

International
Detention Coalition

Human rights for detained refugees,
asylum seekers and migrants

Annual Report 2009



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What is the International Detention Coalition?

The International Detention Coalition (IDC) is a network of more than 200 non-governmental organizations, faith-based groups, academics and individuals that provide legal, social, medical and other services, carry out research and reporting, and undertake advocacy and policy work on behalf of refugees, asylum seekers and migrants. These groups and individuals from more than 50 countries, have come together to form the International Detention Coalition to share information and promote good practices relating to the use of detention by governments.

IDC Mission Statement

The IDC aims to promote greater protection of and respect for the human rights of those held in detention and to raise awareness of detention policies and practices. It also aims to promote the use of international and regional human rights standards and principles as they relate to the detention of refugees, asylum seekers and migrants. The Coalition reaches these objectives through networking, advocacy, raising public awareness and researching and reporting on issues worldwide relating to the detention of refugees, asylum seekers and migrants.

IDC Vision and Objectives

For the period 2008-2010, IDC members identified three core priorities:

- Ending and limiting detention, particularly for children
- Developing and promoting alternatives to immigration detention
- Improving rights, conditions and monitoring of detention facilities

In light of these priorities, the Coalition has focused its work on three core strategic areas:

1. Coalition Building
2. Advocacy and Campaign Building
3. Capacity Building

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Message from President and Director

It was almost ten years ago that a vision arose of an international network of NGOs, academics and individuals coming together to improve the rights of detained refugees, asylum seekers and migrants. The use of detention by governments to manage migration was increasing. Cases of children imprisoned, abused and neglected in places of detention in the name of government policy were being exposed. Although there was work being done on the ground around the world, no one was focusing on these issues at the regional and international levels.

As a result of the increasing use of detention by governments and the need for a more global approach to research, reporting and advocacy on behalf of detainees, the International Detention Coalition (IDC) was formed. The IDC has since become both a network and an NGO, with more than 200 members in 50 countries, with a strengthened Secretariat and governance structure.

In the words of Seta Hadesian, our Middle East and North African Regional Representative from the Middle East Council of Churches (MECC):

The International Detention Coalition Inc. is now a reality, with your pursuance and efforts. Now the train is on track and it needs dedicated people to make it go. I do not doubt that with your unreserved efforts it will be able to bring light to many people's hearts and many responsible people to their senses.

The need for the Coalition was confirmed in our global survey in October 2008, which highlighted the extent as well as the severity of detention practices on the lives of refugees, asylum seekers and migrants around the world (see below).

It was also summed up in the desperate plea to the IDC from a mother in detention:

We need your help. I'm here praying for our children. I need your presence, please.

No child should be detained

The IDC maintains the same vision expressed by many involved with the Coalition of seeing a world where children are not detained and where alternatives to detention are used.

The impact of detention on children is of great concern. We have seen some success in policy changes in Australia and Belgium and we have seen pockets of good practice elsewhere, but it is not enough. The IDC remains focused on promoting community-based alternatives to detention and working strategically to support the capacity of our members to undertake advocacy and campaign work.

We are excited about our capacity-building work in Malaysia and the Asia Pacific region (see pages 8, 9 and 10) and our advocacy work in Belgium, the UK and US (pages 7 and 10). We look forward to extending this, and our Child Detention Campaign, to other regions in the coming year (pages 9 and 10).

We thank our members and friends for their support over the past year and look forward to working together into the future to improve the human rights of detained refugees, asylum seekers and migrants worldwide.

Anna Marie Gallagher, President
Grant Mitchell, Director



Shinagawa Detention Centre,
Tokyo, Japan, December 2008

International Detention Trends

In October 2008, the IDC completed a global survey of members requesting information about detention trends and priorities. The survey covered 21 countries in six regions¹, with the following findings:

- 66% of members identified the following detention concerns and priorities:
 1. The detention of children, vulnerable individuals, asylum seekers and refugees
 2. Improving the rights of detainees, monitoring places of detention and ensuring detention conditions comply with international human rights standards
 3. The need for alternatives to detention
- 60% of countries had no official detention statistics
- 61% of countries had no official monitoring body for places of detention
- 88% of countries had restrictions on visiting places of detention
- 59% of countries had no functioning alternatives to detention
- 95% of members cited the need for the IDC and its information sharing, advocacy, campaign and training initiatives.²

For the full survey findings, visit www.idcoalition.org

1. IDC's work is divided into 6 regions: Africa, Americas, Asia Pacific, Europe & Central Asia, Middle East & North Africa.

2. Additional detention concerns include:

- Long-term, indefinite and arbitrary detention. Lack of legal provision, judicial review; access to asylum and refoulement.
- Sexual violence, impact on mental health. Need for training of detention staff and increased psychosocial support for vulnerable detainees.
- Punitive government policy, including prison-like regimes, asylum seekers detained with convicted criminals, harsh raid and removal practices, increased use of off-shore detention facilities and closed camps.
- Negative media and community sentiment about the plight of detainees, and the need for increased understanding of global detention trends.

Governance

The development of the IDC

Since the late 1990s, there have been discussions among those working with detainees about the need for better regional and international networking. In September 2003, several NGO representatives attending the UNHCR NGO Consultations in Geneva met to explore the formation of an international coalition on detention. During the 2004/05 Consultations, the process of establishing the coalition continued, and it was formally launched in June 2006 and a Steering Committee appointed¹.

In September 2007, the Steering Committee agreed to pursue having the IDC hosted by another organization to help formalize it as an incorporated body. Expressions of interest were received from five members, with the Steering Committee finally endorsing a partnership with Oxfam Australia. Grant Mitchell was appointed as interim Coordinator in May 2008.

A revised IDC governance structure was proposed to members at the June 2008 Annual Meeting. A Governance Working Group was developed in August 2008. The Steering Committee approved this restructuring in November 2008, together with the IDC Budget and Strategic Plan (See page 6). Funding from the Oak Foundation was received in September 2008 and from the Planet Wheeler Foundation in February 2009 for core operations relating to the campaign against the detention of children, and from the Myer Foundation in May 2009 for research into international alternatives to detention.

In March 2009, following legal advice and consultation, the IDC became an incorporated NGO. The Steering Committee appointed a 5-member Governance and Finance Committee responsible for operational issues. The existing Steering Committee became the International Advisory Committee, responsible for overseeing strategic planning, and seven new positions were made available for IDC members on this Committee.

The IDC Secretariat was formalized at this time, and Grant Mitchell was appointed as Director, responsible for implementing IDC operations and providing executive support. The Secretariat currently includes a two-day a week Research and Campaign Coordinator (Katherine Wright) and five interns from three countries. The Secretariat is also supported by 11 Regional Representatives from 12 sub-regions, who support and help develop the work of the IDC at the regional level in a voluntary capacity.

In May 2009, Oxfam Australia committed to continue its support of the IDC through a Memorandum of Understanding (MoU) for a further 12 months, including the provision of office space and administration and operational resources. Work is now being undertaken to have the IDC become a legally recognised international development organization.

Details of the IDC Governance and Operational Structure can be found on the opposite page.

IDC Institutional Developments

Since June 2008, there has been considerable development of the IDC's organizational structures and legal, financial and administrative processes.

Governance

- Legal advice sought and members consulted on the development of the IDC as an incorporated entity able to hold funds, employ staff and meet its legal responsibilities.
- An effective and representative governance structure implemented in March 2009, including Governance and Finance Committee and International Advisory Committee, as well as quarterly reports from the Secretariat.
- The IDC became an incorporated association (IDC Inc.) on March 11, 2009.
- An 'IDC Governance Google Group' established in May 2009 for improved communication and transparency of the work of the Governance and Finance Committee and Secretariat.

Finance/Legal

- Mary Latham, Chartered Accountant from the Victorian Council of Social Service, appointed as Treasurer of the Governance and Finance Committee in March 2009.
- Financial, Occupational Health and Safety and Human Resources policies and procedures completed and approved by the Governance and Finance Committee in March and May 2009.
- Funding received for core operations for 2008–2010.
- A Funding Strategy developed for 2010–2011.

Administration

- Established the IDC office in the Oxfam Australia office in Melbourne.
- Administrative processes developed including payroll procedures, bookkeeping, filing and reporting.
- Banking, insurance, tax, staffing and other administrative requirements met by May 2009.
- Memorandum of Understanding developed with Oxfam Australia in May 2009 for the IDC to continue to operate from Oxfam's Melbourne headquarters.

Operations

- The establishment of a Secretariat with resources to complete core operations.
- The development of IDC Intern and Volunteer Program, including six interns and two volunteers from three countries in the past 12 months.
- A strengthened Regional Representative role in developing regional initiatives.
- Members consulted to complete a two-year strategic plan, including a global member survey.

1. The full history of the IDC can be found on our website www.idcoalition.org

Governance and Operational Structure

Governance and Finance Committee

Role: Oversee operations, finances, staff and reporting.

Five members, incl. two Australians:

- Anna Marie Gallagher, (President)
Consultant, Refugee and Migration Issues,
Donegal, Ireland
- Alice Nah (Vice-President)
Migration Working Group & The National Human Rights
Society (HAKAM)
Kuala Lumpur, Malaysia
- Beth Eggleston (Secretary)
Humanitarian Advocacy Coordinator, Oxfam Australia,
Melbourne, Australia
- Mary Latham (Treasurer)
Business and Development Director, Victorian Council of
Social Service, Melbourne, Australia
- James Thomson (WCC/Australian Representative)
Director of Policy and Advocacy, Act for Peace,
Sydney, Australia

International Advisory Committee

Role: Oversee strategy and policy

Up to 18 international or individual representatives*:

- | | |
|-----------------------------|----------------------------|
| Anna Marie Gallagher | Bill Frelick (HRW) |
| Melanie Teff (RI) | Ralston Deffenbaugh (LIRS) |
| Michael Gallagher (JRS Int) | Sherif Elsayed-Ali (AI) |
| Michelle Brane (WRC) | Beth Eggleston (OA) |
| Sydia Nduna (WCC) | Mary Latham (VCOSS) |
| Eleanor Acer (HRF) | |

Regional Representatives (6 regions/13 representatives)*:

Role: Support and develop the work of the IDC in their respective region.

1. Asia Pacific

Aust, NZ and Pacific – James Thomson, NCCA / WCC;
South East and East Asia – Alice Nah, MWG & HAKAM;
South Asia – vacant

2. Africa

Eastern and Western – Judy Wakahiu, RC Kenya;
Southern – LHR

3. Europe & Central Asia

Western – Jerome Phelps, LDSG;
Eastern and Central – Timea Szabo, HHC

4. Americas

Central and Caribbean – Gabriel Perez, Sin Fronteras;
South – vacant

5. MENA

Seta Hadesian, MECC.

6. North America

US – Andrea Black, DWN; Elizabeth Campbell – RCUSA;
Canada – Janet Dench, CCR

Secretariat

Role: Develop, implement and manage operations, provide executive support and report to the Governance and Finance Committee.

Grant Mitchell – Director,
Katherine Wright – Research and Campaign Coordinator,
Bridget Kessler (Spain), Brent Mayo (USA), Alicia McCoy,
Katherine Tranter, Jeanne Hu (Australia)- Interns

Members

Role: Connected to and a part of the work of the IDC.

NGOs, universities, academics, faith-based groups and individual associate members.

- 200 members, 50 countries

IDC Framework for Change for Detainees

Members, Committee & Secretariat

Shared Vision

Consultation, Prioritization,
Implementation, Evaluation

IDC Strategic Plan

1. Coalition Building
2. Advocacy and Campaign Building
3. Capacity Building

Objectives – impact on:

1. Children in Detention
2. Rights, Conditions, Monitoring
3. Alternatives to Detention

*AI – Amnesty International. CCR – Canadian Council for Refugees. DWN – Detention Watch Network USA. HAKAM – The National Human Rights Society. HHC – Hungarian Helsinki Committee. HRF – Human Rights First. HRW – Human Rights Watch. JRS – Jesuit Refugee Service. LDSG – London Detainee Support Group. LHR – Lawyers for Human Rights. LIRS – Lutheran Immigration and Refugee Service. MECC – Middle Eastern Council of Churches. MWG – Migration Working Group. NCCA – National Council of Churches Australia. OA – Oxfam Australia. RC Kenya – Refugee Consortium of Kenya. RCUSA – Refugee Council of USA. RI – Refugees International. VCOSS – Victorian Council of Social Service. WCC – World Council of Churches. WRC – Women's Refugee Commission.

Activities

Prior to its official launch in 2006, the IDC undertook a global survey to develop a strategic plan. In June 2008 an additional survey was undertaken of members around the world (see page 3 for details), which helped further refine the IDC 2008–10 Strategic Plan.

Three core priorities were identified by members:

- Ending and limiting detention, particularly for children
- Developing and promoting alternatives to immigration detention
- Improving rights, conditions and monitoring of detention facilities

In light of these priorities, the Coalition has focused its work on three core strategic areas:

1. Coalition Building - Developing the Coalition and strengthening communication and information sharing between members.

2. Advocacy and Campaign Building - Developing the advocacy and campaign capacity of members and the IDC, with a particular focus on children in detention and alternatives to detention.
3. Capacity Building - Facilitating training, resource and skills-sharing, as well as targeted partner projects with and between members, with a particular focus on members in the global south.

A number of core tasks to meet our objectives were identified in the Strategic Plan 2008–10, including the development of:

- A Website/E-newsletter as a resource tool
- A Global Child Detention Campaign
- A Handbook for Governments/Civil Society on implementing alternatives to detention
- Regional training/capacity building initiatives, with an initial focus on Malaysia and the Asia Pacific region.

1. Coalition Building

Developing the Coalition and strengthening communication and information sharing between members.

The Coalition has developed and strengthened considerably over the past 12 months.

Members

An additional 35 members have joined, totalling 202 members in 49 countries. This includes 177 organizational members and 25 individual members, many of whom are becoming increasingly involved in the work of the IDC.

An additional 134 non-members receive updates on IDC activities, such as the Office of the United Nations High Commissioner for Refugees (UNHCR), Office of the High Commissioner for Human Rights (OHCHR), National Human Rights Institutions (NHRIs) and various other stakeholders.

An Annual Planning Meeting was held in Geneva in June 2008 attended by more than 40 members and member meetings were undertaken in Brussels, Kuala Lumpur and London.

The IDC has received positive feedback from members about its institutional and operational developments over the past year.

Information sharing

The International Detention Monitor (IDM), the first e-newsletter with a focus on international immigration detention, was launched in November 2008. Born from IDC member requests, the newsletter includes international detention news divided into regions, useful resources, member updates and a calendar of detention-relevant events, including

the UN Special Procedures visits to various countries. The IDC has had very positive feedback and interest in the newsletter since its launch.

A new IDC website was launched at the end of May 2009, which allows for more interactive and up-to-date information-sharing with members and the public. The site includes the latest news and a comprehensive resource section, including research documents on immigration detention issues and training and capacity-building material. Thanks to Red Fish Blue Fish for donating its time and resources to develop the site.

Communication

The IDC has further developed its communication structure over the past 12 months.

We have developed an e-newsletter, an updated website and regularly address special requests and information available to members and stakeholders.

An IDC Committee Google Group has been created to assist with the access of information, transparency and collaboration between the Governance and Finance Committee and the Advisory Committee and Secretariat.

The use of Google Groups has also assisted the work of the Immigration Detention Working Group of the Asia Pacific Refugee Rights Network (see page 7 for details) and increased regional networks.

An IDC Research Google Group is also being used for interns and the Secretariat in relation to research projects.

2. Advocacy and Campaign Building

Developing the advocacy and campaign capacity of members and the IDC, with a particular focus on children in detention and alternatives to detention.

Advocacy and Campaign work

IDC members have consistently raised two key issues over the past three years:

1. The impact of detention on children.
2. The need for alternatives to detention.

The IDC has worked extensively over the past year on these issues through lobbying, submissions, research, media, member advocacy support and strategy meetings. This includes meetings and reports to the following national, regional and international bodies.

Government meetings, submissions, research and media

International

1. Global Forum for Migration and Development (GFMD). IDC's Position on Children in Detention raised in the Civil Society Forum, Philippines, October 2008.
2. Attendance at the 2008 UNHCR NGO Consultation, panelist in the Detention Monitoring session and submission to UNHCR on immigration detention priorities and recommendations.
3. Regional Representative attendance at the UNHCR Detention Workshop, November 2008 in Geneva.
4. Meeting with UN High Commissioner for Refugees, Antonio Guterres, in Sydney on 25 February 2009.

The IDC has met with and supported members working on detention advocacy, education and campaign strategies and initiatives in Australia, Belgium, Indonesia, Japan, Malaysia, Philippines, UK and USA. We have also given extensive support to members around the world by email and Skype.

Media

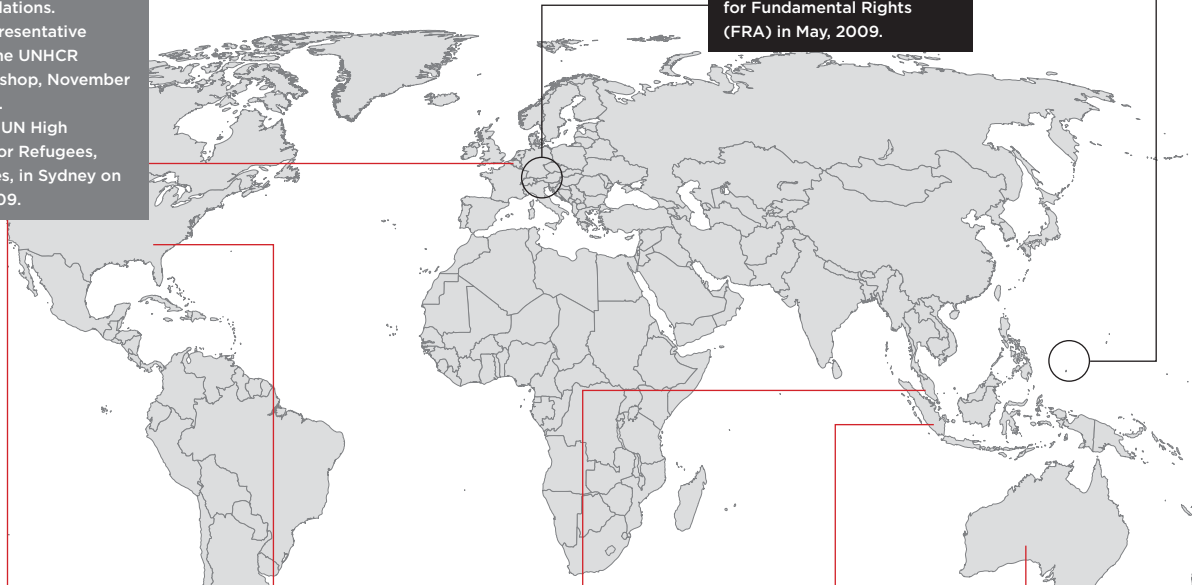
Press statements on the International Day of the Child, November 20, 2008, and Human Rights Day, December 10, 2008. Media coverage in Australia, Belgium, Japan and Mexico on children and alternatives to detention.

EU

Submissions on alternatives to detention and best practice to: 1. Parliamentary Assembly Council of Europe Committee on Migration, Refugees and Population in November 2008; 2. UNCHR (Comments provided on the EU Amendment on Reception Conditions Directive in February 2009); 3. European Union Agency for Fundamental Rights (FRA) in May, 2009.

ASEAN

Drafting of a submission on the Rohingya push-backs for the Asia Pacific Refugee Rights Network in January–February 2009 (see page 8).



Belgium

Meetings with and report provided to the Belgian Government in June 2008, including Annemie Turtelboom, Minister for Immigration and Asylum, and Marie Arena, Minister for Social Integration, Pensions and Large Cities, on the development of alternatives to the detention of children and families. Special parliamentary session held for the IDC Director to speak on alternatives to the detention of children, attended by 32 parliamentarians from all major parties. Meetings also held with the Immigration Department and Federal Agency Reception Asylum Seekers and the Head of the 127Bis Detention Centre.

USA

Submission made to Dora Schiro, Special Advisor on Immigration and Customs Enforcement (ICE) and Detention and Removal of the Department of Homeland Security conducting an inquiry into alternatives to detention. Submission on the outcomes of alternatives to detention in Australia, April 2009. The submission focused on the significant changes and outcomes of Australia's detention policy, where children are no longer detained and community-based alternatives to detention have been developed with the input of civil society.

Malaysia

Meetings with the Malaysian Human Rights Commission (SUHAKAM) in November 2008 and April 2009 to explore training for detention monitoring, detention standards and best practice with SUHAKAM and the Department of Immigration, Ministry of Home Affairs and Ministry of Women, Family and Development for late 2009.

Indonesia

Meeting with Indonesian Ombudsman and Human Rights Commission on immigration detention in the region. Participation in training session on the OPCAT and detention monitoring, run by Association for the Prevention of Torture (APT), Komnas Ham and Elsam, with attendance from Government officials, police and military in November 2009.

Australia

Meeting with the Minister for Immigration's Immigration Detention Advisor and submission on the need for further development of alternatives to detention to the Joint Standing Committee on Migration, Inquiry into Immigration Detention, in August 2008 and public hearing in January 2009.

Research

The IDC has been involved in a range of internal and external research projects on detention issues over the past 12 months, including:

IDC Reports: 1. Case management as an alternative to detention; 2. Impact of immigration detention on children in Florida, USA; 3. Briefing paper on detention in Japan; 4. Research undertaken to develop the IDC website and International Detention Monitor; 5. Global surveys on detention policy and practice and children in detention.

Partner Research: The IDC has developed partnerships with Robyn Sampson of Latrobe University, Melbourne to develop the handbook on alternatives to detention; and Australian academic and author Dave Corlett to undertake research into children in detention.

Member Research: The IDC has assisted many members in detention research over the past year including, the Association for the Prevention of Torture (APT), Jesuit Refugee Service (JRS) USA and Europe and Equal Rights Trust. We have also supported member research initiatives through sharing contacts, material and intellectual input by email and Skype teleconference.

3. Capacity Building

Facilitating training, resources and skills-sharing, as well as targeted partner projects with and between members, with a particular focus on members in the south.



Santha Fernando, NCCSL, at the IDC/APT Detention Monitoring Training, Kuala Lumpur, November 2008.

Asia Pacific Region

Given the number of children detained in the Asia Pacific region, it is a strategic regional focus for the IDC and we have been very active in the region in the past year. This includes supporting and building the capacity of members in the region through training, advocacy strategy meetings, regional network development and project development, such as the Malaysia Child Detention Project listed on page 9.

The IDC's work has included:

- Supporting the development of the Asia Pacific Region Refugee Rights Network (APRRN), and its first conference, the Asia Pacific Consultation on Refugee Rights (APCRR) in Kuala Lumpur in November 2008. The Conference had more than 110 participants, including 70 civil society groups from 13 countries across the region and was the first regional refugee civil society conference of its kind in the Asia Pacific region, organized by IDC South East Asian Regional Representative, Alice Nah.
- Sitting on the Steering Committee of the APRRN and funding a participant from Sri Lanka to attend the APCRR.
- Facilitating a detention advocacy strategy session during the APCRR, which included 30 individuals from 11 countries across the region working on detention issues
- An outcome of the APCRR conference was the development of the first Immigration Detention Working Group (IDWG) for the region, co-chaired by the IDC. The IDWG drafted a core position in detention and aims to work together for the rights, dignity and wellbeing of refugees, asylum seekers and migrants in detention in the Asia Pacific Region, through sharing information and good practice, training and developing advocacy strategies at the national, regional and international levels.
- The IDC has also supported two new exciting networks throughout the past 12 months – The Southern Legal Refugee Aid Network (SLRAN) and the first South Asian regional network focusing on refugee, asylum, IDP, migrant and detention issues, which has developed out of Colombo, South Asian Network Refugees, IDPS and Migrants (SANRIM).



APRRN Steering Committee, KL, November 2008

Regional Training

There is a great need for regional training, with more than 95% of IDC members in the south identifying it necessary to help in their work with detainees. This includes training in detention standards, detention monitoring, advocacy and working with detainees in a psychosocial capacity.

The IDC has undertaken and participated in the following training in the Asia Pacific region over the past year:

- Advocacy workshops with NGOs in Tokyo and Nagoya, Japan on detention advocacy and alternatives in late 2008.
- Detention monitoring training with the Association for the Prevention of Torture, civil society groups and Indonesian authorities in Jakarta in November 2008.
- Detention monitoring training of civil society groups with the APT as a part of the Asia Pacific Refugee Rights Consultations in Kuala Lumpur in November. This included 30 individuals, NGOs and UNHCR from around the region. Evaluation of the training showed that 82% thought the session was very good, 100% said it was helpful in their work and 91% were interested in further training. Due to the positive feedback, the IDC is exploring the facilitation of a training workshop on detention advocacy and working with detainees as part of the second regional APRR Conference in Bangkok in October 2009.

Malaysian Training

The IDC has developed a training package for civil society groups focusing on detention standards, visiting places of detention, psychosocial dimensions of working with detainees and worker self-care. This training was used to train Shelter and International Committee of the Red Cross (ICRC) staff to develop the Child Detention Project in Kuala Lumpur in April (See page 9).

UNHCR, civil society groups in Malaysia and the Malaysian Human Rights Commission (SUHAKAM) have requested similar training from the IDC, which is planned to take place in late 2009. The IDC hopes to expand its training to other regions in the coming year, pending funding.

Thanks to Maria Tucci and Victorian Foundation for the Survivors of Torture (Foundation House), the Association for the Prevention of Torture (APT) and Santha Fernando from the National Christian Council of Sri Lanka (NCCSL) for training assistance.



iStockphoto

Children in Detention

Thousands of children are detained around the world. Refugee, asylum seeker and migrant children are locked in prison cells, detention centres and closed camps.

Some have no parents and others are forcibly separated from their families and left alone with adults and guards, vulnerable to physical, sexual and psychological abuse.

IDC Visits of Detained Children

In 2008, the IDC Secretariat visited and completed reports on detention centres in Australia, Belgium, Japan and the USA.

In Belgium, the IDC met children detained with their families who were unable to leave the centre to go to school and allowed only one hour to play outside. The playground was clearly visible from the window of the detention centre.

In the USA, the IDC met unaccompanied minors detained in juvenile correctional facilities. One child had been detained for three years in four facilities. In one centre he was assaulted by a guard and had no legal counsel. The youngest detained unaccompanied minor who the IDC met was a five-year-old girl in the Boystown facility in Florida.

In Japan, the IDC met a Burmese mother held in a detention centre. Her children had been taken from her and placed in an orphanage.

In Malaysia, the IDC met with refugee children who had been detained in harsh conditions. Others were left homeless when their parents were detained, including a seven-year-old Burmese girl who was sexually abused following the detention of her mother.

Child Detention Project Malaysia

The IDC and Shelter, a Malaysian NGO, have developed a two-year pilot program aimed at improving the welfare of child

detainees in Kuala Lumpur, Malaysia. The project includes the employment of a child welfare worker to work with detained children and those affected by detention, and, where possible to visit Semenyih and Lenggeng Detention Centres. The project aims to provide psychosocial, welfare and community support and referral to detention-affected children identified as being of particular vulnerability and need. No other project of this kind exists in Malaysia.

The overarching vision of the project is to provide humanitarian assistance to children affected by immigration detention, to improve overall child welfare, to provide a regular independent presence in these detention centres where possible, and to encourage policy change through demonstrating a functioning alternative.

The IDC has previously reported on the growing concerns on the use and conditions of immigration detention for refugees and migrants in Malaysia, including children and unaccompanied minors. Shelter is unique in its extensive experience working with vulnerable children and visiting prisons and juvenile facilities in Malaysia.

The IDC has sourced two years' seed funding for the project, and aims to provide ongoing support to the project in an advisory function, with Shelter playing a coordinating role in the project. The project was implemented in April 2009 with a reference committee being created and comprised of Malaysian NGO groups and UNHCR. **For more details of Shelter's work visit www.shelterhome.org**

Thanks so much to the IDC for all the hard work and dedication showed on this project of detention of migrants in Malaysia. It's something that is so welcomed and needed.
Training participant in Kuala Lumpur, November 2008.

IDC Outcomes for Detained Children

Malaysia

In October 2008, three Burmese refugee children in Malaysia, about to be resettled to Australia, were caught in a raid and detained in Lenggeng Detention Centre. Their mother was arrested at the same time but later released, leaving the children alone in the centre with no caregiver. Through advocacy to the Australian Government, the IDC was able to assist the release of the children from detention, who arrived in Australia in February 2009 with their mother and siblings.

Other advocacy outcomes

Global Forum for Migration and Development (GFMD): The IDC successfully lobbied to include three of the eight IDC recommendations into the final statement to the 167 states by civil society, including recommendations to avoid detention, particularly for children and other vulnerable persons, and to develop alternatives.

US: Following the submission of the paper on the successful implementation of alternatives to detention in Australia, the Department of Homeland Security's Immigration and Customs Enforcement (ICE) Agency contacted the Australian Government for further details of these developments in May 2009.

The IDC will further lobby its paper in Washington, as well as in Europe in the fall of 2009.

Belgium

The IDC has impacted the development of alternatives to detention for children and families in Belgium, as well as the conditions in detention. The IDC visited the 127bis Detention Centre on June 20, 2008, and provided a report to the Belgian Government on a number of concerns regarding the regime, conditions and best interests of the children detained. On February 25, 2009, the IDC received a letter from the Immigration Minister, Annemie Turtelboom stating that: '*concerning your observations about the 127bis detention centre, my administration has reserved budget to better contribute to the humanization of the detention centre*'.

Following three days of IDC and member meetings with Government and Departmental Officers in Belgium on the issue of alternatives to detaining children, in June 2008, the Belgian media made the following report: "The Belgian Minister of Migration and Asylum, Annemie Turtelboom, said after a meeting on 20 June with Grant Mitchell, an Australian expert from the International Detention Coalition, that the current year is the 'last year during which children might be detained in closed centres for irregular immigrants'. The Minister showed interest for the Australian model of dealing with irregular immigration and indicated she was examining it with the aim to adapt it to Belgium in the coming months."⁴

In October 2008 the Belgian Government announced that children irregularly in the country would not be detained, but would be brought with their families to open housing accompanied by a coach. The pilot was introduced that month and has since assisted more than 40 children, with an average age of six, who would have previously been detained. While there are considerable improvements needed in the model, it has seen a significant shift in government policy and a reduction in the number of detained children.

Similar meetings held with members and governments about the successful Australian model are organized for 2009 in the UK, USA and EU member states.

4. <http://www.levif.be/actualite/belgique/72-56-18807/refugies-plus-d-enfants-enfermes-l-annee-prochaine.html>

2010

The IDC has a busy year ahead in its work to assist detained children, to improve conditions and promote alternatives to detention. This includes:

Launch and implement global *Child Detention Campaign*.

Launch and lobby the *Handbook on Implementing Alternatives to Detention*.

Develop and implement regional training and capacity-building initiatives in Southern Africa, the Middle East and North Africa, and Central America.

Finances

The IDC has sufficient funds to cover core costs until May 2010, as per the approved 2009/10 Budget. These include funds from the Oak Foundation, residual funds donated by the Lutheran Immigration and Refugee Service (LIRS) which had been held by the Jesuit Refugee Service in Rome, and funding from Planet Wheeler Foundation for core costs relating to campaign work on children in detention. The Myer Foundation has also agreed to fund the IDC AUS\$20,000 for research into alternatives to detention in the FY2010. Oxfam Australia has provided considerable in-kind support to the IDC, including workspace, administration and operations resources. Funding from a number of trusts and other potential donors is now being sought for core costs and additional projects for 2010/11,

including regional training, capacity building and campaign implementation.

For the majority of the year, financial transactions were processed via Oxfam Australia. Since the IDC was incorporated in March 2009, it has been establishing its own bank accounts and operating systems and is now processing its own financial transactions. The Statement of Revenue and Expenditure set out below is a combination of the transactions processed via Oxfam Australia and those processed directly by the IDC. Oxfam Australia continues to hold surplus funds on behalf of the IDC, pending the finalization of the remaining establishment matters. These funds will be progressively transferred to the IDC as required.

International Detention Coalition Statement of Revenue and Expenditure From 01/06/08 to 31/05/09

	Actual FY2009	Approved Budget FY2009	Variance
Income			
Oak Foundation	125,000		
Planet Wheeler	65,000		
LIRS	16,629		
Interest	15		
Total Income	\$206,644	\$128,500	\$78,144
Expenditure			
Administration	5,483	13,520	8,037
Salaries	71,747	67,490	(4,257)
Contracted Services	3,200	10,235	7,035
Projects	6,672	10,000	3,328
Travel	11,526	16,287	4,761
Equipment	3,919	4,200	281
Total Expenditure	\$102,547	\$121,732	\$19,185
Net Surplus	\$104,097	\$6,768	\$97,329

International Detention Coalition Balance Sheet as at 31/05/09

Assets	
Current assets	
Cash at bank and on hand	26,369
Amount held by Oxfam Australia	93,111
Total Assets	\$119,480
Liabilities	
Accrued expenses	15,383
Total Liabilities	\$15,383
Net assets	\$104,097
Members' Funds	
Accumulated surplus	104,097
Total Members' Funds	\$104,097

All amounts in Australian dollars

Acknowledgements

The International Detention Coalition would like to thank our members and friends from around the world who have supported the IDC over the past year.

Particular thanks must be given to our regional representatives, committee members, volunteers and the following interns; Sarah Leslie, Bridget Kessler, Brent Mayo,

Jeanne Hu, Alicia McCoy and Katherine Tranter. And Denise Cauchi from the Humanitarian Crisis Hub.

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A special thanks to Oxfam Australia for their continued support.

To donate, please visit: www.idcoalition.org



Children should not be detained

Alternatives to detention
must be pursued

Human rights for detained refugees, asylum seekers and migrants

Conditions of detention
must meet human rights
standards

Detention Of Refugees, Asylum Seekers & Migrants

Position of the International Detention Coalition¹

1. The detention of refugees, asylum seekers and migrants is inherently undesirable.
2. Vulnerable individuals – including children, pregnant women, nursing mothers, survivors of torture and trauma, trafficking victims, elderly persons, the disabled or those with physical or mental health needs – should not be placed in detention.
3. Children should not be detained for migration-related purposes. Their best interests must be protected in accordance with the Convention on the Rights of the Child. Children should not be separated from their caregivers and if they are unaccompanied, care arrangements must be made.
4. Asylum seekers should not be detained or penalized because they were compelled to enter a country irregularly or without proper documentation. They must not be detained with criminals and must have the opportunity

to seek asylum and to access asylum procedures.

5. Detention should only be used as a measure of last resort. When used, it must be necessary and proportionate to the objective of identity and security checks, prevention of absconding or compliance with an expulsion order.
6. Where a person is subject to detention, alternatives must first be pursued. Governments should implement alternatives to detention that ensure the protection of the rights, dignity and wellbeing of individuals.
7. No one should be subject to indefinite detention. Detention should be for the shortest possible time with defined limits on the length of detention, which are strictly adhered to.
8. No one should be subject to arbitrary detention. Decisions to detain must be exercised in accordance with fair policy and

procedures and subject to regular independent judicial review. Detainees must have the right to challenge the lawfulness of their detention, which must include the right to legal counsel and the power of the court to release the detained individual.

9. Conditions of detention must comply with basic minimum human rights standards. There must be regular independent monitoring of places of detention to ensure these standards are met. States should ratify the Optional Protocol to the Convention against Torture, which provides a strong legal basis for a regular and independent monitoring of places of detention.

10. The confinement of refugees in closed camps constitutes detention. Governments should consider alternatives that allow refugees freedom of movement.

¹ Based on identified international law, standards and guidelines. For the full position of the IDC please visit: www.idcoalition.org



**International
Detention Coalition**

Human rights for detained refugees,
asylum seekers and migrants

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