

Pathways to Change

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A review of the European Alternatives to Detention Network's advocacy and influencing work in Europe, 2017-2023

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We express our appreciation to all individuals and organisations who have generously provided their time and expertise in contributing to this study and to the stories of change. We would also like to extend our particular thanks to the people with lived experience who we spoke with as part of the research for this paper.





Executive summary

Since 2017, the European Alternatives to Detention Network (EATDN) has been seeking to reduce and end immigration detention by building evidence and momentum on engagement-based alternatives. The Network brings together organisations running case management-based ATD pilot projects in Belgium, Bulgaria, Cyprus, Greece, Italy, Poland, and the United Kingdom. As a result of their collective work, Network members:

- ▶ Aim to collectively build evidence and act as a hub of learning on effective, rights-based alternatives to detention;
- ▶ Through practical implementation and qualitative and quantitative evaluation, seek to better understand and capture knowledge on models and processes that effectively engage migrants to resolve their cases in the community;
- ▶ Hope to initiate discussions and collaboration between governments, civil society, EU institutions and other stakeholders and support further development and expansion of engagement-based alternatives in the region;
- ▶ Aspire to be a movement for alternatives that can build migration governance systems that do not rely on detention.

The ultimate goal of the Network is to drive changes in policies and practices related to immigration detention and migration governance as a whole, promoting a more humane and effective approach that prioritises the rights, dignity and wellbeing of migrants and refugees. Advocacy is tailored to local and national contexts to ensure that it is impactful and effective.

Since the Network was set up, the migration policy landscape in Europe has shifted considerably. On the one hand, a number of European governments have introduced hostile policies and practices that serve to undermine the rights and dignity of people on the move; on the other, we have seen a willingness on the part of certain governments and decision-makers to explore approaches to migration governance that are based on engagement rather than enforcement, and which recognise and understand the potential of ATD.

In this context, over the course of 2023 IDC has worked with the members of the EATDN to capture the progress of the Network since 2017 and to examine its impact when it comes to changing policy and practice. This study is an attempt to document this impact, as well as to identify remaining gaps and challenges when it comes to advocacy for an end to immigration detention and promoting community-based ATD. A number of factors emerged as important for the success of the Network's advocacy efforts and served as 'pathways' for change:

- ▶ Adopting of a solutions-based, propositional approach when it comes to advocacy around ATD;
- ▶ Framing the Network’s advocacy in the context of a wider European movement;
- ▶ Linking case management with strategic advocacy to ensure concrete messaging based on strong evidence;
- ▶ Sharing experiences and peer learning amongst EATDN members;
- ▶ Development of relationships and informal agreements with government actors;
- ▶ Deepened awareness and expertise among government authorities;
- ▶ Consistent support and commitment from funders;
- ▶ Strong and strategic coordination of the Network.

A number of key learnings have also emerged, which highlight the importance of **adopting a principled approach and reclaiming the narrative around ATD, framing ATD within broader migration governance contexts, forging diverse partnerships and alliances**, and the importance of **maintaining flexibility and a long-term vision in advocacy efforts**.

These insights have shaped the Network’s strategies to effectively advance engagement-based approaches, challenge existing paradigms and address the evolving dynamics of migration governance.

Finally, this study allows the Network to effectively articulate some of the gaps and challenges that we face as we continue our advocacy around ATD.

These include:

1- the difficulty and need to ensure that informal relationships evolve into formal agreements and are scaled up, thus enabling the **expansion of case management-based ATD and more systemic change;**

2- project sustainability and the importance of **securing adequate funding to support and maintain ATD projects and also to sustain advocacy efforts for meaningful change;**

3- confronting scepticism when it comes to ATD, and **ensuring that the concept is clear for a wide range of stakeholders;**

4- conflicting government priorities when it comes to scaling up ATD while also increasing their detention capacity.

Going forward, the Network will seek to adapt our work according to the outcomes of this study in order to better ensure our ability to build broader partnerships and alliances, promote rights-based ATD approaches, work towards ending immigration detention and centre the voices and experiences of those directly impacted by detention policies. We also hope that the findings outlined in this report will serve to inspire others who are undertaking advocacy journeys for systemic social change, and help them to successfully map out and navigate their own pathways to change.



Introduction

An increasingly hostile environment

In recent years, Europe has witnessed an increasingly hostile environment towards migrants and refugees, with many governments adopting stricter immigration policies and anti-migrant rhetoric. A number of factors have contributed to an increase in hostility towards migrants, refugees and people seeking asylum in the region, including rising nationalism, economic uncertainty, and increased xenophobic discourse.

The so-called “refugee crisis” from 2015 onwards led several European Union (EU) member states to amend their asylum and migration laws, tightening legislation and restricting the rights of people seeking asylum.¹ Hungary erected a 175 km-long fence at its border with Serbia while Denmark introduced limitations to the asylum process and Austria limited the duration of refugee status from a permanent residence permit to a three-year temporary residence permit.² Nonetheless, not all governments followed this trend; Germany, for instance, suspended the Dublin regulation for people seeking asylum from Syria and hosted a large number of refugees and migrants.

Most States have since then continued passing restrictive legislation and implementing policies that seek to curb migration and effectively deny rights to migrants. Italy has implemented a number of policies aimed at restricting immigration, including closing its ports to rescue ships carrying migrants, and imposing fines on boats that bring people rescued at sea to Italian shores.

Recently, following a shipwreck in which 88 people died in March 2023, the Italian government adopted a new decree on immigration³ which criminalises those driving such boats and introduces changes to the ‘special protection’ regime, reception and detention centres, and the length of labour permits.⁴

The United Kingdom (UK) has also significantly tightened its immigration policies, with the Government implementing a series of measures aimed at reducing the number of migrants and refugees entering the country. On 20 July 2023, [the Illegal Migration Act](#) - which aims to stop people from crossing the Channel in small boats - received Royal Assent. The Act provides that anyone who arrives in the country irregularly will have their claim deemed “inadmissible” and the Home Office will not consider their claim, leading to potential indefinite detention and subsequent removal to their country of origin or to a “safe third country”.⁵ The Act also requires authorities to immediately detain for 28 days anyone, including families with children as well as unaccompanied children, arriving in the UK irregularly.⁶ Prior to this Act, in April 2022, the then Prime Minister Boris Johnson announced that anyone arriving in the UK irregularly would be relocated to Rwanda.⁷ While the UK High Court ruled in December 2022 that the scheme was legal, it is still facing further challenges in the courts and no one has yet been sent to Rwanda.⁸

Moreover, Greece has faced criticism for its treatment of migrants and refugees in overcrowded camps on the country's islands, with reports of poor living conditions, violence and exploitation. The Greek Government has been criticised for failing to provide adequate support and for allowing conditions in the camps to deteriorate. Cyprus has also faced criticism over its treatment of migrants and refugees. UN Secretary-General António Guterres warned that the situation of people seeking asylum and refugees across the island continued to be a challenge.⁹

At a regional level, the EU Pact on Migration and Asylum, proposed in 2020, is yet another sign of the tendency towards restrictive policies that are geared towards preventing arrivals and facilitating returns.¹⁰ The Pact ostensibly aims to establish a more coordinated and humane approach to migration in the EU but has faced criticism for its potential to increase the detention of migrants. In fact, under the Pact, people arriving irregularly in the EU will be immediately detained during the pre-entry screening for up to 5 days and following the screening, they will either have access to the asylum procedures, be channelled into return procedures or be refused entry to the EU territory and subsequently returned with an even lower set of safeguards.¹¹ Under current proposals, the only exceptions provided are for children under the age of 12 and unaccompanied children unless there are national security reasons.

Opportunities in a challenging context

Despite the worrying trends set out above, there remain opportunities in the midst of a challenging context for migrants' rights advocates to present alternative approaches to migration governance. Governments across the political spectrum accept that immigration detention is not an effective solution to the complex issue of migration; it is expensive, harmful to individuals and communities, and does little either to support case resolution or deter those hoping to make the journey to Europe.

Moreover, the response of European governments to the Russian invasion of Ukraine - and the large number of refugees that fled Ukraine - has provided a blueprint for a better way of governing migration. Instead of focusing on restriction and control, governments have ensured that refugees from Ukraine are housed in the community, are able to access essential services, and benefit from clear and lawful status through the Temporary Protection Mechanism.¹² Detention has, quite rightly, not been on the table for the vast majority of people arriving from Ukraine.¹³

Beyond the response to the conflict in Ukraine, over recent years there has emerged a clear wave of enthusiasm from States when it comes to learning about alternatives to detention (ATD), as well as an increasing acceptance of their effectiveness. This has been evident from the promising practice in a number of European countries, alongside the increasing visibility of detention and ATD in a number of international fora.¹⁴

This has led to a rise in interest in peer learning approaches, with States like Portugal willing to act as ATD “champions” and thus successfully connecting national, regional and global efforts.

Alongside the growing movement on ATD, the momentum to end child immigration detention has gained significant traction at both the international and national levels. Coordinated global efforts, such as the Global Compact for Migration (GCM) and the 2022 International Migration Review Forum (IMRF), have led to progress in this area. At the IMRF, for instance, Germany pledged to end child detention, demonstrating a clear evolution at national level. Moreover, international efforts have also been driven by initiatives such as the work of the Special Representative on Violence against Children and the Global Campaign to End Child Immigration Detention,¹⁵ led by IDC and partners.

Finally, an important aspect when it comes to advocacy for ATD as a means to reduce and end immigration detention is the active and ongoing effort to ensure that the voices of leaders with lived experience are at the centre of such discussions. While significant progress has been made in mainstreaming the concept of ATD and incorporating engagement-based approaches to promote and protect people’s rights over the past 15 years, it is equally crucial to prioritise the perspectives and insights of those who have directly experienced detention.

By actively involving these individuals as key stakeholders, policy discussions can benefit from their experiences, which are essential for shaping effective strategies and bringing about change in the migration and detention areas.

Overall, there is a clear shift in the landscape when it comes to immigration detention. While we see ongoing hostility to migrants and refugees, other developments show that stakeholders are increasingly recognising and understanding the potential of ATD, thus taking the focus away from detention. Within this context, the EATDN has and continues to play an important role in advocating for ATD in Europe.

Purpose and objectives of the study

For this study, IDC collaborated with Network members to capture the progress of the EATDN over the past five years and to assess the Network’s impact on policy and practice. Moreover, the study seeks to identify any remaining gaps and challenges when it comes to advocating for an end to immigration detention and promoting community-based ATD.

The Network has generated substantial evidence of the effectiveness of ATD through various pilot projects. We therefore felt that it was crucial to comprehensively review its progress in terms of influencing policy and practice. The study looks at the progress at national and regional levels and seeks to determine which tactics have been most successful while also trying to determine why our impact has differed in the various national contexts where pilot implementers are working.

The three main objectives of the impact study are to:

- 1 Evaluate the impact of the EATDN when it comes to using ATD as a strategy for reducing and ending immigration detention across Europe;
- 2 Ascertain key gaps and challenges as regards advocacy for ATD at national and regional levels, as well as opportunities and spaces for influencing;
- 3 Measure the different advocacy impacts of each pilot project and the EATDN as a whole.

The study seeks to inform the future work of the Network, as well as highlighting crucial learnings that may be useful to others embarking on long-term journeys of change in highly politicised situations. Looking at the reasons behind varying impacts in different national contexts can be valuable for others involved in similar movements as well as observing the importance of framing work within broader narratives, strategic coordination and working with diverse allies and partners. The study equally acknowledges the challenges of ensuring systemic change and project sustainability while emphasising the importance of engaging in broader partnerships and alliances, promoting rights-based ATD, and centring the voices and experiences of those directly affected. By publishing this study, we aim to share the Network and member experiences with the wider community and contribute to the collective effort of ending immigration detention across Europe by demonstrating the impact thus far and opportunities for future influence.

Methodology

The study combines both narrative assessment and outcome harvesting methodologies.

Outcome harvesting

The study employs a ‘light lift’ outcome harvesting¹⁶ to identify, describe, verify and analyse the advocacy impact of the Network. The process of designing the outcome harvest included a number of steps: 1) designing the harvest; 2) reviewing documents and drafting outcome statements; 3) engaging with changemakers; 4) substantiating the outcome statements; 5) analysing and interpreting; 6) answering our harvest questions and reviewing our Theory of Change (ToC).¹⁷ These steps involved data gathering, interviews (with members of the EATDN, people with lived experience of immigration detention/ATD, and policymakers), and workshopping.

This methodology is useful to the study as it helps collect evidence of what has changed and then, working backwards, helps determine whether and how an intervention contributed to the identified changes. It is particularly well adapted to evaluating success in advocacy efforts, which are often non-linear and do not necessarily adhere to traditional logic models for outcome-based learning.¹⁸

Narrative assessment

Narrative assessment¹⁹ was employed to build credible and insightful narratives about advocacy in order to serve as a way of better assessing impact.

This methodology uses stories co-created with advocates themselves in order to serve as a tool for monitoring and evaluating and to better communicate programme results, something that can be challenging in the context of advocacy efforts. The process of constructing such stories also allows advocates to engage in reflection and learning around their work and to interpret outcomes. It allows for a better understanding to develop of how and why things happened as they did, capturing contextual dimensions, local capacities and advocates' sense-making. In order to develop stories of change for each EATDN member, IDC conducted narrative interviews with advocates involved in the delivery of the pilot projects as well as other relevant national stakeholders; from these interviews, we drafted stories which were then shared with advocates for their inputs and edits a number of times.

Narrative assessment is particularly valuable when looking back at advocacy efforts as it helps capture their nuanced and complex nature. By employing narratives co-created with advocates themselves, the methodology helps assess impact and fosters a deeper understanding of the challenges, successes and contextual factors influencing the Network's work. It allows for the exploration of how and why certain strategies have been effective in specific national contexts, shedding light on the dynamics of influencing change on immigration detention and ATD.

Moreover, narrative assessment facilitates reflection and learning amongst advocates, empowering them to critically analyse their approaches and adapt them for future endeavours. Ultimately, through use of this methodology, the study can provide insights and recommendations to guide others embarking on similar long-term journeys of change.

Combining both methodologies

The two methodologies build upon and complement each other. As narrative assessment builds on outcomes developed through outcome harvesting, the first step was to identify the outcomes and subsequently draft the stories of change to illustrate these. The identified outcomes were crucial to guide the interviews with members of the EATDN. The combination of these methodologies enables the impact study to provide a comprehensive and robust picture of the advocacy impact of the EATDN.

To obtain the necessary information for the study, and in line with our research methodology, we engaged in different information gathering activities:

- ▶ Review of existing literature from pilot projects (evaluations and reports);
- ▶ Conducting semi-structured interviews with EATDN members, other relevant organisations and people with lived experience of detention/ATD;
- ▶ Co-producing narratives around change;
- ▶ Verifying information obtained with EATDN members during the EATDN meeting in May 2023 and facilitating a discussion on a collective story of change.

Scope and limitations

The study aims to assess the effectiveness of using ATD as a strategy for reducing and ultimately ending immigration detention across Europe, specifically by reviewing both the advocacy impact of the EATDN and the impact each pilot has had at a national level. The study focuses on the efforts of Network members and of the EATDN as a whole - including how IDC has supported and enabled influencing work in its work as coordinator of the Network. In the evaluation, we have considered all eight projects spread across seven countries under the EATDN.²⁰

The limitations of the study include the potential difficulty in capturing and measuring the impact of the EATDN and (pilot) projects across a range of national contexts with varying legal frameworks, political climates, and cultural attitudes towards immigration and migration-related detention. The study may also be limited by the availability of data and information on the advocacy impact of the pilot projects, but also by the fact that it is difficult to attribute changes in attitudes, policies, or behaviours solely to advocacy efforts.

Also linked to the difficulty of attributing change, external factors such as changes in political or social climate can affect the outcomes of advocacy efforts, making it difficult to fully measure the impact of advocacy efforts. Moreover, changes in staff within the organisations implementing the pilot projects, but also on part of the relevant authorities with which partnerships and relationships were developed, complicate our ability to review impact and change over time.

Moreover, while interviews with policymakers and government authorities were intended to substantiate the identified outcomes and obtain an understanding of the impact of the Network from an external perspective, this has not yet been possible at this stage of the study.²¹ Also, while one interview with a lived experience leader was undertaken, further interviews have not yet been organised.



The European Alternatives to Detention Network

The EATDN is a group of European NGOs that seeks to reduce and end immigration detention through the building of evidence and momentum on engagement-based alternatives. Created in 2017, the Network brings together organisations running case management-based ATD pilot projects in seven European countries including Belgium, Bulgaria, Cyprus, Greece, Italy, Poland and the United Kingdom. IDC facilitates the Network and the Platform for International Cooperation on Undocumented Migrants (PICUM) supports the Network's advocacy at the EU level.

In terms of its objectives, the Network:

- ▶ Aims to collectively build evidence and act as a hub of learning on effective, rights-based alternatives to detention;
- ▶ Through practical implementation and qualitative and quantitative evaluation, seeks to better understand and capture knowledge on models and processes which effectively engage migrants to resolve their cases in the community;
- ▶ Hopes to initiate discussions and collaboration between governments, civil society, EU institutions and other stakeholders and support further development and expansion of engagement-based alternatives in the region;
- ▶ Aspires to be a movement for alternatives which can build migration governance systems that do not rely on detention.

The EATDN undertakes a number of activities in order to progress towards its objectives. Firstly, the Network facilitates networking and collaboration among its members and other stakeholders as regards ATD. This is partly done through the organisation of events as well as sharing resources and information. Secondly, the Network collects and disseminates research and data regarding the negative impacts of detention on migrants, focusing on the effectiveness of alternative approaches. The Network also provides training and capacity building activities to civil society organisations, practitioners and governments, including sharing best practices. Finally, the EATDN raises public awareness on the benefits of ATD through media outreach, social media engagement and the publication of member reports.

The Network engages in advocacy efforts at the national and regional levels to promote the use of ATD. By engaging with policymakers, organising events, and interacting with and developing relationships with a range of stakeholders, the Network aims to raise awareness of ATD in migration governance.

The ultimate goal of the Network is to drive changes in policies and practices related to migration governance, promoting a more humane and effective approach that prioritises the rights and wellbeing of migrants and refugees. It is clear that not all advocacy efforts and strategies will have the same effect in different countries. For this reason, it is important to be aware of these differences and to tailor both our approach and our expectations.

The Network's Theory of Change²²

At the regional level, our aim is to reduce immigration detention and end it for vulnerable groups by **building evidence and momentum** on engagement-based ATD. The Network links NGOs running case management-based ATD pilot projects in Europe with regional advocacy organisations, and it conducts and facilitates **advocacy, peer learning and evidence generation** among Network members in order to:

- ▶ Increase knowledge, confidence and influence;
- ▶ Further practice and collaboration on ATD; and
- ▶ Shift narratives and grow momentum.

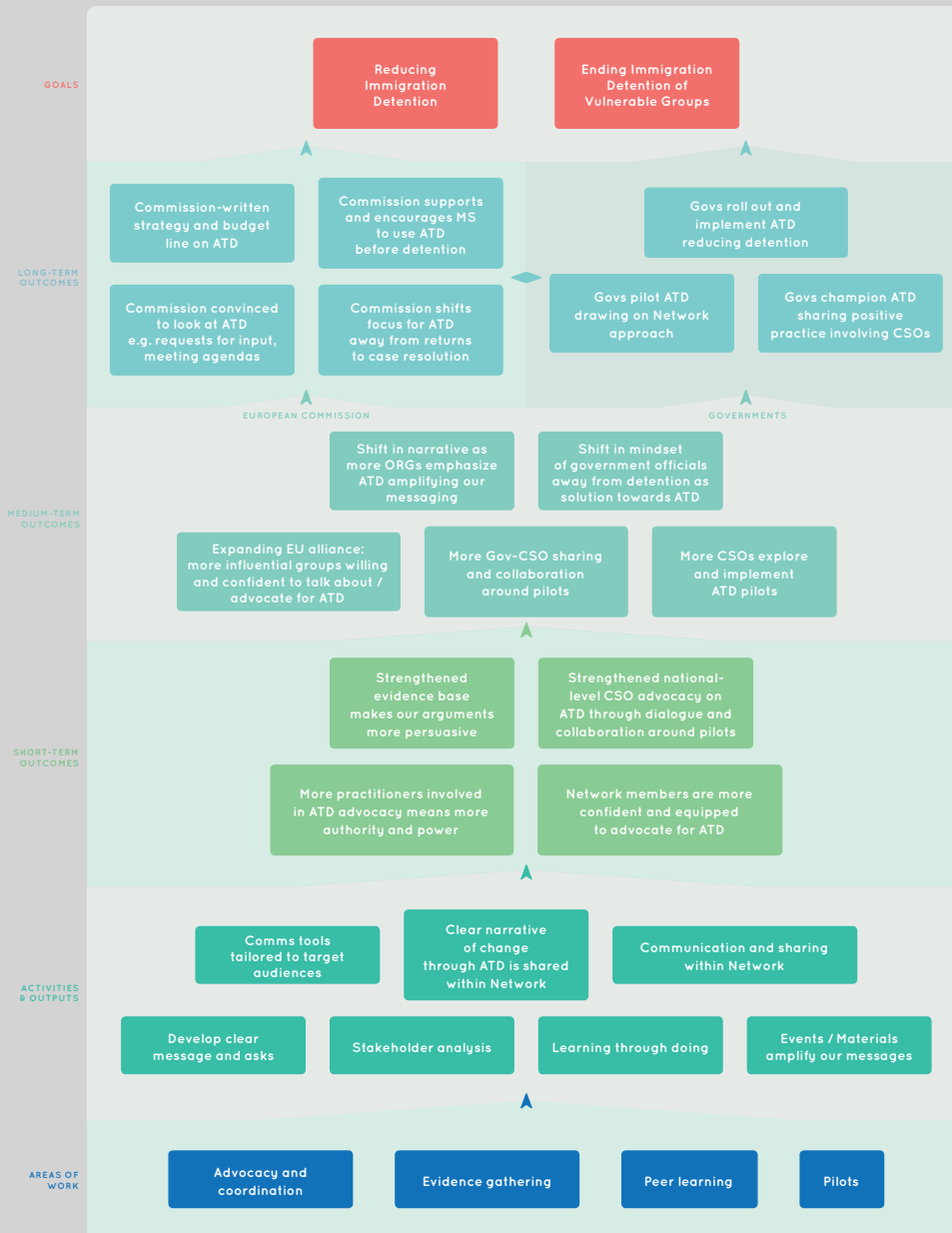
Through this, the Network aims to increase the European Commission's willingness and receptiveness to work on ATD and for more Member States to pilot ATD programmes, drawing on the Network's approach.

At the national level, ATD pilot projects aim to **reduce immigration detention and end it for vulnerable groups** and contribute to **increased and improved case management**. There are three strands of work on this:

- ▶ **Case management:**
Setting up pilot projects to deliver quality holistic case management to support beneficiaries and demonstrate that assessment and case management can be effective.
- ▶ **Advocacy and communications:**
Developing a shared narrative of change and tailored messages and communication tools, while mobilising key audiences in civil society and government.
- ▶ **Monitoring, evaluation and sharing:**
Develop shared data collection tools to feed into monitoring and evaluation and generate learning. Build our expertise and authority on ATD implementation and advocacy.

We intend to shift mentalities among individual officers at different governmental levels and also seek the support of key decision-makers to bring about policy and practice change to reduce and end immigration detention and to expand engagement-based alternatives, meaning increased and improved case management.

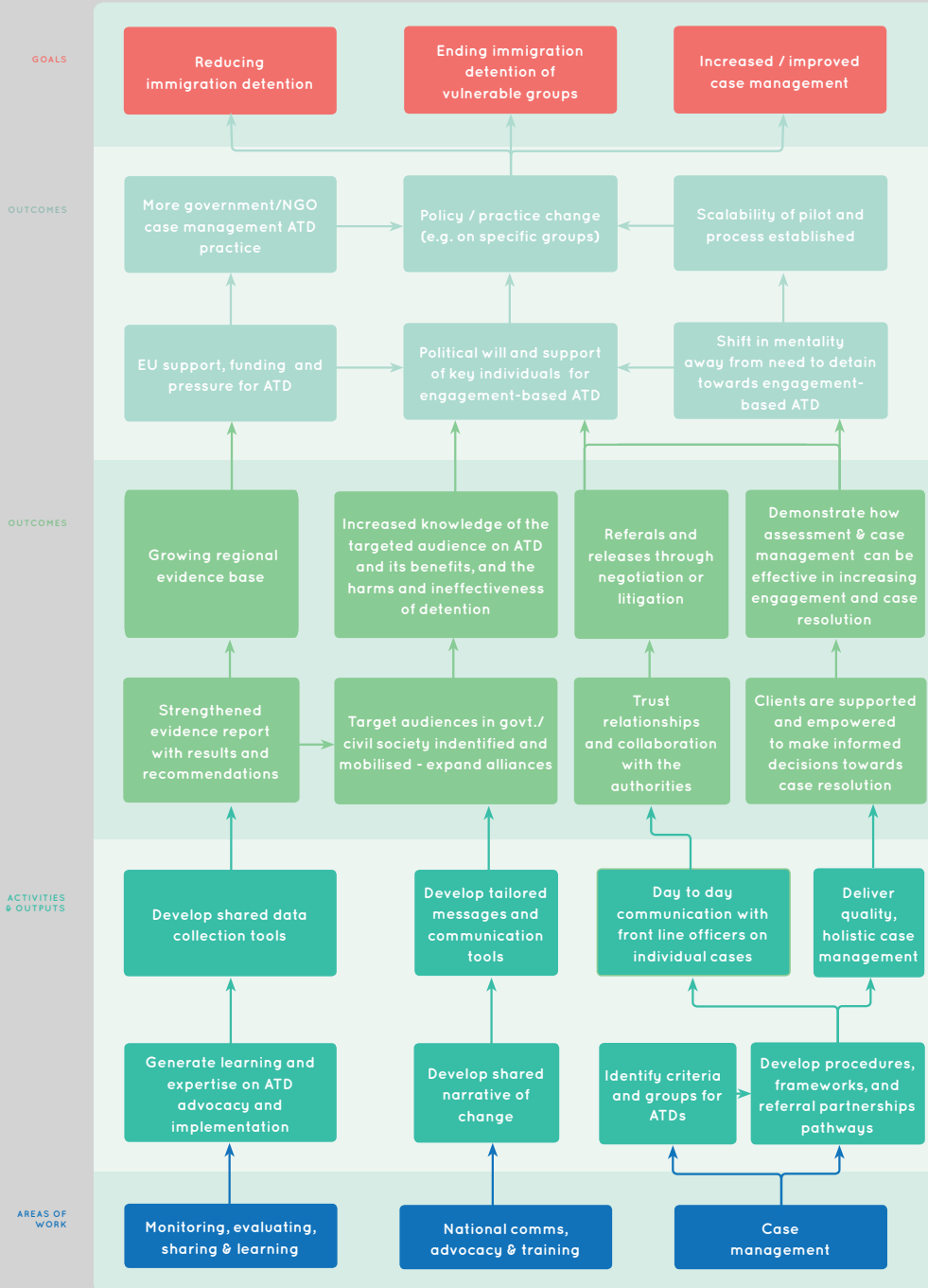
Regional-level theory of change



Regional-level Theory of Change



National-level theory of change



National-level Theory of Change





Pathways to change

There has been considerable progress when it comes to the Network's advocacy and work towards the medium- and long-term outcomes identified within the collective ToC (see above).

A selection of the identified outcomes from the pilots includes:

- ▶ Formal government-civil society partnerships were established to provide ATD;
- ▶ Development of institutional capacity for ATD in government departments;
- ▶ Establishment of working relationships with government departments and local authorities;
- ▶ Raised awareness and expertise among government institutions and parliamentarians;
- ▶ Enhanced understanding and increased interest in ATD among local NGOs, academia and the media.

From our desk review, interviews with EATDN members and other relevant stakeholders, consultation sessions that took place during the EATDN meeting in May, and the stories of change co-produced with Network members, a number of important recurrent themes have emerged that have enabled this progress:

▶ **Adopting a solutions-based, propositional approach**

For all Network members, their ability to answer the question “if not detention, then what?” with a concrete proposal has been crucial for their advocacy. Being able to concretely present case management-based approaches as an alternative to immigration detention consistently came up during our discussions with members. There was a sense from certain members that it allowed for a more pragmatic

stance as compared with organisations who are campaigning for an end to immigration detention without offering alternative approaches; this has facilitated access to policymakers, who tend to be less interested in hearing about what they are doing badly than how they can improve their practice. Rather than focusing on directly criticising the authorities, therefore, advocacy around ATD has been used as a way of finding common ground between the migration governance aims of States, civil society, migrant communities and people on the move themselves. Such a framing has opened doors that otherwise would have been closed, with a range of targets at the local, national and regional levels. One Network member told us that the authorities in their country - who had traditionally been reluctant to speak with civil society - began to see them as a “sensible” actor and that this made engagement far easier.

The ability to go beyond abstract, theoretical discussions has also been a strength of the Network's advocacy, and indeed the pilots were originally established to provide a basis for evidence collection and a 'proof of concept' for community-based ATD. One member told us that when EATDN members began their discussions with the authorities around ATD they were "quite theoretical and there was little practical proof of impact". However, through the collection of evidence of impact in different contexts, the EATDN has demonstrated the value of proposing a solutions-based and collaborative approach rather than adopting a more adversarial stance. Moreover, the fact that the Community Assessment and Placement (CAP) model and case management approach allow for adaptation meant that they could be tailored to the specific contexts that Network members were working in - meaning that solutions could be proposed that were relevant to local and national dynamics.

Yet members also pointed out that advocating for ATD has also allowed civil society to posit more radical solutions in some ways. One Network member, for instance, pointed out that civil society tends to focus in their country on improving detention conditions but does little to propose alternative solutions which would allow the government to move away from the use of detention altogether and support people to live in the community while resolving their migration cases. The idea of constructing a more positive narrative has thus been used by Network members to craft communications campaigns which emphasise support and engagement rather than control and coercion,

whilst the aspirational nature of ATD has been a way for Network members to engage with opposition parties during election campaigns; in Belgium, one opposition party has adopted ATD as a commitment within its electoral programme, whilst in the UK this is likely to be an issue that civil society will push for opposition parties to include within their manifestos in advance of the 2024 elections.

2 Framing advocacy in the context of a wider European movement

A recurrent theme that came out of all of the conversations with Network members was the importance of being part of a wider European movement - the EATDN - working towards a common goal. All the members spoke about the additional legitimacy that being part of a regional network gives them. In particular, for those organisations who were smaller or less well established, being part of a network gave them credibility that they may not otherwise have had; showing that they were part of a joint movement and were using tried-and-tested approaches (including IDC's CAP model) gave them the confidence to promote their pilot as something that went beyond their respective national contexts and was part of a wider approach.

Importantly, this additional legitimacy then translated into increased leverage with advocacy targets and, ultimately, more power in their dealings with the authorities. This was particularly the case when it came to EU Member States such as Bulgaria and Cyprus, who saw the benefits of applying approaches that were gaining traction elsewhere in the EU,

as well as for governments such as Belgium who are striving to be seen as exemplars when it comes to applying European values. However, the impact was more generally felt across the countries where Network members were active. According to one member, the Network was their “backbone” and gave them the ability to stand tall in their interactions with the authorities, knowing that they were representing a group of NGOs and not speaking out alone.

The opportunities that have arisen as a result of being part of the Network have also increased members’ credibility, both at home and abroad; in late 2022, CLA-Voice in Bulgaria was invited to share their experiences of delivering case management-based ATD at a training organised for the Georgian Ministry of Interior following a connection previously established by IDC. Alongside CLA-Voice in Bulgaria, the Bulgarian authorities were asked to attend and speak on their ongoing partnership with civil society in this area. This event proved extremely helpful for relationships with the Bulgarian authorities, who see the possibility of positioning themselves as a best practice example on ATD and have, as a result, been further incentivised to work on the issue.²³ In a similar way, the Belgian government has been brought into discussions around ATD at the global level, a link made possible because of IDC’s role as coordinators of the EATDN and co-chairs of the UN Migration Network workstream on Alternatives to Detention. The government has been asked to share their work on case management on a number of occasions, allowing them to position themselves as champions of ATD. These global developments have been key in shifting the narrative and practice around ATD in Belgium.

The international nature of the Network also helped to create specific advocacy opportunities which acted as a catalyst for change. A meeting that took place in 2018 between IDC, the Association for Legal Prevention (SIP) and the Polish Border Police was identified as the key enabling factor that led to the signing of an MoU between SIP and the Border Police.²⁴ Meanwhile, a roundtable that took place in February 2023 – co-organised by CILD, Mosaico, Progetto Diritti and IDC – has led to greater engagement with national and local ombuds institutions. The roundtable also generated parliamentarians’ support for a debate on detention and ATD at the National Assembly. Similarly, a closed-door roundtable discussion between the government and key stakeholders in Belgium was held in June 2023 with NGO and government representatives from another EATDN country. Following the discussion, the Belgian authorities told the organisers that the format had allowed for the most open discussion that they had ever had on the topic, and that bringing in external actors - as well as having IDC co-host the roundtable - had allowed for political tensions to be diffused. They also mentioned that the event had strengthened the collective resolve of government departments to explore more partnerships with non-governmental actors, something that they see as vital for moving forward.

Even in those countries where international examples are not seen as a particularly useful tool for advocacy - notably the UK - it has been helpful to have examples to draw on from elsewhere as they have allowed civil society to show that the approach is neither aspirational nor abstract, but that it is already happening across Europe.

3 Linking case management with strategic advocacy

Making a link between case management and strategic advocacy has been a central feature of the Network pilots since 2017; by combining service provision and advocacy, the Network has been able to achieve progress through its focus on providing workable solutions to complex problems.

In particular, employing “advocacy through doing” - whereby advocacy with the authorities on individual cases allows members to highlight the benefits of engagement-based ATD more generally - has allowed for a “micro to macro” approach that allows for wider trends to emerge as a result of day-to-day conversations and engagement.²⁵ This is facilitated by using evidence derived from case management, highlighting good practices or policies for specific groups. Linking case management and advocacy has also allowed for relationships to emerge that might not have been possible without the Network’s pilot projects. For instance, when interacting with government authorities Network members have had the opportunity to speak both with senior policymakers and those at working level. This has allowed them to shape their messages to the former in line with the concerns and priorities of the latter, as well as creating links between different departments that may not have existed. Outside such relationships with policy-makers, the Network’s approach has also allowed for collaboration with a greater number of actors, including those outside the migration sector (including social workers, homelessness actors, and local authorities).

The evidence produced as part of the EATDN monitoring and evaluation processes (enabled by EPIM, the European Programme for Integration and Migration²⁶) has also been key; the 2018²⁷ and 2020²⁸ pilot evaluations - in addition to the more recent evaluation of Action Foundation’s ATD pilot,²⁹ published in 2022 - have given Network members a solid evidential basis in which to root their advocacy. The lack of data and research on the effectiveness of ATD is often pointed to as a shortcoming, so having this body of evidence has given members increased legitimacy in their advocacy as well as the ability to speak about the success of case management beyond abstract principles.

4 Sharing experiences and peer learning amongst EATDN members

In addition to the advantages of framing their work within the context of a wider European movement for the purposes of their advocacy, membership of the Network was highlighted during our interviews as a crucial enabling factor in allowing members to share experiences across contexts, learn from their peers, strengthen their knowledge of advocacy tactics, and troubleshoot collectively.

Organisations that were new to case management and ATD found the support of the Network particularly key for their work as they set up and established their pilots. For some, this support came in the form of securing funding; for others, it was technical support on case management-based approaches and applying the CAP model.

For the first cohort of pilots (in Bulgaria, Cyprus and Poland), having Detention Action as a member of the Network brought a wealth of experience in case management-based approaches. For organisations like SIP in Poland, whose main focus up to 2017 was legal assistance rather than case management, this was invaluable when it came to developing their case management expertise.³⁰ The more recent cohorts also benefited from this type of exchange. HumanRights360 (HR360), for instance, found it extremely beneficial to be able to learn from the first cohort of pilots and to understand common pitfalls that they had come up against in establishing their pilots and how they had addressed these.³¹

Others spoke about the advantages of working towards a joint ToC, which allowed members to see their work in the perspective of a broader strategy that could be adapted to national contexts but also had a direct link to the broader advocacy landscape. At the regional and international levels, the role of IDC and PICUM has also been key in ensuring a feedback loop which means that members can feed into regional and global processes and are then kept informed about developments and outcomes at those levels. This has helped to increase the Network's impact at the regional and global levels as well as strengthening the confidence of members to position themselves as advocates on ATD in a range of fora. On a more fundamental level, the Network has been - and continues to be - a space for organisations to come together and "speak the same language", as one member put it during the Network meeting that took place in May 2023.

The use of case management as an ATD continues to be a relatively underused concept, and in most cases Network members do not have peers in their national contexts who work according to this approach. The Network has been a way of ensuring support to members, reassuring them that the issues that they are seeing in their contexts are similar to those faced by members across Europe, and keeping people motivated. It has also been a forum where successes can be celebrated and where progress - even where slow - is acknowledged.

5 Developing relationships and informal agreements

The EATDN's advocacy efforts have yielded several concrete results, one of which is the development of working relationships with relevant authorities in almost all pilot countries. Some Network members have established informal agreements, while others have gone further by signing formal agreements - such as Memoranda of Understanding - with authorities. This was the case for SIP in Poland in 2018, for instance, representing a real turning point in their engagement with government authorities. Shortly after a meeting with officials from the Border Police, an agreement was signed whereby people with specific vulnerabilities who are at risk of detention would be referred to their pilot project instead of being put in detention. Cyprus Refugee Council (CyRC), meanwhile, established an unofficial partnership with the national government's Civil Registry and Migration Department (CRMD) whereby people were released into their ATD pilot.³² This followed years of engagement and advocacy, which led to the appointment of a dedicated ATD Officer within the CRMD in October 2020.

As previously mentioned, Network members' individual and collective strategies relied heavily on advocacy efforts towards the authorities, which played a crucial role in their success. They achieved this through various means which involved effectively using the evidence that came out of their pilot projects and consistently engaging with representatives of the authorities. Depending on the country and context, members engaged with authorities at different levels. For instance, in Greece, HR360 presented and discussed ATD with the detaining authorities.³³ While the Police were open to the work and receptive to the concept, however, there was a lack of political will to engage at higher levels. In contrast, in Belgium, JRS Belgium focused on private advocacy with a range of targets, including the Immigration Office and Fedasil, but also with members of the Cabinet; during our interview, JRS Belgium staff expressed how surprised they had been that many of these conversations occurred at a more senior level than expected.³⁴

Ensuring that referrals of cases by authorities to the ATD pilots operated by Network members were systematic rather than ad hoc, and that relationships would persist despite staff changes and political uncertainty, has proven difficult. CyRC told us that despite the development of a positive working relationship with the country's immigration department, for instance, staff changes had led to a deterioration in communications. Despite this, engagement has continued, although to a lesser extent.³⁵

Interestingly, as pointed out by SIP, their engagement and working relationship with the authorities throughout the duration of the project had been so successful in shifting attitudes and demonstrating the effectiveness of engagement-based ATD that, when they advised officials that the pilot would be coming to an end, a number of them within the Border Police expressed their "disappointment."³⁶

6 Deepened awareness and expertise among authorities

Not only have the members of the EATDN led pilot projects in their countries and, in many cases, collaborated with government authorities in their implementation, but through the activities involved in their projects, members have deepened the awareness and expertise of government authorities as regards case management-based ATD. The findings from our interviews with members of the EATDN and from our literature review indicate that authorities at various levels have shown a heightened understanding of engagement-based ATD.

In many countries where members of the EATDN are based and where the pilot projects were undertaken, the concept of case management ATD was completely novel. Members therefore had to first introduce the concept to authorities. Several of them arranged meetings with authorities at different levels to begin engaging. For instance, in Poland, SIP realised that the development of a working relationship with the Police may be more beneficial than engaging at higher levels, after having worked in detention centres and conducted joint activities with the government.

As outlined above, several meetings with the Border Police were arranged after around a year of engaging with authorities in order to first introduce the concept, which subsequently led to the establishment of an MoU between SIP and the Border Police.³⁷ CLA-Voice in Bulgaria also mentioned that in order to mainstream engagement-based ATD, they began by building connections and developing relationships of trust at a working level with the migration authorities, including the border Police and the regular Police.³⁸ Thanks to these connections and relationships, CLA invited migration authorities to public debates and events on engagement-based ATD (including, for instance, the training in Georgia mentioned above).

Advocacy in Cyprus and Belgium also led migration authorities to incorporate and implement the concept at the government level. As previously mentioned, in Cyprus the CRMD appointed an ATD Officer within the department to coordinate ATD work. Also, in Belgium, the Immigration Office set up an Alternatives to Detention department, which became effective in June 2021, and which has begun the deployment of Individual Case Management (ICAM) coaches to support undocumented people to resolve their cases. While the EATDN's approach to case management-based ATD may be distinct from the way these departments view the concept, the creation of these positions within government institutions demonstrates a strong interest from authorities to engage with the idea as well as develop understanding and expertise.

Not only has there been increased awareness and expertise among national authorities, but local authorities have also gained an understanding and an interest in engagement-based ATD. CILD and Progetto Diritti in Italy had more success in discussing the concept at the local level rather than national level, for instance, given current national developments (some of which are mentioned above).³⁹ Mayors in certain Italian cities saw the issue to be highly relevant to them and thus working and advancing the narrative at local level proved more effective than discussions with national authorities. This was also the case in Greece, where local Police, especially the Athens Border Police - with whom HR360 established a working relationship during the project - developed an understanding of engagement-based ATD. Yet, HR360 told us that while authorities generally are aware of the concept and ATD, as such, is established in national laws, there is a large discrepancy in the understanding and implementation between localities.⁴⁰ In Athens, the Police are much more willing to approve ATD, whereas in other areas, especially at the border areas, both the Police and the courts appear to be more reluctant, seeing ATD as a "pull factor."

In addition to introducing and increasing knowledge on ATD, it was also important to work on shifting the mindset of authorities. In Poland, while it took years of advocacy to meet with authorities and discuss ATD approaches, there was a clear shift in mindset from part of the authorities. Referrals of cases increased with time, and at the end of the project, the Police were even disappointed that cooperation could not go further.

A better understanding on the part of the public and NGOs was also important in pushing for a change in attitude at the government level. In Italy, much of the work undertaken by the CILD and Progetto Diritti has attracted the attention of media outlets and journalists, such as their “Black Holes” report on immigration detention in Italy.⁴¹ This led to publications in the press and thus greater public awareness of these issues. This has also demonstrated the importance of adapting advocacy approaches to national realities and ensuring that there is a clear understanding of which tactics may be most effective in different contexts.

7 Consistent support and commitment from funders

The key role played by funders - and in particular the European Programme for Integration and Migration (EPIM) - in driving forward work on detention and ATD emerged strongly as a theme across discussions with EATDN members. Whilst not all Network members have the same funding sources, EPIM has been a major source of funding for the majority of pilots since 2017. The importance of their support cannot be understated and goes far beyond financial support.

From the inception of the Network and the pilots, EPIM was heavily invested in this area. In a number of countries - including Bulgaria, Greece and Italy - as well as at the regional level, EPIM worked closely with IDC and PICUM to bring together the partners who would go on to form the Network.

The model that EPIM and the Network coordinators had chosen to promote and support, moreover, meant that from the start the pilots were not simply implementing case management but had a strong advocacy element with dedicated resources. This has been a defining characteristic of the pilots; by combining service provision and advocacy, the Network has been able to more strategically demonstrate impact and effect change. Moreover, the ongoing funding provided by EPIM has been important in allowing for such advocacy efforts to continue in practice - even when the implementation stage of the pilots ends, as is the case in Poland. This support has given members the opportunity to continue working on advocacy around ATD in the context of the Network, using the evidence gathered in the context of their pilot; given the long-term nature of much advocacy around migration policy, this support has been invaluable.

From the start, EPIM included a clear commitment to ensure that it invested in capacity building and upskilling amongst Network members. Whilst all of the members had considerable expertise working on migration and immigration detention in their respective contexts, not all of them had strategic advocacy or even case management experience. In Bulgaria, for instance, EPIM worked with grantees to not simply build their capacities but to ensure the health of the organisations more generally and to foster local CSO networks.

This approach - which was taken in a number of countries - was essential to ensuring the sustainability of members, a number of whom were relatively small organisations with limited funding. It has been invaluable to ensuring their long-term survival and has been a key enabling element when it comes to providing them with the stability and certainty they need to invest in developing their advocacy and influencing work.

8 Strong and strategic coordination of the Network

The final theme that emerged from our review of the literature and conversations with Network members and partners was the importance of strong and strategic coordination of the Network itself.

Given the competing priorities and challenges faced by members in their day-to-day work, the importance of having an organisation responsible for coordinating joint activities and reflection became abundantly clear. This dedicated capacity has been key to the continuity of the Network and has also allowed for better sharing of experiences and knowledge. In particular, IDC's expertise in solutions-focused advocacy has been instrumental to ensuring a strong link between case management and advocacy. IDC and PICUM supported members to work towards a joint ToC at both the national and regional levels, allowing them to view their work in the framework of a broader roadmap to achieving change. During our interviews, a number of members mentioned how useful this ToC had been, both in guiding their own efforts and also gaining buy-in from other stakeholders.

IDC's approach to advocacy - which links the local, national, regional and global contexts to influence change - has also allowed for the work of the Network to be amplified at a number of levels. The roundtables organised in Belgium and Italy were highlighted as examples of the added value of the EATDN when it comes to supporting advocacy efforts at the national level. In these cases, the support provided by IDC ensured that knowledge and best practice was brought in from other Network members, bringing a regional and international perspective to conversations. Members' achievements have also been showcases in regional fora and as part of the UN Migration Network's global peer learning events, coordinated by the Workstream on ATD⁴² (which IDC co-leads). In turn, these global events then feed back to national and local levels, lending Network members' advocacy increased legitimacy and credibility.

Finally, Network members have pointed to the technical expertise that they have gained thanks to the Network. In addition to peer learning - highlighted above - this has included support to advocacy efforts (including a range of initiatives, from the organisation of national roundtables to lobbying government officials) as well as support in securing funding and technical expertise around case management-based approaches.



Key learnings for ongoing advocacy

The learnings that came out from the study involve the importance of adopting a principled approach and reclaiming the narrative around ATD, framing ATD within broader migration governance contexts, forging diverse partnerships and alliances, and maintaining flexibility and a long-term vision in advocacy efforts. These insights have shaped the Network's strategies to effectively advance engagement-based approaches, challenge existing paradigms and address the evolving dynamics of migration governance.

Ensuring a principled approach and owning the narrative

As the concept of ATD gains mainstream traction and is increasingly taken up by governments, the EATDN has seen the importance of ensuring a principled approach and owning the narrative around ATD. This is crucial to the Network's work as it aids the promotion of engagement-based approaches and the protection of migrant and refugee rights, challenging governments' emphasis on coercive and controlling measures and their potential cooptation of the language of alternatives to detention.

In some cases, ensuring a principled approach means having difficult and sometimes uncomfortable conversations. In the most successful cases, members have dealt with such engagement sensitively and diplomatically - including, for instance,

by bringing in more 'neutral' third parties such as IDC to support. Ultimately, by (re)claiming the narrative around ATD, the Network and its members can challenge unhelpful framings, advocating for an engagement-based approach that protects the rights of people on the move. We have learnt that by consistently emphasising and promoting these values in our advocacy, the Network helps shift the discourse and perception of ATD, leading to more humane and compassionate comprehension of the concept among the public, policymakers and other relevant stakeholders.

Framing ATD within broader narratives of migration governance

The framing of ATD within broader narratives of migration governance has proven to be a useful and successful strategic approach for Network members, enabling them to position themselves within a larger movement advocating for a framework of migration governance that focuses on support, engagement and finding alternatives to current regimes of refusal and control.

By placing ATD within this broader context, the Network harnesses the strength of collective voices, promoting a compassionate and humane approach to migration management.

By focusing on the potential for positive outcomes and highlighting societal and governmental benefits of supportive and engaging approaches, the idea that there is no other viable option apart from strict control measures dissipates. Such positioning also leads to a reframing of the discussion as it leads policymakers to consider the impact and implications of their approaches. Therefore, it calls for a shift in perspective and an evaluation of current systems. Moreover, this approach allows for related policy areas - including, notably, regularisation and legal pathways for migration - to be explored in the context of 'durable solutions', which for many Network members has proven to be a useful framing with governments and civil society alike in their national contexts.

Working with a range of allies and partners

As one actor that we interviewed said when talking about the increasing prominence of detention in migration-related conversations: "We all work on detention now". The issue of immigration detention is no longer - if it ever was - a niche subject. At a time when detention is regrettably becoming central to migration governance, building alliances and diverse partnerships is now more crucial than ever before.

We have learnt that through forming partnerships with like-minded organisations, the Network can extend its advocacy efforts and bring change on a larger scale. Working with allies that share the same values and goals provides increased expertise, a larger network and a stronger impact overall in addressing detention and migration governance issues.

Also, expanding partnerships beyond migration-oriented civil society organisations and even beyond civil society organisations is important. Working with local authorities provides a broader and unique perspective which can also lead to dialogue with policymakers and can allow for case management-based approaches to emerge in the context of separate - but related - discussions, for instance around homelessness. Moreover, by establishing connections with actors working on other issues related to social justice and human rights, the Network can explore the intersectionality of issues on migration and detention, thus broadening our scope and understanding of the challenges faced by people in these contexts.

Remaining flexible in our approaches and having a long-term vision

The importance of remaining flexible in our approaches and having a long-term vision cannot be underestimated. We have seen, since the inception of the Network, considerable shifts in political contexts, turnover amongst government officials, policy and legislative developments, and of course the emergence of new crises (Covid-19 and the conflict in Ukraine, to name but two of the most notable) that have an impact on the effectiveness of our advocacy and our ability to gain traction with policymakers. Recognising that change is not linear, one of the key lessons learned for Network members since 2017 has therefore been the importance of adaptability in their advocacy efforts and adopting a long-term vision.

When it comes to this vision, the development of a collective ToC has been particularly useful in providing the Network with a long-term framework and establishing clear goals, objectives and desired outcomes. It has also helped steer the Network's actions and guided our decision-making processes, and adapting it along the way has given members an opportunity to reflect upon their progress. By remaining open to reassessing and adjusting strategies, the Network can navigate these changes and ensure that its work is grounded in local, national and regional realities. As voiced by one member, while the first ToC aimed to "change the world", it was later refined to more mature and realistic objectives which included specific, measurable and time-bound outcomes.

Gaps and challenges

The study identified some challenges in achieving long-term systemic change in advocacy for ATD. The first challenge revolves around the difficulty and need to ensure that informal relationships evolve into formal agreements, thus enabling the expansion of case management-based ATD. The second challenge concerns project sustainability and emphasises the importance of securing adequate funding to support and maintain ATD projects and also to sustain advocacy efforts for meaningful change. A third challenge is that some CSO actors can sometimes be sceptical of the concept of ATD, and this highlights the difficulty of obtaining unanimous support. Finally, another important challenge is that of conflicting government priorities in expressing their interest in scaling up ATD while also increasing their detention capacity.

▶ Ensuring informal relationships lead to more systemic change

When it comes to advocacy around ATD, while informal relationships have led to more formal agreements developing in some countries like Bulgaria, Poland and the UK, in other countries such as Cyprus and Greece, members have struggled to elevate these relationships beyond an informal level. Yet addressing this gap is crucial in ensuring that our efforts to grow and cultivate relationships ultimately lead to more systemic and sustainable change when it comes to scaling up case management-based ATD.

Formal agreements with governments are particularly important when it comes to the question of scaling up case management-based approaches as 'business as usual'. In most cases, the resources required to lead to meaningful change in migration governance systems are far greater than those that can be provided by civil society; government-civil society partnerships are key to addressing this gap, as well as to ensuring that case management-based ATD can lead to a reduction of the use of immigration detention (through, for instance, referring people out of detention and into ATD projects).

Prioritising engagement, building trust and strengthening relationship building with key government actors and involving local authorities, policymakers and other relevant stakeholders is vital in securing political will and ensuring that commitments are made to embed case management-based approaches in wider migration governance systems.

► **Project/pilot sustainability**

Another important challenge when it comes to achieving long-term, systemic change is the need for sustainability. As outlined above, achieving change in policy and practice is a non-linear, long-term endeavour and often takes considerable time. It is crucial that funding models reflect this in order to allow for maximised impact and to maintain momentum.

One key factor for sustainability is funding. Obtaining adequate funding is vital to maintain and expand projects over time as well as to sustain advocacy efforts. Yet EATDN members consistently bring up lack of funding as one of the key constraints they face. And despite the initial support provided by EPIM, funding for the Network has been reduced over recent years. Lack of funding can limit the scope of the projects, thus hindering their potential advocacy successes and the collective efforts of the Network. Unpredictable funding streams and the changing priorities of donors can lead to funding streams disappearing, even for successful initiatives. When reflecting on the gaps and challenges related to achieving meaningful change, therefore, long-term resourcing and sustainability must be central to such discussions.

► **Lack of buy-in from some other CSO actors**

Advocacy around ATD is sometimes met with scepticism by some CSO actors, and this poses a challenge in certain contexts. Some CSOs are unable to adopt a clear position on ATD, highlighting the complexities of garnering support from all CSO actors.

In other contexts, there is a lack of knowledge of ATD and a limited awareness of case management-based approaches, which means that ATD is either poorly understood or deprioritised in advocacy efforts.

Addressing this challenge requires concerted efforts to engage in dialogue, bridge distinct perspectives and foster a shared understanding of the potential benefits and efficacy of ATD.

► **Conflicting government priorities regarding detention and ATD**

A significant challenge arises from the fact that some governments may simultaneously express intentions to upscale ATD while also enhancing detention capacity. This dual approach raises questions about the extent to which national authorities consider ATD a genuine replacement for immigration detention measures, rather than an additional 'add-on' which serves to expand enforcement and surveillance of people with uncertain and insecure immigration status.

Enhanced advocacy efforts are needed to align government policies with a clear commitment to prioritise ATD as a primary solution. As noted above, the principled approach of the EATDN - which frames ATD as a success only if accompanied by a reduction in (and ultimately an end to) immigration detention - will be essential in progressing on this issue.



Moving forward: commitments and recommendations

Network commitments

Having identified key learnings, gaps, challenges and our impact so far, the Network is committed to building broader partnerships and alliances, promoting rights-based ATD approaches, working towards ending immigration detention and centring the voices and experiences of those directly impacted by detention policies. These commitments reflect the Network's objectives of collaborative advocacy, human rights promotion, systemic change and inclusivity.

▶ **Engaging with broader partnerships and alliances**

The EATDN is committed to seeking and fostering partnerships with a range of different organisations and stakeholders. This includes broadening the scope of organisations and stakeholders the Network engages with, to establish connections with actors working in other related areas such as social justice and homelessness. By engaging with a broader range of actors, the Network aims to strengthen its collective impact and broaden our reach. Our commitment evidences the value the Network places on collaboration to drive change on ATD.

▶ **Continue to promote rights-based ATD in a principled manner and with the ultimate goal of ending immigration detention**

The Network remains committed to pursuing the promotion of rights-based ATD that are based on human rights principles.

By advocating for rights-based ATD, the Network challenges the prevailing reliance of States on immigration detention and works towards the objective of ending immigration detention. The Network is committed to pursuing systemic change and advocating for more humane approaches to migration governance.

▶ **Centring the voices and experiences of people with lived experience**

Centring the voices and lived experiences of people who have directly experienced immigration detention or have been impacted by related policies is crucial in the Network's eyes. The Network is committed to actively involve and centre the perspectives of migrants, refugees and asylum seekers in both our advocacy efforts and our decision-making processes. In doing so the Network seeks to ensure that any policies or initiatives reflect the realities and needs of those directly impacted.

Navigating immigration processes and transformative support - Interview with Helen and Sarah⁴³

As part of this research, we had the opportunity to speak with Helen and Sarah (mother and daughter), who received support from JRS Belgium through their ATD programme. During the interview, it became clear that their engagement with JRS Belgium had a profound and transformative impact. The family's encounter with JRS Belgium marked a turning point in their lives, as prior to being connected with JRS Belgium Helen and Sarah had faced multiple challenges. Their initial lawyer provided little support, and their interactions with governmental institutions were unproductive and frustrating for the family. However, through JRS Belgium's intervention, they were connected with a new lawyer and received practical assistance and legal support.

The family's understanding of the Belgian migration system and their trust in it transformed with JRS Belgium's assistance. They told us that they now feel more confident navigating the system, as JRS Belgium offered clear guidance, effectively addressing their concerns. The support has empowered them to actively participate in their immigration procedures, and their overall wellbeing has improved. While stress persists, they appreciate the step-by-step approach they are taking and the progress made with the help of JRS Belgium. The family's outlook when it comes to the authorities has also changed.

Helen and Sarah's experience underscores the importance of organisations like JRS Belgium in the provision of support and highlights the success of ATD in several aspects, such as helping people to better navigate complex systems, encouraging active engagement with their cases, and building their confidence when it comes to dealing with institutions that they may have struggled to interact with in the past. And, crucially, it also reminds us of the reasons why we are advocating for the expansion of individualised, case management-based ATD for people at risk of detention that allows them to access the support they need while living in the community. Keeping the experiences of people with lived experience at the centre of our advocacy has always been a priority for the Network and will continue to be as we move forward with our work.

Recommendations

The recommendations gathered from the study's findings provide some guidance for both governments and funders to continue advancing ATD programmes. In particular, they focus on the importance of ensuring collaboration amongst different stakeholders, prioritising long-term models, and using evidence and existing best practice to shape and influence effective ATD programmes and policies.

► For governments

It is crucial that governments **prioritise effective engagement with CSOs and invest in fostering strong partnerships between relevant government departments and CSOs.** Such collaboration can ensure the scalability and sustainability of case management-based ATD, and bring distinct insights, expertise and perspectives that contribute to the development and implementation of ATD programmes.

In partnering with CSOs, we urge governments to **ensure that they are aware of the principles of effective and rights-based case management.** This includes, for instance, safeguarding the independence of case management models, ensuring that they are based on engagement rather than enforcement, and maintaining their voluntary nature.

Finally, we also encourage governments to **place a strong emphasis on a rights-based approach to ATD,** where the human rights of migrants, refugees and people seeking asylum are at the centre of decisions and the aim is to prioritise durable solutions.

► For funders

The role played by funders is crucial in supporting the implementation as well as expansion of ATD programmes. Funders should **prioritise flexible, long-term funding models that allow CSOs to maintain and expand their work in this area.** Sustainable funding enables CSOs to build capacity, develop approaches, and most importantly, ensure the continuity of ATD programmes and therefore continue with targeted advocacy efforts. Without this support, CSOs will not be able to effectively address the needs of migrants, refugees, and people seeking asylum and have a strong systematic impact on policies in the area of ATD and migration-related detention.

► For CSO actors

CSOs engaging in ATD advocacy should **prioritise outreach efforts to build relationships with other civil society and grassroots organisations.** Engagement can help foster a deeper understanding of the merits of case management-based ATD and create opportunities for shared advocacy goals.

Moreover, it is also essential that CSOs **bridge differences with other organisations that oppose detention and do not fully support the case management-based ATD approach.** By engaging in constructive dialogues and identifying common ground, CSOs can work towards collective solutions that involve approaches that could be different but complementary.

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- 25-** See EATDN (2019) “Outcomes of peer exchange workshop for NGOs implementing alternative to detention pilot projects as a strategy for change to reduce immigration detention, Nicosia, 10 & 11 December 2019,” pp. 25 -26.
- 26-** European Programme for Integration and Migration, <https://epim.info/>

- 27-** Ohtani, E. (2018) “Alternatives to detention: from theory to practice,” EPIM, available at: https://www.epim.info/wp-content/uploads/2018/10/ATD-Evaluation-Report_FINAL.pdf
- 28-** Ohtani, E. (2020) “Alternatives to detention: building a culture of cooperation,” EPIM, available at: https://www.epim.info/wp-content/uploads/2020/07/2020-ATD-Evaluation-Report_Final.pdf
- 29-** NatCen Social Research (2022) “Evaluation of ‘Access Access’, an Alternatives to Detention Pilot: Report on an Independent Evaluation (March 2019 - October 2021),” available at: <https://atdnetwork.org/wp-content/uploads/2022/02/Action-Access-Evaluation-Report.pdf>
- 30-** Interview with staff member of Association for Legal Intervention (SIP), 14 March 2023.
- 31-** Interview with staff member of HumanRights360 (HR360), 29 March 2023.
- 32-** Interview with staff member of Cyprus Refugee Council (CyRC), 18 April 2023.
- 33-** Interview with staff member of HumanRights360 (HR360), 29 March 2023.
- 34-** Interview with staff member of Jesuit Refugee Service Belgium (JRS Belgium), 8 March 2023.
- 35-** Interview with staff member of Cyprus Refugee Council (CyRC), 18 April 2023.
- 36-** Interview with staff member of Association for Legal Intervention (SIP), 14 March 2023.
- 37-** Interview with staff member of Association for Legal Intervention (SIP), 14 March 2023.
- 38-** Interview with staff member of the Centre for Legal Aid - Voice in Bulgaria (CLA-Voice in Bulgaria), 13 March 2023.
- 39-** Interview with staff of the Italian Coalition for Civil Liberties and Rights (CILD) and Progetto Diritt (PD), 22 March 2023.
- 40-** Interview with staff member of HumanRights360 (HR360), 29 March 2023.
- 41-** Interview with staff of the Italian Coalition for Civil Liberties and Rights (CILD) and Progetto Diritt (PD), 22 March 2023.
- 42-** United Nations Network on Migration, “Workstream 7: Alternatives to Detention,” available at: <https://migrationnetwork.un.org/alternatives-immigration-detention>
- 43-** Not the actual names of interviewees.

Building on the foundations of change in Belgium

JRS Belgium was involved with the EATDN – and more generally committed to the idea of ATD – from an early stage, long before they were actually able to secure funding to put a formal pilot project in place. The ‘Plan Together’ project started in September 2020 and has provided case management to 18 undocumented families with minors, including through home visits and holistic follow-up support. The families were very different in terms of nationality, number of children, and time spent in Belgium, but they all had incredible resilience and developed great trust in their case managers. Advocacy has been a key component of the pilot when it comes to engaging with both policymakers (at local and national levels) and other civil society organisations.

The organisation was already working in line with the principles of holistic case management, both in Belgium and elsewhere, and the adoption of advocacy around ATD made sense given the philosophy of the JRS movement that is centred around explicitly putting the individual at the centre of all they do. JRS Belgium had been actively opposing immigration detention – and in particular, detention of children – for more than a decade. The concept of ATD seemed to be an excellent opportunity to look for another kind of migration governance; it would allow them not just to criticise existing approaches, but to be propositional. The fact that the EATDN spanned a number of countries gave them a unique opportunity to showcase to the Belgian Government how case management-based ATD can work in different contexts; having the ability to frame their project in the context of the broader work of the Network has been particularly effective in the Belgian context as they have been able to bring in best practice from elsewhere in Europe and the world, and rooted their advocacy in tried and tested frameworks.

Regular, structured meetings have been established with the Belgian immigration authorities – starting even before the pilot was officially launched and continuing on a consistent basis since then. The pilot ultimately provided the basis for their conversations with the authorities, and JRS has adopted a ‘micro to macro’ approach whereby they use the specific examples that arise through their pilot to provide context for larger and more systemic issues. The pilot has been a vehicle to reach out to the authorities and politicians, and when it comes to ATD, JRS Belgium has seen more political interest than in certain other areas of their work – in part, they believe, due to the propositional nature of their advocacy on this topic. Many of these conversations have been at a more senior level than initially expected; staff working on the pilot were surprised that they were able to gain these relationships so quickly and have worked to maintain and enhance them over the three years since their pilot began.

When talking about ATD with the authorities, JRS Belgium has focused on private advocacy with a range of targets – from the Immigration Office and Fedasil (the two government departments working on immigration, the provision of accommodation for people seeking asylum and the coordination of voluntary return for rejected asylum seekers in particular cases, respectively) to members of the Cabinet. Civil society actors have also been a key target for their advocacy; there remains some misunderstanding around ATD in Belgium, including a concern that the term ATD may be misappropriated and used by the government to refer to alternative forms of detention. Certain actors also feel that a focus on ATD may risk legitimising detention as a practice. Yet, as awareness around immigration detention has increased, so has awareness around possible alternative models that allow people to work towards durable solutions and case resolution.

In addition to the advocacy that has been done at the national level, JRS Belgium has felt the influence of the developing narrative around ATD at the regional and international levels in their work. The Global Compact for Migration and a number of debates happening at the global level, in particular, have impacted on how the Belgian Government sees this issue – and its legitimacy in their eyes.

There has been a huge step forward in Belgium regarding the discussion around ATD. The authorities and the Cabinet are receptive to JRS Belgium's message and approach, and there is an increased knowledge of case management-based ATD at all levels. They are no longer pushing on a closed door; the door is open and there is interest and willingness to engage. The establishment of an 'ATD department' came as a surprise to JRS when it was announced; however, it is a testament to the gradual way that they have been able to shape the narrative around detention and the authorities' views on ATD. In particular, there is a sense that the case management-based approach informed the [Individual Case Management \(ICAM\)](#) model. Opposition parties, too, have shown commitment to the approach, and certain parties have even included it in their manifestos for the upcoming elections in Belgium. Recent legislative announcements in Belgium seem to reflect this, including a proposal to include non-detention of children in legislation. We have gone from ATD being a little-known subject in 2018 to it being central to many of the migration-related discussions in just the space of a few years. In 2023, this enthusiasm to engage was reflected during a roundtable organised by JRS Belgium and IDC which brought together government authorities, local authorities and civil society.



Yet, despite the important steps that have been taken, there is still some way to go. There are important blocks within the Immigration Office that can make it challenging to escalate matters to a higher level; this can make dialogue feel like it is progressing at a snail's pace. Moreover, divides both within and between government departments can be challenging when it comes to ensuring that case management is effectively implemented and is not focused solely on return but on finding durable solutions for people on the move, whatever these may be. When it comes to civil society, meanwhile, trying to get ATD onto the agenda and lead a concerted push for the approach remains difficult. Detention – let alone ATD – is not an issue that many organisations focus on, however the establishment of the 'Move' coalition, which unites the four main organisations working on detention across Belgium (including JRS Belgium), has helped with keeping momentum on this subject. There is also growing interest amongst a wider group of players than before; beyond other civil society organisations, who remain important actors for JRS Belgium, there is increasing engagement with academic institutions as well as local authorities.

JRS Belgium is now looking towards implementing the second phase of their project, and they will continue to engage strategically on current legislative opportunities as well as the upcoming elections. There is still huge opportunity to have impact in this space; there is a sense that the foundations have been built – including the creation of the ATD department and informal partnerships with both the Immigration Office and Fedasil – and that the dialogue is no longer based on abstract conversations but rather rooted in concrete approaches. These foundations will need to be built upon in order to ensure that they are part of constructing a new approach to migration governance.



Putting alternatives on the agenda in Bulgaria

Originally, CLA – Voice in Bulgaria’s advocacy around ATD in Bulgaria grew out of a small-scale project that the organisation had carried out regarding screening of vulnerabilities within immigration detention. The organisation already had almost a decade’s experience of supporting people in detention, including with their legal cases, and this piece of work – grounded in the experiences of people who have lived experience of detention – convinced them that work around ATD could be impactful in the Bulgarian context. CLA-Voice in Bulgaria were confident that case management-based approaches could work as a strategy to reduce the use of immigration detention.

Yet awareness of case management-based approaches was low; few if any organisations knew what they were, beyond some of the more restrictive measures included in existing legislation. Nobody else was specifically working on – or advocating around – this issue.

Fast forward to 2023, and CLA-Voice in Bulgaria has just finished implementing a joint project with the government – funded by the EU’s Asylum, Migration and Integration Fund – to provide case management support and legal assistance to vulnerable people at risk of immigration detention, with a view to finding long-term resolution of their cases. As part of this, they have published a guide on ATD for the authorities that they have presented to the national authorities, as well as the regional police and border authorities and judges.

CLA-Voice in Bulgaria was set up in 2009, and since then, much of their work has been aimed at addressing structural issues with the Bulgarian migration and asylum systems in order to ensure quality decisions and viable options for regularisation. Their advocacy has focused on shifting mindsets away from approaches that focus on restrictions and coercion – including, of course, detention – and towards engagement-based solutions. CLA-Voice in Bulgaria sees the need for a more balanced migration policy that supports people to work through their cases and explore all their options.

In 2017, the European Programme for Integration and Migration (EPIM) made contact with a group of organisations in Bulgaria in order to discuss the potential of setting up an ATD pilot. Organisations were strategically targeted on the basis of their ongoing work and expertise. The work on ATD tied in perfectly with CLA-Voice in Bulgaria’s aims and mandate, and alongside Bulgarian Lawyers for Human Rights, they began an initial project with EPIM’s support as part of the EATDN, which they joined as a founding member along with implementing partners in Cyprus, Poland, and the UK, with IDC coordinating the Network alongside PICUM. The broader group of Bulgarian CSOs, meanwhile, continued to meet to develop collective advocacy strategies and to develop joint recommendations for changes in policy and legislation.

A central part of CLA-Voice in Bulgaria's project with BLHR, later on with Caritas-Sofia, was advocacy towards the authorities, and the work of the pilots gave them the opportunity to make and maintain strong, trust-based relationships at the lower executive level of the government. Through their frequent meetings with the police, border police, and migration authorities, they acted as a bridge for communication between decision-makers and the individuals involved in their pilot programme. They found that their case management-based approach encouraged dialogue and conflict resolution; in a number of cases, they were able to discuss and resolve issues that previously would have resulted in legal action. They also gained far greater perspective on some of the challenges that the migration authorities were facing when it came to pushing forward initiatives that focused on engagement; they began to work to find points of common interest and offered their assistance to the authorities rather than focusing on criticism. This practical approach won them the goodwill of the authorities and opened doors for them to explain the advantages of rights-based alternatives vs. coercive approaches.

In addition to the support that CLA-Voice in Bulgaria received from EPIM and the joint work done in partnership with other local organisations, the EATDN was also a strong selling point for their advocacy. The Network provided a platform for them to frame their work as part of a larger European 'movement', which was particularly important given Bulgaria's status as one of the newest EU member states.

Meanwhile, the project and its approach have generated interest from a number of other European countries looking to develop their expertise around ATD, including Georgia and Portugal (in Georgia, CLA-Voice in Bulgaria was invited alongside the Bulgarian authorities to present the work of their pilot following a training given to officials by IDC on this subject). Nationally, too, they are increasingly recognised as authoritative voices in this issue.

So, where to now when it comes to advocacy for alternatives? There remains a lot to be done in the Bulgarian context, and it is CLA-Voice in Bulgaria's ambition that ATD will become 'business as usual' for the government, rather than an exceptional measure. It has been clear from the beginning of their advocacy around ATD that change would be a long-term process, and the progress that has been made to date is promising. Their joint AMIF project was evaluated by the European Commission as being very successful, and they are optimistic that there is room to continue government-civil society partnerships in this area of work, as well as to scale up government ownership of engagement-based approaches.



Yet the political turmoil that has engulfed Bulgaria since 2021 has created uncertainty, and in this context, one of the key priorities is to ensure that what has been achieved is protected and preserved. For this, CLA-Voice in Bulgaria is preparing itself – including in the border regions, where it is likely that detention (including arbitrary detention) will be used on a far greater scale with the introduction of border procedures set out in the EU Pact on Migration and Asylum. These political developments, alongside the ongoing conflict in Ukraine, have meant that Bulgarian media outlets are, more than ever before, interested in the question of migration – and how the government responds to it. This has given organisations such as CLA-Voice in Bulgaria more visibility in calling for change. In terms of their advocacy, the organisation plans to build on their achievements to date and progress these further – including by working with different, unusual allies. Their work over the past six years on ATD has given them a unique opportunity to influence the government in how it shapes its migration policy, and despite the challenges, alternatives are now very firmly on the agenda.

Promoting engagement over enforcement in Cyprus

The ATD pilot in Cyprus has its origins in the work of the Future Worlds centre, whose Humanitarian Affairs Unit later branched off to form the CyRC. The Future Worlds centre was one of very few organisations working on the issue of immigration detention at the time, and they were anticipating an expansion in the use of detention as they saw an increase in arrivals. Despite the obligation in law to consider ATD, in practice, the government was failing to put in place alternatives. In addition, there was a complete lack of understanding on the part of the authorities of ATD and their obligation to consider them; on the rare occasions when the issue was mentioned, discussions generally focused on enforcement-based measures and in particular electronic tagging. Future Worlds centre/CyRC were keen to change the narrative and highlight engagement-based approaches, and the work that they had started some years earlier to research and monitor immigration detention quickly evolved into a pilot project to offer case management-based ATD. Through this project, CyRC provides holistic case management in the community to migrants in or at risk of detention, including people seeking asylum, those who have been refused asylum, irregular third country nationals and people who cannot be deported.

It was around the same time that EPIM was working to bring actors together on advocacy for ATD, alongside IDC and the Platform for International Cooperation on Undocumented Migrants (PICUM). Driven by the need for further exposure, support, and shared knowledge - as well as the hope that joining together could support both national- and regional-level advocacy - the EATDN was formed, with CyRC as one of the founding members. For CyRC, the obligation in law to consider 'less coercive measures', as well as a general lack of understanding of what such measures could look like, convinced them that advocacy around ATD could be impactful and effective.

A central part of CyRC's strategy was advocacy towards the authorities, and the work of the pilot provided an opportunity to develop these relationships. From the outset, CyRC hoped to work in collaboration with the Civil Registry and Migration Department (CRMD) in Cyprus, which is responsible for ordering detention and implementing ATD. They also hoped to increase awareness of case management-based ATD amongst government authorities more generally as well as bring onboard other civil society actors to this approach.



Initially, CyRC faced reluctance on the part of the CRMD when it came to discussing the implementation of ATD. In December 2017, moreover, changes in detention practices in Cyprus led to an increase in the number of detainees held for migration-related reasons as well as an increase in the duration of their detention. The situation was looking bleak when it came to calls to reduce detention.

Despite this, however, the pilot continued and CyRC ensured that they kept constant contact with representatives from the CRMD and other relevant authorities. In addition to regular meetings and phone calls, a number of activities were organised. These included training for first-line officers in May 2018 on identifying and assessing vulnerable cases, as well as a roundtable event involving the participation of representatives from the government, non-state actors, NGOs and international organisations. In addition to these advocacy activities, a 2019 judgement from the Supreme Court ruled that ATD should be examined and re-evaluated. The UN Human Rights Council's Universal Periodic Review of Cyprus, meanwhile, included draft recommendations on the implementation of ATD. All of these developments helped to keep ATD firmly on the agenda.

A shift came when, in August 2020, the CRMD approached CyRC to explore pathways to effective collaboration in the form of an unofficial partnership. This led the CyRC project team to draft a recommendation letter to the department outlining potential areas for collaboration. These initial discussions led to the CRMD officially appointing an ATD officer in October 2020, whose role consists of conducting assessments of cases of persons in detention and submitting recommendations on whether they are eligible to be released into an ATD. The appointment of this role had been part of CyRC's recommendations to the government, and represented an important step forward in their efforts to ensure that ATD is taken on as a priority by the authorities. CyRC has maintained close and effective communication with the ATD officer, consistently providing information on individual cases, on the case management model used by CyRC, and discussing ideas regarding the effective implementation of ATD in Cyprus. Between November 2020 and December 2021, a number of individuals were released onto the pilot project following either a court decision or a decision of the CRMD ordering their release to ATD. Beyond these individual cases, the relationship developed between CyRC and the CRMD has been pivotal in ensuring government understanding and acceptance of case management-based approaches.



Despite the success that the pilot has had in opening up channels of communication and ensuring coordination with the authorities, the situation has since shifted. Changes of staff - including a change in the CRMD's ATD Officer - have meant that established relationships have been lost and are having to be rebuilt. The election of a new President in February 2023, as well as crackdowns on migrant communities by the authorities in recent months, have meant that speaking about ATD and non-detention has become more challenging. Yet CyRC continues to see the fruit of years of diligent advocacy; the vulnerability screening and assessment procedure that they designed for their pilot, based on a [tool](#) developed by IDC and UNHCR, has now been adopted by the Cypriot Asylum Service to conduct vulnerability assessments at initial points of registration, thus embedding CyRC's models within state protection systems. Despite growing challenges, CyRC continues to promote the benefits of rights-based ATD with the authorities wherever possible and to call for engagement - rather than enforcement - to be at the heart of the government's approach.



Pioneering case management-based ATD in Greece

The work of HR360 on case management-based ATD began in 2019, and at the height of their project, the organisation was working with 40 people to provide them with holistic case management support that included legal, social and educational support. The pilot was born after EPIM connected HR360 with IDC; the EATDN had been running for around two years by that time, and the case management-based approach had been shown to be effective in a number of countries.

From the beginning, HR360 saw the potential for ATD as a tool to support the work that they were doing to challenge immigration detention administratively and before the national courts. In particular, they could see how the ambitions for change in policy and practice set out within the EATON's Theory of Change could lead to change at a more systemic level when it came to reducing and ending immigration detention. They could also see the advantage of this approach for the migration sector in Greece more widely, and - with the support of IDC and the Network - began to speak with their partners and allies on the ground about how they could work together to advocate for change.

Yet securing buy-in for the approach was only the beginning. The political landscape in Greece was and remains a particularly hostile one in which to carry out advocacy around immigration detention. A year into the project, Greek law on immigration detention underwent a change and prolonged detention became the norm for people under return procedures, as well as the restriction of movement for identification and reception purposes upon arrival. On several occasions, national courts ruled that this amounted to de facto detention. A less anticipated - setback came with the arrival of COVID-19, which changed everything for the worse. Access to detention centres was limited or cut off entirely, and discussions with the authorities on ATD also ground to a halt as detention and restriction of movement was officially adopted as a national COVID-19 limitation policy.

Despite these challenges, HR360 continued to push the issue of immigration detention and rights-based ATD. Developments during 2020 had proven the fragility of detained people's rights and shown that these questions were more urgent than ever. As Greece and the rest of Europe emerged from the height of the pandemic, HR360 continued with their pilot project and began discussing the matter with some state officials



The organisation held meetings and discussed ATD with officials in Athens' largest Pre-Removal Centre, no small feat given the general reluctance that the authorities in Greece have when it comes to working with civil society organisations and implementing ATD in policy and practice. Detention in Greece is automatically imposed, and ATD in practice is limited to ad hoc and individualised efforts. Yet these meetings led to the establishment of a working relationship between HR360 and the Athens Border Police, who started referring people to the pilot project. There was a clear sense that this approach could be mutually beneficial. However, while the Border Police was open to the work and receptive to the concept, it proved difficult to establish a more formal agreement on joint work; this would have involved a political commitment from people higher up the chain of command, something that was made challenging by the prevailing political winds.

The situation in Greece further deteriorated in 2022, with the government cracking down on non-governmental organisations, especially those working on migration and immigration detention. This led to a breakdown in the regular communications between civil society organisations and the national authorities, as well as between HR360 and the detaining authorities. However, despite these challenges, HR360 has continued to advocate for the rights of migrants. Most recently, working within and alongside civil society networks, HR360 has been part of the call to ensure that a new migration bill provides for a special 10-year residence permit for those arriving in Greece as unaccompanied children once they reach the age of majority and have been enrolled - as established in the law - for at least three years in the secondary national educational system.

The discussion around immigration detention in Greece has a long way to go, but in the context of the EU Pact - which is making detention central to all parts of migration policy - this is a topic that it is vital to keep focus on. The window for influencing is limited but it is not altogether shut; in the current climate, it is essential that advocacy is targeted and strategic. And crucially, ATD must be part of the wider push for a migration system based on compassion and engagement rather than pushbacks, returns, and criminalisation. HR360's pilot, alongside the advocacy around engagement-based ATD, has been essential in raising awareness of such approaches and working towards a shift in mentality. This shift may only have made a small impression so far, but the work of H360 to raise awareness around ATD at the heart of the Athens Border Police - and to demonstrate the potential for cooperation between the police and NGOs - has helped to lay the foundation for further discussions in Greece on a more horizontal and less ad hoc basis.



Shifting the narrative on immigration detention in Italy

The work of Progetto Diritti and CILD on ATD in Italy began back in 2017. At the time, IDC was undertaking advocacy around ATD at the European level, and particularly highlighting the importance of government involvement. This led them to contact CILD to see if there was any way of working together in order to encourage the Italian Government to engage on this issue. At the time, however, there was little prospect for movement on this; at the domestic level, Salvini's star was rising and there was limited enthusiasm on the part of the government to work on this issue within an EU-led forum. Not only this, but Italian civil society was seeing its space for engaging with the government shrink rapidly – particularly in the wake of the 2018 elections.

Yet a seed of curiosity was planted with Italian organisations, and when EPIM published a call for proposals to work on ATD in the summer of 2019, CILD and Progetto Diritti resumed their conversations with IDC and the EATDN. Their pilot began in earnest just a couple of months later.

The Italian pilot was innovative in bringing together an organisation focusing on service provision and another with expertise in advocacy, campaigns and communications. This model was very intentional, with the aim being to leverage their case management work to influence change in policy and practice. However, after several months of working on the pilot, the partners realised that they needed to first establish the groundwork and raise awareness about immigration detention before they could start discussing ATD. This area of policy was relatively neglected and unknown, both amongst policymakers and the public. Even amongst those working in the area of immigration – including NGOs and lawyers – there was limited understanding of what ATD looked like outside of a criminal justice context. In response, CILD and Progetto Diritti therefore decided, in parallel to their ongoing case management work, to combine the work they were doing on monitoring immigration detention conditions with their advocacy around ATD. Their plan was to situate ATD in the wider context of immigration detention in Italy and to reframe the narrative on alternatives.

It was a lengthy journey, but gradually, the partners began to see the fruit of their efforts. At the heart of their focus on reframing the narrative has been the 'Buchi Neri' campaign, which has led to a number of publications that have brought to light the situation inside immigration detention in Italy in a compelling and accessible way. This became a catalyst for spreading awareness of the topic, with a greater number of conversations springing up spontaneously looking at the impact of immigration detention, including within the academic world, with professors now discussing the issue with their students.



Prominent journalists have begun to take an interest in the issue, as have allies in both Italy and abroad, and the partners have linked up their advocacy with that of a number of organisations working at the national level, allowing for their messages to be amplified and to spread the word about rights-based ATD.

There has also been some concrete progress when it comes to practice. In addition to the pilot's success in terms of case management, bringing the reality of immigration detention to light has made this issue politically problematic for the government, which is afraid of the impact of this issue on its reputation. Linked to this, there have been closures of detention centres – albeit usually only temporarily – that have clearly been linked to reports about the inhuman conditions inside such facilities. More and more, it is seen as a liability for politicians to have detention centres in their constituencies. Despite the fact that the overall political context in Italy remains challenging, CILD and PD aren't sitting on their laurels. In order to pave the way to having a more meaningful conversation down the line, when the political context becomes conducive to this, they are doing the groundwork now. With the support of the EATDN, a series of roundtables have been organised, generating and maintaining momentum at the political level. The most recent discussion, held in February 2023 and co-organised by CILD, PD and IDC, caught the attention of regional ombuds institutions and members of parliament. They are also working with authorities at local and municipal levels who experience the long-term negative impacts of immigration detention first-hand. Such engagement at the local level has proven particularly impactful in the Italian context. It is through gradually building up support for alternatives that they hope to maintain this issue at the forefront of debates around migration and human rights.

Moving forward, CILD and PD see the potential for continuing to change the narrative around immigration detention. They are increasingly trying to find original and inventive ways of linking the issue with other areas that their political targets are more engaged in, and they are exploring how to share the testimonies of people with lived experience of immigration detention in order to centre their campaigning in such experience. For instance, the organisations were working on a short video to be shared on social media to raise awareness of the implications of being undocumented in Italy and its consequences, especially in the context of proposed changes on the rules on special protection. Although there is still a considerable distance to cover, CILD and PD have already noted a shift in attitudes regarding this issue among various sectors of society. Through a combination of approaches that bring together evidence, stories, creative online campaigning and more traditional advocacy tactics, the partners will continue to pave the way for change.



Laying the groundwork for ATD advocacy in Poland

In Poland, the work of SIP on alternatives to detention was born out of their legal counselling services. The organisation has been engaged in advocacy and legal action around detention for many years, and following the introduction of ATD into Polish law in line with the EU Return Directive, SIP's team of lawyers began using the concept to convince the courts that detention should not be used until alternatives have been explored. However, they soon came to realise that the courts were not familiar with ATD or what they looked like in practice.

SIP, too, was largely unfamiliar with the idea of case management, and it was through initial conversations with IDC in 2016 that they realised that a different kind of alternatives existed – ones based on engagement rather than surveillance and enforcement. At first, however, they were unsure of the value of a pilot in Poland; space for civil society advocacy with the government is limited, and without being able to influence the authorities, a pilot would be unlikely to have a long-term and sustainable impact on detention policy. However, whilst undertaking monitoring of detention centres, SIP began to develop relationships with the Polish border police that changed their mind and convinced them that there was room to work with the authorities on this issue after all. With this, this pilot was born.

Not only was the case management approach new for SIP, but advocacy around ATD also presented them with a novel way of framing their advocacy. For an organisation that was used to pointing out to the government what they were doing wrong, they were now proposing something positive and constructive. Their advocacy – which had to date been very reactive – was now becoming more proactive. And doing this as part of a European Network gave them the confidence and legitimacy to do this.

Yet despite this, gaining buy-in from the authorities was still a long and painstaking process. The concept of ATD was new in the Polish context and not well understood; not everybody within the authorities was keen to listen to an NGO who was trying to talk to them about holistic, case management-based support for people on the move. Moreover, they found that the high turnover of senior managers within the government meant that the high-level relationships that they made were difficult to sustain.

Summer 2018 was a real turning point in their engagement with officials. Along with the Director and Europe Regional Coordinator of IDC, SIP met with officials from the Border Police. This was the start of their formal cooperation with the Border Police, and shortly after this meeting SIP signed a Memorandum of Understanding with the Border Police whereby vulnerable people at risk of detention would be referred to their pilot project instead of being put in detention.



The signing of the MoU was the easy part though. Putting it in place was more challenging. SIP now had to make sure that officials in detention centres were aware of the agreement, and they reached out to the staff working in detention centres. These meetings usually went well, and dozens of people were referred out of detention and into their project. SIP usually found that once the Border Police had already referred somebody to them, they were much more eager to do this again and often received multiple referrals from the same officials.

However, it gradually became clear to SIP staff that the MoU by itself would always lead to ad hoc releases rather than anything more systematic. What was really needed was a change in the law. On a political level, however, it has been more challenging to move the agenda. Despite broad agreement that SIP's model is effective, this hasn't yet translated to the conviction that case management-based ATD should be taken up by the government. It has been difficult to secure real political commitment to reducing and ending detention in the current political climate in Poland, however the elections in 2019 brought some hope as some more progressive members entered parliament. But as the COVID-19 pandemic and then the crisis at the Polish-Belarusian border took centre stage, the political will to invest in ATD once again dwindled. SIP is now looking to upcoming elections in 2023 as a political opportunity.

The climate in 2023 is totally different to the one in 2017; recent events in Poland – including the arrival of people fleeing the crisis in Ukraine, as well as the situation at the border with Belarus – have meant that migration and immigration detention are high on the agenda. Despite the deterioration in relationships that took place in the immediate aftermath of the crisis at the Polish-Belarusian border, the groundwork that SIP had laid with the authorities eventually paid off. They now have much greater access to detention facilities and near-constant communication with the Border Police.

SIP officially ended their pilot in 2022, but plan to continue their advocacy on this issue - the aim being to use the evidence that came out of the pilot to provide them with an evidence base. They have already seen a huge shift in the attitudes of the authorities to their work over the past six years. A number of officials within the Border Police even expressed their disappointment that SIP weren't continuing with the project; they have clearly shown the need for such approaches and their effectiveness.



The work of SIP in advocating for ATD in Poland has been instrumental in bringing the concept of case management-based ATD to the forefront of the discussion and bringing allies on board with the concept. Very few civil society organisations were working on detention in Poland when SIP's pilot was set up – let alone advocating for ATD – and there was little knowledge amongst NGOs of the subject. To raise awareness and expertise on the concept, SIP ensured that ATD was included in joint advocacy - including within a joint publication produced with some of the main actors in Polish civil society when it comes to migration - and began to convene a group of CSOs working on detention.

Since 2017, the groundwork has been laid for ongoing work on ATD advocacy, but more needs to be done to ensure that the voices calling for change in Poland come together to achieve a lasting impact. The success of SIP's pilot project shows that change is possible, and for this, it is important to continue the push for a more humane and effective approach to migration management.

A long and winding path to change in the UK

The debate around ATD in the UK extends back more than a decade. One of Europe's largest detainers, between 2009 and 2021, the number of people entering the UK detention estate each year ranged from approximately 15,000 to over 32,000.

As early as 2014, the British NGO Detention Action set up an innovative alternative to detention pilot scheme – the 'Community Support Project' (CSP) – that worked with mainly men who have experienced or are at risk of long-term detention and have a criminal record. Their involvement with the project starts when they are in prison, with the primary aim being to reduce reoffending and ensure that the participants avoid both prison and immigration detention.

The choice of this target group – men with precarious immigration status who have a criminal record – was intentional on the part of Detention Action. Men are at particular risk of detention in the UK. In the final quarter of 2022, men made up 86% of those entering immigration detention. And the choice was as strategic as it was targeted; it was thought that demonstrating the success of a pilot that works with a group considered to be particularly 'challenging' – both in terms of casework and also when it comes to public perceptions – would provide compelling evidence for the idea that engagement-based ATD can work with any group.

As the CSP developed, Detention Action managed to pique the interest of the Home Office, who began to informally collaborate with the project. Detention Action's approach – based on IDC's Community Assessment and Placement (CAP) model – would also provide the foundations for the collective work of the EATDN when it was set up in 2017.

Detention Action's CSP was just one small part of an ecosystem of change that rose up in order to challenge the UK government's use of immigration detention. From grassroots activists and civil society movements to UN agencies and religious leaders, it was clear that all of these different pieces of the puzzle were key to creating momentum on the issue. The growing voice of people with lived experience of immigration detention, moreover, was essential to rooting the movement in the powerful stories of those who had been through immigration detention and could share first-hand accounts of the harm they had suffered.



The diversity of the movement against immigration detention was at the heart of its strength; there was no one way to do things, and this meant a range of individuals, groups and communities owned the campaign. The simplicity of the public message – which at the time focused on ending indefinite immigration detention – also gave it appeal to a broad audience. But simultaneously, the emergence of the Detention Forum – which brought together a broad group of actors working on detention reform – allowed for collective messaging to be developed and resources used in the most effective way. The Forum drew up a Theory of Change that placed community-based alternatives amongst their key asks.

A crucial turning point came with the publication of the [Shaw Progress Report](#), a follow-up to the 2016 Review into the Welfare in Detention of Vulnerable Persons produced by Stephen Shaw, former Prisons and Probations Ombudsman for England and Wales. Amongst other recommendations, the progress review urged the UK Government to “demonstrate much greater energy in its consideration of alternatives to detention.” Shortly after its publication, the government [announced](#) the launch of a series of pilot schemes (the ‘Community Engagement pilots’) to support migrants at risk of detention to resolve their cases in the community. Action Foundation – who joined the EATDN that same year – was selected to co-create and deliver the first pilot scheme in partnership with the government, providing holistic case management support to vulnerable women who would otherwise be liable for immigration detention. This scheme was a rare example of a formal government-civil society partnership in the area of ATD and is considered to be a key example of promising practice. The partnership allowed Action Foundation support workers - alongside an advisory group made up of experts in the sector - to be involved in the design of the pilot and to work with the Home Office to develop tailored approaches. This collaboration model was viewed as a way to overcome barriers to working together and to achieve better outcomes for participants.

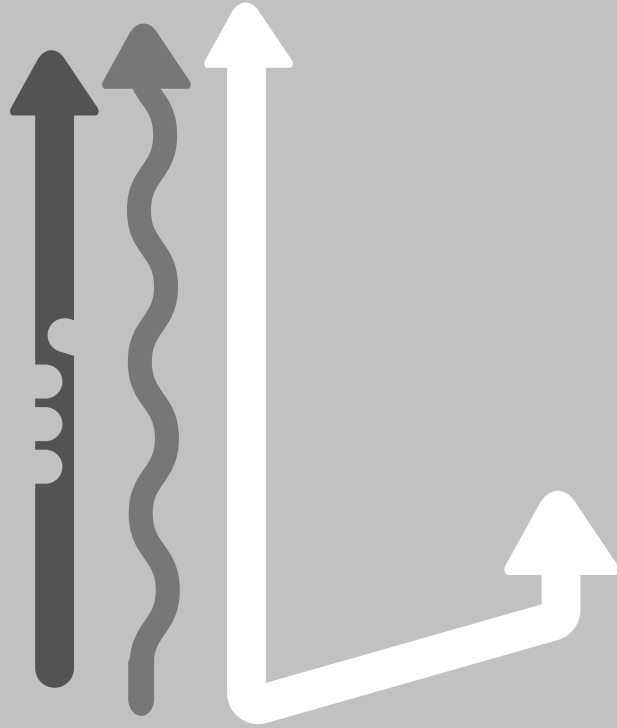
The UK Government also linked the pilot to its broader aim to reduce reliance on detention as a tool of migration management; the following year, ministers publicly stated that the reduction in detention places ‘is a key aspect of the series of reforms the government is making across the detention system’, and committed ‘to going further and faster in reforming immigration detention’. It seemed clear that the UK had ‘turned decisively away from its obsession with immigration detention.’



Yet despite the huge step forward that the Community Engagement pilots represented, and despite the clear success of the Action Foundation pilot and the more recent pilot run by King's Arms Project, progress in the UK has stalled and is now being rolled back. The issue of small boat crossings of the Channel has not only dominated newspaper headlines but has also become the overwhelming focus of the British Government in the realm of migration, underscoring its ideological and political significance. The recently introduced 'Illegal Migration Act' reflects this, and is likely to result in a massive increase in immigration detention, and the government is proposing to once again detain vulnerable women in Yarl's Wood removal centre. As a result, it appears that the UK is moving away from the community-based ATD approach that had shown such promise, and is instead opting for a more punitive approach which is positioning immigration detention as a central part of the country's migration governance system.

The current UK government's increasingly draconian approach to migration has dealt a blow to those working to uphold and protect the rights of people on the move. Despite the uphill struggle that they are facing, however, the migration sector in the UK is once more gearing up to advocate for an end to immigration detention and for the advancement of ATD. Leveraging the evidence from successful ATD pilots and projects, coupled with a concerted effort to shape public perceptions and effect local-level transformations, the movement for change remains robust and cohesive. While progress towards ending immigration detention may appear to be a difficult and arduous road, the growing movement for change, encompassing broader human rights and civil liberties issues, provides hope and direction. The journey to safeguard these fundamental rights will continue, fueled by the stark revelations and urgent recommendations brought to light most recently by the [Brook House Inquiry](#).





Pathways to Change

September 2023

A review of the European Alternatives to Detention Network's advocacy and influencing work in Europe, 2017-2023