



## An open letter

27 April 2020

**Subject:** Preventive and care measures for migrant populations in the wake of the spread of Covid-19 among detainees at the Sadao Immigration Office

**Dear** The Prime Minister,

2. Minister of Public Health

3. Minister of Interior

In response to the confirmed Covid-19 infections of 42 foreign detainees at the Sadao Immigration Office in Songkhla including 34 from Myanmar, 3 from Vietnam, 2 from Malaysia, 1 from Yemen, 1 from Cambodia, and 1 from India while 73 other detainees are tested negative, it was the first spread of Covid-19 in detention facilities in Thailand. It is a distinct incidence that warrants contact tracing and medical treatment.

The spread of the disease, however, sheds light on the constraints of such detention facilities as far as disease control is concerned. Such holding cells and detention facilities are designed for short-term stay pending the deportation. Such deportation has been made impossible by the closure of the border checkpoint. Meanwhile, a number of detainees are unable to return to their countries of origin fearing the fatal persecution and a lack of other alternatives. As a result, many of such detainees have to languish in such facilities for years. In addition, the cramped holding cells make it impossible for them to practice social distancing as part of the prevention of Covid-19. The existing medical services in the detention facilities also leave much to be desired and there seems to be a lack of prevention and care in all such places.

This case of migrants is, however, different from the general population of migrant workers who benefit from disease surveillance and prevention by the Thai authorities. These migrants have access to healthcare, either through the social security or Migrant Health Insurance. Efforts have been made to promote the prevention and control of diseases constantly via collaboration between the Ministry of Public Health and Civil Society Organizations as well as the migrant workers who, as healthcare volunteers, have been working with their fellow migrants. Interpretation services and the availability of public officers to work with migrants in various health facilities play an important role to enhance the prevention, surveillance and raising the awareness on healthcare among the migrant workers in Thailand. Any press conference which may cause confusion between the detainees pending deportation and the migrant workers in Thailand in general may lead to further misunderstanding about the migrant workers. It may also affect the direction of the provision of health services in Thailand for migrant workers and may hamper their access to healthcare.

In the wake of the infections in the detention facility, the Migrant Working Group (MWG) opines that in order to offer an effective disease surveillance and prevention of Covid-19 among the migrant populations, all efforts have to be made to alleviate any fear of the migrant workers. It is important to

include them in the effort to help them prevent the disease and help to look after their own health as part of Thai society. MWG have some concerns to raise and some recommendations to make as far as the measures for the prevention and care of Covid-19 infected persons who are non-Thai as follows;

1. The government and the Ministry of Public Health should care for and treat Covid-19 patients in the detention facility of the Immigration Office as other patients being cared for by the existing measures of the Ministry of Public Health. In addition, the procedure must be spelled out clearly to ensure non-Thai patients are able to have access to medical treatment in compliance to the concerned Notifications of the Ministry of Public Health. It is recommended that a field hospital be set up to treat the patients inside the detention facility. This can help to contain the spread of Covid-19 and ensure that all Covid-19 patients will receive similar treatment.
2. The government and the Immigration Bureau are obliged to review the existing measures concerning the treatment of detainees pending the deportation who are crammed into the holding cells. Alternatives to detention should be explored including setting aside a space for temporary shelter of the detainees bearing in mind that the detainees are the persons who await deportation after the final verdicts are delivered. Section 54/3 of the Immigration Act 1979 can also be invoked to set aside a facility to care for them or to use other measures by virtue of Section 54 to carry out appropriate measures commensurate to the disease outbreak.
3. The government and the Ministry of Public Health should realize that the best prevention for migrant workers is to ensure they have access to healthcare, medical treatment, health promotion, and disease prevention schemes along with an effort to ensure their security of employment, access to relief as provided for by law and other administrative schemes. A lack of economic security and a lack of secure livelihood can lead to a lack of health security as well.
4. The government and the Ministry of Public Health should ensure that migrant workers have access to Covid-19 testing. Migrant health volunteers should receive support so that they can work to educate their fellow migrants, help with disease surveillance and health promotion along with the services offered by the existing Thai healthcare system. This can ensure that the migrant workers understand and be able to follow the state's instructions as part of the prevention of Covid-19 outbreak without language barrier.
5. The migrant populations in Thailand are diverse and are accorded with different statuses. Some are here as migrant workers, others as refugees or stateless persons. Some are here as detainees awaiting deportation. Each group has unique access to healthcare. Therefore, during the news conference of the Command Centre for the Management of the COVID Situation, it should be made clear as to which group of migrants is infected and what are the obstacles to the prevention among them. This can help to minimize homophobia and can help to bring about more effective and direct solutions.

With respect in human rights and human dignity

Migrant Working Group (MWG)

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**For more information, please contact**

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