

Regional Platform and Program of Learning and Action on Alternative Care Arrangements for Children in the Context of International Migration in the Asia Pacific

14 December 2020

Virtual Roundtable:
Mainstreaming Child Protection in the Context of International Migration

Summary Report

1. Background

There is growing regional and international consensus that the detention of children in the context of migration, even for a short period of time, is a harmful and inappropriate practice. The Global Compact on Refugees affirms the importance of “non-custodial and community-based alternatives to detention, particularly for children” and in the Global Compact on Migration, states explicitly agreed in Objective 13(h) to directly address child detention “by ensuring availability and accessibility of alternatives to detention in non-custodial contexts” and “by working to end” this practice.

In November 2019 regional actors came together in Bangkok to discuss these issues, at the *Roundtable on Alternative Care Arrangements for Children in the Context of International Migration in the Asia Pacific*. The roundtable was co-hosted by the Department of Children and Youth in the Thai Ministry of Social Development and Human Security, the International Detention Coalition (IDC) and the Secretariat of the Asia Dialogue on Forced Migration (ADFM), with support from the Royal Thai Government and Australian Department of Home Affairs. Participants from the governments of Thailand, Indonesia, Malaysia, and Australia, as well as national civil society and international organizations, agreed to establish an ongoing regional platform and program of learning and action on alternative care arrangements for children in the context of international migration in the Asia Pacific. This platform would enable participants to share experiences, successes and challenges in implementing such arrangements for children and their families, with technical capacity building and information exchanges identified as areas for further exchange.

Since that meeting, the onset of the COVID-19 pandemic has posed, and continues to pose, significant challenges for governments and civil society in the region, including in responding to children in the context of international migration. With travel restrictions in place due to the pandemic, participants expressed an interest in re-convening virtually, to build upon the exchanges and learnings from the 2019 Roundtable. In particular, participants expressed an interest in learning more about Australia’s experience in mainstreaming child protection.

2. Summary of proceedings

The virtual roundtable convened on 14 December 2020, the first in an ongoing series, was attended by approximately 35 people from government ministries, civil society organizations, and international organizations in Australia, Indonesia, Malaysia and Thailand. As the roundtable was conducted under the Chatham House Rule, what follows is a high-level summary of proceedings.

Following a brief overview by the organizers of recent global and regional trends, particularly during COVID-19, participants shared updates from their respective national contexts. There has been continued progress in implementation of the January 2019 MOU on alternatives to detention (ATD) for children in immigration detention centres in Thailand. This has included the approval of standard operating procedures to guide

implementation, accompanied by training for immigration officers and social workers. In Malaysia, discussions for an ATD pilot program for unaccompanied and separated children have continued, with a white paper finalized for presentation to the Malaysian Cabinet in 2021. In Indonesia, a Protocol was developed on special protection for internally displaced children and foreign refugee children, within the framework of the National COVID-19 Protocol. At the ASEAN level, work is also continuing to develop a Regional Plan of Action to implement the ASEAN Declaration on the Rights of Children in the Context of Migration across all ASEAN Member States.

This session was followed by a presentation about Australia's experience mainstreaming child protection including in immigration contexts. Presenters spoke to the factors that propelled Australia to move from a situation where at its peak, nearly 2,000 children were in held detention facilities, towards the creation of the Status Resolution Support Services program through which children and families are supported in a community setting. The launch of the Child Safeguarding Framework, followed by the establishment of the National Office for Child Safety, has paved the way for greater institutional and practical changes towards child protection for all children, including those who are subject to Australia's mandatory immigration detention policies. The presentation was followed by a lively question and answer session, where participants reflected on how elements or lessons learned from the Australian experience could be applied within their national contexts.

3. Key outcomes and next steps

The final session of the virtual roundtable focused on desired next steps for the group. To begin, the four themes that emerged from the 2019 roundtable were reviewed, namely (i) knowledge and resource sharing (via an online hub or other method, with resources, handbooks, materials, etc); (ii) technical assistance or capacity building; (iii) peer learning in the form of bilateral study trips, site visits or secondments; and (iv) further meetings at the regional or even national level. Given the COVID-19 context, the following two elements were emphasized to prioritize for 2021.

Further virtual roundtables to support ongoing peer learning. There was interest from participants in convening future virtual roundtables, which could be longer, and/or more frequently convened. Future sessions could involve formal presentations by different countries, or center more on group discussions. IDC and the ADFM Secretariat are exploring holding these sessions regularly over the course of 2021 to ensure participants are able to maintain ongoing engagement both with each other and on these important issues.

Some themes or topics of future discussions that were raised included:

- Lessons learned from case management practices,
- The role of civil society in the provision of alternative care arrangements to children and their families, and lessons learned from partnerships between different levels of government (city, provincial and national) and civil society organizations,
- Laws, policies and practices relating to access to education for refugee and migrant children,
- How this regional platform could connect with the work of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), including the ASEAN Declaration and forthcoming regional plan of action,
- Responses to unaccompanied and separated children, and foster care systems

Knowledge and resource sharing. Following the presentation there were requests for further information on child safeguarding programs, including information about child safe organization development practices and the way in which these have been implemented and monitored across the relevant agencies and amongst service providers. Expertise and resources in trauma care and counseling for children and families affected by immigration detention were also offered.