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FINDINGS OF MONITORING THE COVID-19 PANDEMIC RESPONSE IN CRIMEA

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1. ACTS AND DECISIONS OF THE CRIMEAN DE FACTO AUTHORITIES



1.1. Crimea

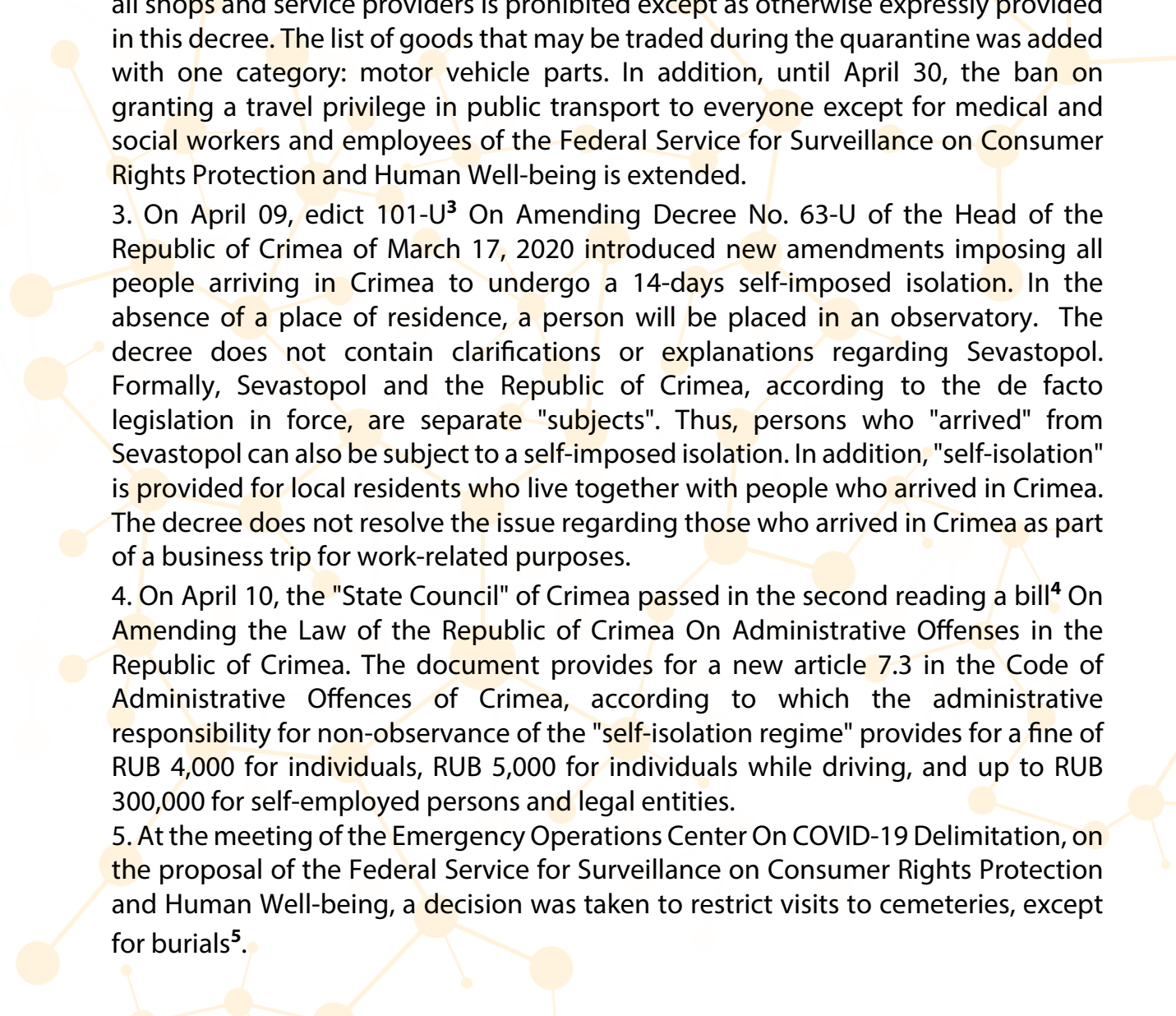
1. On April 06, the 'Law of the Republic of Crimea' No. 54-ZRK/2020 introduced amendments into the Law On Forms of Social Assistance to Certain Categories of Citizens and Persons Residing in the Territory of the Republic of Crimea. According to the amendments, medical workers in the territory of Crimea are now granted a travel privilege in urban and suburban public transport and in suburban railway transport with an appropriate certificate from an employer at hand¹.

2. On April 07, the so-called "Head" of Crimea S. Aksionov signed edict No. 97-U² On Amending Decree No. 63-U of March 17, 2020, according to which the operation of all shops and service providers is prohibited except as otherwise expressly provided in this decree. The list of goods that may be traded during the quarantine was added with one category: motor vehicle parts. In addition, until April 30, the ban on granting a travel privilege in public transport to everyone except for medical and social workers and employees of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-being is extended.

3. On April 09, edict 101-U³ On Amending Decree No. 63-U of the Head of the Republic of Crimea of March 17, 2020 introduced new amendments imposing all people arriving in Crimea to undergo a 14-days self-imposed isolation. In the absence of a place of residence, a person will be placed in an observatory. The decree does not contain clarifications or explanations regarding Sevastopol. Formally, Sevastopol and the Republic of Crimea, according to the de facto legislation in force, are separate "subjects". Thus, persons who "arrived" from Sevastopol can also be subject to a self-imposed isolation. In addition, "self-isolation" is provided for local residents who live together with people who arrived in Crimea. The decree does not resolve the issue regarding those who arrived in Crimea as part of a business trip for work-related purposes.

4. On April 10, the "State Council" of Crimea passed in the second reading a bill⁴ On Amending the Law of the Republic of Crimea On Administrative Offenses in the Republic of Crimea. The document provides for a new article 7.3 in the Code of Administrative Offences of Crimea, according to which the administrative responsibility for non-observance of the "self-isolation regime" provides for a fine of RUB 4,000 for individuals, RUB 5,000 for individuals while driving, and up to RUB 300,000 for self-employed persons and legal entities.

5. At the meeting of the Emergency Operations Center On COVID-19 Delimitation, on the proposal of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-being, a decision was taken to restrict visits to cemeteries, except for burials⁵.



1.2. Sevastopol

6. On April 07, the so-called "Governor" of Sevastopol signed a 27-UG edict⁶ enlarging the list of persons who are required to undergo a 14-days self-imposed isolation at the place of residence. In the absence of a place of residence, a person will be placed in an observatory.

7. On April 7, another edict was signed – 29-UG⁷ which enlarged the list of enterprises that kept on operating during the quarantine with fire safety enterprises, enterprises carrying out defense orders and protection of facilities. Also, until April 19, the ban on leaving the place of residence was extended, except for cases expressly specified.

8. The de facto authorities of Sevastopol reported a budget redistribution to establish a reserve fund of RUB 803.4 million, the funds of which should be used to combat COVID-19 and support the city's economy. Money for this fund are withdrawn from nine budget institutions: the Department of Youth and Sports, the Main Department of Culture, the Department of Education and Science, the Department of Economic Development, the Department of Agriculture, the Main Department of Informatization and Communications, the Department of City Economy, the Department of Property and Land Relations, the Department of Transport and the Development of Road Transport Infrastructure. The administrator of these funds was the Finance Department⁸.

2. RESTRICTIONS ON PASSING CHECKPOINTS

9. The Ukrainian checkpoints at Crimea keep on working under the entry/departure restrictions introduced by the Ordinance of the Cabinet of Ministers of Ukraine⁹ according to which the Ukrainian citizens are allowed to leave or enter Crimea only on humanitarian grounds (regardless of residence registration). The decision of passing checkpoints on such grounds is taken by the Head of the State Border Service of Ukraine.

10. According to the Ordinance of the Russian Federation Government of March 27, 2020, travelling through the Russian checkpoints at Crimea is still banned even for those possessing passport of the citizen of the Russian Federation. Exceptions are, for example, "the citizens of the Russian Federation permanently residing in the territories of certain regions of the Donetsk and Luhansk regions" or close relative death cases.¹⁰ Thus, the citizens of Ukraine with their place of residence registered on the peninsula are not allowed to leave the territory controlled by Ukraine¹¹.

11. Russian border guards denied a 70-year-old woman (Ukrainian citizen) who needed to travel to Kiev to undergo the course of oncology treatment prescribed by doctors to pass through the "Armyansk" Russian checkpoint. The woman had a Ukrainian passport and all the necessary medical documents confirming the diagnosis and the need for treatment. However, the Russian border guards denied her, referring to the fact that a resident of Crimea has a Russian passport (compelled to obtain it in Crimea), and she, in their opinion, can be treated at the place of registration in Crimea. However, a woman on the peninsula cannot receive the necessary treatment for oncology. Thus, the actions of the Russian border guards created a serious threat to the health of the Crimean woman.¹² Ukrainian border guards would have passed a woman, as her situation is humanitarian in nature to

3. PRACTICES OF APPLYING RESTRICTIVE MEASURES

12. The President of the Russian Federation instructed to bring the National Guard troops to ensure "the safety of organizations and institutions involved in combating the coronavirus."¹³ Following that, the participation of the National Guard troops in the activities related to the COVID-19 response is recorded in Crimea. Thus, as of April 08, in Kerch, one has begun to use the military equipment of the National Guard troops to disinfect streets¹⁴.

Medical establishments

13. On April 08, Sergey Aksionov confirmed that the hospital in Armyansk was closed due to the risk of the COVID-2019 infection for medical staff, the medical institution stopped accepting and discharging patients until April 20. Medical staff will remain at the hospital for the duration of the observation. The territory of the hospital was roped off by the National Guard troops. At the time of closure, 10 pregnant women and 4 young children were in the hospital. Regarding new patients, it was decided that pregnant women would be sent to Dzhankoy, and other patients to Krasnoperekopsk¹⁵.

14. On April 09, it was reported about the closure of the City Hospital No. 3 named after Daria Sevastopolskaya in Sevastopol in connection with the detection of a patient with COVID-2019 in it.

15. As of April 08, scheduled outpatient visits and scheduled preventive measures have been suspended in the city and children's polyclinics of the Yevpatoriya City Hospital¹⁶.

16. The Press Service of the Ministry of Health of the Crimea reported that partner births would be prohibited in Crimea during the quarantine period, and "women's consultations" and obstetrician-gynecologists' consulting rooms would accept patients in a limited mode¹⁷.

Pre-trial detention centers and penal colonies

17. A "quarantine" cell has been organized in the Simferopol Pre-Trial Detention Center, which is designed, according to prisoners, for 6 people. People with possible symptoms of COVID-2019 or ARVI are put in this cell. The necessary sanitary and hygienic conditions are not provided in the cell; the water is only cold.

18. The medical examination is still limited to measuring the body temperature. Prisoners with suspected COVID-2019 are not being tested. Individual protective means (masks and disinfectants) are not given out both in the "quarantine" cell and in another cell.

19. Despite international recommendations to reduce the number of people in places of confinement, persons involved in politically charged criminal cases are still retained in custody. For instance, in the period from April 08 to 10, the Supreme Court of Crimea considered appeals against the continued detention for 14 defendants of the politically charged 'Crimean Muslims Case'. The court upheld all first instance decisions on the continued detention. Moreover, new decisions on the continued detention were already taken pending consideration of appeals on some of the defendants in this case.

20. In Crimea, Ukrainian citizens from Crimea to Rostov-on-Don (Oleg Prikhodko) or from Rostov-on-Don back to Crimea (Ruslan Suleymanov, Seyran Murtaza, Erfan Osmanov) are still escorted under guard for conducting investigative activities or consideration of the case on the merits. Prisoners are escorted under guard under unsanitary conditions without providing food.

Militarization in the quarantine conditions

21. On April 1, the next draft campaign in Crimea began, the terms of which were not rescheduled under the conditions of the COVID-19 spread. The actual reception of draftees is currently not conducted – the military commissariats do not accept documents and do not conduct medical examinations.

22. The Chief of the General Staff of the Armed Forces of the Russian Federation V. Gerasimov said that the spring draft will not apply to students in 11th grade¹⁸.

23. The Russian Federation continues to hold military training exercises in Crimea. Thus, on April 07, the air defense units of the army corps of the Black Sea Fleet carried out "live firing exercises on targets simulating the air attack weapon of an imaginary enemy" at the Opuk training ground.¹⁹

Public transport and movement in the settlements

24. As of April 06, Krymtrolleybus partially has resumed intercity trolleybus traffic²⁰. As of April 12, a new schedule of trolleybus routes along the routes Simferopol – Alushta and Alushta – Yalta has been approved, and the number of trips on these routes should be increased to four in the morning and evening²¹.

25. On April 06, Russian airlines canceled 85 % of flights to the Simferopol Airport.²²

26. As of April 09, the Sevastopol bus station has resumed the usual bus service schedule, as confirmed by the Sevavtotrans Press Service²³. Bus service has been resumed only within Crimea.

27. In connection with the COVID-19 pandemic, the launch of new electric trains along the Kerch – Simferopol and Sevastopol – Yevpatoriya routes was canceled²⁴.

Education system

28. On April 07, the Minister of Education of the Russian Federation Sergey Kravtsov said that the Unified State Examination (USE) for school graduates would not be canceled under the quarantine conditions²⁵.

29. On April 09, Natalya Penkovskaya, the "Head of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-Being Department in Crimea" reported that the Artek International Children's Center canceled all its shifts until summer.

Liability for violating the restrictions²⁶

30. As of March 30, in Sevastopol, the authorities have begun to draw up administrative protocols for violation of the self-isolation regime by local residents who are on the streets without a special pass²⁷.

31. On April 07, Alexander Smaglin, the Deputy Chief of Police of the Ministry of Internal Affairs in Crimea, stated that more than 100 administrative protocols on violators of self-isolation regime were forwarded to courts²⁸.

32. In addition to patrolling the streets, the traffic police stop vehicles in Kerch and check drivers for documents that give them the right to travel around the city.²⁹

33. On April 07, residents of Sevastopol received messages on mobile phones from the Unified Dispatch Control Service warning of administrative responsibility in the form of fines for violating the self-isolation regime³⁰.

34. In Feodosia, at the Novyi Svet Hotel, the members of the Ministry of Internal Affairs recorded the guest's check-in after an edict banning the reservation and check-in of new guests in all hotels until June 01, 2020. By decision of the Feodosia City Court, the operation of the Novy Svet hotel was suspended from April 03 for a period of 90 days.³¹

4. DISSEMINATING INFORMATION TO THE PUBLIC, ACCESS TO MEDICAL CARE AND INDIVIDUAL PROTECTIVE MEANS



35. According to official information of the de facto authorities, as of April 12,

38 cases of **COVID-19** infection in Crimea have been recorded³²

(32 – in the Republic of Crimea and 6 – in Sevastopol). Information about the first case of the infection in Crimea appeared on March 21.³³

36. On April 07, the Armyansk City Hospital was closed for observation, and on April 09, the Sevastopol City Hospital No. 3 was also closed. Hospitals were closed and turned into observation facilities due to the fact that COVID-19 was confirmed in hospital patients. According to the Crimean Human Rights Group, these hospitals are facing a shortage of individual protective means, and medical staff are not provided with special protective suits. Patients from Sevastopol reported that on the first day of observation they were not even given single-use masks. In addition, patients report poor hygiene conditions for a long stay in the observation. Thus, in the Sevastopol hospital, patients complain that for about 60 people only one toilet is operational. They addressed to the local de facto authorities a request to allow them to isolate themselves at their place of residence, they were denied.

37. Medical workers report that in hospitals where patients with suspected COVID-19 and are awaiting test results, the staff continue to work without special protective means.

38. A survey of a number of Crimean medical staff showed that in some cases, material for SARS-CoV-2 testing was sent to laboratories in the Russian Federation. In such cases, test results are sent to hospitals 14 days after collection. Sending material for analysis to Moscow is also confirmed in Sevastopol.³⁴

39. At the same time, tests for SARS-CoV-2 which causes COVID-19 are conducted in Crimea by the Federal Budgetary Health Institution "Center for Hygiene and Epidemiology in the Republic of Crimea and the City of Federal City of Sevastopol" which was confirmed by two employees of the Center.³⁵

40. According to the Center, tests for SARS-CoV-2 in the laboratory are conducted only by medical prescription for those who have contacted "confirmed" patients and those who have recently returned from abroad. It's not possible to order such test on your own.

41. According to one of the employees of the Center, the laboratory of the institution is overloaded, the test results should be expected 4 days. In the laboratory it is impossible to find out the test results on your own, they will be reported only to the doctor who ordered them.

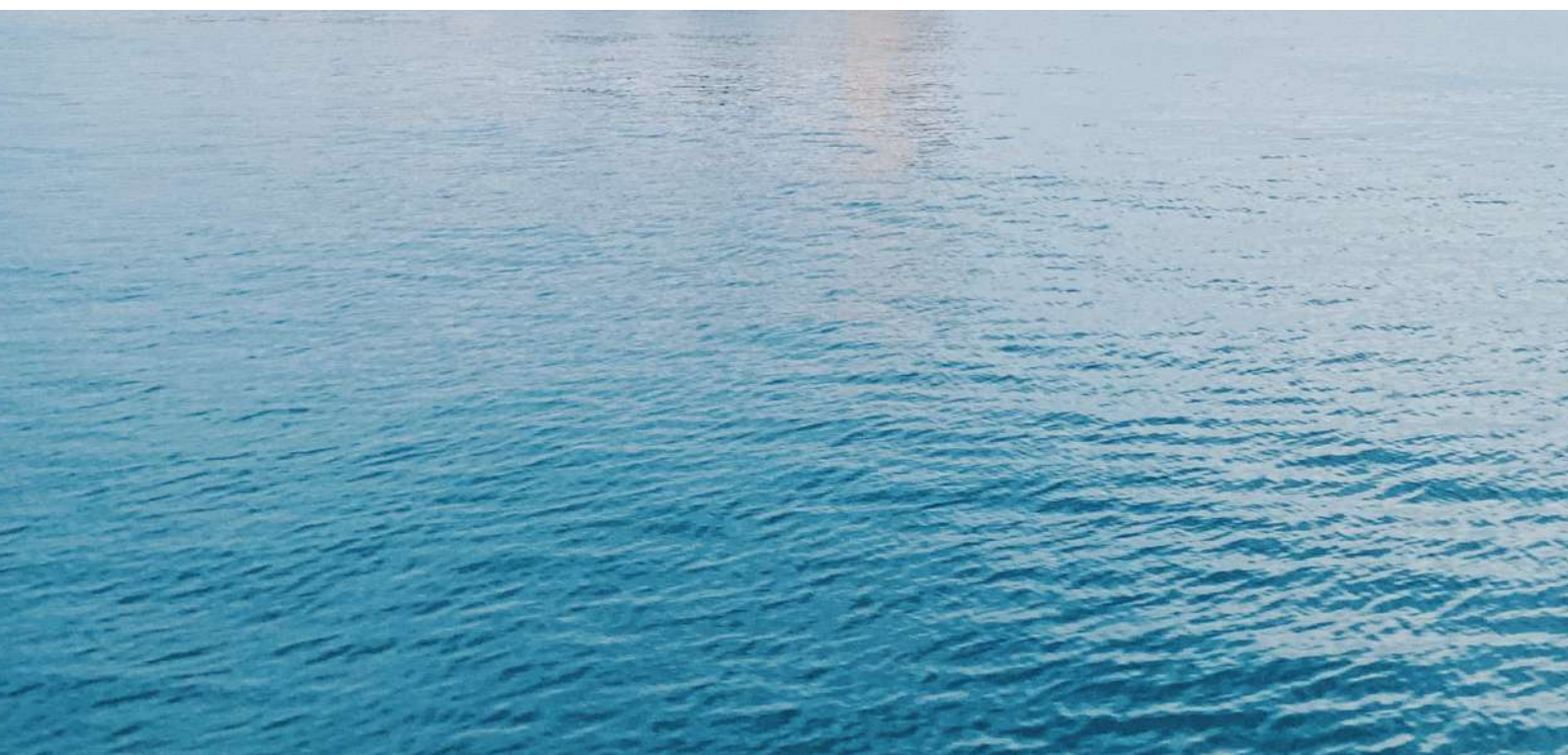
42. The Center advised those who want to order test without a doctor's prescription to contact the paid Hemotest medical laboratory. However, the laboratory operator said that Hemotest in Crimea does not conduct tests for SARS-CoV-2.



43. On April 11, Natalya Penkovskaya, the Head of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-Being Department in Crimea, said that the number of cases of community-acquired pneumonia in Crimea increased by 70 % as compared to the same period last year. According to her, the high incidence is observed in those regions that are characterized by an increased incidence of COVID-19: Simferopol, Yalta, Alushta and Armyansk³⁶.

44. The Head of the Ministry of Health of the Russian Federation Mikhail Murashko said that people with pneumonia will be treated in the same way as patients with COVID-19, and the diagnosis, according to him, is possible "without confirmation of the laboratory according to the clinical picture"³⁷.

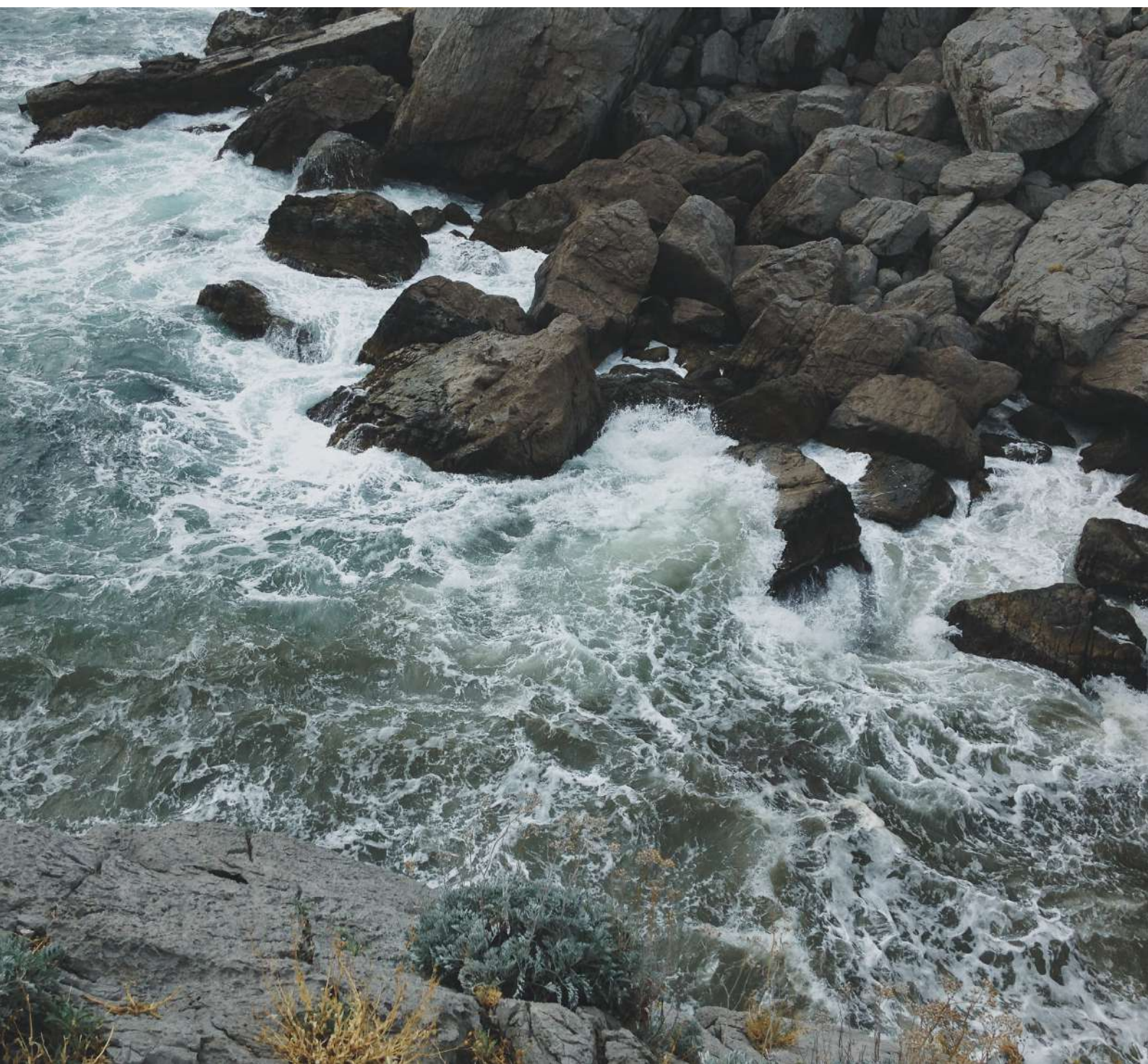
45. At the meeting of the Emergency Operations Center On COVID-19 Delimitation, it was stated that medical masks, gloves and other individual protective means in Crimea would be sold only in state pharmacies of the Crimea-Pharmacy enterprise³⁸. It was also said that the restrictions apply only to medical masks, and hygiene masks were still allowed to be sold in other sales outlets³⁹.



5. HATE SPEECH IN THE COVID-19 PANDEMIC CONDITIONS



46. On April 09, Crimean Konstantin Vinogradov published a video message to the "Head" of Crimea, Sergey Aksienov, who, according to him, divulged information about his family's hospitalization with COVID-2019 after a trip to the UAE⁴⁰. In his appeal, Crimean states that in conditions of a hostile attitude towards such patients, he now fears for the life and health of his loved ones.



6. CONCLUSIONS AND RECOMMENDATIONS



47. The Crimean de facto authorities have strengthened measures for a self-imposed isolation of certain categories of the population.

48. Information about testing for COVID-19 in Crimea is contradictory, there are no clear deadlines for obtaining the results of such tests (from 4 to 14 days, including hospitalization). A number of patients do not receive test results. The level of diagnosis of COVID-19 in Crimea remains low, so the official figures on the number of COVID-19 infection cases do not reflect the reality.

49. Medical establishments are not insufficiently prepared to protect medical staff and patients in the event COVID-19 is detected in the establishment or when the COVID-19 virus is suspected. Medical workers in such cases continue to work without individual protective means.

50. One of the most vulnerable groups – prisoners and individuals in the custody – do not receive the necessary medical care and do not undergo testing for COVID-19 even in the present of the corresponding symptoms.

51. The de facto authorities continue to ignore the recommendations of international organizations regarding the treatment of persons in places of confinement (pre-trial detention centers and colonies) during the COVID-19 pandemic and do not make use of alternatives to imprisonment.

52. Pharmacies are still facing a shortage of personal protective means.

53. In violation of the norms of international humanitarian law, the Russian Federation continues military training exercises in the occupied Crimea.

54. According to the norms of international humanitarian law, the Russian Federation is an occupying power. Art. 56 of the 4th Geneva Convention obliges the Russian Federation, with all its means available, to ensure and maintain the activities of sanitary and hospital institutions and services, health care and public hygiene in the occupied territory of Crimea, that also includes the preventive measures necessary to combat the spread of epidemics.

55. Recommendations for the Government of Ukraine:

- not to establish the exhaustive list of humanitarian grounds for crossing the Ukrainian checkpoints with Crimea, thus preserving the possibility of responding to unforeseen circumstances;

- inform Ukrainian nationals who do not have a residence registration in the territory controlled by Ukraine about the algorithm of their actions in case of suspected COVID-19 infection.

56. Recommendations for international organizations and governments of democratic countries:

- to monitor, to a possible extent, the situation with COVID-19 spreading in Crimea;
- not to allow the RF to use the COVID-19 situation for cancelling the sanctions imposed due to the occupation of Crimea, and violation of human rights and the international humanitarian law norms