

Scaling-up Community-based Alternatives to Immigration Detention

"We...commit to prioritize non-custodial alternatives to detention that are in line with international law."

Global Compact for Migration Objective 13



EXAMPLES



Belgium

Due to public health concerns since the start of the COVID-19 pandemic, Belgium reduced the capacity of its immigration detention centres. Belgium's Aliens Office is establishing an Alternatives to Detention (ATD) Department with a view to scaling up ATD. A new department on Alternatives to Detention, was launched on 1 June 2021 following a change in policy of the Belgian Government. The aim of this department is to roll out a comprehensive policy of Individual Case Management (ICAM) based on correct information sharing (administrative and legal procedures); intensive close-to-the-client and tailor-made guidance (coaching); identifying obstacles and finding a solution. Ultimately, and after exploring all options, if no stay is possible in Belgium, the department will support return in collaboration with Fedasil (return counters, IOM, etc), paying particular attention to vulnerable profiles. The coaching of individuals started in November 2021. The service will be fully operational in 2022 and will have 85 ICAM-coaches specialized in the coaching of families and individuals. The ATD Department will be working in regions, with physical presence in major and central cities, locations close to the client.

The Belgian government has also stated that they will no longer detain children for reasons of immigration status and will use ATD for families with children. For this purpose the number of family units will be doubled.

Canada

In June 2018, the Canada Border Services Agency (CBSA) initiated the national roll-out of its expanded ATD Program, a key pillar of the National Immigration Detention Framework. The ATD Program, which provides an extended set of tools and programs to more effectively release individuals, was developed in consultation with stakeholders. In addition to release on reporting conditions (i.e. in-person reporting), cash deposit or the establishment of a bondsperson, the ATD Program includes additional release mechanisms, such as:

- A national Community Case Management and Supervision (CCMS) program that aligns in-community support services with individuals' needs to mitigate any risk factors
- A national Voice Reporting program that enables individuals to comply with reporting conditions imposed by the CBSA or the Immigration and Refugee Board (IRB)

The CBSA considers ATD in all cases. By leveraging ATD available to their officers and by working with the IRB, the detention population significantly declined throughout Covid-19.

"The Government of Canada is committed to keeping children out of immigration detention as much as humanly possible and keeping families together. We also want to effectively limit the use of detention..."

Ralph Goodale, Canadian Minister of Public Safety and Emergency Preparedness, June 2017

This "promising practices series" highlights practices that show positive movement towards achieving GCM Objective 13. The inclusion of an example does not signify that all elements of the practice of the country are considered positive and that its practical implementation is flawless.