

Undocumented Migrants and Health Services - Whose Responsibility?



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Our vision:

A world where barriers to health have been overcome and where healthcare is acknowledged as a fundamental human right

Some priorities

- Access to primary healthcare
 - Healthcare for migrants
 - Conflict areas
 - Child and maternity healthcare
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- Domestic *and* international projects
 - Long term projects *and* emergency response

MdM Sweden

- Founded 1991
- Clinic in Stockholm offers free healthcare to people who lack access to subsidized healthcare
- Undocumented migrants and EU-migrants are our biggest target groups
- Lawyers offer free legal counseling on the asylum process to undocumented migrants
- A psychosocial team is providing different ways of support to undocumented migrants

*Undocumented Migrants and Health Services –
Whose Responsibility?*

*Health is a human right –
citizenship doesn't matter*

The Universal Declaration of Human Rights

Article 25

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care

International Covenant on Economic, Social and Cultural Right

Article 12

The States Parties recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

General Comment 14

States are under an obligation to respect the right to health by refraining from denying or limiting equal access for all persons, including (...) asylum seekers and illegal immigrants, to preventive, curative and palliative health service.

Convention on the Rights of the Child

Article 24

States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

Convention on the Elimination of All Forms of Discrimination against Women

Article 12

States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Case study: Sweden

- Background: Sweden applied among the strictest policies in the EU regarding healthcare for undocumented migrants: emergency care only – and to full cost
- 2006: Sweden heavy criticized by Paul Hunt, the UN Special Rapporteur on the right to health
- 2011: Expert report ordered by Swedish government: health is a human right, undocumented migrants should have equal access to healthcare as Swedish citizens
- 2013: New law gives undocumented migrants (adults) right to subsidized healthcare that can't wait. Children same right as Swedish children.

The law in theory

- Adults have right to subsidized healthcare and dental care that "can't wait"
- Children under 18 has equal rights to healthcare as Swedish children
- Women have right to free maternity healthcare, delivery care and abortion
- Free contraception counseling
- Undocumented migrants and asylum seekers pay lower fees than Swedish nationals for primary care, dental care and most drugs

The law in practice



The law in practice

- Important step towards equal rights to healthcare
- Living conditions for undocumented migrants in Sweden changed radically to the better over night
- Brave to meet rising xenophobia in Europe and Sweden with more solidarity with undocumented migrants

The law in practice



The law in practice

Mona:

“I am with my friend who is undocumented at a medical centre. But they say she cannot receive healthcare there. We were given the phone number to you (MdM Sweden). What should we do?”

- Why do you refer this woman to MdM Sweden instead of giving her the healthcare that she needs?*
- We only offer treatment to undocumented migrants with “very urgent” needs?*

The law in practice

Hassan:

“I showed the receptionist the papers explaining the new law on access to healthcare for people without documentation which MdM had given me. The receptionist then asked me quite a lot of questions: what was I doing in Sweden? Why had I come here? and other things. It was like being at the Immigration Office and it was really unpleasant. Then she told me I would have to pay €200 to see a doctor. This was in spite of showing her the paper about the new law. I knew that it should cost €6. Then I went to another health center and paid €6 and they gave me an appointment with a doctor.”

The law in practice

- Socialstyrelsen, The National Board of Health and Welfare: *Healthcare that “can’t wait” is an inapplicable term*
- It is up to each doctor/dentist to measure if the healthcare needed “can wait” or not
- Guidance: the term includes all healthcare that can prevent a more serious condition for the patient
- Poll in November 2013: only 18 % among healthcare workers claimed they knew well about the new law
- First year: 1 out of 5 undocumented migrants was neglected healthcare without a correct reason

Barriers and obstacles

- The law is arbitrary
- Inapplicable terminology confuse healthcare workers
- Undocumented migrants lack knowledge about their rights
- Fear of discrimination, of being unwelcome or denied treatment
- Fear of being reported or being arrested
- Language barrier

Costs

- The Swedish government distribute 300 million SEK each year to county councils to cover healthcare for undocumented migrants
- The total cost for undocumented migrants in Region Skåne (13% of Swedish population) was 7,2 million SEK during 2013

Social tourism?

MdM yearly studies shows that:

- Undocumented migrants don't know their pathologies before migrating
- Undocumented migrants don't know about the healthcare systems in European countries
- Between 1,6-2,3% undocumented migrants mention health as one of many reasons to migrate
- A higher percentage of undocumented migrants in Germany and Switzerland, who apply stricter rules than many other countries in the study, mention health as a reason to migrate

Healthcare for undocumented migrants is a myth

The way forward?

Respect international humanitarian law.

Give migrants access to healthcare on the same conditions as the citizens of the country.



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