

INVISIBLE LIVES, ESSENTIAL RIGHTS: HEALTH COVERAGE FOR UNDOCUMENTED MIGRANTS IN TRINIDAD AND TOBAGO



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TRINIDAD AND TOBAGO
"TOGETHER WE ASPIRE, TOGETHER WE ACHIEVE"

**UHC
SCORE:
75/100**



BACKGROUND

With the movement of migrants from various countries, Trinidad and Tobago (T&T) has seen an increase in population exacerbating already existing inequities in public services such as healthcare (1). Undocumented migrants are non-nationals who enter and stay in a country without the appropriate documentation (2). A literature review into barriers to accessing healthcare for this population in T&T is limited with only a few studies existing currently. Thus, we aim to address this gap within our research.

3.5% OF THE POPULATION IN T&T ARE FOREIGN BORN NATIONALS (3)

SOURCE

We performed a literature review through the country's national digital law library, national government websites and PubMed Keywords: Trinidad and Tobago, undocumented migrants, healthcare access, law, policy, immigration

Constitution of Trinidad and Tobago (1976)

Immigration Act of Trinidad and Tobago (1976)

National Insurance Act (1971)

Ministry of Health Charter of Patient's Rights

Vision 2030 - The National Development Strategy of Trinidad and Tobago (2016)

HEALTHCARE ACCESS

T&T has a goal of achieving UHC by 2030. However, access to healthcare for non-citizens is unclear in legislation. The Immigration Act of T&T (1976) has no formal definition for refugee or asylum seekers relegating them to undocumented migrant status. Trinidad has a national public healthcare service that is free for citizens. **There is no decree, with force of law or legal precepts, addressing healthcare access for migrants.** Instead national policy, like MOH's Charter of Patient Rights, broadly describes the right to receive healthcare. UNHCR (4) states on a report that undocumented migrants **have access to:**

- **Primary and emergency services** excluding the cost of certain prescriptions like insulin
- **Antenatal care for birthing people**

Undocumented migrants **do not have access to:**

- **Primary care for chronic non-communicable diseases**
- **Secondary services like cancer and dialysis treatments**
- **Mental health**
- **Dental services**

Insufficient legislation outlining the patient rights for that community creates barriers to accessing healthcare due to language barrier, xenophobia, discrimination, cost of care and fear of detention or deportation (1).

T&T'S LACK OF ACCESS TO HEALTHCARE FOR UNDOCUMENTED MIGRANTS VIOLATES INTERNATIONAL LAW



UNIVERSAL DECLARATION ON HUMAN RIGHTS (1948)

- RIGHT TO RECOGNITION AS A PERSON BEFORE THE LAW
- ACCESS TO ASYLUM
- EQUAL RIGHTS



INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (1966)

- RIGHT TO ASSURANCE OF ALL MEDICAL SERVICE & ATTENTION AT TIME OF SICKNESS
- RIGHT TO HIGHEST ATTAINABLE STANDARD OF PHYSICAL AND MENTAL HEALTH



CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (2006)

- RIGHT TO ACCESS HEALTH CARE INDISCRIMINATE OF DISABILITY STATUS

CONCLUSION

Currently, legal framework for healthcare access for undocumented migrants does not exist in Trinidad and Tobago. Thus, T&T is hindering their own progression towards UHC.

The framework governing patients' rights and obligations is primarily shaped by policy, compromising enforceability. The need for legislation establishing healthcare access for undocumented migrants residing in Trinidad and Tobago is dire. Currently, gaps in legislation leave a marginalized community vulnerable to issues related to a potential health crisis and are a violation of the international Law.

References:

1. Lyons N, Bhagwande B. Examining healthcare needs and decisions to seek health services among Venezuelan migrants living in Trinidad and Tobago using Andersen's Behavioral Model. *Frontiers in Public Health* [Internet]. 2023 Oct 12;11. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10600439/>; 2. IOM. Glossary on Migration [Internet]. 2019. Available from: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf; 3. Thomas-Hope, Elizabeth. POLICY DOCUMENTS SERIES Migration in Trinidad and Tobago: Current Trends and Policies Elements to Understand the Challenges of Migration. UNDP LAC PDS N° 37. 2022. Available from <https://www.undp.org/sites/g/files/zskgke326/files/2022-10/PNUDLAC-working-paper-37-TrinidadTobago-EN.pdf>; 4. UNHCR. Accessing Healthcare in Trinidad and Tobago [Internet]. 2023 [cited 2024 Apr 23]. Available from: <https://help.unhcr.org/trinidadandtobago/faqs/accessing-healthcare-in-trinidad-and-tobago/>