

The right to healthcare on equal terms

Statement from the Right to Care Initiative

2017-06-21

The health care provided today to Undocumented Migrants and EU-migrants is characterized by significant disparities in knowledge about the legislation and its application. The health care therefore varies considerably throughout the country. Consequently, people with clear healthcare needs are still denied treatment to which they are entitled. This is incompatible with basic medical ethics and unacceptable under the rule of law.

From a patient safety approach, the same basic requirements must be put on all care. To introduce legal barriers to timely healthcare for the right patient can endanger the patient's safety and should for that reason not be accepted.

The present, ambiguous and difficult-to-interpret legislation in Sweden disfavours specifically vulnerable groups of people. The organizations behind the Right to Care Initiative have in a statement in November 2013 rejected the term "care that cannot be deferred" as medically unserviceable and unethical.

EU-migrants who do not have health insurance in their own country are not entitled to subsidized care at all. In practice, this makes it impossible for them to receive healthcare in Sweden. This is not humanitarian and is incompatible with Sweden's human rights commitments.

The current situation daily puts healthcare professionals in conflict with the ethical codes of the professions and amounts to that the prevailing, contradictory legislation may constitute a work environment hazard, which was also emphasized by the official government inquiry Health Care for Undocumented Migrants et al. in the year 2011. There are obvious, substantial humanitarian arguments, as well as a from a public health perspective and national economics, reasons to offer healthcare on equal terms to each and every one in need of care.

Sweden has committed to respecting the fundamental human rights. The right to the highest attainable standard of health applies to everyone who resides within the jurisdiction of each state regardless of legal status. Sweden is obliged to respect, protect and fulfil this right for all.

We therefore call on the Swedish Parliament and Government to immediately ensure that asylum seekers, undocumented migrants and vulnerable EU-citizens residing in Sweden are entitled to healthcare as needed and on equal terms regardless of origin or legal status. We expect more coherent legislation and a clarification of how the legislation is to be applied at the national level.

Sweden has a long tradition of solidarity with vulnerable peoples and communities. In this spirit, it is consequential, right and decent that a rich, humanitarian and democratic society does not limit vulnerable people's right to the best possible health through a healthcare or dental care on equal terms.