

The launch of the State of Health 2007 Report in the ICAAP

The 8th International Conference on AIDS in Asia and the Pacific (ICAAP) held in Colombo, Sri Lanka from 19 – 23 August 2007 provided an ideal platform for CARAM Asia to launch its *State of Health Report 2007* on Mandatory testing.

The satellite session hosted by CARAM Asia held on Aug 21, entitled “State of the Health Report on Migrant Friendly Testing” was attended by over 90 participants including representatives of ILO, UNDP, IOM, UNFPA, USAID, Department of Labour (Sri Lanka), SAARC, CARAM partners and 30 Sri Lankan migrant representatives from MSC.

Prasada Rao, UNAIDS Regional Director (Asia Pacific) was given a copy of the SoH regional report by Jonanathan Castaneda, a Filipino returnee positive who is directly involved in the State of Health research in the Philippines.

Dr Ivan Wolffers of VUMC who provided technical support for the regional action research chaired the satellite session. The panel consisted of four members including Brahm Press, the convenor of SoH taskforce, Andrew Samuel (CDS, Sri Lanka) who represented the destination countries and Elijah Fung (St John’s Cathedral HIV Education Centre, Hong Kong) who represented the receiving countries.

Ivan Wolffers opened the session and introduced the issue of mandatory medical testing and its negative impact on migrant workers. He stressed that the SoH research was primarily based on the information from the migrants themselves. It is the migrant voices that makes this research unique and powerful in relation to the quantitative research that focuses on numbers. He shared the extent of the SoH research that spanned 16 countries which included two countries in the Middle East –Bahrain and Dubai. A wide range of relevant stakeholders were also interviewed to validate the research.

Mr Andrew Samuel’s presentation focused on the perspective of migrants from the destination countries where “quotes” from migrants were used to verify the human rights violations in testing practices ways.

When test results are not shared with the migrants due to various reasons, they are not able to then seek relevant referral services. He also brought out the gruesome reality that migrants are often deported from the Middle East countries if they fail in their medical test. Many stakeholders including medical testing personnel, government officials, and employers still consider mandatory testing as an acceptable practice and do not recognise the need to respect the human rights of migrant workers.

Elijah Fung presented the alternative perspective of receiving countries on mandatory testing. She pointed out that the receiving countries insisted on

mandatory testing for migrant workers to safeguard its citizens from diseases imported from outsiders. The employers preferred to recruit employees only after medical testing so that they are assured of the health status of their workers.

The third speaker, Brahm Press asserted that any testing for migrant workers should be for the benefit of the workers. He presented the concept of “Migrant Friendly Testing” to ensure that all testing be non-discriminatory and to guarantee health rights of migrants. On behalf of CARAM Asia, the Convener of State of Health proposed to institute “Migrant Friendly Testing” by 2010. He called upon all the organisations and institutions to end all discriminatory practices of mandatory medical testing by 2010.

After the speakers presented their views, the floor was open to discussion. Questions from the floor included the rationale behind the concept of “Migrant friendly testing” as he believed that there was no necessity to have testing for migrants. The panel unanimously stated that medical testing by itself was not the issue, but it is the discriminatory laws and its consequences that create the problem. Any medical testing would only be advantageous for migrants as it will help them to take precautions or treatment once they are aware of their health status. Thereby, the panel believed that there should be medical testing, but that emphasis should be that it is migrant friendly.

A good suggestion from the floor was the need to dialogue with the Gulf Cooperative Council(GCC) representatives to reduce the discriminatory methods practiced in their testing centres. Malu Marin (ACHIEVE) explained that it is the complicated procedures associated with migration that makes mandatory testing more complex than the guidelines of GCC per se. She explained the situation is aggravated by the competition between medical testing centres and their necessity to have good relations with recruiting agencies. In such a competitive environment, the testing centres preferred to fulfill the wishes of recruiting agents for their own existence than to uphold the health rights of migrants related to confidentiality, informed consent and so on. Malu stressed that it is the execution and standards of medical practices on the ground that needed to be monitored.

An NGO representative based in Vietnam queried whether the deadline of 2010 to implement “Migrant Friendly testing” was too ambitious. She asked whether CARAM Asia had a framework to realise this goal. Ivan Wolffers answered by saying that at this point CARAM Asia needed support from all organisations and individuals to stand together and work hard to make “migrant friendly testing” a reality by 2010. He shared that although CARAM has started the process, however, it needed a lot more input and support from all supporters of the cause.

On the whole, the satellite session was a successful event. The ILO officials gave very positive feedback on the report. The audience particularly appreciated the qualitative aspect in the research. Presentations by the CARAM Asia speakers

are available for download on this issue of the e-newsletter, please refer to the section on CARAM ICAAP presentation.