
COMMISSIONERS' RESOLUTION 18-84. ON SUPPORTING THOSE ARRESTED FOR WORKING WITH CENTRAL AMERICAN REFUGEES (E.G., STACY MERKT, JACK ELDER, AND PHIL CONGER.)[For Assembly action, see pages 80, 83.]

Whereas, thousands of refugees have fled and continue to flee from Guatemala and El Salvador to escape the repression by death squads and military actions which have claimed the lives of more than 40,000 Salvadorans in the last four years and many thousands of Guatemalans; and

Whereas, many of these refugees have already risked their lives and endured great hardships to come to the United States seeking a safe haven for themselves and their families; and

Whereas, these refugees face grave peril if they are forced to return to their countries at this time; and

Whereas, under the current administration the Immigration and Naturalization Service (INS) has apprehended and repatriated thousands of refugees from Central America (20,000 Salvadorans since October 1980); and

Whereas, the United States 1980 Refugee Act (Public Law 96-250) states that "The Congress declares that it is the historic policy of the United States to respond to the urgent needs of persons, subject to persecution in their homelands" (Title I, Sec. 101); and

Whereas, the United Nations Convention and Protocol on Refugees states that "No contracting party shall expel or forcibly return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion"; and

Whereas, in 1968 the President of the United States with the advice and consent of the U.S. Senate, signed this treaty thus making it, according to Article VI of the U.S. Constitution, "the supreme law of the land"; and

Whereas, the 195th General Assembly (1983) of the Presbyterian Church (U.S.A.) called for:

—governing bodies and institutions of the church to "support programs for and with refugees" from Central America;

—continuing prayer for the victims of the present tragedy in Central America";

—the program agencies of the church to provide educational materials for the governing bodies, "especially seeking to share the interpretation given by our Christian partners in Central America with special attention to the concept and practice of sanctuary";

affirmed:

—”the provision of sanctuary to refugees as an appropriate moral response to our government’s policies toward Central American refugees in the United States, even though the current administration may consider this to be illegal”;

and commended:

—”Congregations that have become places of sanctuary for Central American refugees,”;
and

Whereas, more than fifteen Presbyterian congregations across the United States have declared their churches as places of sanctuary for refugees from Central America; and

Whereas, the INS has recently arrested and put on trial three persons engaged in ministry with Central American refugees (Stacy Lynn Merkt, a lay Protestant church worker from Colorado, Jack Elder, Director of the Casa Oscar Romero, a refugee shelter in San Benito, Texas); and Phil Conger, related to the Tucson, Arizona, Ecumenical Council,

Therefore, the 196th General Assembly (1984):

1. Continues to oppose as both illegal and immoral the policy of the current administration to deny safe haven to Central American refugees in the United States;

2. Expresses deep concern about the attacks by the current administration on church workers who in ministering with refugees from Central America are trying to prevent them from being sent back to their countries or origin where they face great personal danger;

3. Expresses its firm support and encouragement for these individuals and churches, who, from the base of their Christian convictions or for humanitarian reasons, have risked imprisonment in order to save the lives of refugees from Central America by helping them to avoid being sent back to the countries they have fled;

4. Expresses its particular support for Stacy Lynn Merkt and Jack Elder who were arrested and are being prosecuted for their ministries with refugees from Central America;

5. Requests the program agencies of the General Assembly to make information about the arrests and trials of Stacy Merkt and Jack Elder available to all governing bodies and urges the governing bodies to promote a thorough dissemination of this information to Presbyterians within their bounds;6. Urges all governing bodies throughout the Presbyterian Church (U.S.A.) to give prayerful support to Stacy Merkt, Jack Elder and others who may be arrested for their ministries with Central American refugees, such support to include:a. financial assistance for bond and trial expenses;b.

communications with elected officials, newspapers, radio talk shows, etc., to protest their arrests;c. holding special service of worship to lift up the plight of Central American refugees and those who are attempting to help them;d. assisting individual Presbyterians to participate in public events organized to demonstrate support for those who are being prosecuted for their ministries.

7. Urges the U.S. Congress to enact into law the establishment of temporary sanctuary (extended voluntary departure) for refugees from Central America which will allow them

to remain in this country until it is safe for them to return to their own countries. (The DeConcini/Moakly Bill, S.2131/H.R. 4447 now before the Congress would achieve this for Salvadorans. It has 135 co-sponsors in the House of Representatives and 17 co-sponsors in the Senate.)

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