

In Front of You Is Always a Human Being

**Interreligious Declaration
on Refugees**



Adopted by
the Federation of Swiss Protestant Churches
the Swiss Bishops' Conference
the Christian Catholic Church of Switzerland
the Swiss Federation of Jewish Communities
the Coordination of Islamic Organizations in Switzerland
the Federation of Islamic Organizations in Switzerland

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Intro

In late 2017, more than 68 million people around the world fled their homes; around half of them children. Not since the Second World War were so many people forced to leave their homeland to seek refuge, protection, and a new place to survive and live. From all the refugees, 85% were taken in by neighbouring countries. In Lebanon, for example, there is one refugee for every four inhabitants. Despite the lack of relevant infrastructure and financial means, these countries demonstrate a great willingness to accommodate refugees. In the wealthy countries of Europe, solidarity with refugees is often a hotly debated issue, even though these countries have only one refugee for every 400 inhabitants. The idea of a human family in solidarity, as stated in the Universal Declaration of Human Rights of 1948, seems to be less attained in the wealthier countries than in the poorer ones.

From the humanitarian and legal perspective, refugees are facing a tragic dilemma: the main receiving countries often have little resources and lack reliable protection mechanisms. Countries that do have such mechanisms in place pursue increasingly stringent policies on refugees. Consequently, refugees find themselves in a legally precarious situation or even in a legal vacuum. In those places where people do find refuge they often

have no prospects or reliable protection and in places where protection is available entry for refugees is often restricted or refused.

Religious-Ethical Considerations

The Religious Tenets of a Single Humanity

According to Jewish, Christian, and Islamic understanding, every human being is a creature of God and therefore under the protection of the Creator, God Himself. People should see each other as the «image of God», according to the testimony of the Jewish and Christian scriptures or as «the most honourable of God's creatures», according to the Koran. This emphasizes the importance of equality amongst fellow human beings. In faith-based obedience all people bare a responsibility to God. All three religions emphasize the fundamental importance of community which is not limited to their own religious communities but includes all people.¹

The ethos of a human family in solidarity is based on the understanding that every person exists as a created being. This conviction which is firmly rooted in Judaism, Christianity, and Islam gives rise to the obligation to ensure that all people live in peace and justice. The problems in this globally interconnected world concern everyone: they cannot be delegated to individual countries or regions but must be dealt with by all of humanity. The Islamic «salamun alaikum», the Jewish «shalom», and the Christian «peace be with you» are everyday expressions that reflect this common spirit. Peace is not simply the absence of war and violence but the presence in real terms of community and legal order. Every human being

should be respected and under the obligation to treat others with that very respect. The universal principle of human dignity as it is referred to in the tradition of modern philosophical thought is enshrined in the belief of all three monotheistic religions. It is this human dignity that unites all people and brings them together as one single human family. Human dignity underlies the fellow-feeling toward others which is the precondition for shouldering mutual responsibility for a common life in peace and justice.

¹ See The Swiss Council of Religions, «For Religious Coexistence in Peace and Freedom. Statement of the Swiss Council of Religions on the referendum initiative to ban the construction of minarets», Bern 2009, 4-5.

Ethical Consequences

Refugees are not born as refugees but become such because of political circumstances. The order of peace and justice among people, as God intended, is disrupted wherever people are forced to flight and in search for shelter and protection. Religious communities can and will not stand idle to just watch this happen. Solidarity and responsibility go beyond faith, ethnicity or nationality and apply to all of mankind. The bond of solidarity of the human family is not affected by national laws or any particular set of moral rules. Believers know that God, who is the God of all people, does not favour one over the other!

Religious communities respect the rule of law which enshrines the inviolable dignity of every human being and support its preservation and further development. Their social commitment aims at promoting, strengthening, and preserving peaceful and just relations between people. All the major religious communities share principles that foster solidarity and community. They therefore call on all parties, political leaders and leaders in state and civil institutions, on followers of their own faith, and on refugees to always see the person in front of them as a human being, regardless of the circumstances in which they may face each other. Mutual respect must be shown even when differing duties and interests conflict with one another.

The way that refugees have become a bone of contention for various political currents is unworthy. Such conflicts contradict the religious and humanitarian roots and traditions which Europe has good reason to be proud of. Today, the humanity and solidarity of European societies must be measured by the way in which they deal with refugees.

Many countries are facing enormous challenges due to large numbers of refugees around the world. The religious communities acknowledge the great commitment of many governments and NGOs including countless volunteers. They also thank their own organizations and members for their tireless effort and ask all believers to join forces in supporting these matters within the scope of their abilities. A policy which strives to ensure protection and peace for refugees can only be successful if all parties are involved. Today, the great virtue of hospitality – succour for the afflicted – enshrined in Judaism, Christianity and Islam, is particularly relevant in dealings with refugees. With their support, the religious communities wish to contribute in a complementary way to policies which are committed to human rights and the principles of the rule of law.

A Call for the Protection of Refugees – Five Appeals

Based on this conviction and in view of their experience with refugees, the religious communities call upon the State and politicians with five specific appeals. In form of a dialogue between all players, these appeals can show a way forward. The appeals also define areas of action for the religious communities themselves so that they can contribute to the protection of the persecuted. The appeals were drawn up by religious communities in cooperation with the UNHCR Office for Switzerland and Liechtenstein.

1. Protection on the Ground
2. Legal Pathways
3. Fair and Effective Asylum Procedures
4. Integration – Equal Participation
5. Repatriation with Dignity

1. Protection on the Ground



Often because of armed conflicts, millions of people worldwide are fleeing from persecution or serious human rights violations. Many of them are displaced within their own country or have found refuge in a neighbouring state. These host countries in the regions of origin do exceptional work even though they often lack the necessary capacity and international solidarity. Therefore, in some of these countries not even basic needs can be met. In addition, there is no reliable access to protection and no guaranteed legal right to stay. Protection of basic human rights is frequently not provided.

We appeal to the State and to politicians: protection on the ground is an important goal of the Swiss refugee and foreign policy. Valuable support can be granted by strengthening local initiatives and on-site governmental programmes as well as granting financial support to the UN Refugee Agency (UNHCR) and other international organizations working on the ground in countries of origin and host countries. Increased efforts to support protection programmes on the ground must not, however, undermine the possibility of finding protection in Switzerland. Protection on the ground is to be considered as complementary to protection in Switzerland, not as a substitute. The Global Compact on Refugees and the Comprehensive Refugee Response Framework (CRRF) also put forward some innovative, appropriate, and

reasonable approaches to strengthen international solidarity and refugee protection; the implementation of these should be supported.

We appeal to the religious communities: many of the charities that are active on the ground have their origin in Islamic, Jewish or Christian initiatives. Financial support for organizations that provide aid in crisis areas will contribute to the enhancement of refugee protection.

2. Legal Pathways



Many refugees live in countries where they have no or only limited access to basic rights. For years, they often live in refugee camps or under other precarious housing conditions in neighbouring countries with no opportunity to establish a new, independent life. In many cases, returning to their country of origin or permanent settlement in a first receiving country is not an option. Because of this, many choose to continue their flight to a different country. Some of them take the dangerous route to Europe which is organized by Criminals whereby some also arrive in Switzerland. However, those who are most in need of secure livelihood are often in no position to embark on such a journey, due to their vulnerability or lack of financial means. Direct admissions of refugees from countries of origin can provide relief to such precarious situations.

The resettlement programme allows for refugees recognized by the UN Refugee Agency (UNHCR) and who cannot remain in their host country, to undertake a safe journey to third countries that are willing to accept them. In this way, those most vulnerable and in need of protection receive new life prospects. Resettlement is an instrument adopted by the Swiss refugee policy with a long tradition. For example, Switzerland had already been involved in the resettlement of refugees from Hungary, Tibet, and Vietnam. Today, Switzerland undertakes

resettlement but only for a small number of refugees and for a limited period of time.

We appeal to the State and to politicians: legal access through resettlement programmes must be enshrined as a central and permanent part within the Swiss asylum system. In addition, the granting of humanitarian visas should be simplified.

We appeal to the religious communities: a permanent resettlement programme will receive more political and social approval if the refugees admitted to a country through it quickly establish social contacts and manage to live independently.

Religious communities can facilitate this by actively providing support to refugees in everyday life, in learning of the language, or in the search for work. The efforts of religious communities in integration should enhance and broaden the acceptance of resettlement programmes.

3.

Fair and Effective Asylum Procedures

In 1955, Switzerland ratified the Refugee Convention and thus committed itself to implement the most important international instrument for the protection of refugees. With the recognition of refugee status, refugees who are granted asylum receive the right to remain in Switzerland. They can move freely, settle down, and seek work. In addition, they may – if their family was separated by flight – bring their spouses and minor children to Switzerland. The right to family life is a fundamental human right that must be granted.

The most important right of refugees is not to be forced to return to a country where they face the threat of persecution or other serious human rights violations (also known as the principle of non-refoulement). Therefore, no asylum application is to be rejected without an in-depth examination of the need for protection, and those seeking protection are not to be sent back.

We appeal to the State and to politicians: to ensure that the principle of non-refoulement is respected as it is necessary to provide fair and effective asylum procedures which focus on the protection of refugees. Also, access to highly competent legal representation and consultation is crucial for refugees since the protection of their most important legal interests is at stake. The recently introduced gover-

mental funding of legal counselling offices in federally-run asylum centres is a positive development. Financial support for cantonal legal counselling offices is also planned. However, this is insufficient and will most probably fail to benefit all cantonal legal counselling offices. Therefore, further financial support is needed. As part of the foreseen extended asylum procedure in the near future, many asylum seekers will be assigned to the different cantons where they will require legal counselling in support of their asylum procedure. Further support for legal counselling offices in the cantons is also important to guarantee qualified advice and legal representation in other matters such as, for example, cases related to family reunification.

Another key factor is the comprehensive application of the term refugee according to the Geneva Convention on Refugees. This means, among other things, that the benchmark to provide evidence of individual and targeted persecution should not be set too high. Persecuted persons should be granted refugee status. For most cases, Switzerland only grants a temporary admission to persons fleeing civil wars. This so-called «provisional admission» status does not grant asylum to those seeking protection, but is merely a substitute measure which is adopted when the return to the country of origin is not feasible. The consequences for those affected by this status are extensive:



fundamental rights such as family reunification are denied and integration in Switzerland is aggravated. Moreover, a subsidiary protection status should be created. This would grant more extensive rights to those who are not granted asylum but still require international protection since they cannot return safely to their countries of origin.

Asylum procedures should also take into account the difficult situations of unaccompanied minors, victims of torture, and other vulnerable refugees all of which are among the group of most the vulnerable persons. And finally, fair asylum procedures require accommodation facilities that comply with local quality standards. Crucial examples for this would be: reasonable amount of privacy, safe areas for women, and family rooms.

We appeal to the religious communities:

religious communities should be able to speak up as advocates for the rights and concerns of refugees in political and legislative procedures concerning asylum. With their many years of experience in dealing with refugees and their normative principles they have a duty to contribute their perspective.

The limited state support for the legal counselling offices in the cantons is still insufficient to guarantee adequate legal support. Therefore,

the longstanding tradition of church funding for legal counselling offices for asylum-seekers should be continued.

Finally, it is important to strengthen Muslim, Jewish, and Christian pastoral care in the federal asylum accommodations. This contributes to favourable living conditions in those accommodation facilities.

4.

Integration – Equal Participation

The wide range of language and integration courses as well as specific professional training demonstrate just how much is being done today to enable refugees a timely integration. However, there are still many challenges: how can refugees be supported without creating excessive pressure on them to perform? Or how can one avoid stumbling blocks such as unclear areas of responsibility, long waiting times, and overloaded contact points? And what should be done so that refugees can participate in local life, have a voice and take part in decision-making? Integration should not be a labyrinth in which refugees get lost but rather a process in which they participate together with the local community.

At the same time, refugees have obligations. Just like all other inhabitants, they are bound by the laws of their host country. In natural consequence, the values enshrined in the Federal Constitution also apply to refugees. The respect towards local rules is essential in order to be part of society but also to maintain the openness of the local population.

We appeal to the State and to politicians: it is important that all religious communities receive support and recognition for their commitment to refugees in Switzerland. Religion and faith are resources that can facilitate the integration of refugees. The different religious communities can build bridges between the newly-arrived

and the native population and thereby contribute to integration.

With regard to state integration efforts, it is to be considered that demanding integration measures are bound to be futile as long as basic needs are not being met. Traumatized refugees, for example, depend on therapy, adequate medical care, and reliable translation services. Unaccompanied minor refugees require special care that will continue after they reach the age of legal majority.

Vocational training and continuing education for all refugees should be developed and made more adaptable and accessible, such as giving opportunities to adult refugees. «Brain waste» must be prevented and refugees should be able to contribute their skills. In relation to this, the recognition of diplomas from the countries of origin would be a first step, as would be the removal of barriers to accessing the labour market such as working bans in certain industries and other job restrictions for asylum seekers. The establishment of a new protection status instead of the «provisional admission» also promotes integration. The «provisional admission» would status creates additional obstacles to accessing the labour market since it stigmatizes refugees and deters potential employers. Those affected by it often face years of living in a waiting room.



Remote refugee centres and the withholding of language courses during the asylum procedure are to be avoided as they prevent rapid integration into local society. During the allocation of refugees to cantons, language skills and social contacts should be taken into account since these factors support a timely integration.

And finally: fast and flexible family reunification is mandatory in view of the human right to family life. All refugees, regardless of their residence status and irrespective of how and where their families were separated, should be able to bring their families to Switzerland. In this respect, the de-facto-family life of refugees should be taken into account and not only the nuclear family. Often only after they are reunited with their loved ones do refugees reach the necessary stability for coming to terms in a foreign environment and integrating themselves.

We appeal to the religious communities:

religious communities can initiate, sustain, and support volunteering, neighbourhood assistance, and individual initiatives for refugees. The many on-going programmes already demonstrate on a daily basis just how valuable these projects are for the integration of refugees. They form an important networking platform and often pave the way for social, cultural, and also professional integration.

Refugees bring with them their religion and faith. Religious communities offer familiarity in a foreign land. Here refugees can find stability and support which make the arrival in Switzerland easier. Whether mosques, churches, or synagogues, these are places where refugees can take part and be involved. The religious communities are asked to welcome refugees while respecting their identity, history, and religion.

5. Repatriation with Dignity



Refugee law lays down the legal criteria for granting protection. However, not everyone who seeks protection fulfils them and obtains the right to remain in Switzerland. If repatriation is possible, permissible, and reasonable the state facilitates the voluntarily return. The federal government will provide financial support to assist them. Those who refuse to leave the country will be deported.

We appeal to the State and to politicians:

it should be given more prominence on the application of hardship cases and self-determined, voluntary return. It is important that counselling and return assistance are available throughout the various phases of the asylum procedure including the detention pending deportation. Deportation must always be the very last resort. This is particularly important in the case of deportation by special flights. The best interest of the child is a priority which is why forced deportation of families is to be avoided.

We appeal to the religious communities:

through counselling and assistance the religious communities can contribute to preserving human dignity during the implementation of return decisions. This can be achieved by obtaining humanitarian residence permits, by providing unconditional counselling and assistance for those affected, and by monitoring the implementation of forced return and consistently assessing its compliance with human rights standards.

Background

Religious Communities Working Together with the International Community

Throughout the world, religious communities and their aid organizations advocate the protection of refugees. Since the founding of the United Nations in the 1940s, this commitment has also been marked by numerous collaborations with the UN Refugee Agency (UNHCR). Against the background of this long-standing cooperation, the United Nations High Commissioner for Refugees launched an interreligious dialogue on «Faith and the Protection» at the international level in 2012. This affirmed the important role of religious communities in the protection of refugees. By this present declaration, the religious communities in the Swiss Council of Religions and the UNHCR Office for Switzerland and Liechtenstein now open this dialogue in Switzerland.

The Interreligious Declaration on Refugees is based on theological-ethical considerations. The five appeals of the declaration are based on the obligations spelled out in the Geneva Convention on Refugees², the New York Declaration³ and the Global Compact on Refugees⁴. Within the interreligious declaration, these five appeals provide a practical section of clear relevance to the present refugee procedures which should assist Switzerland in fulfilling its international obligations.

The declaration addresses the State and politicians, as well as the religious communities themselves. This is done with the awareness that the protection and reception of refugees are tasks that involve the whole of society and in which numerous players take part – including many dedicated individuals.

² The Geneva Convention on Refugees (Convention Relating to the Status of Refugees) was adopted in 1951 and its scope expanded by an additional Protocol of 1967. It is the most important international treaty for the protection of refugees. The Convention defines who a refugee is and what rights she or he should receive from signatory states.

³ In September 2016, the General Assembly of the United Nations approved the New York Declaration, in which States commit to improve the protection of refugees and migrants. In the New York Declaration, states – including Switzerland – established at the international level milestones for cooperation in the area of refugee protection and migration.

⁴ The General Assembly tasked UNHCR in the New York Declaration with developing a Global Compact on Refugees. This compact includes a program of action to improve global responsibility-sharing for refugee protection.

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