

# Alternatives to Immigration Detention



**HELP**  
Human Rights Education for Legal Professionals  
Council of Europe



## Alternatives to Immigration Detention

### HELP ONLINE COURSE

Duration: 4 hours

Available for free on the CoE  
HELP e-learning platform

Statement of Accomplishment

START COURSE 

Council of Europe  
Human Rights Education for Legal Professionals (HELP) Programme 2020

## Background

The **requirement to develop and implement** alternatives to immigration detention is well established in the European and International legal Framework.

Recent years have seen growing attention to the question of how alternatives can enable states to **manage migration** without over-reliance on depriving people of their liberty. Despite increased interest however, alternatives are not yet widely applied. Sometimes legislation has to be strengthened, but there is also a need for greater **practical guidance** on developing and apply alternatives **effectively**.

The **HELP/UNHCR course on Alternatives to Immigration Detention** therefore addresses both the legal and practical aspects of alternatives to detention in the context of migration.

The topics are developed in a practical way, by using presentations, interactive screens and knowledge checks.

The course was completed in June 2020.

## About the course

The course has been produced jointly by the **Independent Human Rights Bodies Division** and the **HELP Programme** of the Council of Europe, alongside the **United Nations High Commissioner for Refugees (UNHCR)**. It has been developed under the [Council of Europe Action Plan on Protecting Refugee and Migrant Children in Europe \(2017-2019\)](#), with the support of the **Office of the Special Representative of the Secretary General on Migration and Refugees (SRSG)**.

## Target audience

The course target audience is inevitably diverse. It is primarily addressed to all **legal professionals** (judges, prosecutors, lawyers or court staff) and justice professionals in the wider sense.

It can also be used by other **public authorities**, including national human rights institutions, law-enforcement, parliamentary staff, public administration staff etc. dealing with immigration legislation and practice. It can be a great resource for **university students** or **civil society organizations**, and in general for anyone who wishes to learn more about the legal and practical aspects of developing and applying alternatives to immigration detention effectively.

## Course outline

The course consists of 8 substantive modules:

0	<p><b>Introductory Module:</b></p> <ul style="list-style-type: none"> <li>• Welcome message</li> <li>• Navigation instructions</li> <li>• Course authors</li> <li>• Target group and background</li> </ul>
1	<p><b>Module 1: Legal and Practical Basics</b></p> <ul style="list-style-type: none"> <li>• Wider context of alternatives and relevant legal terms</li> <li>• Who is concerned by alternatives</li> <li>• Potential benefits</li> </ul>
2	<p><b>Module 2: Legal Framework</b></p> <ul style="list-style-type: none"> <li>• Provisions of European and International legal framework</li> <li>• Principles of necessity and proportionality</li> <li>• Substantial and Procedural Guarantees</li> <li>• Requirements linked to vulnerability</li> </ul>
3	<p><b>Module 3: What Possible Types of Alternatives?</b></p> <ul style="list-style-type: none"> <li>• Different types of alternatives</li> <li>• Benefits, challenges and human rights implications</li> <li>• Implementation in different countries</li> </ul>
4	<p><b>Module 4: How to make Alternatives effective</b></p> <ul style="list-style-type: none"> <li>- Assessing effectiveness of alternatives</li> <li>- Elements of effectiveness</li> <li>- Effective implementation in a national context</li> </ul>

## How to access the HELP online course

The course is publicly available on the HELP online platform <http://help.elearning.ext.coe.int/>. To access the course, you will need to open a HELP account if you have not yet done so (2 minutes).

## Complementary online courses

Related HELP online courses include:

- HELP/UNHCR course on [Asylum and the ECHR](#)
- HELP course on [Refugee and Migrant Children](#)
- Help Course on the [Committee on the Prevention of Torture \(CPT\) standards](#), which includes a module on immigration detention.