Spain

Because of the closing of borders due to COVID-19, in March 2020 Spain emptied its mainland immigration detention centres (Centros de Internamiento de Extranjeros) and detainees were released into the community, with authorities verifying whether those released had access to support, either from their families or from Non-Governmental Organisations (NGOs). The Ombudsman’s Office worked in close coordination with the Police and Secretary of State for Migration to guarantee that releases were in accordance with health and security measures and to ensure that individuals were referred to humanitarian reception and assistance agencies or to their families for accommodation and support. Coordination with civil society was essential to ensure access to health, housing and other services by released migrants regardless of status. With borders reopening and some returns resuming, Spain has reverted to some use of pre-removal detention despite the fact that the first few months of the pandemic showed it to be unnecessary. Programmes supporting migrants outside of detention continue, and the Ministry of Inclusion, Social Security and Migration funds civil society organisations to provide accommodation and support, including case management, legal advice, and skills and language training.

Thailand

In 2019, Thailand signed a Memorandum of Understanding (MoU) to determine responsibilities and provide common guidelines for all related government agencies on non-detention of migrant children. The MoU places the children under the care of the Ministry of Social Development and Human Security, or private or civil society organisations while waiting for long-term solutions. The MoU was signed by heads of seven government agencies; the Royal Thai Police, and the Ministries of Social Development and Human Security, Foreign Affairs, Interior, Public Health, Education, and Labour. They also developed Standard Operating Procedures, which specify the responsibilities of each agency, identifying procedures for referral to appropriate services, providing for government shelters for temporary accommodation, and for cooperation with NGOs that provide support with longer-term accommodation and case management. The Thai government has committed to increasing the use of community-based alternatives to immigration detention for children and their families, while developing a Monitoring Evaluation and Learning framework to track the progress on the MOU as well as extract learnings and identify areas of improvement.

“Two migrant women benefitting from a community-based ATD program for families in Bangkok reported that they had been reunited with their children since their release from detention to the host community, which greatly benefitted the children’s wellbeing. The children are now able to attend school, and the women have freedom of movement, which enables them to interact with their friends and to practice their religion freely by attending church. The community-based case management program has helped them to connect with service providers and to engage with the host community.”

Report of Global Online Peer Learning Exchange June 2020

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.