

B. RESOLUTION IN SUPPORT OF REFUGEES  
FROM CENTRAL AMERICA AND PUBLIC  
SANCTUARY

**27.072**

**The Advisory Council on Church and Society submits the following resolution in Support of Refugees from Central America and Public Sanctuary to the 198th General Assembly (1986) and recommends that the resolution be adopted.**

**27.073**

Whereas, four previous General Assemblies (194th-197th) have supported the ministry of providing a safe haven to refugees fleeing the violence in Central America, which has become known as the “ministry of sanctuary”; and

**27.074**

Whereas, twenty-six Presbyterian congregations have publicly declared sanctuary, many more are playing supportive roles, several middle governing bodies have endorsed sanctuary, and many individual Presbyterians have personally supported this ministry with time and money; and

**27.075**

Whereas, the Immigration and Naturalization Service (INS) has initiated legal action against a small number of the church workers engaged in the work of providing sanctuary; and

**27.076**

Whereas, among those being prosecuted is the Rev. John M. Fife, pastor of the Southside Presbyterian Church in Tucson, Arizona; and

**27.077**

Whereas, Presbyterians Mary Ann Lundy from Minneapolis and New York City, and Kathleen Kelley from Tucson were named unindicted co-conspirators in the case as were Alejandro and Leticia Rodriguez, refugees in sanctuary provided by the Downtown Presbyterian Church in Rochester, New York; and

**27.078**

Whereas, Judge Earl H. Carroll, presiding over the trial of the sanctuary workers in the Federal District Court in Tucson, Arizona, granted the request of the government’s prosecutor, Donald M. Reno, to eliminate all testimony and jury consideration of matters relating to the case deemed central by the defendants and their attorneys, including questions of the religious motivation of the sanctuary workers, conditions in Central America, and the obligations of the United States government and citizens under both domestic and international law; and

**27.079**

Whereas, the INS, in gathering evidence for the trial sent paid undercover informers into church prayer meetings, study sessions, and services of worship to record proceedings surreptitiously, without court authorization; and

**27.080**

Whereas, the Presbyterian Church (U.S.A.) and the Lutheran Church in America, each through appropriate procedures and instrumentalities, have joined the particular congregations of

each denomination that were the objects of this unauthorized government infiltration in bringing a complaint against the government in the Federal District Court in Phoenix, Arizona; and

**27.081**

Whereas, refugees in the United States from Central America, especially El Salvador and Guatemala, are still being apprehended by the INS and returned to their countries from which they fled, although the Geneva Convention prohibits the repatriation of refugees to countries that are not honoring the provisions of the Geneva Convention; and

**27.081a**

Whereas Archbishop Prospero Penados del Barrio of Guatemala reports that 500 catechists and fourteen priests have been murdered or have disappeared following arrest since 1981 and asks that justice be done for the thousands who have disappeared under the political repression of recent years; and

**27.081b**

Whereas Guatemala's civilian president Vinicio Cerezo, inaugurated in January 1986, after thirty years of almost uninterrupted military rule, has warned exiles to wait at least six months before returning because: his government cannot guarantee their safety; and

**27.081c**

Whereas in Guatemala violence and human rights abuses increased by more than 50 percent during the first quarter of 1986 and the army maintains absolute power over much of the country through the Inter-Institutional Coordinating Committees, strategic hamlets, and civil Patrols; and

**27.082**

Whereas, Archbishop Rivera y Damas, Archbishop of San Salvador, El Salvador, in November 1985 sent a letter to the members of the United States Congress regarding the plight of refugees in Central America in which he indicated: "During this time of war in which El Salvador is living, deportation is an act which is contrary to the Law of our Father who asked that we 'clothe the naked, feed the hungry, give refuge to the persecuted.' To return the persecuted to the source, the origin, the cause of his suffering is an act of injustice in the eyes of Christian love"; and

**27.083**

Whereas, Archbishop Rivera y Damas urged the members of Congress to support legislation such as the Moakley-DeConcini bill which would suspend deportations; and

**27.084**

Whereas, torture and murder by death squads continue in El Salvador, although at reduced levels from previous years, and there is still a high level of civilian casualties in El Salvador resulting both from actions by the rebel forces and military campaigns against them and from increased reliance on bombing and strafing strategies on the part of Salvadoran military forces aimed primarily at rural civilian population centers in rebel-controlled zones; and

**27.085**

Whereas, there are hundreds of thousands of displaced persons in El Salvador and Guatemala, many living in refugee camps or temporary shelters under conditions of virtual imprisonment, and a high number living in marginal communities within major urban areas,

while over one hundred thousand Guatemalans remain in Mexico afraid to return to their own country; and

**27.086**

Whereas, the United Nations Protocol on refugees which the United States has acceded to, prohibits the repatriation of refugees who have a well-founded fear of persecution (the principle of “non-refoulement”); and

**27.087**

Whereas, the United States Refugee Act of 1980 adopts the essential elements of the United Nations Protocol, particularly the principle of “non-refoulement”; and

**27.088**

Whereas, the present administration has sought through means of criminal prosecution to put an end to the ministry of sanctuary;

**27.089**

Whereas, the ministry of sanctuary has been affirmed by at least twenty-five national church bodies and by several local government councils, and more than 280 religious groups have publicly declared sanctuary;

**Therefore, the 198th General Assembly (1986):**

**27.090**

**1. Reaffirms the support of previous General Assemblies for the ministry of sanctuary and for those governing bodies and individual Presbyterians who have become involved in this ministry.**

**27.091**

**2. Expresses deep concern and sympathy for the plight of Central American refugees who remain vulnerable to deportation back to the dangers from which they have fled.**

**27.092**

**3. Calls upon Presbyterians to make the welfare of all these Central American refugees a matter of sustained prayer, advocacy, and action.**

**27.093**

**4. Expresses appreciation to Archbishop Rivera Y Damas, Archbishop of San Salvador, for his letter to the United States Congress asking that Salvadoreans in the United States not be Deported to El Salvador at this time.**

**27.094**

**5. Commit an additional \$100,000 to the National Sanctuary Defense Fund, the source of funds to be an “Emergency Alert for the National Sanctuary Defense Fund,” supplemented, if necessary, from unrestricted reserves to achieve a total of \$100,000, as an expression of continued concern that the ongoing necessary legal processes be carried out for upholding religious liberty and in pursuit of justice for all. Furthermore, this action should be understood as a challenge to all other governing bodies to contribute to this Fund.**

**27.095**

**6. Expresses deep concern about the ruling of Judge Earl H. Carroll to bar from consideration in the trial of the sanctuary workers a number of issues central to any reasonable determination of justice in the case, namely religious motivations, the situation of people in El Salvador and Guatemala, and the obligations of the United States government to protect political refugees as delineated in the Refugee Act of 1980 and international agreements such as the United Nations Protocol Relating to the Status of Refugees and the Geneva Convention Relating to the Treatment of Civilians in Times of War.**

**27.096**

**7. Reaffirms the protest of the 197th General Assembly (1985) against the clandestine infiltration of church meetings by United States government undercover agents without either warrants or judicial supervision; and affirms the participation of the Presbyterian Church (U.S.A.) in legal action to prohibit any future recurrence of this practice which constitutes a serious threat to the constitutional guarantees of religious freedom and the protection of privacy.**

**27.097**

**8. Calls upon the Immigration and Naturalization Service to honor our national commitments under the Refugee Act of 1980, the United Nations Protocol Relating to the Status of Refugees, and the Geneva Convention Relating to the Treatment of Civilians in Times of War, and thereby to observe the principle of “non-refoulement” of refugees from El Salvador and Guatemala which would prohibit returning these refugees to their own country under the present conditions.**

**27.098**

**9. Calls upon the President and the Department of Justice to insure that the Immigration and Naturalization Service adheres scrupulously to established laws and procedures that safeguard the rights and welfare of refugees.**

**27.099**

**10. Urges the Department of State to grant “extended voluntary departure” status to refugees from El Salvador and Guatemala, and to work with governments in Central America to help achieve greater protection of and better treatment for refugees within Central America.**

**27.100**

**11. Urges the Congress of the United States to pass legislation granting extended voluntary departure status to Salvadoran and Guatemalan refugees, which will protect these persons against being deported until it is determined by the United Nations High Commissioner on Refugees that it is safe for them to return to their own country.**

**27.101**

**12. Calls upon the present Administration to cease the harassment and prosecution of church workers engaged in humanitarian work with Central American refugees and to redirect its efforts, together with churches and other concerned groups, toward addressing in the most humane way the needs of refugee families and individuals in the country.**

**27.102**

**13. Encourages all governing bodies, particularly congregations, to study the plight of Central American refugees in the United States and the origins and the biblical basis of the ministry of sanctuary, and to develop an appropriate response to the needs that have brought this ministry into being.**

**27.103**

**14. Calls to the attention of governing bodies and members of the Presbyterian Church (U.S.A.) the continuing need for funds to support the defense of sanctuary workers on trial. Contributions can be sent to:**

**Treasurer, G.A.M.B.  
Sanctuary Defense Fund, # 5-821-03  
Presbyterian Church (U.S.A.)  
341 Ponce de Leon Ave., N.E.  
Atlanta, GA 30365**

**or to:  
Mission Treasury Service  
Sanctuary Defense, # 862511  
Presbyterian Church (U.S.A.)  
475 Riverside Drive, Rm. 905  
New York, New York 10115**