



# There are alternatives: Africa

## Guide for policy makers

This report provides an overview of alternatives to immigration detention in Africa. Drawing from examples in 32 African countries, the report highlights some of the measures in place that contribute to the effective and humane governance of migration, while avoiding the use of unnecessary immigration detention.

African policy makers are facing both internal and external pressure to manage migration more effectively. The research undertaken for this report demonstrates that:

- Many African States are managing migration well with strategies that respect rights and support preferred outcomes in a cost-effective manner
- Alternatives to immigration detention are found in a wide range of contexts across the region
- Non-government organisations (NGOs) are at the forefront of developing and implementing alternatives to detention in this region
- Alternatives for vulnerable groups, such as children and survivors of trafficking, are more widely available

This report is of particular use for immigration authorities and other departments responsible for domestic policy. The following areas are of specific interest to these key departments:

- There are existing State commitments – including national, regional and international laws and regulations – to develop and implement alternatives to detention
  - There are authorities in the region that can provide technical expertise in the development and/or expansion of alternatives to detention
  - A wide range of examples of alternatives to detention can be used to develop or expand implementation in your national context, with shared benefits for migrants and citizens
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This report will also be of value for government officials engaged in international and regional diplomatic roles. Specifically, it enables diplomats to:

- Identify avenues to protect your own citizens from immigration detention in other States through alternatives to immigration detention, and use this to advocate for those citizens during bilateral meetings
- Identify and expand opportunities for shared regional approaches that assist in reducing the need for immigration detention
- Name positive examples of domestic and regional law, policy and practice
- Draw from such positive examples to support arguments for particular commitments in inter-governmental agreements, such as the Global Compact on Migration and the Global Compact on Refugees

I wish you well in your endeavors to provide an effective and humane migration governance system.

Sincerely,



**Commissioner  
Maya Sahli Fadel**



### High-level political commitments

- ✓ Fifteen Southern African States have committed to “develop and implement alternative options to detention,” as well as implement MDSA Regional and National Action Plans to oversee progress.<sup>1</sup>
- ✓ The New York Declaration, adopted unanimously by all 193 UN Member States in 2016, includes State commitments to pursue alternatives to immigration detention and to work towards ending child immigration detention. These principles are now being transposed into a set of actionable commitments via the Global Compact on Refugees and the Global Compact on Safe and Orderly Migration. The IDC has outlined milestones for the Compacts through a Roadmap on alternatives to detention<sup>2</sup> and one on ending immigration detention of children.<sup>3</sup>
- ✓ **Zambia, Botswana, South Africa and Zimbabwe** are focus countries of UNHCR’s Global “Beyond Detention” Strategy,<sup>4</sup> resulting in coordinated national work to reduce detention and expand alternatives.

