



**Comments by HRCM on National Migration Health Policy and it's Action Plan and
Monitoring and Evaluation Framework for 2022-2025**

General Comment(s):

1. To include in the policy, accessibility to health care services, including emergency care and access to continuity of care for undocumented and irregular migrants, as one-third of the residential population of Maldives are migrants, and among them at least 60,000 people are identified as undocumented according to 2020 UNDP report.
2. To state the Ministry of Health as the responsible authority who will bear the financial costs taken by the hospitals during health care services provided for irregular and undocumented migrants, as these group of people are not enrolled in any health insurance plan and has no employers responsible for them.
3. To state once the hospital identifies an undocumented or irregular migrant seeking health care service to allow them to access the health care services or continuity of care.
4. To state a procedure that would be followed under this policy if an undocumented or irregular migrant passes away or meets an accident and is in a critical condition.
5. To include vulnerable groups such as migrant children, migrant older persons, and persons with disabilities (These are vulnerable groups mentioned in 'Global Action Plan 2019-2023, for promoting the health of refugees and migrants' drafted in 72nd World Health Assembly by WHO) in addition to vulnerable groups such as migrant detainees and migrant women.
6. To establish a mechanism to complete mandatory vaccinations for migrant women's newborns.
7. To detail the financial and budget allocations needed to implement and achieve the key activities mentioned in the policy by developing results and resource framework.
8. Establish a mechanism where the migrants can obtain an affordable health insurance package and establish a mechanism for taking action against employers who neglect or refrains an employee from providing employer-funded health insurance.



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9. To establish a mechanism to take action against the person or an institution if any of a migrant's health rights are infringed or violated by any concerned authority under the policy.
10. To replace "Ministry of Interior" from places stated in the action plan with the relevant Ministry's name.
11. Human Rights Commission is an independent body with a separate mandate and acts as a monitoring body of the primary institutions. Therefore, we propose to remove Commission as a primary implementing agency to implement this policy. However, Commission will give input and share comments with the relevant stakeholders when needed.

Specific Comments

Note: Underlined parts on the review table are the proposed modifications.

<u>Comments by HRC Mon National Migration Health Policy shared by Ministry of Health and it's Action Plan and Monitoring and Evaluation Framework for 2022-2025</u>			
#	Current Activities Proposed by Ministry of Health	Proposed Modification(s)	Justification(s)
1	Key Directions of National Migration Policy 4. Reduce vulnerabilities in migration through migrant friendly services for all categories of migrants, including provision of health care, psychological and other counselling services, in particular for migrant women, addressing migrant experiences, including xenophobia and migration restrictions for migrants with health needs, and enhancing migrant resilience, through adequate information, education and empowerment for self-help across all stages of migration.	To amend as recommended below: 4.Reduce vulnerabilities in migration through migrant friendly services for all categories of migrants, including provision of health care, psychological and other counselling services, in particular for migrant women, <u>migrant children and detained migrants</u> addressing migrant experiences, including xenophobia and migration restrictions for migrants with health needs, and enhancing migrant resilience, through adequate information, education and empowerment for self-help across all stages of migration.	Children and detainees are one of the most vulnerable groups and needs to be monitored to identify whether their rights are violated. These groups are also mentioned as vulnerable groups in 'Global Action Plan 2019-2023, for promoting the health of refugees and migrants' drafted in 72nd World Health Assembly by WHO.



2	Key Directions of National Migration Health Policy	To add number (6) as recommended below: (6) To collaborate and work closely with Non-Governmental Organizations (NGO's) to protect and promote health care of the migrants.	
3	Policy Area 1. Strengthen a whole-of-government and whole-of-society approach to migration health Key issues to be addressed: A viable mechanism to exchange knowledge and experience from a multidisciplinary group of stakeholders is crucial in addressing migration health concerns and such a mechanism requires participation of policy makers, health care providers, research institutions, private sector, civil society and non-governmental organizations which share information, research findings, observations, cases, currently evolving events and their practical experience to solve migration health related problems and challenges.	To add the following point under key issues to be addressed: A viable mechanism to exchange knowledge and experience from a multidisciplinary group of stakeholders is crucial in addressing migration health concerns and such a mechanism requires participation of policy makers, health care providers, research institutions, <u>investigating bodies</u> , private sector, civil society and non-governmental organizations which share information, research findings, observations, cases, currently evolving events and their practical experience to solve migration health related problems and challenges.	Statistics, trends and nature of the cases are important for informed decision making.
4	Policy Area 1. Strengthen a whole-of-government and whole-of-society approach to migration health Key activities	To amend as recommended below and to add the following points under key activities • Increase awareness of the general public and migrant populations on the ongoing implementation of Action Plan	Importance of timely and factual information is addressed in 70 th World Health Assembly which was focused on 'promoting the health of refugees and migrants'.





	<ul style="list-style-type: none"> • Increase awareness of the general public and migrant populations on the ongoing implementation of Action Plan and activities related to migration health through regular reports, traditional and electronic mass media, social networks, and thematic events. 	<p>and activities related to migration health through <u>factual and timely information in order to counter exclusionary acts and misperceptions</u> about migrants health through regular reports, traditional and electronic mass media, social networks, and thematic events.</p> <ul style="list-style-type: none"> • <u>To draft and implement national policies to cater for migrants with special needs, children of migrants, undocumented migrants and low income group of migrants to benefit from the health services.</u> • <u>To conduct beneficial awareness and training programs essential for employers or agencies about migrant health issues involving in recruitment of the migrant workers.</u> 	
5	<p>Policy Area 4.</p> <p>Reduce vulnerabilities in migration through migrant friendly services</p> <p>Key Activities:</p> <ul style="list-style-type: none"> • Conduct regular monitoring visits in detention centers for health check-ups and conditions of detention centers and provide medication support to migrants in detention centers or in custody 	<p>To amend as recommended below and to add the following point:</p> <ul style="list-style-type: none"> • Conduct regular monitoring visits in detention centers for health check-ups and conditions of detention centers and provide medical support to migrants in <u>all the detention centers under the State.</u> • <u>To collect available data from monitoring bodies regarding their inspection visits to custodial and detention centers.</u> 	<p>It is important to cover all the detention centers under the State.</p> <p>Collected data from monitoring bodies can be used for later reference.</p>



6	<p>Table 2: List of stakeholders and their mandates relating to migrant health</p> <p>Human Rights Commission of the Maldives</p> <p>Investigates allegations of the violation of human rights, raise awareness on human rights, assist in drafting human rights laws and regulations. Cases from both locals and expatriates are investigated. The Human Rights Commission of the Maldives administers a daily hotline for any human right grievance. These complaints can also be filed by submitting a form to the Commission. In 2017, out of a total of 365 cases filed at HRCM, 9 cases were filed by foreigners (HRCM,2017).</p>	<p>To amend as recommended below:</p> <p>Human Rights Commission of the Maldives</p> <p>Investigates allegations of the violation of human rights, raise awareness on human rights, <u>advise</u> in drafting human rights laws and regulations, <u>advise the Government on the formulation of necessary laws, regulations and administrative rules</u>, <u>reviews existing laws and regulations</u>, <u>conduct inspection visits to custodial, detention and rehabilitation centers</u>, <u>monitor human rights situation in Maldives</u>. In addition, <u>Commission is to advise the Government and make recommendations as necessary and conduct research and carry out relevant surveys on human rights</u>. Cases from both locals and expatriates are investigated. The Human Rights Commission of the Maldives administers a daily hotline for any human right grievance. These complaints can also be filed by submitting a form to the Commission. In <u>2021</u>, out of a total of <u>520</u> cases filed at HRCM, <u>37</u> cases were filed by foreigners (HRCM,2021).</p>	<p>To briefly mention the roles of The Human Rights Commission to understand Commission's mandate.</p>
7	<p>Action Plan- Key Actions:</p> <p>1.1 Establish National Coordination Mechanism with clear membership and TOR to</p>	<p>To amend as recommended below:</p> <p>As Human Rights Commission is an independent monitoring body, we propose to remove the Commission from the title Supporting Ministries and Agencies.</p>	





	guide, implement and monitor the implementation of Action Plan	
	Supporting Ministries and Agencies Police, Ministry of Tourism, Ministry of Foreign Affairs, Labour Relations Authority, Human Rights Commission, NGOs, private sector	
8	Action Plan- Key Actions: 1.4. Conduct systematic assessment of gaps and needs in capacity building for key stakeholders and develop appropriate plan of action to ensure that key stakeholders at central, regional, atoll and island levels have required competencies, skills, and knowledge Supporting Ministries and Agencies Police, Ministry of Tourism, Ministry of Foreign Affairs, Labour Relations Authority, Human Rights Commission, NGOs, private sector	To amend as recommended below: As Human Rights Commission is an independent monitoring body, among the activities mentioned in 1.4 Commission will act as a supporting agency and give input and share comments for the key stakeholders.
9	Action Plan- Key Actions: 4.5. Conduct regular monitoring visits in detention centers for health check-ups and conditions of detention centers and provide medication support to migrants in detention centers or in custody. Responsible Ministries and Agencies MoH/HPA, MRC, Human Rights Commission	To amend as recommended below: 4.5 Conduct regular monitoring visits in detention centers for health check-ups and conditions of detention centers and provide medical support to migrants in <u>all the detention or custodial centers under the State. Also, to collect available data from monitoring bodies regarding the inspection visits to custodial and detention centers</u>
		It is important to collect available data from the existing monitoring bodies as the information can be useful for later references and courses.





10	<p>Action Plan- Key Actions:</p> <p>4.5. Conduct regular monitoring visits in detention centers for health check-ups and conditions of detention centers and provide medication support to migrants in detention centers or in custody.</p> <p>Responsible Ministries and Agencies MoH/HPA, MRC, Human Rights Commission</p>	<p>We propose to remove The Human Rights Commission under the title ‘Responsible Ministries and Agencies’ as the Commission is an independent monitoring body and has an independent mandate to randomly make unannounced visits to detention centers. It is not in Commission’s mandate to primarily provide health check-ups and provide medication support to detainees.</p> <p>However, during Commission’s inspection visits it monitors if the implementing primary institutions of the related detention centers provides medical services under their mandate. After these visits Commission will share its reports and recommendations with the responsible authorities and these authorities can also obtain information from the Commission when needed.</p> <p>Therefore, Commission is proposing to be removed under the title ‘Responsible Ministries and Agencies’.</p>	
11	<p>Action Plan- Key Actions:</p> <p>4.8 Conduct systematic multilingual awareness raising campaigns among migrant populations about their rights, entitlements, and responsibilities in all stages of migration cycle and through translation of key information materials, dissemination of multilingual migrant card and increasing knowledge of Human Rights Commission’s roles and mandate in providing assistance to migrant workers</p> <p>Responsible Ministries and Agencies MoH/HPA, Human Rights Commission, MOED</p>	<p>As Human Rights Commission is an independent monitoring body, Commission already advocates the activities mentioned in 4.8 under Commission’s mandate.</p>	





12	<p>Action Plan- Key Actions: 4.9. Promote dialogue and policy actions for regularization of undocumented migrants</p> <p>Responsible Ministries and Agencies Maldives Immigration, Ministry of Interior</p>	<p>To amend as recommended below:</p> <p>Action Plan- Key Actions: 4.9. Promote dialogue and policy actions for regularization of undocumented migrants</p> <p>Responsible Ministries and Agencies Maldives Immigration, Ministry of Interior, <u>Ministry of Economic Development</u></p>	<p>As the Ministry of Economic Development is a responsible institution for migrants, promoting dialogue and policy actions for the regularization of undocumented migrants falls under their mandate it is important to include the Ministry as a primary institution.</p>
13	<p>Action Plan- Key Actions: 4.11. Counteract deceptive recruitment practices, extortion of money, falsifying travel documents or misleading migrants about work arrangements and revise sanction and penalty systems for employers who systematically deviate from standards</p> <p>Responsible Ministries and Agencies MOED</p>	<p>To amend as recommended below:</p> <p>Action Plan- Key Actions: 4.11. Counteract deceptive recruitment practices, extortion of money, falsifying travel documents or misleading migrants about work arrangements and revise sanction and penalty systems for employers who systematically deviate from standards</p> <p>Responsible Ministries and Agencies MOED, <u>MPS, Maldives Immigration</u></p>	<p>Maldives Police Service and Maldives Immigration are important stakeholders in the activities mentioned in Action Plan 4.11</p>
14	<p>Action Plan- Key Actions: 5.2. Develop a system for the portability of health care insurance plans for migrant workers who change their employment or geographical location</p>	<p>To amend as recommended below:</p> <p>Action Plan- Key Actions: 5.2. Develop a system for the portability of health care</p>	<p>As the Local Government Authority is the responsible institution for decentralization it is important to include the Local Government</p>





Responsible Ministries and Agencies MoH/HPA, Aasandha, private insurance companies	insurance plans for migrant workers who change their employment or geographical location Responsible Ministries and Agencies MoH/HPA, Aasandha, private insurance companies, <u>Local Government Authority</u>	Authority as the responsible primary agency for migrant workers who change their employment or geographical location.
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