

MIGRATION DETENTION AND ALTERNATIVES TO DETENTION

IOM's Immigration and Border Management Division

The International Organization for Migration's (IOM) Immigration and Border Management (IBM) Division's work in the field of immigration detention focuses on the promotion of alternatives to detention, providing governments with related policy support, as well as improving migrants' living conditions in detention centres according to international standards and best practices. IOM's activities, which strictly exclude any participation in the running or managing of detention facilities, uphold IOM's strategy of enhancing a humane management of migration. While the use of detention centres is the State's prerogative, IOM's interventions on immigration detention aim to ensure migrants' human rights are fully upheld.

Immigration detention is a restriction on freedom of movement through confinement that is ordered by an administrative or judicial authority. In many countries, "administrative detention" is part of migration management procedures to ensure that other administrative measures, such as deportation or expulsion, can be implemented. In countries where unauthorized entry is considered a crime, detention can also be used as a criminal sanction.

TWO MAIN ELEMENTS OF IOM'S SUPPORT



PROMOTING ALTERNATIVES TO DETENTION

IOM works under the overarching principles that detention should be a measure of last resort and therefore actively promotes the development of alternatives to detention.



UPHOLDING MIGRANTS' RIGHTS AND PROVIDING HUMANITARIAN ASSISTANCE

IOM work focuses on minimizing the negative impact of detention on a migrant's physical and mental well-being. IOM assists governments to achieve humane detention conditions by improving the living conditions and services available within detention centres.

Alternatives to immigration detention are measures that can and have been applied by States detention to migrants and asylum-seekers on their territories where some form of control is deemed necessary: these can range from non-custodial community-based and casework-oriented models to more restrictive options such as directed residence in semi-open centres.



Objective 7: Address and reduce vulnerabilities in migration.

Objective 13: Use migration detention only as a measure of last resort and work towards alternatives.



Target 10.7: Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

IOM PROVIDES TECHNICAL ASSISTANCE TO MEMBER STATES TO:



Enhance the understanding of the international legal framework relating to detention, including on alternatives to detention.



Promote alternatives to detention, such as open or semi-open service/reception centres, bail, bond and surety options, centres for special support to vulnerable migrants, and community-based alternatives.



Provide technical assistance and training for immigration/border officials, staff at immigration detention centres, specialized service providers, and health-care workers on migrants' rights, provision of culturally sensitive services, and occupational health and safety issues for staff.



Create effective case management services, appropriate screening and the development of identification and referral mechanisms.



Improve detention living conditions and services as required for ensuring a humane living environment, according to international standards and best practices and accounting for gender- and age-specific requirements.



Conduct, consolidate and share research on immigration detention and alternatives to detention for a solid empirical foundation on which policy development and practical interventions can be based.



Develop and reform policies and laws relating to immigration detention.



Facilitate dialogue, exchange effective practices and promote information-sharing among relevant partners and stakeholders as well as among countries.

