ALTERNATIVES TO IMMIGRATION DETENTION

COUNCIL OF EUROPE HANDBOOK

- PRELIMINARY/POTENTIAL DRAFT STRUCTURE -

FOREWORD

EXECUTIVE SUMMARY

INTRODUCTION: WHY THIS HANDBOOK, AND FOR WHOM?

WHAT ARE ALTERNATIVES TO IMMIGRATION DETENTION?
➡ **Definitions**

WHY APPLY ALTERNATIVES?
Applicable human rights standards
Potential benefits

HOW TO MAKE ALTERNATIVES WORK?
Defining effectiveness
Essential elements of effectiveness
…building trust in asylum and migration procedures
…screening and assessment
…information
…legal assistance
…case management
…dignity and fundamental rights

Highlight an example of good practice

WHAT ARE POTENTIAL TYPES OF ALTERNATIVES?
…registration with authorities
…temporary residence permits
…case management or case worker support
…alternative family-based accommodation
…residential accommodation
…open centres or semi-open centres
…regular reporting
…designated residence
…supervision
…return counselling
…return houses / return centres
…bail, bond, guarantor or surety
…electronic monitoring
etc..

Highlight an example of good practice

HOW TO INITIATE REALISTIC CHANGE?

Analyse the national legal framework and detention policy against applicable human rights standards

Evaluate the scale, nature and vulnerabilities of migration flows

Study relevant international good practice

Determine the availability and effectiveness of existing alternatives?

…to what extent are current alternatives used in practice?

…how effective are current alternatives?

…why are current alternatives more or less effective?

…can existing services be adapted to strengthen the effectiveness of alternatives?

Calculate costs of developing different forms of alternatives for different cohorts, including vulnerable persons and children

Highlight an example of good practice

HOW TO ADAPT ALTERNATIVES TO SPECIFIC NATIONAL CONTEXTS?

Undertake necessary changes to legislation and policy

Build collaborative working relationship

…test different approaches

…develop an implementation plan

…address gaps

…train staff

Highlight an examples of good practice

HOW TO ENSURE PROGRESS?

Monitoring and evaluation

Sharing good practice and lessons learnt

Disseminating outcomes

Highlight an example of good practice

WAYS FORWARD

BIBLIOGRAPHY

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