



CONCEPT NOTE

Second Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration

Promising Practices and Peer Learning: Alternatives to Immigration Detention in the Asia Pacific within the Framework of the GCM and GCR.

Thursday 6th February 2025, from 11 am to 12.15 pm

Meeting Room F, Level 1, UNCC

The United Nations Building, Rajadamnern Nok Avenue

Bangkok, Thailand

Co-hosts:

International Detention Coalition (IDC)

International Organization for Migration (IOM)

Office of the High Commissioner for Human Rights (OHCHR)

Royal Thai Government (RTG)

United Nations High Commissioner for Refugees (UNHCR)

United Nations Children's Fund (UNICEF)

1. Background and context

The use of immigration detention remains prevalent in the Asia Pacific region. It is used in many countries in Asia and the Pacific without the necessary safeguards, such as the legal limit on the period of detention and the procedural right to challenge the decision of immigration detention. Migrants, refugees, asylum-seekers, stateless persons and children—along with vulnerable individuals such as pregnant and nursing women, older persons, persons with disabilities, survivors of torture or trauma, persons with particular physical or mental health needs, and LGBTI individuals—continue to be held arbitrarily in immigration detention across the region. This includes situations where detention is not applied as a last resort and affects individuals who should be protected rather than penalized. At the same time, promising practices utilizing alternatives to detention (ATD)¹ models are emerging in the region, especially for migrant children, and there is momentum in some countries for taking steps towards ensuring immigration detention is applied consistently with international law.

The health of migrants, refugees, asylum-seekers and stateless persons is crucial from a human rights as well as public health perspective. Immigration detention severely impacts mental health, with prolonged confinement worsening conditions like anxiety, depression and post-traumatic stress disorder (PTSD). These effects often persist even after release. The harsh conditions in detention centres, including overcrowding, lack of healthcare, and limited access to support expose those in detention to further risks like communicable diseases, violence and trauma. These factors contribute to long-lasting psychological harm, making reintegration into society more challenging.

¹ Alternatives to immigration detention is not a legally defined term and has therefore been interpreted in distinct ways. Regardless of these different approaches, there is broad consensus that alternatives to immigration detention are a wide range of non-custodial measures and practices that, based on international human rights law and standards and premised on the universal right to liberty, avoid the use of detention for reasons related to migration.



The Global Compact for Safe, Orderly and Regular Migration (GCM) and the Global Compact on Refugees (GCR) include provisions calling on States to develop non-custodial alternatives to detention. Objective 13 of the GCM urges States to prioritize non-custodial alternatives to detention that align with international law and a human rights-based approach, while paragraph 60 of the GCR emphasizes community-based alternatives to detention, particularly for children. Both frameworks seek to support and promote these approaches, including through matching multi-stakeholder pledges enabling progresses to be made.

The co-hosting organizations seek to support States' efforts to ensure immigration detention is only used, when necessary, proportional and reasonable in circumstances which are prescribed by law and subject to due process safeguards, by promoting the implementation of ATDs in line with international human rights and refugee law, and other relevant standards.

2. Objectives

The purpose of the side event is to advance evidence-based, whole-of-government, whole-of-society collaborative strategies to implement alternatives to immigration detention in the Asia Pacific region. Building on frameworks provided in both the GCM and GCR, the event will contribute towards the following desired outcomes:

- Stakeholders gain a deeper understanding of positive emerging practices in the region and share lessons learned on the challenges, opportunities and methodologies for reform across contexts in regard to objective 13 in the GCM and para 60 of the GCR.
- Stakeholders reaffirm their commitment to the principle that immigration detention is never in the best interests of the child and ensure rights-based, non-custodial ATDs are implemented, when necessary.
- Stakeholders are informed about the latest evidence and knowledge on the mental health challenges experienced by migrants, refugees, asylum-seekers and stateless persons in immigration detention, as well as the benefits of alternatives to detention in addressing these challenges.
- Stakeholders demonstrate increased engagement in peer learning and collaboration with civil society partners, to enhance their capacity to design and implement community-based, rights-focused alternatives to detention models.

3. Logistics

The side event will be held in hybrid mode (combination of onsite and online). For those joining onsite, refreshments and a light lunch will be provided before and after the event. The meeting room F is located on Level 1 of the UNCC, a map is available [here](#). As for participants joining online, they will be able to join the event online at the following [link](#) (Passcode:Gcm@2025) or otherwise watch the event which will be broadcasted through the following [channel](#).

4. Participants

The participants will be primarily those attending the Second Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration, including States and civil society actors (NGOs, law firms, academia, universities and the private sector).



5. Agenda

Time	Item	Presenter	Objective
5 mins	Welcome and introductions	Cohosts – Ms. Fiona Robertson Regional Manager, Mixed Migration Center Asia and the Pacific	Introduction and overview of the objectives of the session.
10 mins	Opening remarks	Mr. Wanchai Roujanavong Thailand’s Representative to the ACWC for Children’s Rights	Reflecting on the role of ASEAN and the ACWC in advancing the GCM Objective 13 and GRF paragraph 60 to support the development of non-custodial and community-based alternatives to detention, particularly for children.
10 mins	Presentation highlighting the role of the judiciary	The Hon. Rolf Driver AM Member of the International Association of Refugee and Migration Judges, Former Judge of the Federal Circuit Court, Australia	Gain a deeper understanding of promising practice in the region and share lessons learned on the challenges, opportunities and methodologies for reform across contexts in regard to objective 13 in the GCM and para 60 of the GCR.
10 mins	Presentation from the Royal Government of Thailand	Ms. Thienthong Prasarnpanich Director of the Child and Youth Protection Division, Department of Children and Youth, Ministry of Social Development and Human Security	
10 mins	Presentation of the UN Global Study on detention of children	Mr. Manu Krishan Global Campus of Human Rights, Vienna, Austria	Reinforce the principle that children should never be detained as immigration detention is never in the best interests of the child.
10 mins	Presentation of the impact of detention on mental health	Pr. Suresh Sundram Head of Psychiatry Department, Monash University	Outline the current evidence and knowledge regarding the mental health challenges faced by migrants, refugees, asylum-seekers, and stateless persons in immigration detention, as well as ATDs.
10 mins	Presentation on peer learning report/ regional platform/ ATD workstream	Mr. Mic Chawaratt Southeast Asia Programme Manager, International Detention Coalition (IDC)	Encourage and support peer learning, and collaboration with civil society to design and implement community and rights- based ATD models.
10 mins	Questions and Answers	Ms. Fiona Robertson Regional Manager, Mixed Migration Center Asia and the Pacific	
5 mins	Closing and thank you	Ms. Fiona Robertson and cohosts	

