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Side Event to the 60<sup>th</sup> Session of  
the Executive Committee



UNHCR/B Szandelsky

# Alternatives to the Detention of Asylum-Seekers and Refugees

Panel discussion moderated by the Assistant High  
Commissioner for Protection, Ms. Erika Feller

*Speakers*

Mr. Grant Mitchell, Director, International Detention Coalition  
Ms. Alice Nah, Coordinator, Asia Pacific Refugee Rights Network  
Ms. Seta Hadeshian, Director, Unit on Diakonia and Social Justice,  
Middle East Council of Churches  
Ms. Michelle Brane, Director, Detention and Asylum Program,  
Women's Refugee Commission

Wednesday, 30 September

09:00-10:00

Palais des Nations, Room XXIII

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## CONCEPT NOTE

### **“Alternatives to the Detention of Asylum-Seekers and Refugees”**

UNHCR, in conjunction with the International Detention Coalition (IDC) - an international network of 200 NGOs, faith-based groups, and academic institutions, and individuals from some 50 countries around the world - will hold a Side Event during the 60<sup>th</sup> session of the Executive Committee, on exploring possible alternatives to the detention of asylum-seekers and refugees.

At a meeting in June 2009 with representatives of the IDC, the Assistant High Commissioner for Protection proposed a side event during this year's ExCom, which would focus on alternatives to detention. This year marks the 10<sup>th</sup> anniversary of UNHCR's *Revised Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers*<sup>1</sup>.

UNHCR's position on the issue is that, “there should be a presumption against detention” (Guideline 3 of the Revised Guidelines). ExCom Conclusion No. 44 (XXXVII) – 1986, states that, “in view of the hardship which it involves, detention should normally be avoided”.

UNHCR has for years been involved in exploring and promoting alternatives to detention. In April 2006, as part of the Legal and Protection Policy Research series, UNHCR issued a study entitled, “Alternatives to Detention of Asylum-Seekers and Refugees”<sup>2</sup>. While this was a comprehensive study and continues to be very useful, most of the research was done in 2004 and there have been many significant developments in this field since then. In a November 2008 workshop on detention issues, organized by UNHCR, the subject of alternatives figured prominently, taking into consideration developments in the asylum environment since 2004.

A number of countries around the world have taken steps to address the issue of detention and offer alternatives. The United States Government has recently appointed an expert on these issues in its Department of Homeland Security, who will do a comprehensive study of all immigration detention and recommend changes. In Europe, Belgium and Sweden have developed alternatives to detention for children. Lebanon and South Africa, as well as other countries, have developed community release programmes for certain categories of asylum-seekers and refugees. Australia has initiated various pilot programmes that emphasize community care and individual case management, which have proved to be quite successful. The Director of the IDC, who will participate in the event, is based in Australia and able to offer insight regarding these programmes.

This session will be primarily an information-sharing forum, designed to catalogue and disseminate good practices. See reverse side for timing and further details.

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<sup>1</sup> Available at: <http://www.unhcr.org/refworld/docid/3c2b3f844.html>

<sup>2</sup> Available at: <http://www.unhcr.org/refworld/docid/4472e8b84.html>