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***To UN High Commissioner for Human Rights***

**Situation with HIV and AIDS in the Crimea**

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Our Association of Reintegration of Crimea (ARC)[[1]](#footnote-1), as non-governmental expert and human rights organisation[[2]](#footnote-2), with activities devoted to Crimea’s issues, submits this application to the High Commissioner for Human Rights for her report on the actions regarding the Political Declaration on HIV and AIDS, 2021[[3]](#footnote-3). Our responses are devoted to the situation with HIV and AIDS in the Crimea; it deals with the issues identified by the Association in its work, namely the issue of non-effective medical policy of the Russia-controlled “authorities”.

Illegal occupation and attempted annexation of Crimea by Russia since 2014 have been condemned in a set of international acts, including UN GA resolutions 2014 68/262, 2016 71/205, 2017 72/190, 2018 73/263 2019 74/168, 2020 75/192, 2021 76/70, 2018 73/194, 2019 74/17, 2020 75/29, 2021 76/179[[4]](#footnote-4), resolutions of the OSCE Parliamentary Assembly, of the Parliamentary Assembly of the Council of Europe. Attempted annexation the Crimea by Russia was never recognized by the international community. Human rights violations in the Crimea now are the subject to consideration in international courts, including the International Court of Justice (case 166)[[5]](#footnote-5) and the European Court of Human Rights (case 20958/14 etc).[[6]](#footnote-6)

*Association gives such information for the questions, pointed by the OCHCR:*

1. Russian humanitarian, social and financial ‘policy’ in the Crimea caused, since 2014, strong negative impact on the health care system of the peninsula. In 2014 Russia started a “medical reform” in Crimea and implemented its “own insurance medicine model”[[7]](#footnote-7). In 2020, this resulted in the absence of adequate quantity of medical personnel in Crimean hospitals[[8]](#footnote-8) that minimized the possibility of effective medical aid to the residents of Crimea[[9]](#footnote-9)[[10]](#footnote-10), and violated their right to health and right to life guaranteed by multilateral human rights multilateral. At the same time Russia as occupier-State has an obligation under Geneva Convention IV to ensure adequate medical aid to the population of Crimea, which is bluntly violated by its ineffective medical policies.

Regarding to some so-called “official” statistics, published by Russia-controlled “Crimean and Sevastopol department” of its Federal Statistic Service, the part of Crimean residents that have a “healthy kind of life” decreased from 29.2 % in 2019 to 16.3 in 2021[[11]](#footnote-11). Quantity of medical institutions in the Crimea decreased from 117 in 2014 to 68 in 2020, among them special children hospitals from 6 to 4; quantity of Crimean policlinics, separated from other structures, decreased in 2014-2020 from 56 to 19; quantity of hospital beds in 24-hour hospitals in Crimea decreased in 2014-2020 from 16328 to 15803 and of beds for pregnant women, women in childbirth and puerperas decreased from 938 to 588; quantity of paramedic-obstetric stations in Crimea decreased in 2014-2020 from 504 to 493[[12]](#footnote-12).

Regarding to such “official” statistics during 2014-2020 the common quantity of Crimean medic personal increased but in part of number of some “other categories” like military medic personnel; quantity of dermato-venereologists, regarding Russia’s army presence in region, also increased, from 134 to 155[[13]](#footnote-13). But, for example, quantity of Crimean pediatricians decreased from 740 to 705, and of social hygienists and health organizers – from 447 to 307[[14]](#footnote-14); quantity of obstetrician in the Crimea decreased in 2014-2020 from 902 to 710 persons[[15]](#footnote-15).

It is practically impossible to find figures of deaths’ reasons and incidence dynamics in the Crimea, but regarding Sevastopol “official” data the new-established oncology cases number increased in 2014-2020 from 5505 to 5861 and number of new-established congenital anomalies (malformations), deformities and chromosomal abnormalities increased in Sevastopol from 353 in 2014 to 1629 in 2020[[16]](#footnote-16). So the common situation for medical care to HIV and AID is extremely dangerous in peninsula.

Since 2014, Russia bans usage of medical drugs certified by the Ukrainian authorities, including antibiotic and antivirus medicals produced in European countries and allowed for usage in Ukraine[[17]](#footnote-17). Instead, Russia provided Crimean medical institutions and pharmacies with own-produced drugs, often of extremely low quality. Furthermore, Russian “authorities” ban citizens from carrying high-quality medical drugs from Ukraine’s mainland, which is punishable as “smuggling”, including confiscation of drugs[[18]](#footnote-18). Such policies bear features of a medical experiment over the population of the occupied territory[[19]](#footnote-19). This is another impermissible violation of the Geneva Convention IV. This also violates the rights of Crimean residents to health, to life an to privacy, as well as prohibition of degrading treatment and enforced medical experiments, guaranteed by multilateral human rights treaties.

Russia’s de-facto “authorities” in Crimea did not take action to prevent and address racial discrimination[[20]](#footnote-20), hate speech, xenophobia[[21]](#footnote-21), and related intolerance[[22]](#footnote-22) including in the HIV context. Their HIV-related policy in Crimea violates the right to sustainable development, guaranteed by the above-pointed multilateral treaties. Russia’s “authorities” did not adopt the “HIV socio-economic response and recovery plan”[[23]](#footnote-23)[[24]](#footnote-24) and do not use the human rights-based approach[[25]](#footnote-25) in medical issues[[26]](#footnote-26), they do not use the human rights and gender-sensitive indicators[[27]](#footnote-27) in this area[[28]](#footnote-28). Russia’s “authorities” do not protect human rights of the population of Crimea, including IDPs, in the HIV context[[29]](#footnote-29). Such “powers” violate their right to health, housing, education, information, social protection, basic services, safe and dignified return and sustainable reintegration[[30]](#footnote-30).

Regarding the AR Crimea’s Program on HIV Prophylactic № 1513-5/09, adopted in 2009 that was in force till 2013, there were 9267 HIV-positive persons in the Crimea in 2009, including 1253 children; the injecting drug use was determined as the main factor of HIV dissemination[[31]](#footnote-31). De-facto “authorities” declared that there were 12 458 HIV-positive persons in the Crimea in October 2021 and 8 769 of them got antiretroviral therapy only[[32]](#footnote-32). But such statistics seems to be obviously underestimated. Representatives of such authorities, such as so-called “chief physician” of Russia-controlled “Center for Prevention and Control of AIDS” Alexander Nemykin, recognizes that quantity of the HIV-positive patients rises in the Crimea as a part of the patients “resettles from Russia to the Crimea” and as the peninsula is “attractive in terms of migratory movement”[[33]](#footnote-33). Such resettlement is a part of ongoing, since 2014, Russia-coordinated colonization of the Crimea by own population.

2.3. So the policy of Russia-controlled de-facto “authorities” in the Crimea is far from compliance with Political Declaration on HIV and AIDS, adopted by the General Assembly on 8 June 2021, resolution 75/284. Ban for Western and Ukrainian medicals violate the demand of Declaration’s article 42 on access to safe, effective, equitable and affordable medicines and commodities for all, without discrimination. Absence of coordinated programs and degradation of the Crimean medicine violate the demand of Declaration’s articles 46 and 50 on global health responses and strengthening health systems, on steady increase in domestic HIV investment and importance of public policies, finance and capacity-building. Russian propaganda in the Crimea violates the Declaration’s article 65 on duty to eliminate HIV-related stigma and discrimination, HIV-positive migration to the Crimea in the framework of its Russia’s illegal colonization violates the Declaration’s articles 58, 59, 60 and others on states’ duty to prevent effectively the HIV dissemination.

It would be beneficial if the UN High Commissioner’s research will pay more attention to the situation with the HIV and AID in zones on conflict and foreign occupation, like modern Crimea. The reports of the UN Human Rights Monitoring Mission in Ukraine may be suitable for this issue also; we may recommend to this UN Mission monitor more actively the issues of human rights’ violations done by the Russia’s de-facto “authorities” in the Crimea, especially regarding gender and racial dimension, rights of children, indigenous rights, rights to life, health and privacy and right to sustainable development.

18th February, 2022 Representative of the Association of Reintegration of Crimea

Dr. **Borys Babin**

1. https://arc.construction/ [↑](#footnote-ref-1)
2. https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations\_b/20210005/1348 [↑](#footnote-ref-2)
3. https://undocs.org/en/A/RES/75/284 [↑](#footnote-ref-3)
4. for example, https://undocs.org/en/A/RES/76/179 [↑](#footnote-ref-4)
5. https://www.icj-cij.org/public/files/case-related/166/166-20191108-JUD-01-00-EN.pdf [↑](#footnote-ref-5)
6. http://hudoc.echr.coe.int/eng?i=001-207622 [↑](#footnote-ref-6)
7. https://arc.construction/14919 [↑](#footnote-ref-7)
8. https://arc.construction/8847 [↑](#footnote-ref-8)
9. https://arc.construction/15547 [↑](#footnote-ref-9)
10. https://arc.construction/3773 [↑](#footnote-ref-10)
11. https://crimea.gks.ru/storage/mediabank/2.9.4.%20Доля%20граждан%20ведущих%20здоровый%20образ%20жизни(1).pdf [↑](#footnote-ref-11)
12. https://crimea.gks.ru/storage/mediabank/BNSm8YDK/+Основные%20показатели%20здравоохранения%202014-2020.pdf [↑](#footnote-ref-12)
13. https://arc.construction/25876 [↑](#footnote-ref-13)
14. https://crimea.gks.ru/storage/mediabank/bVyVC7l8/+Численность%20врачей%20по%20специальностям%202014-2020.pdf [↑](#footnote-ref-14)
15. https://crimea.gks.ru/storage/mediabank/7C9WGjee/+Средний%20медперсонал%202014-2020.pdf [↑](#footnote-ref-15)
16. https://crimea.gks.ru/storage/mediabank/классы%20болезней.pdf [↑](#footnote-ref-16)
17. https://arc.construction/5967 [↑](#footnote-ref-17)
18. https://arc.construction/8252 [↑](#footnote-ref-18)
19. https://arc.construction/5074 [↑](#footnote-ref-19)
20. https://arc.construction/11306 [↑](#footnote-ref-20)
21. https://arc.construction/15537 [↑](#footnote-ref-21)
22. https://arc.construction/5788 [↑](#footnote-ref-22)
23. https://arc.construction/4052?lang=ru [↑](#footnote-ref-23)
24. https://arc.construction/8106?lang=ru [↑](#footnote-ref-24)
25. https://arc.construction/2597?lang=ru [↑](#footnote-ref-25)
26. https://arc.construction/8765?lang=ru [↑](#footnote-ref-26)
27. https://arc.construction/15590 [↑](#footnote-ref-27)
28. https://arc.construction/10479 [↑](#footnote-ref-28)
29. https://arc.construction/7082?lang=ru [↑](#footnote-ref-29)
30. https://arc.construction/12411 [↑](#footnote-ref-30)
31. http://crimea.gov.ru/app/603 [↑](#footnote-ref-31)
32. https://mzdrav.rk.gov.ru/ru/article/show/2890 [↑](#footnote-ref-32)
33. https://www.interfax.ru/russia/739287 [↑](#footnote-ref-33)