

# Report of Fourth Global Online Peer Learning Exchange (GCM Talk for Member States)

Working to end child detention in the  
context of international migration



Co-hosted by the UN Network on Migration Workstream on Alternatives to Detention (co-led by UNICEF, UNHCR and the International Detention Coalition) and the Permanent Missions of Colombia, Mexico, Portugal and Thailand in Geneva.

24 May 2023

## Context, Participation and Overview of the Agenda

*“Detention creates broken people and families...I may have left detention, but detention hasn’t left me... I’m using my harrowing experiences to inform decision-making that hopefully leads to viable and sustainable action” - Youth advocate*

*“We must work together to maintain ATD’s relevance on the international agenda. We should continue to lead by example and inspire each other to advance our work” - State Co-sponsor*

Following on from [the first three global online peer learning exchanges between 2020 and 2022](#), this online workshop – held under the Chatham House Rule – brought together 137 government peers and other key stakeholders from all regions to continue the exchange of knowledge and experience, and the work of building Communities of Practice on alternatives to detention (ATD).

The theme of this fourth peer learning exchange (held as a GCM Talk for Member States) was “Working to End Child Detention in the Context of International Migration” with a focus on moving forward implementation of Objective 13 h of the Global Compact for Safe, Orderly and Regular Migration (GCM).

After the opening remarks by a co-hosting State and a youth advocate, the meeting started with a session on what we have learned from peer learning exchanges across different levels on working to end child detention in the context of international migration and what impact these peer learning exchanges have had on the ground. We heard perspectives from a regional peer learning platform in Asia Pacific, from local peer learning activities in Central America, and about steps forward taken in the Arab States region. The second session focused on local-level actions that support community-based reception and care of children and families and avoid detention. We heard from the Secretary-General of United Cities and Local Governments, from two sub-national bodies on the systems that they have put in place locally to support migrant children and families in the community, and from a youth advocate about local-level actions. The third session focused on “Moving forward – next steps” – hearing from the Head of the UN Network on Migration Secretariat about concrete steps forward that States can take, from two States that have taken steps forward, and from a youth advocate with lived experience of immigration detention. The meeting was closed by a co-hosting State and by the Network’s ATD Workstream Co-leads.

*“Dehumanising narratives – so widespread in political discourse – lead to exclusion and stigmatisation of migrant children and youth” - Youth advocate*

This was a closed meeting for representatives from relevant governmental departments at local, national, regional and global levels. 137 participants attended the fourth global peer learning exchange/GCM Talk for Member States, including 80 officials from 35 governments and the European Union. The other participants were UN agencies, and members of the Network Workstream on ATD. The remote format for the exchange, allowed for the presence of government practitioners from capitals and across regions, as well as officials based in Geneva, and subject experts from different countries.

## What have we learned from peer learning exchanges on working to end child detention in the context of international migration?

*“From our experience, peer learning exchange has led to practical solutions derived from lessons learned and frank discussions. Policymakers and front-line officers also benefit from these solutions in moving forward ATD” - State Co-sponsor*

This session started with a concrete example of the impacts that peer learning exchanges can produce. A representative of a State that had taken part in the Asia Pacific Regional Peer Learning Platform (co-convened by IDC and the Asia Dialogue on Forced Migration since 2019 and including the governments of Australia, Indonesia, Malaysia, New Zealand and Thailand) described their participation in a series of regional workshops which resulted in them replicating another participating State’s policy of admitting migrant and refugee children into host community schools. They acknowledged the differences in national contexts and approaches, but were able to adapt this positive practice and implement it. A representative of the co-conveners reported then on the methodology of this regional peer learning platform and programme of learning and action on ATD for children in the context of international migration in the Asia Pacific - bringing together 5 governments from the region, UN agencies and key civil society stakeholders for honest, frank conversation, always under the Chatham House Rule, and exploring what ATD and migrant and refugee children’s access to services and protection of their rights looks like in practice. The meetings involved representatives from the 5 governments that are part of the Regional Platform, including some site visits to ATD projects. Topics for discussion have included: mainstreaming child protection, case management approaches, effective government-civil society partnerships, access to education, monitoring, evaluation and learning around ATD models, and engagement with people with lived experience in our work. There were also some bilateral meetings organised by Regional Platform facilitators at the request of particular governments that have led to specific impact.

*“Success is evidenced in how it has catalysed changes at the national level” - Co-convenor of the Asia Pacific Regional Peer Learning Platform*

From Central and North America, we heard about the impact of work and peer learning exchanges at the local level – how a whole-of government approach - with a range of different government officials from different ministries and disciplines - and a whole-of-society approach - with UN agencies and civil society - created a trained local multi-disciplinary team that led to effective child protection, safeguarding and professional care for children on the move.

From the Arab States Region, we heard about laws that allow migrant and refugee children to benefit from basic services and assistance and integration into the host community. This included access to health-care, child protection, and translation services. We also heard about the importance of establishing national strategies for supporting migrant and refugee children, of collaboration with UN agencies and supporting civil society organisations that assist migrant and refugee children in the community. UNICEF and OHCHR announced that agreement had been reached to establish a new Arab States Region Workstream on alternatives to detention and

deprivation of liberty, and the planning of a GCM Talk on this topic in the Arab States region in July 2023.

## Local-level actions that support community-based reception and care of children and families and avoid detention

*“The closest sphere of government to the people is cities and local government and they agree everywhere in the world that detention is not the way to go. There is no mayor or local or regional government that thinks that creating detention centres will lead to harmony and wellbeing in the communities”- Secretary General of United Cities and Local Governments (UCLG)*

This session focused on the key role played by sub-national actors in ending child immigration and ATD, including the question of how local actors address the paradox that their responsibilities in practice often exceed their mandates and their resources. Local-level actors are usually the first responders, and access to services and care arrangements for children require local-level actions.

UCLG highlighted about the principles they promote in the [Lampedusa Charter for Dignified Human Mobility and Territorial Solidarity](#), including its call on the international community to eradicate the criminalisation of migration, promoting alternatives to detention and enhancing care, particularly for children and youth, as well as the [Charter of Local and Subnational Governments of Africa on Migration](#). They called for new narratives, to oppose criminalisation of migrants and the building of detention centres. It was noted that access to basic services must be included in this discussion, including health-care, education, and child protection. UCLG is promoting innovative action, peer learnings, and solidarity sessions. They called for international support, including from organised civil society, to push for local and regional governments to be granted the necessary resources and competencies.

*“Our model has allowed tens of thousands of children to avoid prolonged immigration detention and to be warmly received in community”- Sub-national government*

We heard from two sub-national bodies, who explained the systems that they used to provide protection and support to migrant children and families coming into their territories. Some positive examples of elements of these systems were described as follows:

- Setting up the necessary instruments and tools for migrant children’s inclusion in society, using a whole-of-society approach and ensuring full enjoyment of rights
- Centrality of partnership with civil society organisations
- Ensuring that migrant children and families staying longer-term receive housing
- Ensuring that migrants in respite shelters feel welcomed, considering issues such as signage, culturally-appropriate foods, children’s play areas, artwork and murals etc.
- Provision of initial case management services
- Psychological assessments to ensure that children’s needs are met in a way that will enable them to access education

- Right to education or skills development (depending on the child's age)
- Language classes when necessary
- Assistance with insertion in the labour market
- Access to health-care
- Opportunities for inclusion in leisure opportunities
- Accompanying migrant children to transition into adulthood with dignity – ensuring that they receive support until they are at least 21, and when possible until they are 25

This session ended with a presentation by a youth advocate about local-level action and the need to involve youth in local decision-making processes by creating accessible platforms and communications channels between sub-national governments and youth organisations.

*“People are taking their time to include me in discussing what can be done to help my brothers and sisters who are still in detention. Occasions like this light me up and lift my spirit... When children are released from detention centres they are easily identified - meaning they become vulnerable to public humiliation. Youth-led organisations are working for children's release and welcoming them”- Youth advocate*

## Moving forward – next steps

*“The GCM provides a platform for exchange, a shared lexicon, and shared commitments – today we heard all of these three facets highlighted on this important topic...It would be great to see some of the positive examples highlighted today replicated in another country, region or local community by the next time we meet”- Head of the Network's Secretariat*

In this panel it was noted that this is a moment of opportunity and we need to build on the accelerating momentum to end this clear violation of child rights. Important progress has been made through peer learning exchanges, and we now have a growing body of replicable promising practices that respect migrant children's rights and meet States' concerns about migration management.

The Head of the Network's Secretariat reminded States of their commitment in the International Migration Review Forum (IMRF) [Progress Declaration](#) to “consider, through appropriate mechanisms, progress and challenges in working to end the practice of child detention in the context of international migration” which comes on top of the commitments laid out in [GCM Objective 13](#).

He set out a series of concrete steps that States can take to comply with these commitments:

- States should fully implement their pledges, provide status updates on existing pledges, and submit further pledges focused on GCM Objective 13
- States should share replicable promising practices about working to end child immigration detention on the UNNM Hub, and make use of these promising practices as a resource



- States should reflect on complementary pledges for the upcoming Global Refugee Forum (GRF) relating to working to end child immigration detention, under both the Global Compact on Refugees (GCR) and GCM
- Each GCM Regional Review should reflect on progress and challenges in working to end the practice of child detention in the context of international migration
- Reflections on this topic in the GCM Regional Reviews should inform the next UN Secretary General's report on implementation of the GCM in 2024

He noted that there are some outstanding pledges that were made in the context of the IMRF on ATD, but not many, and called on States to reflect on relevant pledges that they can make. GCM Champion Countries can play a galvanising role on this issue. The Network stands ready to support States via peer learnings and workstream activities at different levels. The Migration Multi-Partner Trust Fund – which just adopted a child sensitivity marker - is also a source of potential progress. There are joint programmes in the pipeline (currently awaiting funding) relevant to ending child immigration detention.

This panel considered examples of steps forward that States have taken towards ending child immigration detention. Some examples cited during the meeting were as follows:

- Passing legislation prohibiting immigration detention of children
- Establishing a Memorandum of Understanding (MoU) on the Determination of Measures and Approaches to Alternatives to Detention of Children in Immigration Detention Centres and its Standard Operating Procedures (SOP)
- Formulating a Monitoring, Evaluation and Learning Framework (MEL) to review the implementation of the MoU on ATD – in collaboration with UN agencies and civil society
- Whole-of-government approaches - working across relevant agencies dealing with migration and with children
- Establishing a Multidisciplinary Working Group to appoint NGOs as case manager to support migrant children living in communities with a community-based care approach
- Taking a policy decision not to utilize immigration detention of children
- Providing access to education for migrant and refugee children in host community schools
- Ensuring access to health-care (including mental health-care) and child protection services for migrant and refugee children
- Developing a guidance note on how to assist migrant, refugee, asylum-seeking children and victims of trafficking
- Establishing collaboration between different governorates on this issue
- Providing legal representation for migrant and refugee children
- Monitoring of children's welfare throughout their stay in the country
- Providing psychosocial support to migrant children and families and creating a holistic protection plan
- Searching for missing migrant children

- Providing individualized case management/coaching support to migrant children and families
- Establishing open residential units for migrant families, with guaranteed privacy and autonomous living situations
- Establishing a government ATD department
- Use of bridging visas that provide temporary regular status, with work rights and rights to access government services
- Moving families out of “held detention” into “residence determination” where the family lives at a specified address in the community with access to services and caseworker support
- Provision of regional funding to support States in developing ATD for children
- Adopting a policy of regularization and socio-economic inclusion for migrant children and families
- Running training sessions for local officials in municipalities about respecting migrants’ rights

*“When we ended child immigration detention it had a very positive impact, because children could not learn anything in detention and it has a very negative effect on the child and also on the family. If you give the opportunity to integrate in society, you motivate the migrants to legalise their status and to make medium- and long-term plans for their children’s care” - State that has moved from child immigration detention to supporting children in the community with access to services*

A youth advocate spoke about his lived experience of immigration detention as a young adult. He talked about the scars that detention had left on him and stated that five days in the immigration detention centre felt like forever, showing that even short-term detention can have long-term impacts. He noted that this would be even worse for a child, and described immigration detention as “a death sentence for childhood”. He called for effective community-based alternatives to detention, for unaccompanied children to be appointed guardians, for regular welfare checks for children, and for adequate training of immigration officials.

Closing remarks were provided by a co-sponsoring State confirming that children’s rights should never be violated, and certainly never for crossing a border. They urged other States to end child immigration detention, and invited like-minded States to an in-person meeting in Geneva to discuss challenges and ways of improving policies.

## **Youth engagement: the first Global Youth Consultation on Ending Child Immigration Detention**

Youth engagement is a priority for the Network Workstream on ATD. As such, soon before the Global Peer Learning meeting the first Global Youth Consultation on Ending Child Immigration Detention took place. It was organised by the Migration Youth & Children's Platform (MYCP) in collaboration with United Nations Children's Fund (UNICEF), International Detention Coalition

(IDC), United Nations High Commissioner for Refugees (UNHCR), and the Network. This consultation brought together over 80 young participants from around the world to discuss and share their ideas on ending child immigration detention. The consultation resulted in [key youth recommendations](#) for both Member States and youth advocacy. MYCP selected three youth advocates from the consultation to present during this fourth global peer learning exchange/GCM Talk for Member States.

The United Nations Network on Migration was established to ensure effective, timely and coordinated system-wide support to States in their implementation, follow up and review of the Global Compact for Safe, Orderly and Regular Migration.

The Workstream on Alternatives to Immigration Detention is tasked with promoting the development and implementation of human rights-based alternatives to detention in the migration context. The Working Group is co-led by UNHCR, UNICEF and IDC and its members comprised of representatives of UN agencies, civil society organizations, young people, local governments and technical experts working on immigration detention and alternatives all over the world.

For further information/to contact the UN Network on Migration Workstream on ATD:

Franz Fischer: [ffischer@iom.int](mailto:ffischer@iom.int)

Melanie Teff: [gteff@unicef.org](mailto:gteff@unicef.org)

For resources produced by the Working Group, click [here](#)

The ATD Workstream is planning further global peer learning exchanges on:

- ATD in transit settings (late 2023)
- Prevention of pre-entry detention of migrants (early 2024)