



ALTERNATIVES TO DETENTION

MODULE 6 – Advocating for ATDs



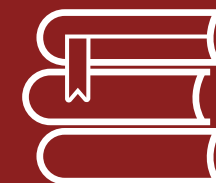
UNHCR
The UN Refugee Agency





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CHAPTER 1

LEARNING OBJECTIVES AND MODULE STRUCTURE



BY THE END OF THIS MODULE, YOU WILL BE ABLE TO:

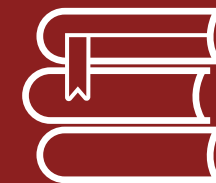
- Explain elements and design of an advocacy initiative; and
- Map relevant stakeholders related to ATD design and implementation

Please read the following materials carefully and complete the assignments.

Reading the materials and completing assignments in this module should take you 35 minutes.

This module was drafted based on the following sources (please note that not all of them are publicly available materials):

- UNICEF, *Advocacy Toolkit: A guide to influencing decisions that improve children's lives*, 2010
- UNHCR, *2014-2019: Beyond Detention - A Global Strategy to support governments to end the detention of asylum-seekers and refugees*, 2014
- UNHCR, *Guidance note on partnership in advocacy for protection*, 2013
- UNHCR's *Advocacy for Protection Learning Programme*



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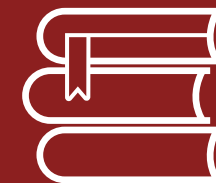
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WHAT IS ADVOCACY (FOR ATDs)?

Advocacy is a process of influencing, either directly or indirectly, law, policy and practice in favour of a particular group, for example asylum-seekers and migrants. The aim of advocacy is changing behaviour, attitudes and opinions about a given matter (based on the [UNICEF's Advocacy Toolkit](#)). This aim can be pursued through activities such as coalition building; research; events, conferences and awareness-raising sessions; communication and media work (including social media); diplomacy; campaigning; judicial engagement and social mobilization.

One of the main [principles](#) is that it must be conducted in the best interests of the people it seeks to assist, with their consent, consultation and participation. Advocacy involves: a) constructive policy dialogue and communication with a target audience(s); and b) formal and informal representations and communicating key messages.

The aim of advocacy is to influence – directly and indirectly – authorities, decision makers and other target audiences to bring about actions that result in better protection of asylum-seekers and migrants (see UNHCR's Guidance note on partnership in advocacy for protection).



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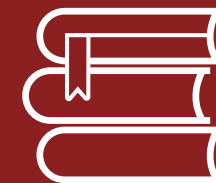
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Advocacy is always a step-by-step process that might involve extensive strategy and/or several coordinated actions to achieve a specified goal. It could lead to results in a short term or may have a long-term impact. Advocacy takes time and effort and consistency in messaging and approach. As a process, advocacy can be broken down into the following steps:

- Step 1** **Mapping**
Map and analyse legislation and policy gaps, relevant actors, public opinion approaches, causes and extent of problems, and your target audience(s)
- Step 2** **Designing**
Determine advocacy objectives and the means to achieve them, partnerships and key messages
- Step 3** **Implementing**
Implement actions related to the defined objectives
- Step 4** **Evaluating**
Assess results achieved, impact of advocacy measures, lessons learned
- Step 5** **Improving**
Feed lessons learned into improvements in further actions, adjusting advocacy actions, approaches and partnership



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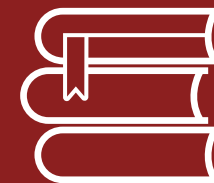
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Effective advocacy is not a spontaneous effort, but requires preparation:

- Strategic planning
- Clear target audience and clear key messages
- Involving stakeholders
- Knowledge of good practice ('what works'), and other solid evidence for your advocacy

Prior to engaging in advocacy around ATDs, a good advocacy plan is required. ATD issues are complex and involve various elements: the actors involved, policy and law and the target audience. An advocacy plan allows you to think through the various components of the advocacy process and prepare your engagement in advance. It helps to ensure responsibilities of all partners involved and actions that will be carried out. You can use it to properly tailor your actions and allocate resources to support the advocacy efforts. See below the recommended content of the plan.

If you plan to engage in an advocacy initiative, you will have to answer the following questions:

- What is the objective(s) you aim to achieve by this advocacy initiative?
- What are the expected outcomes of your advocacy initiative?
- What is the current state of affairs? What is the context/situation?
- What are your key messages and which steps do you need to take to convey them?
- Who is your target audience? Whom you will address with your advocacy actions?
- Who will do what, when, where, and with whom?
- Who will be your partners and alliances?
- What additional resources or support are needed?
- What activities need to be carried out to achieve the specific advocacy objectives?
- Which approaches will you take?
- What will be done to monitor progress and evaluate impact?

See Chapter 2 of UNICEF [Advocacy Toolkit 'Strengthening the Foundation for Advocacy'](#) provides a useful framework for reviewing your office's advocacy capacity.

Also see Chapter 3 'Developing an Advocacy Strategy' for a list of nine questions you can ask yourself when planning your advocacy.

Before an advocacy initiative can be designed, we need to know the current state of affairs. For the purpose of the **UNHCR Global Strategy**, UNHCR states that “[a]dvocacy (for ATDs) needs to be evidence based, hence the importance of providing a sound legal and practical analysis of the detention context, understating the reason for detention and the relevant actors involved, as well as having a monitoring and evaluation progress mechanism in place”. An advocacy initiative can only be successful if it addresses a specific country situation.

The first step thus involves:

Analysing the context

Mapping stakeholders



Why do we need analysis?

First, advocacy initiatives for ATDs very much depend on the specific country situation, so this needs to be analysed. They will depend on whether, for example:

- The country has a legal gap related to ATDs;
- The country has ATDs prescribed in laws, but not applied in practice;
- ATDs used in the country are very intrusive, and less intrusive measures are needed;
- There is a lack of knowledge about ATD implementation models;
- There is a need to expand the use of ATDs;
- Successes or failures of previous ATD or other advocacy efforts and,
- Political, social and cultural factors which influence general asylum / migration policy formulation.

This context will inform your key messages, set advocacy priorities and suggest required actions. For example, when you advocate for regulatory and legislative changes, you may want to bring up international obligations and best practices from other countries; but if you advocate for expansion of existing ATDs, you may wish to show what and how it works based on the experiences of others.

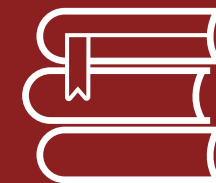
Second, advocacy needs to address clearly defined gaps and be evidence-based to be relevant.

What does this analysis entail?

Context analysis includes identification and review of:

- a) All applicable legal and policy framework and legislative and policy gaps between the current situation with respect to ATDs and international standards, operational arrangements; and
- b) The problems, which you plan to address with advocacy, and the solutions that you will promote.
- c) Current asylum / migration policy of your country, political, social and cultural factors which influence it and successes and failures of your advocacy efforts so far.

Now [see some examples](#) of analysis of country context. This type of analysis should be carried out for all planned advocacy initiatives.



Malaysia

Malaysia is a party to the Convention on the Rights of the Child. However, there are no specific provisions in Malaysian law to exempt asylum-seeking and refugee children from the provisions of Malaysia's Immigration Act 1959/63. There is no domestic refugee law or policy according protection of or legal stay for refugees and asylum-seekers in Malaysia. Asylum-seekers fall into the category of 'illegal migrants' and they remain at risk of arrest, detention, prosecution, imprisonment and other criminal sanctions (including caning) as well as deportation if not identified, registered and granted protection by UNHCR. There is an absence of law/regulation guaranteeing non-detention of asylum-seekers and refugees in Malaysia, except for a general instruction not to prosecute registered asylum-seekers and refugees. Administrative decisions to detain a foreigner, which could include a refugee registered by UNHCR, are not based on a detailed and individualized assessment of the necessity to detain an individual (see [National Action Plan: Malaysia](#)).

Israel

Issues of concern that need to be addressed in Israel include the lack of a legal requirement for assessing the individual circumstances that render detention of new 'infiltrators' necessary, reasonable and proportionate in the individual case. This goes against requirements of international refugee and human rights law. In addition, there is an absence of screening/assessment mechanisms for vulnerable individuals falling under legal exemptions, and failure to provide for in the law legal counsel to 'infiltrators' in detention proceedings (see [National Action Plan: Israel](#)).



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Power of arguments

You need to gather solid evidence for advocacy through desk review of the country's legal framework, policy and other relevant data and information. Some information can be collected from international human rights bodies' reports.

For instance, you may use the arguments and evidence for ATDs that are discussed in Module 1. When selecting the arguments that would help you advocate for specific ATD-related solutions, you may wish to consider what kinds of arguments the system is likely to react well to. Do not forget to consider the political, religious and cultural factors at play as well as the legal tradition in the country.

CHAPTER 3B

MAPPING: THE CONTEXT FOR PROMOTING ATDs (A CHECKLIST)

Analyse the ATD context in your country: Fill in the table below to help you analyse the situation and inform you on the potential advocacy actions.

	Short description of existing situation	Gaps (where applicable)	Potential advocacy actions
Legislative framework			
Policy framework			
Operational framework			
Problem issues related to ATDs			
List problem issue			
List problem issue			



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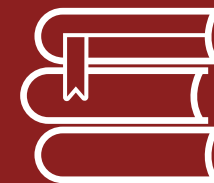
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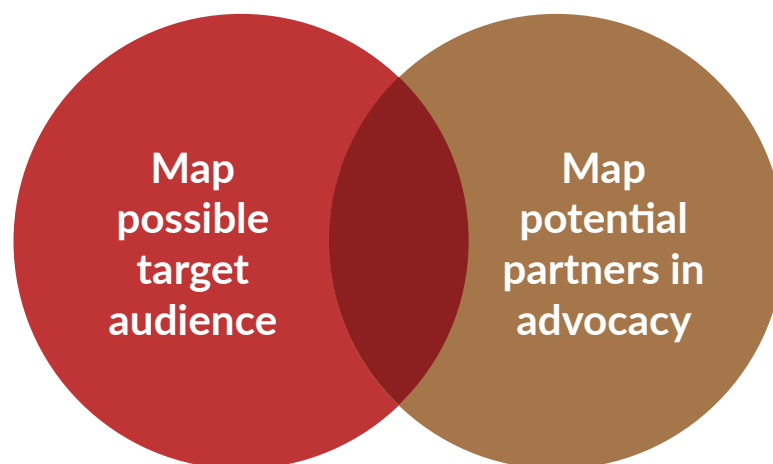
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List problem issue		
Causes of problem issues related to ATDs		
List problem issue		
List problem issue		
List problem issue		
Potential solutions to problem issues related to ATDs		
List problem issue		
List problem issue		
List problem issue		
Other relevant information on country context		

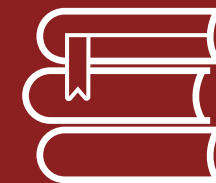
MAPPING: MAPPING STAKEHOLDERS

Stakeholder mapping is an exercise to systematically identify stakeholders according to certain criteria, such as interest or influence on the issue, financial stake, impact of the issue, commitment to address the issue, etc. It is also a visual tool used in strategy development to clarify and categorize various stakeholders (see UNHCR's Protection Learning Tool).

Stakeholder mapping is crucial for at least two reasons: it helps you identify your target audience and it serves to identify partners who could support your advocacy efforts. Therefore, when doing stakeholder mapping, you need to work in two directions:

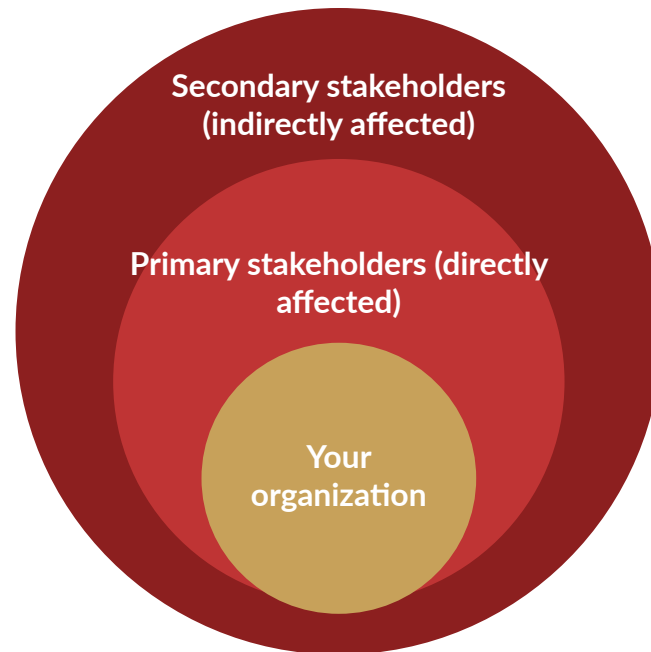


You also need to ensure that beneficiaries are included in your stakeholder mapping.

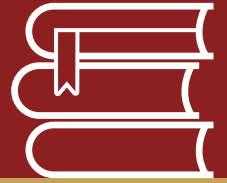


Targets and stakeholders

Identification of targets and stakeholders is critical for the success of your advocacy. You need to precisely identify the decision makers who have the power to effect or obstruct change, i.e. those who are ultimately affected positively or negatively (these are primary stakeholders), but also, just as importantly, all other actors who can influence the primary target by opposing or supporting the change sought, such as particular members or groups of the public (these are your secondary stakeholders).



Once you identify stakeholders, it would be useful to group them into three dimensions based on their level of interest, power to influence and support of or opposition to a change. The timeframes for your advocacy are also important to keep in mind. If you are looking for immediate results with little time for an advocacy intervention, you may only be able to focus on the critical audiences. However, if you engage early on, those who have high influence but are neutral or undecided about your issue could well be a key target at these earlier stages of your advocacy work. It may be worth considering how they could be persuaded to provide active support to ATD advocacy and/or work on your critical opponent to stop or reduce any potential exacerbation of the ATD issue.





Know the processes!

Sometimes advocacy efforts are wasted because of a lack of in-depth understanding of how relevant institutions function and how policy makers and decision makers can effect change within existing processes. When the advocacy objective is a change in policy or legislation, effective advocates need to be fully familiar with the decision-making cycle and its timing and with links to relevant international or regional frameworks and mechanisms.



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Potential partners

Successful advocacy initiatives involve many actors. You can reach your advocacy objectives more effectively if there are partners who communicate the same messages as you. Among the possible stakeholders could be international organizations present in the country, international and local NGOs, academia, media, local communities and others. You need to map the main actors and their interests, their willingness and capacity to engage with you in joint efforts, their actions on ATDs so far, and the compatibility of your and their messages. Stakeholder analysis involves identifying all those individuals, groups or institutions that might have a direct or indirect interest in a particular action and that therefore have a particular interest in participating in the planning of activities or influencing an intervention. Three dimensions need to be considered when analysing stakeholders:

Their level of interest in the ATD issue

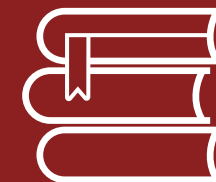
Their power to influence the ATD issue

Their level of support for (or opposition to) change

TIP!

Voices of people affected by ATDs can be very powerful!

The stakeholder map must therefore also include the rights holders affected by the ATD-related issue. Involving asylum-seekers and migrants as message-bearers may help carry a strong message. As rights holders they may be able to highlight, in a unique manner, the gaps in the way duty bearers are fulfilling their responsibilities, answer questions from a personal standpoint, and create empathy. The power of the voices of people directly affected by or who benefited from the ATD issue extends beyond the power of persuasion. What's more, involving asylum-seekers and migrants in advocacy contributes to their empowerment and their ability to speak for themselves. Such an approach also involves the responsibility to prepare them to achieve the full potential of having their voice heard.



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CHAPTER 3D

MAPPING: STAKEHOLDER ENGAGEMENT FOR THE PROMOTION OF ATDs (INTERIM ASSIGNMENT)

Use the table below to map the stakeholders in your country. The list is not exhaustive, so you may add additional actors that could be relevant to your advocacy for ATDs. Note that stakeholder groups need further disaggregation: for example, it is likely that different government stakeholders do not always hold same positions and attitudes towards ATDs.

Stakeholder group	What is their interest in ATDs?	What is their power to influence the ATD issue?	Their level of support for (or opposition to) change	Comments (e.g. primary or secondary audience; how they could support your work with advocating for ATDs; what could be their role, etc.)
Government stakeholders (migration officers, border guards, the judiciary, authorities responsible for social assistance and care etc.) Members of parliament/ legislature				
Independent bodies (national human rights bodies)				



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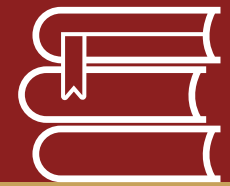
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Academics and experts				
International organizations				
Non-governmental actors (legal advisers, NGOs, informal groups)				
The media and journalists				
Celebrities and famous people				
Others				



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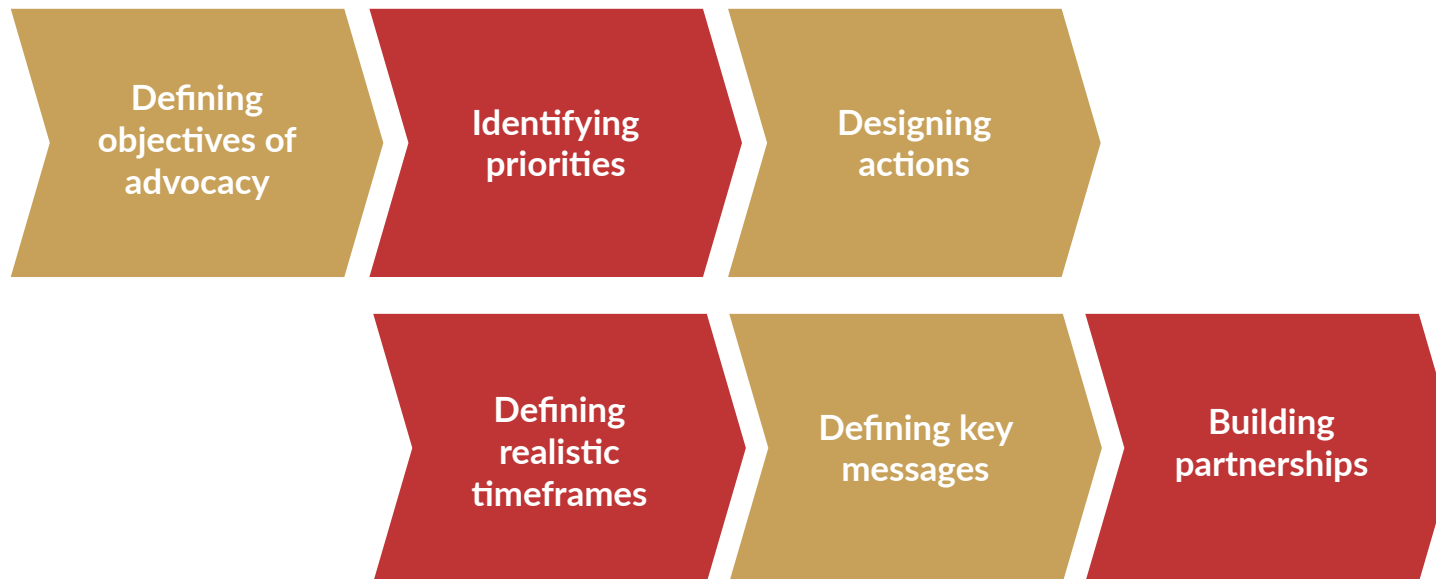
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STEP 2: DESIGNING YOUR STRATEGY

By now you have identified and analysed the country context, mapped the stakeholders (advocacy targets and potential partners). Based on this information you can select your priorities, the objectives of your advocacy, and the approaches through which you will achieve these objectives, as well as define realistic timeframes to achieve results. You can lay out key messages and actions. Designing your strategy could be broken into smaller steps:



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CHAPTER 4A

DESIGNING: DEFINING OBJECTIVES FOR ADVOCACY

Problem issues that you would like to address through advocacy tend to be complex. They have several dimensions, root causes and solutions. They impact asylum-seekers in different ways and involve a series of stakeholders. The overall objective, therefore, needs to give clear direction and a goal. It ensures that stakeholders interpret the aim of your ATD advocacy in the same way, regardless of their relation to the ATD issue and their role. In particular, the overall objective will guide key advocacy messaging to your various target audiences, ensuring that these messages all remain aligned. The overall objective provides the vision for the ATD advocacy effort as well as a shared meaning. Information and intelligence you gathered through mapping of your context and stakeholders should help you define your advocacy objectives. Consulting your potential partners at this stage can also help you better scope your objectives.

The overall ATD advocacy objective can be wide in scope in the case of a multi-year advocacy campaign or much narrower in the case of a single event (e.g. training intervention). Its scope, and the number of advocacy targets, will determine how specific the advocacy objective needs to be, including who is expected to effect the change, how the change will be measured, and the timeframe/deadline for the change to take place.



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The objectives of the advocacy initiative could be:

- Legislative and policy change;
- Investment and implementation of community-based ATDs;
- Absolute elimination of child detention practices;
- Stakeholders (target group) are now aware of ATDs;
- Change perception of specific stakeholders (target groups) on ATDs from negative to positive; and
- Other objectives.

The objectives will depend on your specific country situation and should be measurable.

Example

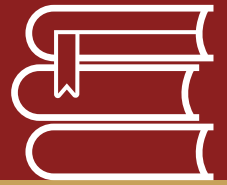
Among the objectives/goals of the UNHCR Global Strategy in relation to ATDs is to ensure that alternatives to detention are available in law and implemented in practice.

This objective included five sub-goals to ensure that:

1. Legal and policy frameworks include alternatives to immigration detention;
2. Procedures are in place to assess and review the necessity, reasonableness and proportionality of detention in each individual case;
3. Screening and referral mechanisms exist to ensure that asylum-seekers are referred to ATDs,
4. A variety of ATDs are available; and
5. ATDs take into consideration the needs of people with special needs and those in situations of vulnerability/risk.

This range of objectives covered legislative changes, operational changes, expansion of practices on ATDs and other aspects. Because these were global objectives, they were comprehensive. For your own country you may need to focus, for instance, on expanding ATDs if they are already prescribed in legislation, and so on.

Before you start, read some tips on entry and selling points below.



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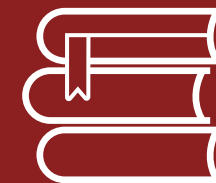
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Entry and selling points

In countries, where detention of asylum-seekers is practised regularly, you may need some entry points that would be more ‘sellable’ than others. These could include, for example:

- Focus on ATDs for children and families, as well as other people in situations of vulnerability/risk. This may help warm up the situation. Recently, several initiatives on ending the immigration detention for children have been carried out. They are supported by various stakeholders.
- Use examples and inspiration from positive ATD-related changes in other countries that have already occurred. It is easier for States to change something when they see similar changes in other States. In his [article](#), Mitchell shows that the implementation of early screening and case management processes aimed at reducing reliance on immigration detention Sweden in 1996 impacted reform efforts in Australia in 2006 and Belgium in 2008, including the implementation of case management and community-based alternatives to immigration detention.
- Distinguish arguments and solutions for transit and destination countries: what works in one will not work in another (e.g., compliance rates and absconding rates), thus arguments need to be differentiated. Sampson [underlines](#) that key considerations for investigating ATD options in the transit context include: the heightened need to establish mechanisms for screening; understanding individual vulnerabilities, strengths, and factors driving migrant journeys; improving community conditions with case management; and expanding case resolution options such as resettlement, third-country options and national solutions.

Sometimes pragmatic and financial arguments are more effective than arguments based on compliance with international law or human rights, so these might be a starting point for engaging governments.



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CHAPTER 4B

DESIGNING: IDENTIFYING PRIORITIES

Once you know what the main challenges are related to ATDs in your local context, and you decided on the objectives for the advocacy initiative, you should select one or few issues on which to focus your advocacy efforts. Focusing on a few well-defined issues is an essential ingredient for success in advocacy.

Examples

2014–2019: Beyond Detention – A Global Strategy
One of the three priorities (goals) of UNHCR actions on immigration detention is ensuring that alternatives to detention are available in law and implemented in practice.

United Kingdom

The **UNHCR priority on ATDs** in the United Kingdom is to expand the use of alternatives to immigration detention and significantly reduce the Government's reliance on detention.

Mexico

The **UNHCR priority in Mexico** is to strengthen the protection of unaccompanied children in line with best interest principles and practices.



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CHAPTER 4C

DESIGNING: DESIGNING ACTIONS

After you define objectives, priorities, target audiences and key messages, it is necessary to plan concrete actions that will help you to advocate for the change you seek in relation to ATDs.

Advocacy for ATDs will be more powerful and successful if it delivers key messages using a variety of complementary and well-orchestrated approaches.

The selection of the types of activities, targets and implementers should be carefully tailored to the specific context and make maximum use of the complementary strengths and mandates of each partner (see UNHCR's Guidance note on partnership in advocacy for protection).

When planning advocacy interventions, consider the following while being clear about purpose of such interventions:

- Disseminate and promote the use of available protection tools, in particular [UNHCR's Detention Guidelines](#).
- Comment on national legislation and policies, participate in parliamentary or government inquiries or commissions, or make submissions to international, regional or national human rights bodies.

- Build dialogue with governments, including by sharing good practices with other governments and by developing working groups.
- Use pragmatic messages – and not only rights-based arguments – in advocacy with governments.
- Prepare and disseminate immigration detention-related reports linked to monitoring and research.
- Reach out to a range of stakeholders, including non-traditional partners, such as national human rights institutions.
- Establish national or local/provincial consultative or advocacy groups.
- Find opportunities for regional advocacy and establishment of regional networks.
- Engage with the judicial and legal community. Consider whether and how litigation could feature in the national action plan. Activities might include keeping track of relevant case law, identifying precedent-setting cases for court interventions (whether direct interventions by UNHCR or assistance to NGOs or other partners) and, more broadly, encouraging involvement of the legal community in the detention issue at the national, regional or international level, as appropriate.

For more information, consult the [UNHCR Global Strategy](#).



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CHAPTER 4D

DESIGNING: INTERIM ASSIGNMENT

See below the examples of general types of potential advocacy interventions (see page 7 in UNICEF's *Advocacy Toolkit* for reference). Do you think some of these could be useful as advocacy actions around ATDs? Pick those that you think could be used for advocating ATDs and type them in at the right column of the table.

Advocacy interventions types	Examples	Which ones would you use for advocacy around ATDs in your country? Can you also explain why?
Policy dialogue, persuasion and negotiation	<ul style="list-style-type: none">- Make formal or informal representation to policy makers- Hold one-on-one discussions with decision makers to influence them to change policy, practice and/or behaviour- Hold a dialogue with the government, including sharing good practices from other governments or developing working groups	
Formal representations and submissions	<ul style="list-style-type: none">- Comment on national legislation and policies- Participate in parliamentary or government inquiries or commissions- Make submissions to national, regional or international human rights bodies, e.g. the Universal Periodic Review (UPR) process, UN Special Rapporteurs, Council of Europe monitoring bodies, Inter-American Court of Human Rights, African Court on Human and Peoples' Rights.	
Learning interventions	<ul style="list-style-type: none">- Build and strengthen the capacity and reinforce knowledge of duty-bearers and other partners to change approaches, practice and/or behaviour	



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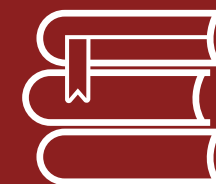
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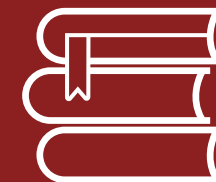
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Advocacy interventions types	Examples	Which ones would you use for advocacy around ATDs in your country? Can you also explain why?
Litigation	<ul style="list-style-type: none"> - Engage with the judicial and legal community - Keep track of relevant case law, identifying precedent-setting cases for court interventions (whether direct interventions by UNHCR or assistance to NGO or other partners) - Encourage the involvement of the legal community in the ATD issue at the national, regional or international level, as appropriate 	
Research/ publications	<ul style="list-style-type: none"> - Produce relevant evidence to support advocacy and write recommendations which can be addressed by decision makers and stakeholders - Illustrate the underlying causes of and solutions to a problem - Enhance the credibility of UNHCR's observations and recommendations for policy change - Contribute to others' research 	
Dissemination of tools	<ul style="list-style-type: none"> - Disseminate available ATDs tools - Promote the use of ATDs tools 	
Conferences/events	<ul style="list-style-type: none"> - Bring together a variety of stakeholders and decision makers to highlight the causes of and identify the solutions to ATD-related problems, with follow-up that includes concrete and immediate actions - Raise awareness and educate people on the complexities of the ATD issue and the changes needed - Allow the voices of asylum-seekers to be heard at the highest level 	
Awareness raising, public information, media work and communication	<ul style="list-style-type: none"> - Enhance UNHCR's credibility and legitimacy as an advocate by promoting its public image and visibility - Deliver persuasive, evidence-based and solution-oriented messages to the public, decision makers, stakeholders and those who influence them - Create an enabling environment for effective implementation of policy changes 	
Partnerships/coalitions/alliances	<ul style="list-style-type: none"> - Generate organizational support and momentum behind issues, connect messengers with decision makers and utilize diversity to achieve common advocacy goals 	



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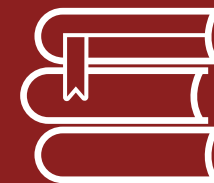
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Advocacy interventions types	Examples	Which ones would you use for advocacy around ATDs in your country? Can you also explain why?
Working with asylum-seekers	<ul style="list-style-type: none">- Inform and communicate with asylum-seekers- Facilitate channels for the voices of asylum-seekers to be heard and acted on by decision makers and stakeholders- Build the capacity of community-based organizations to support the policy change advocated for	
Campaigns	<ul style="list-style-type: none">- Mobilize the public around the advocacy issue, change perceptions, and build support to influence decision makers and stakeholders	
Social mobilization	<ul style="list-style-type: none">- Engage multiple levels of society, including those who are marginalized, as allies and partners in overcoming barriers to the protection of asylum-seekers in relation to ATDs	

Please also consult UNHCR Global Strategy.



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Following are some country-specific examples of advocacy actions around ATDs

Malaysia

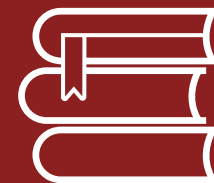
To achieve Goal 1 of the UNHCR **Global Strategy** (End the detention of children) the following key actions were carried out in Malaysia (see **National Action Plan: Malaysia**):

- A review of current policies and laws on detaining children and conducting participatory assessments with existing stakeholders to identify best practices and make recommendations for a legal policy and framework applicable to asylum-seeking and refugee children under the Immigration Act and the Child Act 2001;
- Interventions with the Malaysian immigration enforcement authorities and in judicial processes to secure the release of detained children; and
- Awareness training on children's rights.

Lithuania

To achieve Goal 2 of the UNHCR **Global Strategy** (Ensure that alternatives to detention are available in law and implemented in practice), the following action were implemented (see **National Action Plan: Lithuania**):

- Expansion of the national network of asylum and immigration lawyers and relevant training offered to the judiciary, legal practitioners and border guards/police officers; and
- Advocacy for expanding reception support to asylum-seekers staying outside the Foreigners Registration Centre.



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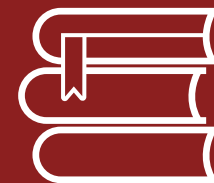
Defining realistic timeframes

One of the bottlenecks to the effectiveness of advocacy strategies is that timeframes for achieving results and impact are sometimes defined unrealistically. Advocacy takes time, so planning realistic timeframes for implementing the initiatives and expecting results is very important. For example, an overall ATD advocacy objective can be wide in scope in the case of a multi-year advocacy campaign or much narrower in the case of a single event (e.g. training intervention). Depending on objectives, planned actions and expected results (changes) may have longer or shorter timeframes.

Developing key messages

The overall ATD advocacy objective should be turned into a key message that will help you reach your advocacy targets and audience. Your key message will essentially have three components: a succinct statement of the ATD issue, why and how it is a problem, and the desired outcome and the changes required to achieve it. The key message should be short enough to be delivered in less than one minute to capture the attention of your audience. Any advocacy objective is bound to be complex and multifaceted: therefore developing a short and succinct key message is a challenge. However, a good key message is a vital part of effective advocacy which can provide coherence to your advocacy interventions (and advocacy partners) and clarify their aim.

To ensure that your key ATD advocacy message interests and engages your advocacy targets and audience, you also need to consider what their concerns and priorities might be. It is also possible that you have a number of targets (including secondary targets), in which case you need to tailor your message accordingly. For example, migration authorities' aim might be to put in place a well-managed migration system. Courts might be most concerned that their judiciary system is compatible with international and domestic legal framework. In short, crafting and tailoring your key message requires understanding of your advocacy target and audience's motivation and the context they operate in so that your message resonates with them and motivate them to take action.



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Below are hypothetical examples of key messages targeting authorities:

Overall advocacy objective: Reduce immigration detention by increased use of alternatives to detention

Key message: The governments across the world are increasingly using immigration detention as a tool of migration management. Evidence shows that immigration detention is harmful to individuals, expensive for the governments and can interfere with fair status determination, speedy case resolution and protection of vulnerable population. Use of detention can be minimised by developing and implementing a range of alternatives to detention and UNHCR stands ready to assist the governments with this process.

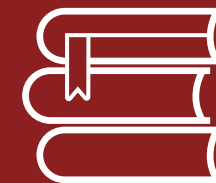
ATD advocacy objective: Introduce screening and referral mechanisms to ensure that asylum-seekers are referred to ATDs

Key message: Authorities should only resort to detention when it is determined to be necessary, reasonable in all circumstances and proportionate to a legitimate purpose. In reality, we are witnessing many asylum-seekers, including persons in situations of vulnerability or risk, are unlawfully detained / all asylum-seekers are detained routinely. Establishing a comprehensive screening and referral mechanism to ATDs can help the authorities to respond to individual's circumstances appropriately, reduce unnecessary detention and run an asylum system that is compatible with their legal obligations which protects asylum-seekers' rights.

These are examples created for hypothetical situations where the authorities have some interest in improving their migration and asylum system and therefore might not resonate with the context you are working in. What changes do you think you need to make to the above, if you want to make them work for the authorities in your country? How about if your target audience is 1) journalists, 2) civil society organisations whose support you are seeking or 3) politicians who want to see more asylum seekers detained?

You may wish to use the chart below to develop your overall advocacy objectives and key messages.

Overall advocacy objective & key message		
Target audiences (if different)	ATD advocacy objective	Message
Example		



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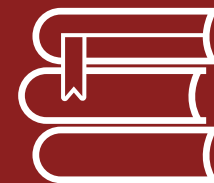
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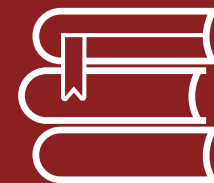


Building partnerships

Advocacy efforts can rarely be achieved in isolation and often require partnerships. This step therefore requires the identification of key partners who can add value to your ATD advocacy initiative. At an earlier stage, you mapped potential advocacy partners. Now you need to select from among them those with whom you will build a partnership. You can use the checklist below to guide your selection of partners.

TIP!

In advocacy partnerships, each partner's role should be clarified and reviewed regularly to manage expectations. This clarity enables partners to benefit from each other's comparative advantages and leverage potential, while respecting each other's independence, uniqueness and diversity of interests (see UNHCR's Guidance note on partnership in advocacy for protection).



Checklist for the selection of partners

Which other individuals, groups or institutions are engaged in the ATD issue?

Do they have shared interests and goals with UNHCR?

Do they have access to and can they influence the target audiences?

Do they increase the legitimacy, credibility and effectiveness of the advocacy initiative?

Do they bring evidence, knowledge or technical expertise on the issue?

Do they bring other resources to the advocacy initiative?

Do they have global, national or local presence?

Are their strengths and abilities complementary to UNHCR's?

Do they see UNHCR as adding value as a partner?

Do they already work in partnership with UNHCR or does the partnership need to be established?

What would be the advantages and risks of partnering with them on this specific advocacy issue?



CHAPTER 5

STEP 3: IMPLEMENTING AN ADVOCACY INITIATIVE

Implementation of your advocacy initiative could be scheduled as pilot or ongoing activities, depending on the timeframe for your advocacy and considering the availability of human and financial resources and other aspects. You need to be prepared to adjust your actions depending on the evolving situation in your country. Information sharing among advocacy partners during implementation is essential for successful advocacy.



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STEP 4: MONITORING AND EVALUATING THE ADVOCACY INITIATIVE

Monitoring and evaluating are key elements in the development, implementation and ultimate success of advocacy interventions. They complete the process and are indispensable for indicating what has been achieved through the effort put into advocacy. Monitoring and evaluation also lay the ground work for making adjustments in the process if needed. They are indispensable for collecting lessons learned and measuring the results in the short term and impact in the longer term.

You need to identify indicators to measure the success of your advocacy efforts (see some examples of indicators below). However, it is important to remember that not everything that can be measured should be measured. Measuring and data collection take time, people and resources. The more indicators, the more resources are required. The cost of measuring performance and impact must therefore be weighed against the added value produced by this information. You need to define in advance the duration, timing and frequency of monitoring activities, and state when you intend to carry out an evaluation of the impact of your ATD advocacy work.

Monitoring

Systematic and continuous process of assessing progress. It involves collecting, recording, verifying and analysing information to identify gaps and delays in the implementation of planned activities, and progress against the specific advocacy objectives.

Evaluation

Comprehensive analysis of impact of your advocacy activities on people of concern.



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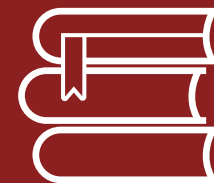
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Examples of indicators:

If your objective is to establish ATDs in legislation



The indicator of success could be passage of a law/legislative amendment on ATDs

Example: The Cabinet of Ministers approved a legislative framework to implement ATDs for introduction to the Parliament in Zambia.

If your objective is to reduce the detention of people in situations of vulnerability/risk



The indicator of success could be an increase of 10 per cent in number of people in situations of vulnerability/risk referred to ATDs

Example: The percentage of people in ATDs in Lithuania increased from 8% (2014) to 17% in 2015

If your objective is to ensure that procedures are in place to ensure the necessity, reasonableness and proportionality of detention



The indicator of success could be a legislative amendment that includes an individual assessment requirement or an available judicial practice using this requirement

If your objective is to expand the childcare arrangements for asylum-seeking unaccompanied or separated children



The indicators of success could be an increase by a certain number of places available in childcare arrangements, or an increase in the number of options for such arrangements

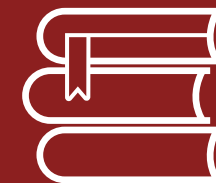
Example: The number of places available in care arrangements for unaccompanied or separated children increased from 20 in 2014 to 30 in 2015 in Malaysia



CHAPTER 7

STEP 5: IMPROVING AN ADVOCACY INITIATIVE

Monitoring and evaluation of your advocacy efforts will provide lessons learned. It is important to feed back into the advocacy process any lessons learned, to improve your advocacy. Some improvements in your advocacy work can be fed directly into the ongoing process, even at the stage of implementation. Impact evaluation, however, requires some time to have passed after your advocacy actions are taken, so you will be able to use the recommendations for improvement in the next cycle or as part of another advocacy initiative. You may also discover that some partnerships did not prove to be effective or constructive and you may wish to discontinue them and engage with other partners.



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FINAL ASSIGNMENT: ATD ADVOCACY PLAN FOR A SPECIFIC COUNTRY

Using various points below, draft a preliminary advocacy plan for one priority objective related to advocacy for ATDs. You can refer to the [UNICEF's Advocacy Toolkit](#) and [UNHCR Global Strategy](#) as well as previous assignments in this module.

You should do the following:

- Specify the overall objective of your advocacy around ATDs and one priority objective.
- Develop a key message about your overall and priority objective.
- Tailor your key message about your priority advocacy objective according to your target audience.
- Identify who will communicate these messages (you, your partner or maybe both).
- Identify various approaches for working with the media and civil society actors, if this was identified as necessary.
- Develop a list of actions.
- Set performance and impact indicators to monitor and evaluate your advocacy efforts.



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POINTS TO REMEMBER

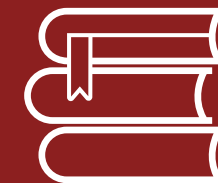
Advocacy around ATDs is a means to influence governments, decision makers, non-governmental partners and the public to adopt practices ensuring the fulfilment of the rights of asylum-seekers and migrants.

Being seen as a credible advocate by those you wish to influence and by the communities on behalf of whom you advocate is essential to effective advocacy around ATDs.

Advocacy interventions should be based on a rigorous analysis of the country context, solid evidence and a map stakeholders.

Key advocacy messages need to be tailored to each advocacy target and audience that has the power to effect the changes sought by the advocacy intervention.

ATD advocacy objectives are always better achieved in partnership with other actors and involving people directly affected by detention/ATDs.



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FURTHER READINGS

Advocacy Toolkit: A guide to influencing decisions that improve Children's lives, UNICEF, 2010,
https://www.unicef.org/evaluation/files/Advocacy_Toolkit.pdf

2014–2019: Beyond Detention – A Global Strategy to support governments to end the detention of asylum-seekers and refugees, Revision 1, UNHCR, 2014, pp. 10–11,
<http://www.unhcr.org/53aa929f6.pdf>



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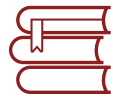
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Alternatives to Detention



UNHCR
The UN Refugee Agency



This material was developed within the project 'Global Technical Assistance and Capacity Building Programme to Prevent Detention of Children and to Protect Children and Other Asylum-Seekers in Detention' funded by the European Union.

The views expressed herein can in no way be taken to reflect the official opinion of the European Union.