



Immigration Detention as a Measure of Last Resort How to successfully apply less restrictive measures:

Special Focus on Protection of Vulnerable Persons and Best Interest of a Child

**Under the auspices of Ms. Marica Pirosikova
Representative of the Slovak Republic at the ECtHR**

Law Faculty of University of Pavol Jozef Šafárik
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The legislation allows for immigration detention to be ordered only if the purpose of the detention cannot be reached through less restrictive measures. The implementation of the less restrictive measures in practice, however, remains a challenge. Its application is conditioned by prior examination of “survival” conditions, which must be shown by a foreigner. State ensures “survival” conditions only in police detention centers, where persons are deprived of their personal liberty. As a result of this requirement, the most vulnerable persons cannot afford less restrictive measures, because they do not have own resources or sufficient support.

Can detention be the only solution proposed by the state to those who are vulnerable without any financial resources? Or shall state provide material conditions also for application of less restrictive measures? How do they do it in other countries? Can it work out? Does reputation of a transit country play any role? Which role do NGOs have in organization of alternative less restrictive measures? What can be influenced by courts or by prosecutors? What is more expensive for the state: detention or less restrictive measures? How can we prevent abuse of this system?

We will jointly search the answers to these questions in the forum of state experts, academics, lawyers, representatives of international and non-governmental organizations with practical knowledge.

PROGRAMME
23 JAN EXPERT SEMINAR
KOŠICE LAW FACULTY, KOVÁČSKA 26

- 08:30 **Presentation of registred participants**
- 09:00 **Opening**
Zuzana Številová, Director, Human Rights League, Slovakia
management of the Law Faculty, P.J. Šafárik University
- 09:15 **Keynote Speech: On Alternatives and Immigration Detention in International Law, Marica Pirošíková, representative of the Slovak Republic at the ECtHR, video**
- 09:30 **Session I. Jurisprudence and application practice of the police**
Elena Berthotyova, judge of the Supreme Court of the Slovak Republic
Katarina Fajnorova, senior lawyer, Human Rights League, Slovakia
Martina Sukovska, lawyer of the Centre for Legal Aid, office in Košice, Slovakia
- 11:30 **Coffee Break**
- 12:00 **Session II. Developments in international and regional law on human rights**
Lilja Gretarsdottir, deputy head, Human Rights Directorate, Council of Europe
Ota Hlinomaz, protection associate, Regional Protection Unit, UNHCR Regional Representation for Central Europe
- 13:00 **Lunch Break**
- 14:00 **Session III. Established and pilot models of alternatives to detention, focus on Central and Eastern Europe**
Katarzina Słubik, lawyer of the Association for Legal Intervention, Poland, video
Dilyana Giteva, attorney cooperating with the Centre for Legal Aid – Voice in Bulgaria
Gunter Ecker, director of the Human Rights League, Austria
- 16:00 **End of the day**

PROGRAMME
24 JAN VISIT TO THE
IMMIGRATION DETENTION CENTRE SEČOVCE

- 08:30 **Gathering of all participants to attend study visit in Košice**
Travel to Sečovce by bus, private car
- 09:30 **Arrival and refreshment**
- 10:00 **Presentation of the Centre and the system of Detention and Alternatives**
Emil Semjan, director of the Police Detention Centre for the Foreigners, Sečovce
Marek Panak, social worker at the Detention centre in Sečovce, Slovak Humanitarian Council
- 11:15 **Study tour in the Detention centre**
- 12:00 **Lunch**
- 13:00 **Return to Košice by bus, private car**

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