



GLOBALDETENTIONPROJECT

November 2019 Newsletter



Welcome to the Global Detention Project's roundup of current research, publications, and events. For any questions about our content, please contact [admin \[at\] globaldetentionproject \[dot\] org](mailto:admin@globaldetentionproject.org)

OUR LATEST PUBLICATIONS



Physical Fences and Digital Divides: Final Report of the Global Detention Project Special Investigation into the Uses of Electronic Media in Today's Migration Journeys

Smartphones, social media platforms, and other tech tools are today “migrant essentials” that can assist people in making life-saving decisions and bring public attention to abuses that migrants and refugees face as they confront the world’s increasingly militarised borders. But they can also be exploited by unscrupulous actors in harmful ways and mislead people at perilous moments in their journeys. This GDP special report documents the trajectory and impact of this “tech turn” that has exploded since the onset of the refugee “crisis,” exploring new tools that have emerged in recent years, the uses of these tools by people on the move in key hotspots in the Mediterranean region, and the array of critiques and concerns that have arisen as some of the early excitement and promise of digital humanitarianism have begun to fade. What lessons should we draw from this “tech turn”? In what ways can social media and other digital tools be used to reduce harms suffered by migrants and refugees? And is there a future for digital humanitarianism?

[Read the full report](#)

Immigration Detention in Romania: With a Little Help from the EU

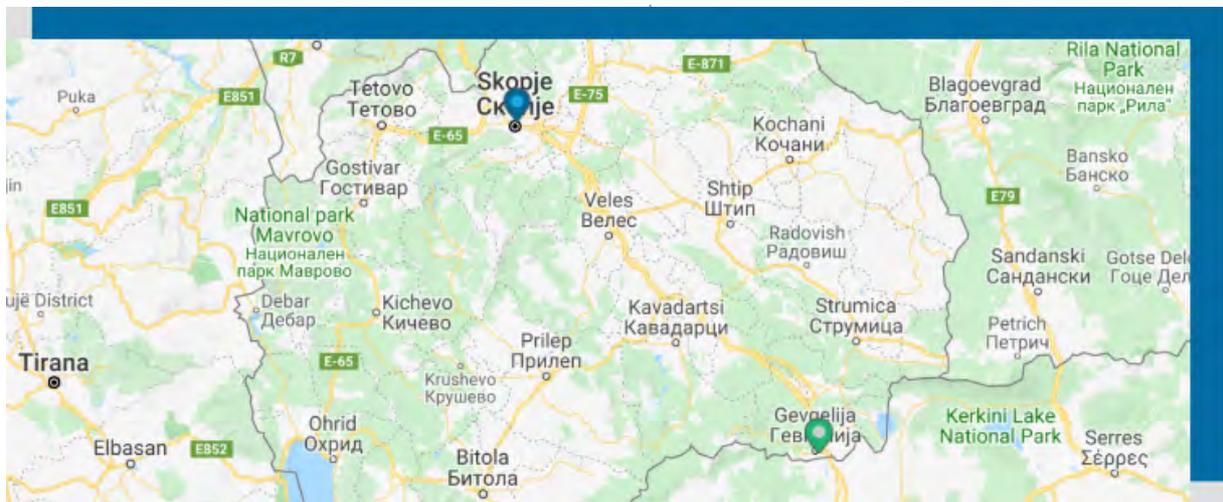
To pave the way for Romania's entrance into the Schengen area, the EU has helped finance the country's efforts to boost border controls and restrict how many people it lets in. Observers point to a number of concerns about conditions in Romania's immigration detention facilities, including their prison-like regimes, lack of mechanisms to identify vulnerable persons, inadequate medical services, and insufficient provision of legal assistance.

[Read the full report](#)

Submission to the Working Group on Arbitrary Detention: Greece

The GDP and Greek Council for Refugees submitted information to the UN Working Group on Arbitrary Detention ahead of its [visit to Greece in December](#). The submission highlighted critical concerns surrounding the detention of migrants and refugees, such as the new draft law on asylum, which threatens to undermine the principle that detention of asylum seekers should only be applied exceptionally and as a last resort.

[Read the full report](#)

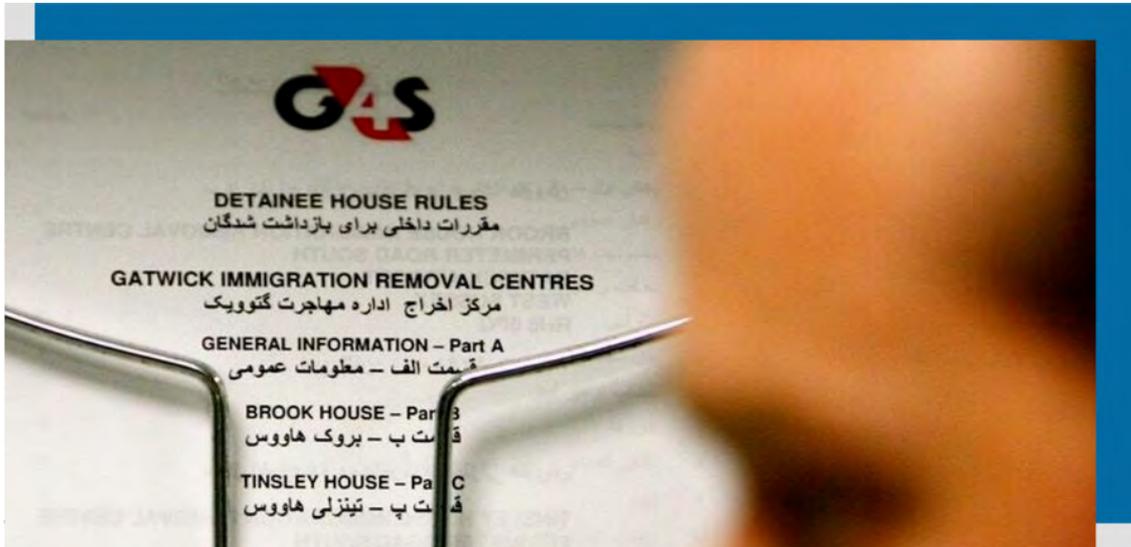


Submission to the European Committee for the Prevention of Torture (CPT): North Macedonia

ahead of its [visit to North Macedonia in December](#). The submission draws attention to critical developments in the country since the government extended a state of emergency in 2018, which provides for military police patrols along the country's borders. The submission also highlights reports indicating border guards hold refugees at ad hoc "transit" camps, lack of data on the numbers of immigration detainees, misleading language in the 2018 Law on International and Temporary Protection that refers to detention as "limitation on freedom of movement," and concerns about detainees' access to legal assistance.

[Read the full report](#)

NEWS + ACTIVITIES



The Use of Private Military and Security Companies in Migrant Detention Centres

On 27 November, the GDP's Michael Flynn joined a panel organised by the UN Working Group on the Use of Mercenaries to discuss the use of private military and security companies in immigration detention as part of the United Nations Forum on Business and Human Rights. [Read more.](#)

The European Union Returns Directive and its Compatibility with International Human Rights Law

In her new book "The European Union Returns Directive and its Compatibility with International Human Rights Law: Analysis of Return Decision, Entry Ban, Detention, and Removal" (Brill, 2020), GDP Researcher Izabella Majcher undertakes a thorough human rights assessment of the EU Returns Directive. Exploring several protection gaps in EU return policy that may result in violations of migrants' rights, she highlights how the provisions of the Directive should be implemented in line with member states' human rights obligations. [Read more.](#)

Immigration Detention under the Global Compacts in the Light of Refugee and Human Rights Law Standards

In an article for *International Migration*, GDP Researcher Izabella Majcher explores how immigration detention is addressed in the Global Compact on Refugees (GCR) and Global Compact for Safe, Orderly and Regular Migration (GCM), and investigates the potential implications of the compacts on existing legal framework regulating the use of immigration detention. [Read more.](#)

Private Prison Labour: Paradox or Possibility?

In an article for the *Journal of Law and Jurisprudence*, GDP Fellow Mario Guido argues that in designing a system of private prison labour, compliance with the requirements of the Forced Labour Convention is a necessary step to avoid the exploitation of prisoners and to protect human rights. In analysing France, Germany, and Australia, Guido identifies the French system as the most compatible with the Convention and proposes a model framework that complies with the norm and serves the objectives of modern penal systems. [Read more.](#)

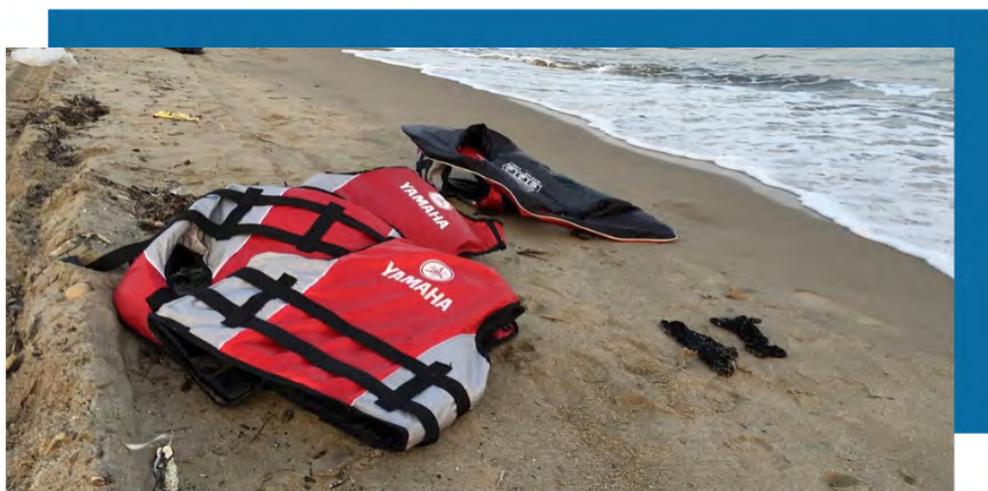
Global Study on Children Deprived of Liberty: States Must End Immigration Detention of Children and Families

On 20 November, the UN Independent Expert on Children Deprived of Liberty, Manfred Nowak, released the Global Study on Children Deprived of Liberty. This study is the result of years of work by Nowak, with assistance provided by numerous external advisers and experts, including GDP staff members, evaluating all forms of deprivation of liberty of children—including children in migration-related situations. Acknowledging the clear trend in authoritative law and opinion regarding the necessity of prohibiting child immigration detention, the study makes various important recommendations. [Read more.](#)

Twentieth Anniversary of the Mandate of the UN Special Rapporteur on the Human Rights of Migrants

On 12-13 November, the UN Special Rapporteur on the Human Rights of Migrants held an event in Mexico City commemorating the mandate's 20 years of work protecting the human rights of migrants. The conference included a presentation by the GDP's Executive Director Michael Flynn, as part of a panel discussing how we can best build a rights-based approach to migration governance. [Read more.](#)

GDP ON THE RECORD



[“The United Nations Global Study on Children Deprived of Liberty,”](#) M. Nowak, 2019.

[“End of Mission Statement of Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Prof. E Tendayi Achiume, at the Conclusion of her Mission to Doha, Qatar \(1 December 2019\),”](#) OHCHR, 2019.

[“Who Profits from Immigration Detention? Not America or its Ideals,”](#) N. Ishisaka, *The Seattle Times*, 2019.

[“UN Experts on Arbitrary Detention to Pay Official Visit to Greece,”](#) *Ekathimerini*, 2019.

[“Faith-Based Citizenship: The Dangerous Path India is Choosing,”](#) *The India Forum*, 2019.

[“The Debate over 'Alternatives' to Immigration Detention of Children,”](#) M. Flynn, *Migrations, State Obligations, and Rights in a Globalized Context*, University of Geneva, Global Studies Institute, 2019.

["Immigration Detention Under the Global Compacts in the Light of Refugee and Human Rights Standards,"](#) I. Majcher, *International Migration*, 2019.

["The European Union Returns Directive and its Compatibility with International Human Rights Law,"](#) I. Majcher, Brill, 2020.

["Work in Progress: Qatar's Labor Reforms,"](#) A. Lehman-Ludwig, *Brown Political Review*, 2019.

["The Impact of Immigration Detention on Mental Health: A Systematic Review,"](#) M. von Werthern et al, *BMC Psychiatry*, 2019.

["Bulgaria: Asylsystemet \[Bulgaria: The Asylum System\],"](#) LandInfo, 2019.

["Prison Conditions in Nigeria,"](#) ARC Foundation and Garden Court Chambers, 2019.

["The People's Inquiry into Detention: Social Work Activism for Asylum Seeker Rights,"](#) L. Briskman, *Journal of Sociology*, 2019.

["Genealogies of Immigration Detention: Migration Control and the Shifting Boundaries Between the 'Penal' and the 'Preventive' State,"](#) G. Campesi, *Social and Legal Studies*, 2019.

["Refugee and Asylum-Seeking Children: Interrupted Child Development and Unfulfilled Child Rights,"](#) Z. Vaghri et al, MDPI, 2019.

["Lawless Libya: Unprotected Refugees Kept Powerless and Silent,"](#) M. Van Reisen et al, in *Mobile Africa: Human Trafficking and the Digital Divide*, Van Reisen et al (eds.), Bamenda, Cameroon: Langaa Research & Publishing CIG, 2019.

["Turkey: A Serial Human Rights Abuser and Europe's Refugee Gatekeeper,"](#) Jadaliyya, 2019.