



CRIMEAN HUMAN RIGHTS GROUP

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FINDINGS OF MONITORING THE COVID-19 PANDEMIC RESPONSE IN CRIMEA

(27 APRIL – 3 MAY 2020)

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Follow the link to read previous Findings of monitoring the COVID-19 pandemic response in Crimea

March 16-29

March 30 — April 5

April 6 — 12

April 13 — 19

April 20 — 26





1. ACTS AND DECISIONS OF DE FACTO CRIMEAN AUTHORITIES

1.1. RF Government

On April 29, the government of the Russian Federation, ordinance # 1170-r amended the border crossing procedure that included also the checkpoints with Crimea, to counteract the COVID-19 spread. So, an exhaustive list of close relatives was established, whose death could be the reason for leaving Crimea (only in case of death of the husband, wife, a parent, children, an adoptive parent, an adopted child, a foster parent and a trustee). In addition, the amendments allow the Russian nationals (including those were forced to obtain a RF passport in Crimea) who have citizenship of another country or a document confirming permanent residence outside the Russian Federation, to leave once the Russian Federation and Crimea.¹

1.2. Crimea

On April 29, the “head” of Crimea signed Edict #124-U², amending the “high alert” regime edict. Persons arriving in Crimea from regions of the Russian Federation where cases of COVID-19 are confirmed shall fill out a questionnaire, providing the personal data. In addition, such people shall sign a notice “on staying in isolation on the observation institution conditions”, committing to stay in such isolation for 14 days starting from the day of arrival in Crimea “for continuous medical observation and examination” at the address indicated by the persons themselves.

These amendments include also providing transport services for the seniors and disabled people who need hemodialysis; extending the duration of distance learning until May 30. In addition, privileged public transport services are kept suspended and freight and passenger services will be restricted until May 11.

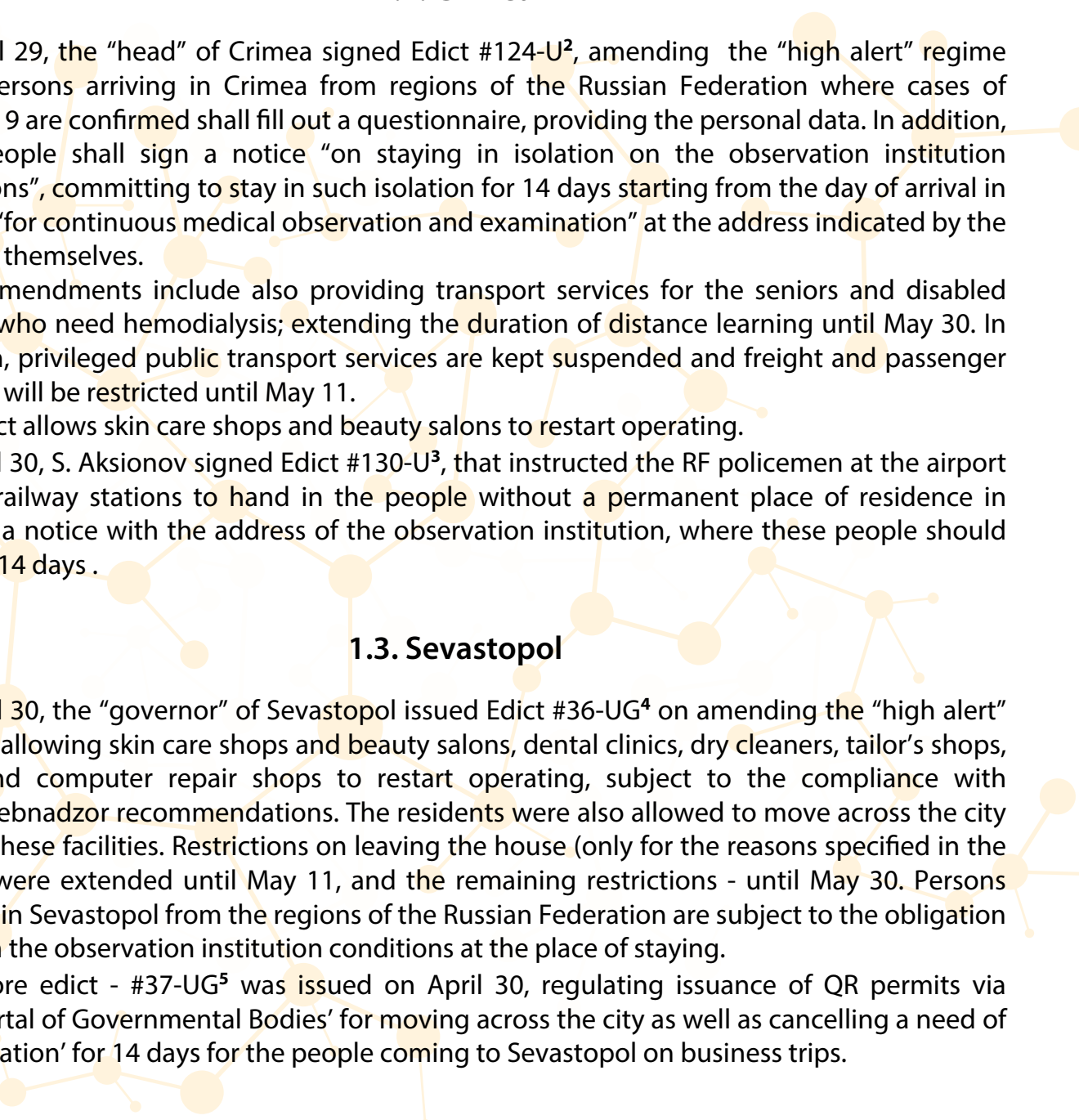
This edict allows skin care shops and beauty salons to restart operating.

On April 30, S. Aksionov signed Edict #130-U³, that instructed the RF policemen at the airport and at railway stations to hand in the people without a permanent place of residence in Crimea, a notice with the address of the observation institution, where these people should stay for 14 days .

1.3. Sevastopol

On April 30, the “governor” of Sevastopol issued Edict #36-UG⁴ on amending the “high alert” regime, allowing skin care shops and beauty salons, dental clinics, dry cleaners, tailor’s shops, shoe and computer repair shops to restart operating, subject to the compliance with Rospotrebnadzor recommendations. The residents were also allowed to move across the city to visit these facilities. Restrictions on leaving the house (only for the reasons specified in the edicts) were extended until May 11, and the remaining restrictions - until May 30. Persons arriving in Sevastopol from the regions of the Russian Federation are subject to the obligation to be on the observation institution conditions at the place of staying.

One more edict - #37-UG⁵ was issued on April 30, regulating issuance of QR permits via ‘Webportal of Governmental Bodies’ for moving across the city as well as cancelling a need of ‘self-isolation’ for 14 days for the people coming to Sevastopol on business trips.



2. RESTRICTIONS ON PASSING CHECKPOINTS AND OTHER RESTRICTIONS OF FREEDOM OF MOVEMENT

With ordinance 1170-r adopted, Crimea residents might leave Crimea once, referring to the provision on their Ukrainian citizenship. So then some Crimeans managed to cross the Russian checkpoints.

Prior these amendments had become valid, on April 27, Oleg Sofianik, a resident of Sevastopol and a Soviet dissident, attempted again to leave Crimea through Dzhankoy Checkpoint. However, the Russian border guards refused him passing the second time, referring to the ban on leaving for Russian nationals (despite having a Russian national passport).⁶

A representative of the Crimean "Rospotrebnadzor" stated that all people arriving in Crimea from the "territory of Ukraine" would be transported to the observation places supervised by the police⁷. So some of them were placed the ZDRAVNITSA Clinical Center in Yevpatoriya.

The entry-exit restrictions introduced by the CMU ordinance⁸ are still in effect at the Ukrainian check-points with Crimea: Ukrainian nationals may leave or enter Crimea in case of any humanitarian reasons (regardless of registration of residence). The decision to pass through the checkpoint due to such reasons is made by the Chairman of the State Border Service of Ukraine.

With the passage rules changed, some Ukrainian nationals from Crimea managed to pass them. At the Ukrainian checkpoints (since their residence place was registered in Crimea) they had to confirm the fact of humanitarian grounds to enter. Some of these people were let through the Ukrainian checkpoints, but some were rejected, referring to the lack of humanitarian grounds verified.

On April 22, Resolution of Government of Ukraine # 291 enacted the amendments allowed to replace the observation in the medical or other institutions for Ukrainian nationals who arrived from Crimea, with another measure. Such persons who have agreed in writing on 'self-isolation' using the "Act at Home" electronic service, may stay on 14-day' isolation at the place of actual residence. To do this, one should install the mobile application and follow the relevant instructions⁹. Since April 26, the people have started informing about such alternative application at the checkpoints.



3. PRACTICES OF APPLYING RESTRICTIVE MEASURES

On May 1, S. Aksionov stated that the number of flights to Crimea had increased one-and-a-half times for 24 hours.¹⁰ Most flights arrive from Moscow. Moscow (more than 80,000 confirmed cases) and the Moscow region (more than 15,000 confirmed cases) are the epicenters of COVID-19 infection in the Russian Federation. To compare, 12,331 cases were recorded on the entire territory controlled by Ukraine (May 4).

The authorities de facto in Simferopol announced introducing the limited water supply for several streets from April 28 to May 5. Water will be supplied only from 6.00am to 9.00am and 6.00pm to 10.00pm.¹¹ This would make observing the COVID-19 protection measures much more difficult for local residents. In addition, Yelena Protsenko, "Head of Administration" of Simferopol, informed that the city lacked staff for disinfecting the entries to multi-apartment buildings.¹²

According to the authorities de facto, more than 500 enterprises of Crimea applied for restarting operations since May 1 and received appropriate permits (including beauty salons and hairdressers).¹³

"Head" of Crimea S. Aksionov said that everybody coming to the peninsula and not owning any real estate in Crimea, would be placed in the observation institution for 14 days¹⁴. According to him, those who would try to avoid the observation will be put on the wanted list¹⁵. However, many arriving from Moscow own real estate in Crimea and are only subject to "self-isolation."

In Simferopol, it was decided to put the "YELOCHKA" orphanage "in quarantine" together with the staff in order to avoid infecting children¹⁶.

In Yalta, near the house where a woman, with a confirmed COVID-19 test result, lives, a police post was set up to ensure further forced placement in hospital for treatment. Since the woman refused hospitalization, the documents were filed with the court for a forced hospitalization decision¹⁷.

The authorities de facto of Sevastopol said that wearing masks in public places of the city would be mandatory for all residents¹⁸.

Detention centers and penal colonies in pandemic conditions

At least 14 Crimeans deprived of their liberty within politically motivated criminal cases are kept in the Pre-Trial Detention Center 1 (FKU GUF SIN of Russia for the Rostov Region (Rostov-on-Donu). Lawyers report that due to the "quarantine" measures, their visits to the clients are significantly limited. Lawyers in the pre-trial detention center are forbidden to communicate with clients in the offices; they communicating in the relatives meeting room - through glass and by phone. Thus, confidential communication and signing of documents by clients is impossible. In addition, this situation has also prevent some lawyers from visiting the clients, as there is not enough space.

Mr. Ernes Ametov, one of the detainees in this detention center, said that the transfer of food became extremely limited, for example, it was forbidden to transfer dairy products¹⁹. Food problems were noted by all prisoners, according to the information CHRG managed to obtain. As a result, the quality of their meals has become even worse, that reduces immunity and provokes an exacerbation of existing diseases.

Ignoring the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the World Health Organization, courts continue to extend detention periods for the Crimeans. Thus, the Southern Area Military Court in Rostov-on-Donu extended the arrest for defendants of the politically motivated 'Crimean Muslims Case'. Lenur Khalilov, Ruslan Nagayev, Ruslan Mesutov and Eldar Kantimirov were present at these sessions via videocall from Simferopol Detention Center # 1. They were left in custody until October 2020.

Militarization in quarantine context

On April 29, Russian Defense Minister Sergei Shoigu announced that the work of draft commissions should begin on May 12²⁰.

In Crimea, preparations for a May 9 military parade are in progress. So, on April 28, a rehearsal of an air parade with air fighters and helicopters was held in Kerch²¹. The press office of the Southern Military Area of the Armed Forces of the Russian Federation reported that air parades would be held on May 9 in Sevastopol and Kerch.

Liability for violating the restrictions

The authorities de facto report holding liable those who escaped placing into the observation institution or failed to comply with the "self-isolation" regime. For instance, 5 people who had indicated a fictitious address when entering Crimea, were wanted and two have been already held liable for such actions²². Then a woman who arrived in Crimea from the territory controlled by Ukraine and refused to go to the observation institution, was brought to administrative responsibility²³. The CHRG continues to record cases of abuse of authority and unreasonable drawing up of reports. For example, a resident of Kerch arrived at the Investigative Committee for questioning, but while he was waiting outside the building, he was drawn up a report under RF CoAO Art. 20.6.1 for violation of the "high alert" regime requirements, namely because he had left his place of residence "for no good reason²⁴" In Simferopol, a similar report was drawn up on a homeless person who had been living on the street since 1994, and therefore was unable to be "at the place of residence."²⁵

An administrative case under RF CoAO Art. 20.6.1 was opened against the owners of a guest house in Simeiz for the tourist services provides - the accommodation of tourists in the guest house.²⁶

According to the results of the CHRG monitoring, it was documented that in April at least 1,707 administrative cases were considered in Crimea for violating the "high-alert regime" under RF CoAO Articles 5.35, 6.3 and 20.6.1. Within these proceedings, 1,550 rulings on fines were issued. Most of these fines (1,531 cases) were imposed under Article 20.6.1 (Failure to follow the behavior rules in case of emergency situation or its occurrence threat) included into the Code of Administrative Offence of the Russian Federation on 1 April 2020 for holding liable the 'high alert' regime violators. For more information, visit the CHRG website.²⁷

4. INFORMING THE PEOPLE, ACCESS TO NECESSARY MEDICAL SERVICES AND PERSONAL PROTECTION MEANS



According to the official information of the authorities de facto, as of May 3,

194 cases of **COVID-19** infection in Crimea have been recorded²⁸

(105 in the “Republic of Crimea” and 89 in Sevastopol). Information about the first officially recognized case of the infection in Crimea appeared on March 21.²⁹

According to order of ‘Ministry of Health Care’ of Crimea no 1047 of 27 April 2020³⁰, 478 beds including 352 with oxygen, were provided in Crimea for COVID-19 sick people.

On April 28 ‘governor’ of Sevastopol’ reported the medical staff in the city was manned with emergency physicians only at 30%.³¹

A 95-year-old resident of Alushta with COVID-19 hardly managed to be put in hospital. According to relatives, the first test was negative, but the condition worsened. When the situation exacerbated, the woman was delivered to the infectious diseases hospital of Alushta, but then sent to Simferopol. The Simferopol Railway Hospital denied to accept her because the hospital is closed for observation regime. The 7th city hospital in Simferopol denied also, because only people with confirmed COVID-19 are accepted there. After that, the woman was returned to Alushta, where the new test confirmed COVID-19, and then she was again delivered to the 7th city hospital in Simferopol.³²

After the confirmed COVID-19 case the Alushta infectious diseases hospital was put on the observation regime for 14 days.³³

In Feodosiya, it was decided to ban a free access to in-patient departments and outpatient clinics of the city.³⁴

In the maternity hospital of Simferopol contact patients and staff were put on the observation regime staying.³⁵

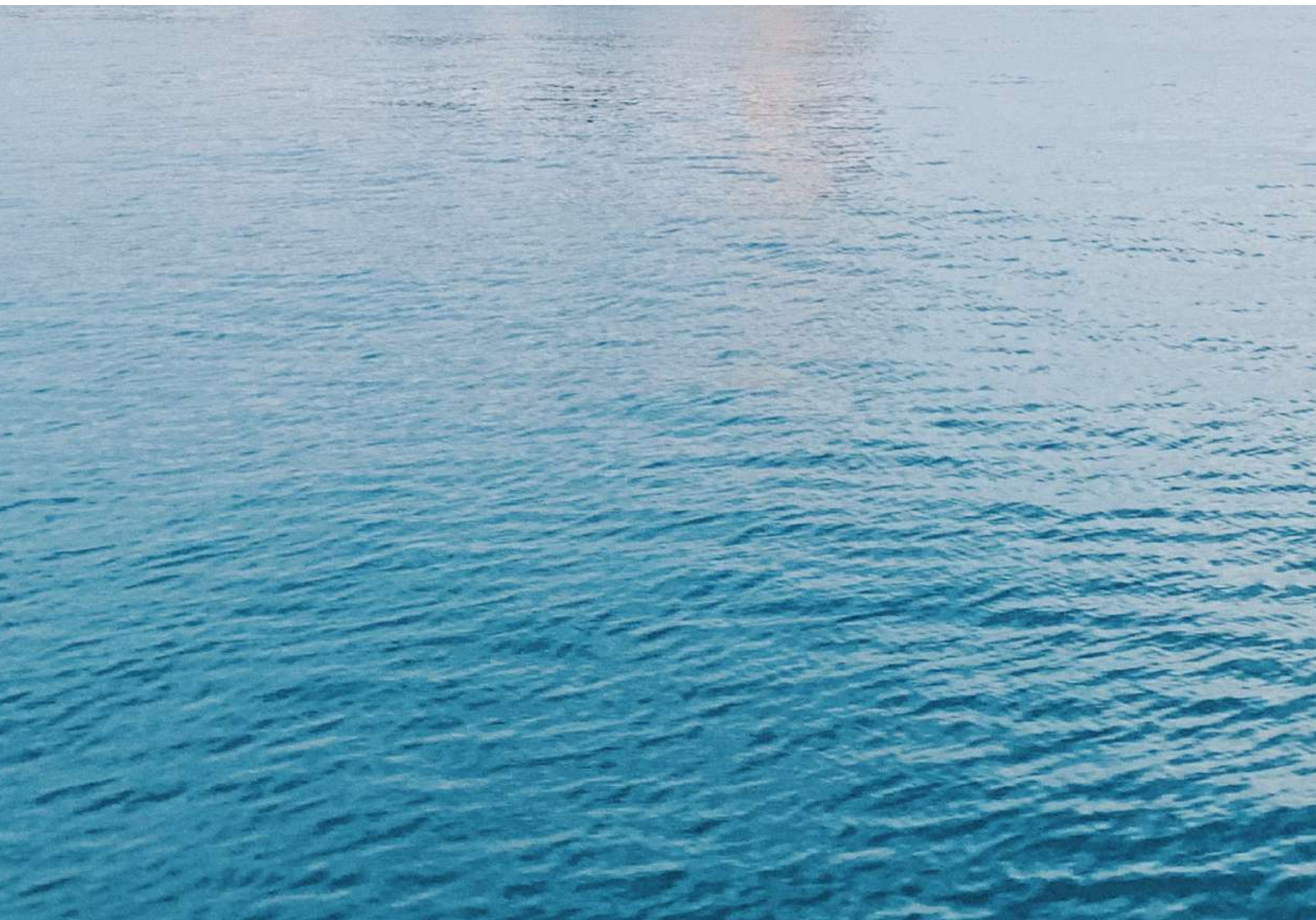
Some patients who are forced to stay in the institutions on the observation regime, have to pay themselves for their staying, though the cost is high. Patients complain that they do not have the funds to pay for it.³⁶

The HEMOTEST laboratory reported that starting from April 28, Crimea residents would be able to pass a paid test for COVID-19 in Simferopol, at a price of RUR1,700. The results, according to the laboratory, would be ready within three days.³⁷



The CHRГ monitoring results showed that access to the website of the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine was blocked in Crimea by providers in at least 8 settlements as well as by the Crimean provider of the MTS mobile operator. The Ukrainian Ministry informed that the authorities de facto had blocked the resource after placing articles about the insufficient level of response to the pandemic in Crimea.

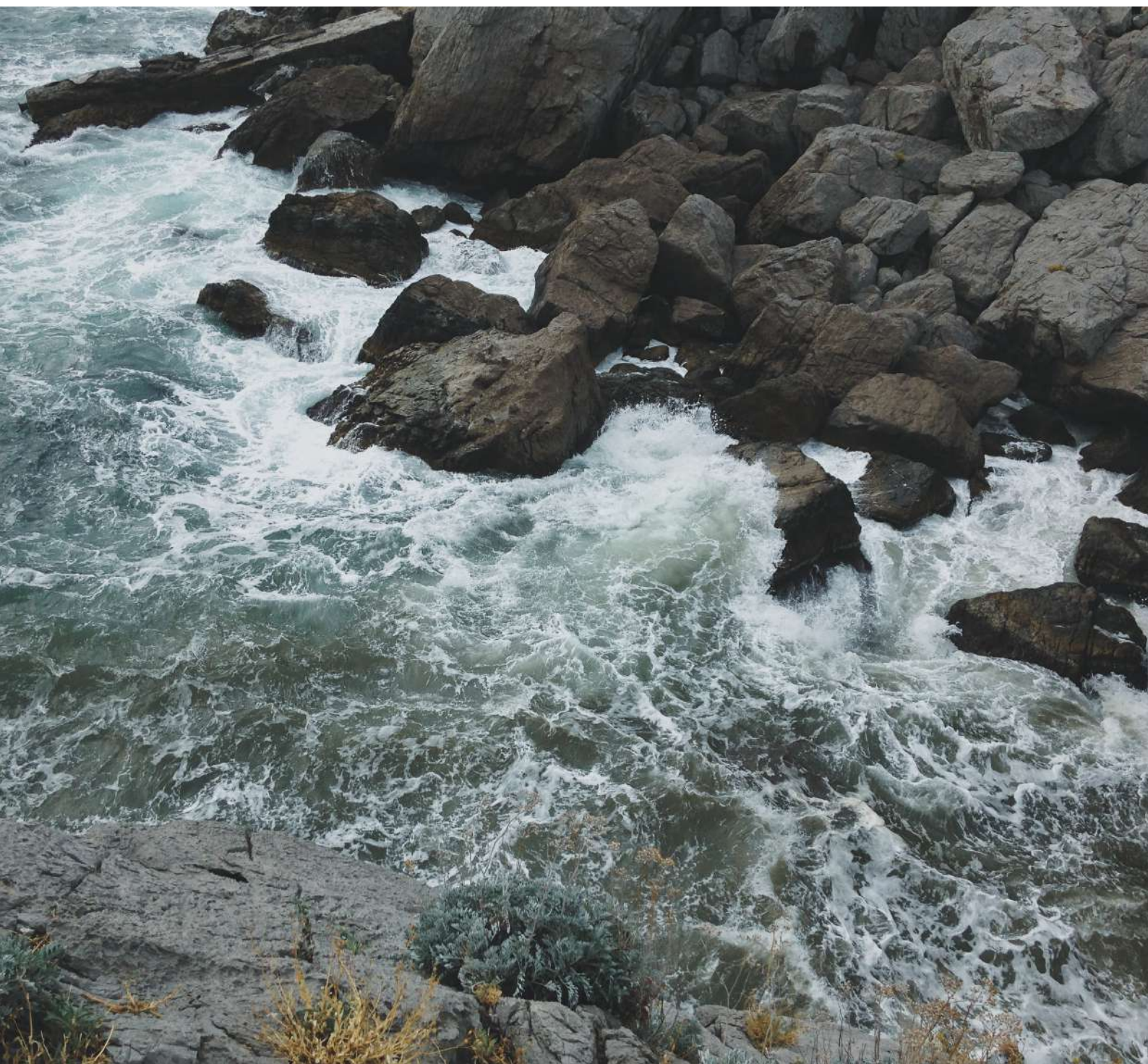
In addition, website gisanddata.maps.arcgis.com that publishes an interactive map of COVID-19 spreading in the world is inaccessible with 7 providers of 9 checked. The Russian website <https://coronavirus-monitor.info/> with the similar information is inaccessible with BOSPORTELECOM (Kerch provider). For more information, visit the CHRГ website.³⁸



5. CONCLUSIONS AND RECOMMENDATIONS



In Crimea, the number of officially confirmed COVID-19 cases as well as the number of medical institutions where COVID-19 infection cases of the medical personnel have been detected, continue to grow. There exist still grounds to consider the official data on the number of COVID-19 confirmed cases to be far from the reality. The information of the Center for Journalistic Investigations indicates also a possible suppression of facts of infected in the RF Armed Forces on the territory of Crimea.³⁹



The spread of COVID-19 is facilitated by flights from Moscow, which today is the most infected region in the Russian Federation. This – specifically on the eve of the May holidays – is a reason for residents of Moscow and other RF regions to come to Crimea. To prevent further the spread of COVID-19 on the peninsula, the Russian authorities should limit air traffic to Crimea, but this is not the case.

The Russian Federation continues to ignore the recommendations of international organizations on preventing the outbreak of COVID-19 in the places of unfreedom. The RF should shift to the practice of replacing pre-trial restriction measures with alternative ones, that do not require keeping in custody, in order to reduce the number of people in the places of unfreedom that is a specifically vulnerable category.

Local providers are blocking – without any grounds – resources with COVID-19 information, limiting for the Crimea residence an access to the socially significant information. In the context of the COVID-19 pandemic, insufficient or incorrect information endangers the life and health of peninsula residents.

Violating the international humanitarian law norms, the RF keeps on drafting to the RF army and holding preparation for a military parade in the occupied Crimea territory.

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.

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.

- * to monitor the situation of the COVID-19 spread in Crimea using available methods, including information from human rights organizations in Ukraine.

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

- * appeal to the Russian Federation with the requirement to comply with the recommendations of the UN and the Council of Europe on preventing the COVID-19 spread in the Crimean places of unfreedom.