



CERD General Recommendation no. 37 on Racial Discrimination on the Right to Health

Submission by the Humanitarian Organisation for Migration Economics (HOME), Singapore

October 2023

HOME (www.home.org.sg) is a non-governmental organization based in Singapore that serves the needs of the migrant community, especially low-waged migrant workers. Established in 2004 provides a number of services to thousands of migrant workers in need through the provision of shelter, legal assistance, training, and rehabilitation programmes. HOME provides employment/legal advice to workers in a range of sectors, including construction, marine, process, manufacturing and domestic. Our comments and recommendations are based on our empirical research on migrant workers as well as our collective casework experience and casework statistics from almost two decades of dealing with a large and persistent volume of cases.

PREGNANCY

1. Female work permit holders (WPHs), including migrant domestic workers (MDWs), are prohibited by law from being pregnant. They are subject to six-monthly medical examinations (6-ME) that screen for pregnancy and infectious diseases. If found to be pregnant, female WPHs usually have their employment terminated, and are repatriated and prohibited from seeking employment in Singapore. This prohibition against pregnancy only affects work permit holders, and not any other class of work pass holders, and is contrary to the spirit of the Convention which gives individuals the right to control their reproductive and sexual freedom.
2. As stated in draft recommendation 37, the prohibition against pregnancy also causes barriers to access to reproductive health and abortions. Female WPHs who are pregnant may not seek medical attention or subject themselves to dangerous abortions as they are fearful of being blacklisted.

HEALTHCARE SUBSIDIES

3. The lack of healthcare subsidies for migrant workers has placed the cost and upkeep of the migrant worker's healthcare solely on the employers, who are incentivised to act in their best economic interest only. As a result, employers choose to repatriate workers rather than to provide for their medical needs, and many workers do not

seek medical treatment out of fear of losing their livelihoods and resign themselves to deteriorating standards of health. While employers are currently required to purchase hospitalisation insurance of SG 60,000 per 12-month period of the migrant worker's employment, this amount may be insufficient to cover medical costs for comprehensive medical treatment for serious illnesses and thus, employers may still be incentivised to repatriate their workers rather than allow them to seek treatment.

MEDICAL SCREENINGS

4. Migrant workers are also not given regular health screenings for chronic and serious illnesses such as cancer, heart disease and diabetes. With their limited income, migrant workers do not voluntarily avail themselves to such checks. As a result, many long-term migrant workers find that they are stricken with such illnesses only when they are in a fairly advanced stage, and once physical symptoms start to manifest. Due to limited health insurance and lack of medical subsidies, they are usually forced to return home as employers are reluctant or unable to foot their medical care costs.

RECOMMENDATIONS

5. To fulfil the obligations under the Convention, HOME recommends that the following be included in General Recommendation No. 37:
 - a. States should repeal any law requiring migrant workers, including MDWs, to be tested and subsequently deported and blacklisted on grounds of pregnancy. Rather, allow pregnant migrant workers to continue their pregnancy in their home country before returning to work.
 - b. Extend subsidies of medical treatment at all public hospitals and clinics to migrant workers. Since they make substantial contributions to the economy and community, their basic health needs should be affordable and accessible.
 - c. Include regular, free screening for common chronic diseases such as cancer, heart disease and diabetes for migrant workers.