other", the different. It is him who differs regarding religion, ideology, color, ethnicity or nationality. Christians face all those with respect and care, accept their diversity and recognize them as equal.

There is a hymn in the Orthodox Church, which is chanted –rarely in our days- on Holy Friday. In this hymn the hymnographer sends Joseph of Arimathea to ask for the body of Christ from Pilate with the repeated phrase "give me this stranger". In this hymn Christ takes the image of the stranger and actually identifies with every human being that lives in conditions of migration, strangeness, being a refugee, abjection, poverty etc. "Give me this stranger

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Who looks after the poor and the strange"

"Give me this stranger Who as a stranger has no place to stay"

Taking these presuppositions into consideration, the theology of diversity turns into a theology of acceptance and integration. This theology relies on love, which goes beyond the borders of race, ethnicity and religion. The proclamation of St Paul concerning the inclusion of all people 'in the body of Christ" also applies in this case. If the contemporary migrants are personified in the face of neighbor who the Good Samaritan meets or in the person of stranger who is Christ himself, there are not many choices left as to approaching migrants.

Evidently, the theological approach of migration has its roots in the evangelical discourse that accepts, incorporates and does not exclude. This is the reason why evangelical discourse for the neighbor remains fresh in our time. All it needs is redefining and reevaluating without being biased by our national and social prejudices, the security of our national heritage and the self-sufficiency of our civilization.

# 3. Ecclesiastical interventions to the migrational issue

The theology of diversity probably remains theoretically weak and ineffective, if it is not supported by actions, which will have as a result the diakonoia of the human being, i.e. the migrant. This is the reason why specific interventions on the part of the local Churches are necessary both at discourse and practical level. The official ecclesiastical discourse may be expressed either at the global – ecumenical level- or even better at the local one. As for Church's practices they may include a variety of activities that refer to the reception and care of migrants.

It is well known that at the ecumenical level, the World Council of Churches and the Conference of European Churches systematically deal with the migrational issue by organizing special committees and congresses. For example, the role of the Church Commission for Migrants in Europe is to monitor European and national migration, refugee and anti-discrimination policy, to inform the churches about these policies; to support and serve the churches in their advocacy; to challenge the European institutions to act in accordance with human rights and international obligations; to strengthen at a global, European, national and regional level the cooperation of churches, NGO's and others in this field; to support and challenge churches to include migrants (churches, groups or individuals) in the communion of churches; to address fears in societies around migration and facilitate churches' initiatives on finding ways to peaceful living.

Nevertheless many times the discourse of the Churches –at the ecumenical level- remains within the conferences rooms, in the international forums. Therefore despite the fact that the discourse of Church is dynamic and radical, it does not necessarily reach the believers. As a result, on the one side Church discourse remains theoretical and empty and on the other people, the body of Church, remain uncultivated. This situation creates phobias and reflexives, which are not at all Christian, in the daily life exchanges. All these necessitate practices, which will activate the ecclesiastical body towards the acceptance of difference and the creation of specific actions that will lead to migrants' integration.

Research has shown that the religion of the host country may play an important role in the integration and adaptation of migrants. The local Churches – given the fact that the migrational phenomenon appears mainly in the developed countries, which are traditionally considered Christian- may and do organize in many cases social services and social networks that help migrants to face the problems of their new life. In Greece, for example, the Greek Orthodox Church, either at the Archiepiscopal level or at the level of local Metropoles, which host a big number of migrants, take initiatives for the help and support of migrants. Help involves food, clothes, necessities, Modern Greek language courses, sometimes even rent payments, for bridging the gap between local owners and migrants.

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In addition, religious leaders may intervene in order to achieve harmonious coexistence within local communities and create opportunities for social peace. These interventions may be realized both at discourse and practical level. One should mention here that theological discourse may range from sermons to educational handbooks and should be tolerant, inclusive and not exclusive, solidarity- and mutuality- inspiring, facing the identity of others with respect.

An important and many times combative dimension of diversity is the factor of religion. Although religion is under question in the developed countries because of secularisation, it constitutes an important dimension of the individual and collective identity of migrants who mainly come from the developing non-secularised countries. Even in cases when the religious identity does not play an important role in the country of origin of ¬migrant, it is many times reinforced with the passage of time. Dialogue and communication, which may be realized either at the level of religious leaders, or that of believers, can break down the conflicting tendencies, appease the militant side of religions and conduce to consensus and exchange. The pursuit of inter-religious dialogue is difficult to be the unique truth, as each religion approaches truth in its own way, but can face common problems, which concern every human being regardless of their religion. The demands for peace, social justice, conservation of the environment constitute a common basis for communication and dialogue as people all over the world share the same needs for life, health and happiness. Therefore, religions should exploit the ample room for cooperation, especially in the humanistic and social fields.

## 4. Migration as a challenge

"The opening of borders" brought the strangers to our home, to our neighborhood, to our city, to our nation. The strangers live between us, "question" our internal and external borders, try our personal, national, cultural and especially ecclesiastical limits. For this reason we should face migration as a challenge and not as a problem. Migration as a theological challenge is a bet with our own selves and puts to the test the limits of our acceptance of the others.

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Welcoming the Stranger: Action by Churches Together

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# Living Together in Diversity: Churches Response: The South African Experience

#### INTRODUCTION

The above topic is anchored on four words, living, diversity, response and experience. The emphasis lies on the word living, which introduces us to life. As a Christian I am the daily reminded by scriptures that life is gift from God. We need to share and explain the key words as a way of introduction to this topic. Webster's dictionary explains the above four words in the following way

Life:

The quality that distinguish as vital and function being from a dead body, or A principle or a force that is considered to underlie the distinctive quality of animate being –compare vitalism or an organismic state characterised by the capacity for metabolism, growth, reaction of stimuli, and reproduction (1981:658)

Diversity:

To make divers, give variety to, or to increase the variety of the products of, or to produce variety or to engage in varied operations (1981:331)

Church:

Lord's house, a building for public worship, especially for Christian worship or the clergy or officialdom of the religious body or a body of organisation of religious believers. (1981:198)

Experience:

Experience is an act of trying or facts or events to the totality of facts or events observed or directs principles of events. Anything observed or lived through (Woolf 1981:399)

The above explanation of life is based on plans as a way of sharing the concept of living it is amazing that it is not connected to human life. When reading the scriptures Jesus became helpful in addressing the issue of life he had this to say about life:

"The thief comes only to steal, and to kill and destroy. I came that they may have life, and have it abundantly (to the fullest)" John 10:10

In other words life is connected to our Lord who came to share his own life with us. The author's view of life is connected to the concept of life being a gift from God, given to all human beings. It is also surrounded by the dignity which is linked to the image and likeness of God. Rakoczy had this to say about life:

"Thus to live a spirituality based on the sacredness of life is to be aware that all is graced in God through the life and

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death of Christ Jesus, and that the spirit is at work in the everyday as well as the more dramatic events of life." (Kourie & kretzschmar, 2000:86)

When life is taken seriously it introduces us to relate to our neighbours. It also challenges us to learn to live together in diversity. For example when we relate to each other we are taking responsibility of sharing life with others. As a follower of Christ our response will always point us to God and God's creatures. We will finally have to deal with the issue of the dignity bestowed in humanity. It challenges one to honour God, self and others who are created in the image and likeness of God. Diversity has an interesting explanation which introduces us to various ways of operating with each other. We live in the world full of problems such as crime, conflict, division, corruption etc. With the above in mind, let me ask a question. Can we live together in diversity in the global village that continues to impoverish others? Yes, the author thinks we can, only when we begin to recognize the dignity bestowed on each of God's creation. This process will help us to respect human rights of other people who are sharing life with us. We should bear in mind that Christians are people who live in hope, especially when we focus on Christ, who brought salvation to all of us. The Church (an organization that must promote justice, peace and harmony) can create a space in which people of inter faith can live with each other through the means of employing dialogue as a tool of working together. This is a great challenge facing the Church, irrespective of the diverse Churches that are operating within our communities. This is the church must operate, i. e., amongst people who are oppressed, and are also facing the issue of diversity. In fact, Christian diversity is simply evidenced in the four gospels themselves, gospels which are theological composites from earlier diverse sources. Jones actually summarises the thought by saying:

> "There has never been either a unified Christian Church, or A common Christian theological position, in the light of which diversity can be faulted" Jones 2000:36

What is new in our era is not the fact of diversity, but the call of the Church to celebrate this concept of diversity in a gesture of rare and expectant honesty. The most important issue is how we approach and address our different diversities. We need to be honest that it exists. In other words, truth claiming must be part of it, and must be seen as existential wagers, especially in the face of viable alternatives. Note that different churches will define diversity in different ways, depending on their own experiences in life. For example, persons in the same theatre never watch the same motion picture or rather experience it in the same way. In short, multiple words of meaning, resulting from a contrasting but workable perspective, define the nature of situation in which all of us out of necessity live – and must, from now on. The word diversity allows creativity. We are therefore called to live out our diversity with the truth of who we are – thus contributing and challenging each other as we seek to; live together in peace and harmony. Then our faith becomes the most basic characteristic of the human person. Wagered in the face of life's unavoidable question why? Remember, the truth of one's faith perspective as a Christian is its liveability, tested in the midst of a supportive and accountable community. Here we become aware that we must live together in a responsible way that will allow space for every one of us who has different varieties of theological beliefs. This way of living will encourage and enables one to accept one's self and others as fellow human beings who are created in the image and likeness of God, irrespective of one's own belief. Ellwood suggests the following thought:

"The primordial task of being human, then is forge and be forged by a world of meaning sufficient to warrant the gambling of one's life." (Ellwood, 1978:1 – 11)

The above statements remind us that we have to learn to live together, face difficulties together, and learn to solve problems in such a way that we will (together) create a space that will allow us to continue dialoguing in search of meaning in life. They key to this is to respect the dignity and the image and likeness of God bestowed on each one of us. The above process should begin months before birth, and is significantly in place before one takes much thought in living with others. The responsible way of living is taught in the family, reinforced at school, and finally lived

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out through nurturing of one's faith, within the church (if one is a Christian). The author needs to be careful when talking about faith issues, especially about the concept of 'truth'. No one can claim to have the absolute truth. For the author, the word truth is relational, as a variation of the confession, e. g., In the scripture one blind man said" Once I was blind, and now I can see" This is his truth, which may not mean anything to someone who is blind. This makes the theological process functional, with God the generic name functions in one's life that it is better to live than to die. The variegated Church finds its calling within this process, by relinquishing the temptation to believe that one has the truth, or that there even is one truth. One is opened to theological diversity as a joyously divine gift. The above thought set me free to allow other faiths with their truth to speak to my own faith. In South Africa we were led to believe that the truth was only held by Christianity during apartheid. As a result of the above, we grew up looking down upon other faiths. It was only as we continue to struggle for liberation that we began seeing the truth in other faiths. We denied them the reality of sharing their own understanding with us. During the oppression I then discovered their own struggle of relating their faith to what was happening. The challenge was that their faith spoke to mine and began challenging obstacles I had with them, especially those that hindered me from relating to them as human beings. My own view of them and life changed. The author began to realize that life is gloriously conventional, relational, and International, and as a rich intersection of personal and communal diversity. This new perspective allowed me to open space for others to address me, and both sought for the truth. The first world needs to learn from this pattern that forced us to relate to each other. This process will help them relate to developing countries with dignity, and know that we are here to live with each other. A classic case is a good example of the Pentecost event in the scriptures, were different people spoke in their own languages or mother tongue. The book of Acts explains it in the following way:

"The spirit was experienced when one is enabled to witness in His/her own tongue – the mighty works of God" (Acts 2:11)

The tragedy of the Church's history is that, very often these contrasting vistas no longer become invitations, but instead, each becomes a lone option of a single denomination or movement. What is needed today is a distillation of these major vistas into viable alternative space – time worlds. This can happen through dialogues with diverse cultural situations, serving as a base for the Church as variegated. This means shifting from the present unproductive competition of denominations against each other. The journey begins with accepting others, and thus shares the space we occupy together, and then dialogue will be taken seriously. Fowler's words of wisdom are with quoting; especially when he suggests that each one should be committed to dialogue with a view of being opposed. He says:

"This approach renders as its goal to the Church as a richly inclusive environment, evoking pride in one's conviction, while fostering eagerness to share in diversity" (Fowler, 1981:67)

The above quotation introduces us to the concept of dialogue, which will help us to work together for a better future.

#### INTERFAITH DIALOGUE

Areas of conflict in the world, especially in South Africa demonstrate the urgency of further development of dialogue among people who live together. There is also an issue of migration (between south and Northern worlds) which is causing problems of deportation and other abuse experienced by people. Religious dialogue in this way and age is important and an obvious issue. A good example is seen in other countries between the members of majority religion and minorities; this has cause major problems of domination. More generally there is the long –term dialogue that is needed among Muslims, Christians, Jews and other faith based organizations. Living together in the global world need us to address this issue, in order that we could create an atmosphere of justice and peace. As we deal with this issue in our dialogue, we must also include intercultural dialogue which will help us respect each other's

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culture. This process of inter cultural dialogue must be based on tolerance and mutual respect of humanity. One way of dealing with this issue as well as conflicts that exist, is by embarking on the process of education, which will help us to understand each other's way of living. This process or vision will help us to live together in a multicultural society.

Organization of our community should lead us in order that life becomes a valuable gift. Living together is inevitably related to cultural plurality as well as intrer-cultural and intra-religious diversity. The above role should be developed of a balance of acceptance of differences, together with the development of appropriate methods of dialogue and understanding. As a way forward, we need to reconcile our diversities. This process will lead us to addressing the issue of non violent ways of living together. It will also guarantee freedom for religious tolerance as well as freedom from religion, especially after the incident of 9/11. The author believes that models for living together include common and mutual learning, the acceptance of difference, and the tolerance of sharing space together. Stackhouse suggests that:

"Education has a vital role in the development of self-awareness and self-consciousness, especially among children and young adults". (Stackhouse, 2000:63)

Self awareness underpins a constructive and non-discriminatory approach to difference. It also helps one to deal with others in a way that s/he would love to be dealt with Ackermann will say:

"Relational anthropology is based on the biblical concept or principle of loving one's neighbour as oneself" (Ackermann, 1991:100-103)

In theological terms one should always respect the image and likeness of God in oneself before others. When you treat others as none beings, you have already diminished the image in yourself first before you can destroy the other. Through respect people will then respect human rights and thus learn to live in harmony with themselves, and then others. It follows that rights must then be incorporate a flexibility that enables them to apply to diverse cultures through the establishment of human standards, and the incorporation of cultural rights. This process of thinking and living allows an importance of opposing negative attitudes that may arise from multiculturalism. Finally, the author believes that human rights protect the dignity of every human being. When practices and observed properly is will allow people to participate in each other without fear of repercussions. A good example is the process that was embarked by South Africa when it entered into the new democracy. It employed the process of the Truth and Reconciliation Commission as a way of building the new nation, leading people towards healing of the memories, hurts and violation caused during apartheid. This process became a priority that helps us to grapple with issues that had live with us for many generations. The process involves a lot of sharing of stories, which became educational, while they also revealed painful memories of what happened to our people. The sharing of stories helped also in preparing people to live together. They introduced a new pattern of living with those who violated and humiliated us. The Church played a vital role by helping perpetrators to confess, repent and then share the truth of what actually happened. The leadership of Mandela also prepared people to copy his way of reconciliation, after twenty seven years in prison. He helped us and politicians not to discriminate against other people, but held human dignity and cultural tolerance within the nation. Koyama, when speaking about culture reminds us that:

"Culture is dynamic, because it is a process and not a given." (Koyama, 1999:59)

As a result of the new culture that was being created by the new democracy, the Church played a vital role in addressing the issue faced by South Africans, i.e. healing the nation from its past through educational programs. For example, those who have not voted had to be educated so as to prepare them for elections. Raiser argues that:

"In a global society, the church must organize its educational

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ministry around its perennial task of catechesis, edification and discernment." (Raiser, 1997:11)

As we embark on the teaching aspect of the above three processes, the church will therefore help people to engage in dialogue with each other. In this case dialogue means conversation rather than trying to convert people, or even prepare them to find a common ground. Our common life as we dialogue with other faiths should therefore be organized on the basis of self – reflection encompassing one's own convictions. Such an approach must allow others to retain their identity. In other words, the majority must avoid over shadowing them. Gardner suggests a beautiful way of dealing with the above by saying:

"A common life affects the identity of the individual through encounter. This process introduces an ethical perspective to life" (Gardner, 1985:80)

In other words, the process also requires the acceptance of difference on the one hand of common humanity on the other. The latter is an obvious and significant enabling factor. In concluding this thought through the process of education which involves dialogue, - education therefore implies a lifelong learning from cradle to the grave. This is essential element for intercultural dialogue. The reason is chiefly because education is a safe context for dialogical learning on the basis that promotes reflective self-awareness. In the South African perspective, the implicit intercultural dialogue included even some of the common festivals of sports, cultural events, rituals of TRC, public holidays which enhanced the nation building, e.g., heritage and family holidays, June 16 massacre etc. These events began building us together as we forged the new democracy. In brief, intercultural dialogue gave rise to a common basis for living together in new ways. A good example is seen when black families bought houses in the so called white suburbs, they had to learn living together, even though there were those who did not accept it, causing disruption, intimidating tactics, but some communities stayed together and tackled the issue of racism. Once again the Church played a vital role. The irony is that the very same church that played a vital role, remain separate and took time to integrate. Looking back I realize that common responsibility for shaping our life together became a symbol of hope for us, Africa and the rest of the world, it also became an introduction of dealing with intercultural issues of dialogue through joint effort, because the world expected so much from us, because of the icon – Mandela.

The struggle we are facing, especially as we continue to seek integration is in schools. As blacks came in, some whites were leaving. We now have to focus our strategies on the development of skills for the under privileged who were excluded from the process for to long. This process will address the economic aspect of living and will allow them to feel part of the community. The minister of education while addressing this issue said:

"Democratic education systems and dialogue oriented education that emphasizes on the learner's situation and His/Her active meaning-making capacity is to be encouraged." (Giddens, 2000:47)

The thought shared by the minister is that democracy requires active, informed and responsible citizens who can balance self-interest and empathy. The author is aware that knowledge of the other person is not enough. Educational activities should promote intercultural competence that encourages growth and development which will lead to building the country. This process in the South African context continues to challenge us especially those who wee not privileged to develop their education because of Discriminatory laws cause by apartheid. Therefore living together requires that we work together towards developing each other, especially those who had privileges to mentor those who were excluded from developing themselves. Finally, living together in diversity will lead us to be responsible citizens who will nurture the coming generation. Through this way we will begin to address the issue of imbalance that was developed by apartheid.

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#### **CONCLUSION**

Religious organizations, the business world and educational institutions should join hands in preparing people to work together in the world. Religious communities are called and challenged to address global ethical problems. In short they should become the voice of the voiceless. I would like to make some observations as I conclude this article.

Firstly, when we are born, we came into the world unaware of what we were entering into, who are parents were, what would happen to us. In other words, we were born trusting that life outside the womb will be good for us and to us. Yet, for so many people, that trust was betrayed by uncaring parents- and thus are unable to live with other people in peace and harmony.

Secondly, Religious bodies can play a vital role in working closely with each other through intercultural dialogue that will help people tolerate each other.

Finally, education can also fulfil a vital role in developing people so as to be equipped top deal with problems of racism, classis, and skills yet. This way, communities will be able to build nations that can address problems that hinder people to develop

The first world will also need to revaluate them, especially the way they deal with the so called developing countries. The focus of this article is based on the scriptural text of John 10:10 "(I came that they might have life, life to the fullest.)"

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# Migration – Options for Accessing Human Rights: An Overview

# **Introductory Remarks**

Over centuries, migration has helped shape the global economy. In that period, migration has involved both voluntary and forced movements of workers. Among others, it is worth remembering that there was a massive relocation of surplus labour from Europe to the Americas and Oceania. Relative to the population of receiving countries, transatlantic migration from 1870 to 1914 reached levels that have not been surpassed since. Another movement relates to the indentured Asian workers, particularly of Chinese and Indian origin, to the plantations and mines in the tropics. Since the Second World War, the global economy has given rise to a resurgence of migration. As in the past, job opportunities have shaped migration. However, while today's global economy is characterised by a relatively free and growing mobility of goods and capital; in contrast, there is a largely restricted mobility of labour, particularly of low-skilled labour.

Moreover, many people are compelled to leave their countries of origin owing to the poor general living conditions. The main causes of this form of migration are asymmetrical economic conditions, a world wide structural policy to the detriment of developing countries in the global South, and e.g. a European economic and trade policy with African countries based on price-subsidies for export goods. The report of the Global Commission on International Migration says that "in too many parts of the world [.] migration has become a survival strategy, employed by people who are seeking a way to escape armed conflict, human rights violations, authoritarian and corrupt governments, as well as unemployment and poverty." As long as these conditions are not changed, the decision to migrate will continue to remain one that is controlled by external factors rather than being purely voluntary. Migration has always been a response to ongoing demographic and social changes.

The international normative framework on international migration is constituted by human rights instruments adopted by the UN General Assembly and those relating to migrant workers adopted by the International Labour Conference. The most specific and comprehensive normative framework at international level dealing with the rights of migrant workers consists in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (established in 1990, in force since 2003. This UN Migrant Workers Convention has currently been ratified by 39 UN Member States and is one of the latest of the core international human rights instruments. Except for very few exceptions, the instruments of these core human rights standards provide the basis for the protection of everyone, citizens and non-citizens, in a State's territory. This also applies particularly to the European Convention on Human Rights and its protocols, while none of the member states of the European Union, neither Canada nor USA have ratified the UN Migrant Workers Convention.

Given this condition, this paper will present – in spotlights – some options for improving the legal situation of migrant workers, i.e. how best to safeguard the civil, political, economic, cultural and social rights of international migrants while the UN Migrant Workers Convention as such is not in force in certain countries. The paper, thus, do not pretend to dilute the State's obligation to take effective action in order to protect migrants in its best way against all forms of human rights violations and abuse: i.e. ratifying the UN

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Migrant Workers Convention which deals with migrant's rights and their vulnerability in greater detail than any other human rights instrument. States have the option of granting migrants a wider set of rights than those included in the other international treaties.

# Specific problems and needs of migrants in terms of human rights

Migrants are not commodities and thus, as persons, they have intrinsic rights and States have the responsibility to respect, protect and promote. Genuine to this purpose, the human rights machinery of the United Nations can be used and built upon. In general, particular attention should be given to the Special Rapporteur on the Human Rights of Migrants, the Committee on Civil and Political Rights, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, and the Committee on the Rights of the Child which oversee the implementation of human rights instruments that applied to all persons, including migrants. In addition, the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Multilateral Framework on Labour Migration as well as the Durban Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, are also crucial in ensuring the benefits of international migration.

# Civil and political rights / CPR (with specific relation to migrants)

#### Art. 14 ICCPR

Access to legal recourses for not being unjustly treated or suffering injuries

#### Art. 22 ICCPR

Freedom of association / organising or joining trade unions (also: Art. 8 ICESCR) in order to effectively combating exploitative practices

The Geneva Convention relating to the Status of Refugees 1951 / 1954 establishes a definition of the term refugee and sets out legal protections for refugees. The Convention also prohibits the expulsion or forcible return of persons accorded refugee status.

Among others, forced repatriation is strictly prohibited when there is a threat of death, torture or inhuman treatment in the country of origin.

The 1967 Protocol on the Convention relating to the Status of Refugees extends the application of the 1951 Convention to persons who became refugees after 1 January 1951, without any geographic limitation.

# Art. 2 European Conventions on Human Rights

The right to life; forced repatriation is prohibited when there is a threat of death in the country of origin.

# Art. 3 European Convention on Human Rights

Forced repatriation is prohibited when there is a threat of torture or inhuman treatment in the country of origin.

#### Free movement of workers / business men

The treaty founding the European Economic Community (1957) includes provisions for the free movement of workers among member states.

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The North American Free Trade Agreement (NAFTA) has provisions for the issuance of special visas for skilled workers from its States parties.

In Asia, the Asia-Pacific Economic Cooperation (APEC) has established a business travel card to facilitate business travel and circulation.

#### Free movement of citizens

The agreement of the European Union in 1993 provides with free movement within the EU borders for all citizens. In May 2004 restrictions were applied on the intra-EU mobility of citizens during a transition period, which is due to end in 2011.

Further examples are the protocols on the free movement of persons of the Economic Community of West African States (ECOWAS) and the Central African Economic and Monetary Community (CEMAC). In the Americas, the Southern Common Market (MERCOSUR) has adopted instruments to facilitate the movement of tourists and business travellers between States parties.

# Bilateral agreements on migrant flows

According to a survey among governments conducted by ILO, 595 bilateral agreements had been concluded by the 66 countries reporting; e.g. provisions to meet social security entitlements and payments; guest worker programmes or general labour migration exchanges; admission of trainees or young professionals; seasonal migration.

# **Right to Information**

Convention of the Council of Europe against human trafficking (2005)

Art. 5, the right of migrant workers to be informed in good time of all circumstances in their destination country relevant to migration and the admission to employment

The Vienna Convention on Consular Relations (1963)

the right of foreign nationals to communicate with their consular authorities and to be informed of this right by officials of the receiving State when arrested or detained.

# Prevention of exploitation and human trafficking

UN Palermo Protocols against human trafficking (agreed upon in 2000)

- a) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (in force since 2003).
- b) Protocol against the Smuggling of Migrants by Land, Sea and Air (in force since 2004); supplementing the UN Convention against Transnational Organised Crime (2000); also known as Palermo Convention. Both protocols have been adopted by UN-General Assembly Resolution 55/25.

According to article 3 (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, trafficking in persons is "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of the person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other

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forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs".

Article 3 (a) of the Protocol against the Smuggling of Migrants by Land, Sea and Air defines smuggling of migrants as "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident".

Though smuggling occurs with the consent of migrants, it may subject them to dangerous or degrading situations. While smuggling is a transnational activity, trafficking does not require international travel, but involves the coercion of victims and their ongoing exploitation at destination. Traffickers derive proceeds from that exploitation, whereas relations between smugglers and migrants cease when the migrant reaches the destination and pays the fee. Lastly, while trafficking is a violation of the rights of victims, smuggling is not.

Additionally important in this context is the extending protection to witnesses in the prosecution of traffickers, outlined in Art. 24 of the Convention against Transnational Organised Crime.

Convention of the Council of European against human trafficking (2005)

# Economic, social and cultural rights

#### Art. 6 ESCR

Right to work, the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, including technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual

#### Art. 7 ESCR

just and favourable conditions of work, including the right to fair wages, rights at the workplace as e.g. health conditions.

## Art. 8 ESCR

The participation of migrants in trade unions (and migrant organisations)

#### Art. 9 ESCR

None-discriminatory access to social security and key provisions of the social assurance system (e.g. pension)

#### Art. 12 ESCR

Right to Health; e.g. none-discriminatory access to health care

General Comment 14, para. 34: State's obligation to health care irrespective of the legal status of residence General Comment 14, para. 37: State's obligation to guarantee the real access

General Comment 14, para. 20 und 21: State's obligation to a gender-specific access to health care General Comment 14, para. 12: State's obligation to linguistic and cultural sensitivity on health concepts, vocational training, and information about disease prevention among others

UNAW 2008: Annex Page 17/39 Art. 13 ESCR

Right to Education

particularly in relation to migrant children in irregular status

ILO Convention No. 97 concerning Migration for Employment (revised and adopted in 1949; in force since 1952)

provisions to guarantee equality of treatment with respect to the employment of foreign migrant workers in a regular situation on a par with nationals

ILO Convention No. 143 concerning Migration in Abusive Conditions and the Promotion of Equality of Opportunity and the Treatment of Migrant Workers (Supplementary Provisions; 1978) addresses irregular migration in part I and establishes, in part II, that migrant workers in a regular situation should not only be entitled to equal treatment with respect to nationals, but also to equality of opportunity with regard to access to employment, trade union rights, cultural rights, and individual and collective freedoms.

ILO Convention No. 157 on the Maintenance of Rights in Social Security (1982) enhancing transferability of social insurance claims, but ratified by only three countries: the Philippines, Spain and Sweden.

# ILO Convention No. 169 on Indigenous and Tribal Peoples

State's obligation e.g. to linguistic and cultural sensitivity on education, vocational training, health concepts; also certain rights for those who have been forced to move from their ancestral lands by development projects, by the exploitation of resources by private companies or conflict, depriving them of sustainable livelihoods, ultimately contributing to internal displacement or to international migration.

# European Union Regulation No. 1408/71

provisions to ensure the comprehensive portability of the social security entitlements of citizens of member States of the Union moving within the Union.

# European Union Regulation No. 859/2003

extends the provisions of Regulation No. 1408/71 to third-country nationals who have resided in a member State of the Union for more than five years, provided they are not refugees.

# Euro-Mediterranean Partnership

association agreements between the member States of the European Union and Algeria, Morocco and Tunisia, which contain provisions on the portability of social security benefits for migrants from the latter three countries who work in countries members of the Union.

#### **Gender-sensitive issues**

#### None-discrimination

Art. 26 ICCPR, Art. 2.2 ESCR, International Convention on the Elimination of All Forms of Discrimination against Women / CEDAW

**CEDAW** 

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Prevention against exploitation or abuse, particularly sexual abuse, gender-based violence, low-paid female occupations; State's obligation to a gender neutral approach

# **Family Rights**

Art. 8 European Human Rights Convention

State's obligation to examine migration for family reunification according to certain conditions;

European Union / Treaty of Amsterdam (1997) et al.

Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification

Council Directive 2003/109/EC of 25 November 2003 on the status of third country nationals who are long-term residents

These directives grant third-state nationals residing in the EU the right to be united with their families under certain conditions and after five years a right to a permanent residence permit granting freedom of movement in the whole EU.

# Additional, non-binding instruments

In April 2003, the heads of ILO, IOM, OHCHR, the United Nations Conference on Trade and Development (UNCTAD), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC) established the Global Migration Group. It meets at regular intervals to coordinate activities and improve coherence within the United Nations system and with IOM in addressing a wide array of international migration issues.

ILO Action Plan on Migrant Workers (2004) aims at non-discriminatory access to social insurance systems

ILO Multilateral Framework on Labour Migration (2005)

a set of non-binding principles, guidelines and best practices for Governments, organizations of workers and organizations of employers to pursue a rights-based approach to labour migration. The Framework aims to foster cooperation and consultation among the tripartite constituents of ILO in order to assist in the implementation of effective policies on labour migration.

Global Commission on International Migration (report released in 2005) contains 33 recommendations to strengthen the national, regional and global governance of international migration; among others draws attention to remittances and a non-discriminatory access to social insurance systems

UN General Assembly / High Level Dialogue on International Migration and Development Guarantee of human rights in migration processes, special attention to female migrants, continuing the dialogue on migration in form of a Global Forum (Manila 2008)

United Nations Compendium of Recommendations on International Migration and Development (2006) promotes co-development initiatives involving migration

General Agreement on Trade in Services of the World Trade Organization (1995)

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framework for the liberalization of the trade in services; sections related to mode 4 involve the temporary movement of natural persons to provide services abroad. Business visitors covered under the Agreement can normally stay for up to three months, while intra-company transferees may stay from three to five years.

# Summary

Although some specific issues – as family integration, pension transferability – are not genuinely met by the listed provisions, there is a large variety of norms and frameworks which can be used for intermediary purposes in migrant rights. The major gap refers to the UN Migrant Workers Convention as a concept of human rights based mobility of people in both countries of origin and destination as well as on co-development, a concerted improvement of economic and social conditions of livelihood and, in a larger sense, on participation of the benefits of globalisation.

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Please find Ms. Strauss PowerPoint presentation in the UNAW Resources at: http://www.oikoumene.org/en/events-sections/unaw/resources.html.

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# Migrant Workers in Lebanon

#### Agencies, Employers, Policies and the problems

Migration has become an important driving force for economic development, while migrant workers represent a major issue in legislation engineering and policy development. The protection of human rights of individual migrant worker therefore, becomes of primary importance to be able to fulfill his obligations and play his role as an economic actor.

Migrant workers, more specifically domestic women workers, are excluded from the scope of the labor legislation, since their work is done in households, which is not considered a workplace that can be supervised by labor or state authorities.

Lebanon and most of the Arab countries have made efforts during the last two decades to accede to most of the major international human Rights instruments, however Lebanon and the countries in the Arab world do not include domestic workers in their national labor codes meaning that they are excluded from protection measures under national law.

Consequently, colorful and sad stories about domestic migrant workers reflect the harsh and cruel conditions in which they are hired and live and the treatment they get in these households: withholding of passports, mistreatment, physical, verbal and moral abuse, no compensation, etc.

The absence of legislation on migrant workers other than being a lack of labor standards has very specific reasons for not being developed in Lebanon.

To mention some,

- A. The presence of the Syrian workers, which is a political issue rather than human rights issue, (around one million workers), does not create any feasibility for the Lebanese authorities to engineer migrant workers policy as any law for the Asian or the African worker would be applicable for the Syrian laborers as well. While, the Lebanese government has no real margin to manage the Syrian presence.
- B. Lebanon's traditional laissez-faire economic philosophy has made the authorities lethargic concerning formulating a framework for migrant workers. With a free-market economy and a relatively pluralistic political system, Lebanon has, been open to the outside and it has also been vulnerable to outside influences. That is why it has been taken on principle that Lebanon should avoid granting migrants, whether laborers or refugees, any type of internationally-protected status.
- C. The fact that migrants earn good salaries relative to their earnings at home; foreign embassies are happy with the remittances provided by their nationals; the agencies and employers have access to cheap labor; and the Lebanese state has wide latitude to deal with migrant workers as it sees fit, with relatively little demand in return legislation and implementation of the law.
  - D. No sufficient networks, whether established by migrants or by Lebanese, to help migrant workers.

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E. Civil society that will curtail what is commonly called the 'new slavery', changing attitudes in Lebanese society through education and through the media, is newly emerging.

### **Number of Migrant workers**

The number of Migrant workers from Asia to the Middle East grew in millions in the early 70's with the oil boom in the Arabian Gulf. They were mainly male workers from India, Pakistan and later from the Philippines. By the 1980s, the flow of female Asian workers took a new élan expanding dramatically and flooding the Gulf countries with millions for menial and dirty jobs. They are around 12.5 million in the ME region, in most of the Gulf countries foreign migrant workers surpass the locals in the labor force, in UAE by 68%, in Kuwait by 49\$, in Jordan by 38%; in Bahrain by 37%; in Saudi Arabia by 23% and in Lebanon by 18%, these figures do not include the illegal migrants.

Migrant workers in Lebanon grew in the hundreds of thousands since the Lebanese Civil war's end in1990. The largest number of foreign labor in Lebanon are the Syrians they are estimated to be 1 million, and are employed in construction industry and Egyptians employed in low skill jobs - as gas station attendants, concierges in buildings, rubbish collectors, and street cleaners. While Asian and African women, there are no precise figures, are employed in domestic work, replacing Lebanese, Syrian, and Egyptian women who traditionally took on such jobs.

Official figures are published only for those having work permits. Many migrants enter Lebanon illegally, often through Syria. The estimated number according to ILO (2003b: 22) is 200.000 Asian workers of which 90% are female domestic workers. There are 100.000 Sri Lankan; 30.000 Ethiopians, 20.000 Filipinos; 11.000 Indians the rest from Thailand, Ghana Cameroon and Madagascar.

According to Ministry of Labor only 100.000 work permits were issued at the end of 2005, meaning that almost all the rest are illegal. During the Israeli invasion in 2006 with the evacuation of foreign residents, around 14.000 Asian migrant workers were evacuated by IOM among whom a great majority were illegal migrants. 800 migrant workers detained at the Security General for illegal residence were released by the General Security to repatriate home by IOM.

#### **Employment regulations**

As Domestic work is not covered and protected by the national labor laws it is therefore, difficult to control, research and produce data. Lebanon deals with migrants essentially from a security-control perspective, and focuses on insuring that migrant workers and their employers obey legal restrictions.

The Lebanese authorities, have not formulated, or implemented, policy guidelines governing the migrant worker presence or affecting many aspects of the lives of migrant workers.

They are not covered under labor Law but under the Kafala or sponsorship system since 1950, which states that women migrant domestic workers must attain a legal local sponsor for the duration of their contracts, forcing migrants to be highly dependent on local employers making them increasingly vulnerable to abuse.

Migrant workers enter Lebanon as domestic workers through Lebanese agencies, they sign a contract with the agencies in their country of origin, outlining salary, duration of employment, numbers of days off, etc. The worker also pays a fee to the agency, (three months salary or more). The agency will also have negotiated with the potential employer, who must pay a high fee to the agency to bring the worker to Lebanon, 1000USD

The contract signed between the agency and the worker in the country of origin is usually replaced upon arrival in Lebanon. The second contract, written in Arabic is more stringent and compels them to work more years than initially agreed and at lower monthly salary.

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It is only recently however, that the Lebanese authorities, the Prime Minister, appointed a special commission to the Higher Council to design a national plan of action that addresses issues of migrant workers in a thorough manner with the participation of key government agencies, NGOs, UN agencies, sending countries embassies and syndicates, that will study the understanding of the national application of international conventions ratified by Lebanon on the rights of women migrant domestic workers, the gaps in the laws and regulations administrative, civil, and criminal, which hamper the implementation of women migrant domestic rights and propose new legislation based on the international UN convention, to improve the lot of migrant workers, in terms of their relationship with agencies, employers, embassies, and the state.

The commission is called Unified Committee composed of members of ministry of Labor, ministry of Interior, Social Affairs, Justice, Internal Security Forces, the Lebanese Bar Association, the ILO, the OHCR, and Caritas. The prime responsibility of this committee is to gather information and propose legislative guidelines for Domestic Migrant Workers only, in line with the International Convention on the Protection of the Rights of Migrant Workers and their families.

# Statistical Reports on the situation of Asian Domestic Migrant Workers in Lebanon

A survey was carried by Caritas Migrant Center in partnership with Caritas Sweden and funded by the European Commission in June 2005, on the "Protection for the Human Rights of Migrant Workers and Asylum Seekers in Lebanon".

The survey questioned 600 employers in Greater Beirut area, 90% believed that they can retain the passport of their domestic workers, 54% said they had the right to lock servants inside, 31% said they had the right to physically hit the servant,

While another survey of 600 domestic migrant workers indicated that (Dr. R. Jureidini 2006) 31% were not allowed to leave home.

Furthermore, the survey indicated that:

Problems migrant domestic workers faced in Lebanon were:

- Physical abuse (beating up): 55 %
- Moral abuse (insulted and screamed at): 39%
- No idea: 25 %
- Sexual abuse: 17%
- Overworked (on call 24 hrs a day for 7 days a week): 15%
- Racism and discrimination: 13%
- No medical follow up: 12%
- No payment of salary on monthly basis: 10%
- Always considered at fault: 4%
- No recourse to third person to protect rights: 3%
- Reported that their passports are withheld by the employers 87%
- Worked on freelance basis 7%

A recent study of Human Rights Watch indicated that 95 migrant workers died since January 2007, at a rate of 1 or more/week. 40 of them were classified by their embassy of origin as suicides, 24 fallen of the balconies while trying to escape, 14 due to sickness or accidents.

What is driving these women to kill themselves, accidents while running away? Suicide? Natural deaths?

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Police reports indicate deficiencies in their investigation, there are no verifications as to what the real origin of escape was: maltreatment, rape or abuse.

# Policy reforms and treatment of migrant workers

Migrant workers issues in Lebanon demand reforms in different domains: Agencies, Employers, Lebanese State, and the society as a whole

# a- Agencies and migrants

Agencies have developed a wide margin of taking advantage both of workers and of employers operating through them and many are linked in one way or another to influential individuals or politicians .

It is for the state, through political pressure and enforcement of the law, to compel agencies to alter their behavior to see that migrant domestic workers are properly treated. This process has, already begun in cooperation with the judicial authorities, agencies are put under increasing pressure, by threat of legal action. The ministry of Labor approved the establishment of syndicate for the owners of agencies to survey the performance of the agencies in coordination with the Ministry of Labor and concerned parties.

# b- Employer-Migrant worker

As employers in Lebanon hire migrant workers through agencies they pay high fees to the agency. This makes them unwilling to grant the migrant worker freedom of action, fearing that they may lose investment.

Once in Lebanon, it is the employer who decides everything for the migrant worker, she may treat workers well or make their life unbearable. The principal relationship is with the employer. It is almost always the employer who determines salary, the quality of work conditions, working hours, and a variety of other details. In other words, whether the migrant worker is in Lebanon legally or not, his or her status is not defined by objective criteria, imposed by the state. The employer confiscates the migrant worker's passport, restricts their freedom of movement some migrant domestics are locked indoors —they are not paid their salaries for months sometimes years.

They may be forced to work for long hours up to eighteen hours, without any form of financial compensation.

They are refused to communicate with their families at home or friends in the country.

All these abuses contradict the principles embodied in Article 25 of the International Convention on the Protection of the Rights of All Migrant Workers.

But things have started to move and change as the CSO's started raising their tones together with Human Rights Watch. The state has started to seek on ways of hiring processes, and act as a guarantor both of fair contracts and an equitable fee. The minister of labor has started registering a contract at the ministry of Labor ensuring and monitoring that the rights of all parties are protected and respected. With this contract obtaining residency, work permit and visa to enter the country as migrant worker, has become obligatory.

It was recommended that the contract be in the language of the parties involved.

c- The Embassy and the migrant worker

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Another domain of scrutiny is the enhancement of the role of the sending countries' embassies. It is for the sending countries embassies to provide knowledge of information and support networks to workers in the country of origin, information on working conditions, monitor contracts between the employer and the domestic worker, be involved in providing Legal services, negotiate bilateral agreements between sending and receiving countries and monitor that the contracts are legitimate and are in the language of the involved parties ensure that the migrant worker is not subject to abuse or harmful working conditions. Some embassies have taken some precautions against these procedures by insisting that local contracts should be approved by them. Or like the Ethiopian and Philippine Embassies, given the absence of protection for their nationals, the high number of abuse and exploitation, have prompted restrictions of travel of their nationals to Lebanon, Ethiopia restricted for more than a year its nationals to travel to Lebanon, Philippine workers in 2007 were only permitted to travel to Lebanon legally and if paid 400 \$/month. Currently the set rate is 200\$ for Philippines, 100\$, for Africans 150\$ for Sri Lankan.

Yet many embassies are timid to challenge the authorities, agencies, or employers for mistreatment of their nationals, because of the much-needed hard currency for their home countries.

## d- The state and migrants

With the appointment of National Steering Committee in 2006 in Lebanon, an initial step has already been taken by the Lebanese authorities, to study and propose new legislation based on the convention, without, however, implementing those provisions which may create problems for Lebanon.

The process has, to a modest extent, already begun by putting limitations of the behavior and power of employment agencies, putting an end to the abusive powers of agencies through enforcement of the law, compelling agencies to alter their behavior. (In 2007 an employer was sentenced to 15 days imprisonment for beating and burning her maid, another was ended to pay 1500\$ fine for damages and repatriation fees. However these are exceptional cases, usually disputes are settled by rendering the maid her papers and sending her home.)

On the part of the judicial authorities, they are backed by the government, to see that migrant domestic workers are properly treated, freedom of action, hiring processes, shaping of contracts, adequate salaries, free time, freedom of movement, etc are all carefully studied.

The new legislation aims to end both types of abuse and help to enforce and ensure that both sides respect contractual obligations: the abuse of migrant workers, including non-payment of salaries, corporal punishment, rape, and enforced sequestration.

The legal conditions for a work permit today in Lebanon request the following:

- The employer or agency must place a specified sum L£1,500,000 at the Housing Loan Bank as a deposit, which is recuperated upon termination of the worker's contract.
- A specified sum around L£500,000 must be paid annually to the labor ministry for a work permit,
- Health insurance policy to be presented to the Ministry of Labor for issuing work permit,
- A sum (200 USD) paid the General Security service for a residency permit.
- A notarized contract between the parties is also necessary for a work permit. There is no specific format imposed by the authorities.

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The latest decree issued by the ministry of Labor in July 17, 2004 N0 1/70, regulates the relation between recruitment agencies employers and domestic worker as follows:

- Life insurance, in case of death of domestic worker, 7500USD to be delivered to the family, after cutting the expenses of the transfer of the corps.
- Compensation for a permanent or partial damage of the foreign worker, due to an accident, for a sum of 2500USD.
- Expenses of hospitalization from an accident of work or outside work for each case for a sum of 2500USD and yearly 7500USD.
- Payment of transportation fees, ticket to home country, if the employer dies, or if he or she gets infected by incurable disease.

#### Remittances

There are no reliable means to measure capital outflows in Lebanon, since laborers almost never get paid through the banking system. The absence of accurate figures for migrant workers and their remittances, as well as nonexistent information as to how the workers' presence impacts on employment or development at home, indicates the difficulty of providing data and statistics on development prospects. Person to person and Western Unions remain the sole system of money transfer.

In average migrant workers salaries have been calculated between 100 to 300 USD which if calculated on 100\$ basis make yearly 240.000.000 million remittances.

#### Conclusion

The issue of human rights protection of migrants is paramount in the ME region, the only convention unanimously ratified is the UN Convention on the Rights of the Child. While UN Convention on the Protection of the Rights of All Migrant Workers and members of their Families has been ratified only by Egypt, Libya, Morocco, and Turkey, the 1990 Convention is the only available international instrument able to protect domestic workers, since even the ILO Convention 143 excludes contract workers recruited under the kafeel system (Ray Jureidini 2004), Thus millions of migrant female workers' rights in the ME region is almost non existent, save under the general provisions of the Universal Declaration of Human Rights. Given the massive reporting of abuses and violence against female migrant workers in particular this represents one of the most serious deficits of migrant human rights protection anywhere in the world today.

JORDAN is the first MENA country to address the problem of non-coverage of housekeepers by labor law. Starting with a memorandum of understanding between the Labor Ministry and UNIFEM in 2001 concerning the sending countries of Nepal, India, Indonesia, the Philippines and Sri Lanka, a "Special Working Contract for Non-Jordanian Domestic Workers" was concluded after two years' preparations (Jureidini, 2004a: 210). Several innovative provisions are included. (Jureidini, 2004a: 211)

- (1) The employer is fully responsible for the establishment and maintenance of the work and residence permits.
- (2) The employer "has no right to withhold the passport or any other related personal document"

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- Wages must be paid within 7 days of the due date, and receipts signed by both parties must be kept [there are even recorded cases of workers being paid up to 6 years late].
- (4) One day of rest per week, although not allowing the employee to leave the residence "without the permission of the employer" [ILO research indicates that in UAE not one housekeeper in their survey had even one day off per month, whereas in Lebanon, Kuwait and Bahrain the average was 1-2 days per month.
- (5) The contract stipulates minimum wages for domestic workers in line with the wages paid for equivalent work by Jordanian nationals [this removes the tiered salary structure on the basis of various nationalities] (Chammartin, 2004:23).

With the appointment of National Steering Committee in 2006 in Lebanon, an initial step has already been taken by the Lebanese authorities, to study and propose new legislation based on the convention, without, however, implementing those provisions which may create problems for Lebanon.

MECC Advocacy activities, through it Service to Refugees, Displaced and Migrants program advocates for the rights of the migrants calling CSO, Human Rights Institutes National authorities the General Security & the Interior Security and the and ministries (Labor, Justice, Foreign) to ratify all treaties which protect the rights of migrants, to review all anti migrant policies, practices and develop bilateral labor agreements on internationally accepted norms. Implement mechanism to prosecute perpetrators of violence, abuse and provide worker victims with full redress.

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# Rev. Robin Hoover, Ph.D.

Pastor of First Christian Church, Tucson, Arizona Founder and President Emeritus of Humane Borders, Inc.

# Migrant Workers in the USA

My name is Robin Hoover. I serve the First Christian Church (Disciples of Christ) in Tucson, Arizona, USA as pastor. I am the founder and also president emeritus of Humane Borders, Inc. which is housed within my congregation. It has been both my joy and my anguish to work on behalf of refugees, asylum seekers, and undocumented migrants in varying capacities for 23 years, and it has been my joy and obligation to contribute to the academic literature and advocacy media in these areas. I am grateful for being recognized for this work today by being invited to speak.

I bring greetings from my congregation that has served migrant populations for more than sixty-six years, from Humane Borders which performs life-saving miracles every day with few resources. Finally, I recognize my coworker and wife, Sue Ann Goodman, and her parents who sit among us today.

The value of the conversations and presentations this week is immeasurable. The political policies of many nations concerning migrants, documented or not, are often immoral. I commend the World Council for focusing advocacy on migrants this year, and I pray that advocates will find some new ways to be in these struggles together.

In much of the world, particularly in this hemisphere, there is an inexorable flow of humanity from the dependent south to the co-dependent north. The migration is explained and measured by studying economic, social, cultural, and political variables. Generally, people move toward more rewarding economic conditions, to reunite with families, to follow family histories, and to move to more favorable political conditions. Often, the migration is toward former colonial powers and toward countries that have exercised significant economic influence.

As a result, migrants, documented or not, are suffering and even dying. Few legal-political mechanisms protect these people, and few social-cultural mechanisms ameliorate their suffering. Conventions are not signed, migrants are treated as others, and receiving countries are often indifferent to the migrants. Imprisonment, detentions, raids, confiscations of possessions, mass adjudications, and many other practices continue to commodify migrants, to see them only as labor, and not as human.

Governments seek and partially reward high-tech workers, agricultural workers, and health care workers. Migrants are often provided sufficient status to secure their services but governments do not extend to them the human rights protections to which they are entitled by their humanity. Many of the articles of the Convention are not honored. The laws are not the same for the nationals of the country. The social benefits are not the same. Criminal justice is not the same. What is classified as a misdemeanor for a citizen is often an aggravated felony for a foreign national and grounds for expulsion.

The most basic and pervasive complaint against the various migration laws of receiving countries is that the laws are designed to "cream" the very "best" migrants according to skills, knowledges, abilities, language proficiency, and life experiences. This at the time when what is needed and advocated for by faith communities and conscionable people is "churning", the intentional sharing of resources and opportunities that is designed to increase opportunities for human mobility and to enhance the opportunities for a sense of mutuality of human endeavor between sending and receiving communities. This metaphor is important. It means that receiving countries elect to extract what they consider the very best and discard the rest as being unworthy.

Current practices increase family separations and decrease the likelihood that workers will enjoy equal treatment in transportation, sanitation, healthcare, and access to the host economy. Far too often, we in the faith

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communities negotiate with governments for better working conditions, and advocate for policy changes. What is most needed is to hold up the principles of justice, accommodation, dignity, and even love which have guided the founding of the world's great religions. Nations, countries, and states can learn from those who have wrestled with the concepts of the "other" throughout history.

My most extensive knowledge is with the plight of the undocumented migrants who suffer and die leaving Central America and crossing Mexico to enter the United States. People are thrown off of trains by maras (gangs) in Mexico, herded down death trails in US deserts, drowned in the Caribean Sea, the Gulf of Mexico, and in irrigation canals. Foreign governments even sink vessels at sea to prevent migration.

Sometimes advocates can address structural problems by securing administrative relief. For example, a US organizer finds the pregnant Guatemalan worker soldering electrical components in a Mexican factory, discovers she can't read warnings printed in English, learns she doesn't have enough time to wash her hands before she eats thus transferring lead to her unborn child. Worker education, union organizing, meetings with management, increased communications, appeals to labor enforcement personnel, and other means improve her life and the lives of others.

Unfortunately, rapacious economics in unregulated markets with few laws, inspectors, and prosecutors enable work conditions of the worst kind. I have observed US employers that illegally contract with Mexican work bosses, who will subcontract to Guatemalan workers who will subcontract with workers of El Salvador to give the worst jobs to the newest arrivals for the least amount of money. Even nation-states with legal-political machinery often take a back seat to pervasive business practices that exploit migrants in systematic, often racist, ways.

Frequently, I make the argument that the whole migration phenomenon is and has to be understood as a values argument. As my country aspires to achieve national security, to benefit from stable labor markets, to expand human rights, and to reduce the amount of political noise associated with migration, it will be unable to achieve those goals unless it meets the basic needs of the migrants who are staring at us from our deserts.

I observe continual movements toward the criminalization of migrants and the targeted abuse of indigenous persons by government and even tribal officials. The Tohono O'odham Nation, the second largest indigenous reservation in the US, is near where I live. The Nation's leadership refuses to allow water stations to be maintained on its lands to reduce the numbers of migrant deaths from dehydration for fear that it might lose federal funds which are directed from the federal government to the Nation for national security purposes. Of the many laws that have been passed that are often applicable only to migrants, there is rarely any judicial review or judicial relief.

The State of Arizona has passed harsh, punitive, restrictive laws for migrants and sought intense, selective prosecutions as a means of responding to a migration that otherwise dramatically benefits the state.

In border regions where treaty, international law, human rights conventions, Constitutional rights, state laws, and municipal ordinances are in place, the laws that get enforced are often only those of the Immigration and Naturalization Act that empowers Department of Homeland Security to enforce selected laws with impunity and without review.

Migrants who stop along the way from the south to the north are driven behind a veil of fear and secrecy in which labor is no longer dignified. When President Felipe Calderon of Mexico recognized my work as part of Mexico's National Human Rights Award in late 2006, I responded by saying that it is now our job to teach the hemisphere how to share resources and opportunities. The Human Rights Convention for Migrants should be a central text for the pedagogy of nations.

All along the migrant trails, faith communities, representatives of civil society, and human rights groups gather and organize to systematically provide a number of goods and services to target populations. Our help will

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never be sufficient, but still, we help with water stations for migrants crossing deserts, aid stations for persons in medical distress, shelters in Mexico for rest and rehabilitation to aid migrants being repatriated, and finally, counseling and legal services where appropriate. All of this is so needed, but totally inadequate to the human need of the millions of migrants who move across our lands. The crisis we experience in the desert southwest and beyond in both directions is a need that can only adequately be addressed with the resources and resolve of states.

Migrants, documented and undocumented, cross our borders back and forth. Many fall victim to dehydration, murder, and medical distress. Some 500 bodies of migrants are recovered from the deserts, canals, and coastal waters each year. Babies are born on trains and in deserts because of physical stresses on mothers. Groups are systematically apprehended and selectively prosecuted in order to criminalize behaviors that would otherwise remain mere administrative violations. Persons are kept in Mexican prisons until relatives pay ransoms to corrupt security personnel.

The legal systems that are used to adjudicate the cases of well over one million migrants each year in the US and proportionally similar numbers in Mexico are not the same legal systems of the nationals from those countries which contravenes the convention. Where I live, when migrants send monies to their families, the State of Arizona can seize wire transfers and sometimes keep the monies based merely upon statistical probabilities that the money may be involved in narcotic smuggling.

Some of the governments south of the US fully understand the contributions and the value of the migrants who leave a sending country, go to a receiving country, and send or bring funds back home. Still, even in the sending communities, and certainly in the receiving communities, the migrants are socially constructed, especially in the media, as the truly "other" person who must even be treated in some cases as a suspected terrorist.

Nativist, anti-immigrant, anti-migrant sentiment is inflamed by elected officials with migration restrictionist world views. These sentiments are played out in law enforcement practices, in the work of state and federal legislators, and even in the executives of state governments that are bound by rights language and rights statutes. Where I live, even Constitutional rights are not upheld for the migrants, and amendments are proposed to remove birth rights to migrant children born in the US.

Foreign consulates, purportedly autonomous national human rights organizations, and NGOs are systematically pressured by governments of migrant receiving countries to make fewer and fewer claims upon the scarce public resources of host nations.

In my opinion, the human rights violations of migrants, documented or not, are now beginning to dwarf the violations of human rights observed during the massive Central American Exodus of more than a generation ago. Men and/or women sometimes say their last good-byes to their families and travel north. It is not always the poorest, most desperate people who make these journeys, but it remains true that the majority are poor, people of color, and people with the lowest resources and skills to successfully navigate the trip, the migration experience, and the system of unregulated employment awaiting them.

Families are destroyed. Many are trapped by the inability to travel back and forth to see their families and then choose to start new families in the United States. Immigration laws are generally based on jus sangre (law of the blood) and/or jus soli (law of the soil). In the US it is both, but the practice is a person born in the US can have his or her non-citizen parents deported. In most cases the baby, infant, or child goes with the parents and is thus deprived of a childhood in the US. This practice deprives the young person of protections and systems of support, and if the child remains in the US, the child is deprived of parents during formative development years.

In several western countries, municipal law enforcement personnel can call national authorities and insist non-national parents be removed from the country without going through any judicial proceeding. Families do not

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have expansive protections in current laws for migrants with or without documentation. Individuals can be adjudicated and forced to choose between family and nation.

I live in a country that is unusual to say the least. It is one of the only countries on earth that tries to make a nation out of a state, that is, to form a people based upon a very discriminating legal machinery. We pride ourselves in saying that we are not a nation of people but a nation of laws. We would do well to begin paying more deference to people whose rights precede the laws.

Since it is the World Council of Churches that brings me here today, allow me to take a minute to make a witness. Christians and many non-Christians alike are familiar with the parable of the Good Samaritan as told by Jesus in Luke 10. There are many similar stories in other faith traditions. It is a border story. Jesus makes the case that we are to treat our neighbors from other countries well. Jesus took that story from the story of Oded in the Hebrew scriptures, specifically, 2 Chronicles 28. The prophet Oded, the original Good Samaritan, makes the case that we are to treat the people from other nations just like us, for we are, after all, related by blood. Today, we make the case that beyond kinship, beyond neighborliness, we must treat each other much better than we do now because the others in our lives are humans. Certain rights enure to us because we are human.

Churches, communions, congregations, and congregants speaking their many languages of faith share in the human rights discourse that takes us from care and concern for others to whom we are related and from the other to whom we are neighbors to the others with whom we share our humanity.

As a person of faith, I want to point to our forebears. In all of the major religions that are textually formed and transmitted, we find accounts of dealing with foreigners, sojourners, strangers. Ways and means were introduced to address the human needs of those who were different, who had permission to be present for an extended time, and who were residents of other lands but who dwelled among the people for a period of time. In all cases, the principles that are behind the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, the principles of rights, dignity, opportunity, human worth, and all the other assumptions were upheld and enforced.

We in the faith communities have a responsibility and many continuing opportunities to teach the world how to care for itself. We bring to this moment traditions, specialized institutions and specially trained persons. We have modeled for governments in many times and in many places how to provide goods and services, how to protect the rights of the less fortunate, how to integrate economies, and how to live together in difficult times and places.

Now is the time for those of vision to agitate and advocate in order to ameliorate the suffering of millions. We must in our traditions move from disaster relief thinking to institutionalized ministries designed to move nations to structurally adapt to the human needs that can be addressed only through the persistent promotion and intentional defense of human rights.

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#### H.E. Ambassador Maria Rubiales de Chamorro

Permanent Representative of the Republic of Nicaragua to the United Nations

Statement by H.E. Ambassador MARIA RUBIALES DE CHAMORRO
Permanent Representative of the
Republic of Nicaragua to the United Nations at
The Cocktail Reception of the Fourth United Nations Advocacy Week
The World Council of Churches
Wednesday, 19 November 2008

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His Excellency

Reverend Kjell Bondevik, Commission of the Churches of International Affairs and Former Prime Minister of Norway

Reverend Doctor Bernice Powell Jackson president of the World Council of Churches of North America Reverend Christopher Ferguson Representative to the United Nations of the World Council of Churches

Dear Ladies and Gentlemen:

I would like, first of all, to thank the Council of Churches for inviting me to this cocktail and to welcome your presence and the participation of all in the Fourth Advocacy Week, organized by the Commission of the Churches on International Affairs.

The views, resolutions, decisions and statements of the Ecumenical churches and organizations are important for believers. But they are also significant inasmuch as they influence the policies and programs approved by our States through the United Nations.

This time the themes relating to the celebration of the 60th anniversary of the Universal Declaration of Human Rights are the most important. Climate change an migration are issues to which, as humans, we cannot be indifferent to because in one way or another they affect the lives of billions of people, including our lives and those of our close relatives

The Universal Declaration of Human Rights embodied age-old wisdom dating back to the dawn of humankind, to the distant past in which our civilizations were born, to the great religions — Christian, Jewish, Muslim and Buddhist, to the Greek philosophers — and to the English and French philosophers who spoke out to constrain the all-powerful State in order to ensure respect for the inalienable rights of the individual and the protection of the citizen against the arbitrary will of the sovereign.

As for the Christian and Jewish religion, it should be emphasized that the Ten Commandments of the Old Testament are a very important background element in connection with the development and recognition of human rights. This is the result of the prohibitions the Ten Commandments lay down to recognize fundamental values of human beings, such as the right to life. Examples of this are the basic precept that outlaws killing (the famous "thou shalt not kill"), the seventh commandment, which forbids the taking, wrongful retention or harming of the property of others. Also noteworthy is the rule granting workers the right to rest on the seventh day of the week.

The Declaration of Human Rights remains the most impressive and enlightened achievement of the United Nations. It can be stated with confidence that, with the possible exception of the Charter itself, it enjoys moral and psychological authority without rival.

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Sixty years after its proclamation, the validity of that document is not in decline. It is a source of inspiration for many resolutions, treaties and international conventions; the last of which is the Convention on the Rights of Persons with Disabilities. It has also encouraged the adoption of a set of mechanisms for the protection and observance of specific human rights. The Declaration remains a powerful document which continues to influence national legislation and the constitutions of many States.

This sixtieth anniversary is an opportunity to engage in reflection, self-examination and self-criticism, to look not only at positive aspects, but also at the difficulties and obstacles that had to be overcome, to use our experience in order to resolve the problems of the present and the future.

This celebration gives us also an historic opportunity for countries to assess whether we have succeeded in bridging the gap between our peoples. Obviously reality shows us that despite the existence of this valuable Universal Declaration there are still human rights violations that infringe on human integrity.

The extreme poverty and hunger constitute the main scourge against humanity. To ensure the full exercise and enjoyment of all individual and collective human rights, including the right to development is a fundamental commitment that all of us should aspire to. It is urgent that both the international community and civil society continue to collaborate in building a system of promotion and protection of human rights that meets the needs of everyone without any discrimination.

In this regard, we believe that the rights of migrants should be respected, and no one should be penalized as a criminal only because he or she emigrates. Article 13 of the Universal Declaration of Human Rights states clearly that everyone has the right to freedom of movement and residence within the borders of each state and that Everyone has the right to leave any country, including his own, and to return to his country

The Human Right Commissioner has underscored the primacy of migrants human rights over their legal status. "It is particularly important to recall that all migrants, irrespective of their legal status, enjoy the protection of international human rights standards laid down in human rights instruments."

We regret that until now, only 39 States have ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. At a time in which migration flows have increased in the globalized economy and take place in a context of new security concern, it is urgent to protect the human rights of migrants and to promote holistic approaches that take into account the causes and consequences of this global phenomenon, as well as the full respect for the human rights and fundamental freedoms of migrants.

We wish to express our concern at the directive on return recently adopted by the European Parliament. In addition to highlighting once again the contradictions the free market model imposes on our countries, by promoting the mobility of goods and services while opposing the free movement of the human beings who produce those goods and services, the directive violates the principles of the Charter of the United Nations and particularly article 13 of the Universal Declaration of Human Rights.

We also want to express our concern over the fence erected by the U.S. along the Mexican border in order to prevent illegal trafficking of people, for it affects the environment, trade, the free movement of people and so on.

Today more than ever, we need to reactivate dialogue among countries of destination and of origin to promote viable solutions that are respectful of the human rights of migrants and their families.

I also want to address another important issue which is the Climate change that had been recognized undoubtedly one of the fundamental challenges of our time. For many countries, the impacts of global warming pose the most immediate and far-reaching danger to our ecosystems. The degradation of these systems threatens the

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quality of life of all the people of this world. In the long-term some small islands may disappear, forcing their inhabitants to move to safer places, and doing away with any sign of life of plant and animal species.

The fundamental rights enshrined in the Declaration of Human Rights have been laid down in other international conventions, the most important of which are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. However, as the main human rights treaties were developed before climate change spread as a threat to human security, the environmental dimension of these rights has not been developed with precision. According to some authors, the connection between climate change and international human rights law is still weak.

We are of the view that these standards must be developed in international conventions and that Climate Change is a threat to human dignity and welfare, and therefore human rights, beginning with the right to life or to have a decent life.

As pointed out by Ms. Mary Robinson, the former High Commissioner for Human Rights, it is here that an issue of justice is raised, as I will explain further: it is poor communities that are suffering the most from the effects of climate change, while it is the rich countries that are contributing the most to the problem. The human rights approach, emphasizing the equality of all people, is a direct challenge to the power imbalances that allow the perpetrators of climate change to continue unchecked. And the human rights framework gives us the legal and normative grounds for empowering the poor to seek redress.

The results of the discussions of this important forum will be of great importance for the study that is being prepared by the Office of the High Commissioner for Human Rights, on the relationship between climate change and human rights.

I wish you every success in your deliberations.

Thank you.

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#### Dr. Robert C. Orr

Assistant Secretary-General
Policy Coordination and Strategic Planning
United Nations

Closing High Level Address: A Call to the Churches from the UN

Note: The text is provided from notes taken by Catherine Bordeau and Jessica Hawkinson.

Thank you very much and thank you for the invitation to be here today. As you conclude I hope that we can together look forward at some of our challenges and collaborations between the peoples we represented, the World Council of Churches and the United Nations. How might we collaborate together? The WCC, your people and the UN.

As you know, the UN is a secular institution, we have 192 countries, 6 language but no official religion...yet faith is at the heart of what we do. Faith in good works undertaken in unity. Even at its most secular moments, that faith in good works undertaken collectively undergirds the work that we do. At our founding over 60 years ago, the UN benefited from the involvement of 42 NGOs in the crafting of the UN and supporting of the UN. 14 of those were faith based. Today, over 4000 NGOs are accredited, over 400 of those are faith based. There is a serious faith component in the broader UN community. This should be no surprise to any of us. There is common cause between faith communities and the secular agenda of the UN. We are committed to peace, protecting the most vulnerable and ensuring fundamental human rights for all.

I wanted to say a special word today about some of the things that are newer on the UN agenda. We have worked on peace, security and human rights and a number of issues since our founding. But today, I would like to lead with a set of issues: global goods.

The world has changed fundamentally in the last ten or twenty years, and at the UN, we see this every day. We have always been a global institution in terms of membership and operational programs, but today, the UN is the only place where we can address global goods, issues that affect everyone on the planet and require the participation of all people from around the world.

I would like to start by looking at climate change. I see a strong link between what we're working on at the UN and the role of faith communities. Our planet is the basis of our life here, without it we will perish. No matter what tradition you come from, there is a focus on the creation. If we don't look at the planet as creation, then we miss how fundamental this change is. It is a challenge at all levels of our beings. We know the science, we know the planet is in trouble. Climate change is today's challenge, not just tomorrow's. If we just look at our humanitarian needs around the world, what explains this huge surge in humanitarian needs? Is it the global economic crisis? Two things – the early stages of the financial crisis and climate change. The amount of extreme weather events is displacing huge waves of people. This is for right now that we need to deal with this problem.

The Secretary General has been very engaged on climate change and we are heading into the final year of the most difficult negotiations on the issue. Civil society, private sector interests, faith based organizations, all are included in a discussion that will change the way we live our lives. It will change fundamental things about how we live, what energy we consume, where people live. It's not for just 192

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governments to agree on this, it would actually have to be implemented. We will have to change the behavior of every single person on the planet in order to save the planet. It's a heavy burden and a huge challenge. In the course of the next years, it will be headline news – both in terms of problems and the progress we're making in negotiations.

If saving the planet is the most fundamental global good we can do. I'd like to talk about a few others. We can also look at the current financial crisis and the lack of economic stability as an economic good that we have lost. The Security General has talked about the need for protecting global goods and mentioned economic stability as one of these goods before the crisis even happened. Today, no one would say this is something we don't have to worry about. At the UN, we are seeing the impact of the economic crisis all around the world. What used to be a financial crisis, it's now an economic crisis around the world. The shockwaves are just beginning. Jobs are being lost around the world, people are being affected. The way the waves are being rippled outwards, we know that it will get worse. Even if all of the remedial actions are taken, we are already going to see vast human consequences of this. We at the UN are fundamentally committed to making sure that the crisis is addressed in such a way so as to prevent a human crisis. Remediation measures will be taken on the international I level to make sure that the human crisis is not as profound.

They [world leaders] were in Washington last week for the G-20 summit, the first time for this kind of meeting that represented 85 percent of the world's economies, but not 85 percent of the world's population. Amongst themselves, 20 leaders talking about the world economy and what's happening and the leaders looked scared, this was unusual. It was clear that there is great fear. We need to turn that fear into hope; fears are continuing to feed the economic crisis. Not for just the leaders but among the people of the world. We know that there will be hard times, that there are things that need to be done to save the economy. We need to do things so that people do not lose confidence and faith in their futures. We need to partner with you to keep people together.

There is one last global good – the one we usually begin with at the UN, and that is peace. It is the fundamental reason that the UN was founded. If you look at the globe today, it would be easy to think that there was no resolution to cold wars and geo-strategic problems. If you look at how many people are affected by war today the numbers are not encouraging. We have made much progress and many studies today attribute the reduction in the scope of conflict to the United Nations. We are gratified by those studies, but it reminds us of the burdens on our shoulders to deliver peace to more people around the world every passing day.

You mentioned Sri Lanka, it is an example of a beautiful, wonderful country that even three decades ago people thought would be one of the most successful countries. Today, not many people would argue that. There is ongoing conflict, horrible human rights abuses and a difficult humanitarian situation. The UN has not been a central driver in trying to solve the conflict – partly because of the nature of the conflict and because of the parties to the conflict. We are bound by what we do to do what we can. We are playing a fundamental role in the humanitarian response; others are attempting to work on the peace solutions. We need to appeal for our partners. The UN is not THE answer, but it is AN answer. We work with all kinds of partners; using your advocacy is extremely important. The crisis in Congo is another example. We have a different situation there, the UN has made a big difference in peacekeeping presence and humanitarian. The UN cannot do it alone.

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I conclude with a focus on the WCC and your engagement with us and the international community on the intergovernmental side. You have done much to advance peace and security. You have banned together to work together. All colors, shapes and sizes are represented here. This gives us a joint call for how to move forward. It has to be inclusive — of religions, peoples, socio-economic strata. Don't underestimate your power. Sometimes you may feel you are advocating lost causes from the outside. At times like these, when we see multiple crisis, that ears open, hearts open, there is a need for solutions. You see that even at the highest levels of government at times of great crisis. I mentioned the global goods as a frame for what we're going to do...the other part is critical, the only solution has to be OF ALL people. A few people or powers are not going to pull us out. Put that pressure on all of us at the international level to deliver for you, your neighbors and your peoples.

I wish to close with a quotation from the Bible, I know that is strange for UN official but it seems to apply to the situation we find ourselves. It is in **1 Corinthians 12:4-7** [scripture read]

You may hear that in your church, but today I want you to hear this from the UN.

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