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IFRC COVID-19 Emergency Decree Pro Bono Research: The Republic of Uzbekistan

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Overview

Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus.¹ As of 30 March 2020 the number of confirmed cases of COVID-19 in the Republic of Uzbekistan has reached 149 out of a total population of approximately 32.39 million.² It has been reported that 7 of those infected with COVID-19 have since fully recovered.³ As of 27 March 2020 approximately 65,511 citizens and residents have been quarantined and are currently under medical supervision: 15,355 of them are being held at hospitals and special isolation centers.⁴

The framework of the Republic's system for prevention and response to disasters is structured in such a way that allows multiple state and non-state actors to cooperate and work closely to respond adequately to disasters when and if they arise. This cooperation is driven by the Ministry of Emergency Situations⁵ which coordinates with the Ministry of Health, the Ministry of Public Education, the Ministry of Internal Affairs and other local authorities and committees of the Republic.⁶ As for non-state actors, the Red Crescent Society of Uzbekistan ("RCSU"), is also called upon to assist the Republic and its bodies in solving pressing social problems, assisting citizens in need, as well as providing medical and social assistance to the most vulnerable parts of the population.⁷

¹ 'Coronavirus' (*Who.int*, 2020) <https://www.who.int/health-topics/coronavirus#tab=tab_1> accessed 26 March 2020.

² The Ministry of Health of the Republic of Uzbekistan official website at <<http://www.minzdrav.uz/news/detail.php?ID=58046>> accessed 30 March 2020.

³ The Ministry of Health of the Republic of Uzbekistan official website at <<http://www.minzdrav.uz/news/detail.php?ID=58030>> accessed 30 March 2020.

⁴ Press release of the Ministry of Internal Affairs of the Republic of Uzbekistan at official telegram channel, <https://t.me/koronavirusinfouz> accessed 30 March 2020.

⁵ 'Presidential Decree of the Republic of Uzbekistan "About First-Priority Measures for Mitigation of Negative Impact on Industries of Economy of Corona Virus Pandemic..."' (*Cis-legislation.com*, 2020) <<https://cis-legislation.com/document.fwx?rgn=123015>> accessed 27 March 2020.

⁶ 'Emergency Preparedness and Response' (*Redcrossent.uz*, 2020) <<http://redcrossent.uz/dm.html>> accessed 26 March 2020.

⁷ 'Organizational Development' (*Redcrossent.uz*, 2020) <<http://redcrossent.uz/deyat.html>> accessed 26 March 2020.

The significance of this high-level cooperation is evidenced in the Republic's effort to apply strict measures following the first discovered COVID-19 case in the capital of the Republic on 15 March 2020.⁸ On 29 January 2020, the Special Republican Commission on Preparation of the Program of Measures to Prevent the Spread of Coronavirus in the Republic of Uzbekistan (the "Commission") was established by the Presidential Decree No.P-5537. According to the decision of the Commission, on 16 March 2020 all educational institutions were initially suspended for three weeks and this was subsequently extended for an indefinite period until further notice from the Commission. Moreover, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 176 "On additional measures to prevent the spread of coronavirus infection" dated 23 March 2020 was passed to outline the procedures to be followed.⁹ The government imposed a number of epidemiological measures to suppress the spread of the disease within the capital and other regions of the Republic. The measures range from a total lockdown of the Republic to the suspension of all public and private transportation (subject to certain exemptions). Other restrictive measures include bans on any kind of public gatherings (including, *inter alia*, marriage ceremonies, religious rituals, Friday and other daily prayers), closure of all restaurants, bars and cafes, entertainment venues, and other non-essential shops (supermarkets excluded).¹⁰ In addition, local authorities have since imposed a fine on people for not wearing a medical mask in public.¹¹ The government, through media outlets, is also taking further measures to increase awareness about the importance of social distancing.

In regards to medical equipment supplies, the Republic has increased the production of medical masks to 5 million pieces daily,¹² and ramped up production of protective clothing.¹³ Further, to incentivize the production of masks in the Republic, the government has exempted the sale of masks from value added tax (VAT). The government also instructed the Ministries of Health and Finance to purchase 300,000 COVID-19 testing devices and 500 artificial lung ventilators.¹⁴ In addition to the measures above, the government has also commenced works on the construction of three hospitals and isolation centers for COVID-19 related quarantine with the total bed capacity of more than 20,000 beds.¹⁵

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

Yes, there is coordination between the state and non-state actors.

Per the framework set out in the paragraph 2 of the overview, the Ministry of Emergency Responses has been designated the authority to outline and deliver the responses in cases of national emergencies and coordinate with other state and non-state actors. This coordination is usually carried out on both high and low-level state actors, including but not limited to, the Ministry of Health, the Ministry of Internal Affairs as well as local authorities and local communities. Such state actors usually work alongside non-profit organizations including the World Health Organization ("WHO"), the RCSU and the International Federation of the Red Cross ("IFRC") to achieve their goals.

To increase the level of cooperation, a number of agreements were signed during the period of 2011 to 2015 to advance humanitarian diplomacy. The parties to these agreements are the RCSU and other state actors such as the Ministry of Health, the Ministry of Labor and Social Protection of the Population, the Ministry of Higher Education, and the Women's Committee of Uzbekistan¹⁶.

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

⁸ 'Uzbekistan Confirms its First Coronavirus Case' (*Aa.com.tr*, 2020) <<https://www.aa.com.tr/en/asia-pacific/uzbekistan-confirms-its-first-coronavirus-case/1766896>> accessed 27 March 2020.

⁹ 'Cabinet of Ministers' Resolution of the Republic of Uzbekistan No. 176 dated March 23, 2020 (*Redcrescent.uz*, 2020) <<http://redcrescent.uz/newsu.html>> accessed 26 March 2020.

¹⁰ 'Coronavirus - Uzbekistan Travel Advice' (*GOV.UK*, 2020) <<https://www.gov.uk/foreign-travel-advice/uzbekistan/coronavirus>> accessed 26 March 2020.

¹¹ 'The Spread of COVID-19' (2020) <<https://www.pv.uz/en/news/transition-of-virus-from-person-to-person-increases-the-spread-of-disease>> accessed 26 March 2020.

¹² 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

¹³ 'Coronavirus in Uzbekistan: What Kind of Preventive Measures Will Be Done Against the Spread Of Virus?' (*xs.uz*, 2020) <<http://xs.uz/en/post/coronavirus-in-uzbekistan-what-kind-of-preventive-measures-will-be-done-against-to-spread-of-virus>> accessed 27 March 2020.

¹⁴ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

¹⁵ 'Hospital to fight against coronavirus to be built within 5 days' (2020) <<https://www.gazeta.uz/ru/2020/0325/hospitals>> accessed 30 March 2020.

¹⁶ 'Humanitarian Diplomacy, Intensification of Cooperation of the Organizations of the Company with the State and Partner Organizations Of the Republic' (*Redcrescent.uz*, 2020) <<http://redcrescent.uz/deyat.html>> accessed 27 March 2020.

Yes, the roles of the IFRC, the RCSU as well as the roles of the WHO are mentioned in a number of publications.

The RCSU has been established and operating since 1925, and became an independent humanitarian organization in 1992 by virtue of a decree issued by the President of the Republic of Uzbekistan. The title of the decree roughly translated is “*On the Red Crescent Society of Uzbekistan*”. The RCSU’s website also states that the government made it possible for organizations such as the RCSU to act on a wide range of matters through the implementation of certain laws and regulations. More specifically, the RCSU’s Tashkent delegation helps authorities in the promotion of International Humanitarian Law and other humanitarian norms and integrate them into national legislation.¹⁷ The RCSU works alongside several societies and assist on the implementation and provision of humanitarian assistance, disease prevention, and medical and social assistance at home and at medical centers.¹⁸ Today, the Society works primarily on health care, medical and social services, and humanitarian assistance.¹⁹

As for the WHO’s involvement in the Republic, it commenced in 1993 with the establishment of the WHO’s office in Tashkent. The priorities for the WHO’s office are set out in a biennial collaborative agreement between WHO/Europe and the Republic. Recently, the WHO has been heavily involved in the research and publication of articles on the spread of diseases and conducting campaigns to increase the uptake of vaccinations in the Republic. Further, the WHO has taken an active role in policy dialogues regarding health financing strategies in the Republic as well as supporting mental health treatment initiatives.²⁰

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

Since the 24 March 2020, the Republic’s government announced the total lockdown of Tashkent. Effectively, prohibiting entry or exit from the capital to other countries or to other cities within the Republic. There are two exceptions to this rule: (i) the transportation of goods and (ii) foreign nationals wishing to depart Uzbekistan.²¹

Due to the restrictions noted above, and due to the fact the RCSU’s headquarters appears to be located within the capital Tashkent, the government may possibly prevent the RCSU from exiting and/or re-entering the capital until the lockdown is over.²²

More recently, however, President Mirziyoyev stated in his speech dated 26 March 2020 that certain processes will be implemented to attract foreign medical specialists to provide medical and practical assistance to doctors and medical staff in the Republic. Although we are unable to ascertain the comprehensiveness of this movement exemption, we believe that this may extend so far as to facilitate the movement of RCSU and other humanitarian relief teams travelling from other countries to the Republic and vice-versa.²³

As for medical aid, the government instructed the relevant authorities to facilitate the movement of medical equipment imported into the country and have exempted such equipment from customs duties and value added tax.²⁴

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

Due to the restrictions noted in the answer to question three above and the fact the RCSU’s headquarters appear to be located in Tashkent, the government may possibly prevent the RCSU from exiting and/or re-entering the capital until the lockdown is over.²⁵ This will most likely hinder RCSU’s ability to assist vulnerable parts of the population residing outside of Tashkent

¹⁷ 'Uzbekistan' (*International Committee of the Red Cross - Where We Work*, 2020) <<https://www.icrc.org/en/where-we-work/europe-central-asia/uzbekistan>> accessed 26 March 2020.

¹⁸ 'About the Red Crescent Society of Uzbekistan and its Place in the Public Life of the Country' (*Redcrescent.uz*, 2020) <<http://redcrescent.uz/deyat.html>> accessed 27 March 2020.

¹⁹ 'About the Red Crescent of Uzbekistan, Introduction of the Chairman Professor Khamid Yakubovich K Arimov,' <<http://redcrescent.uz/indexu.html>> accessed 25 March 2020.

²⁰ 'WHO News' (*Euro.who.int*, 2020) <http://www.euro.who.int/en/countries/uzbekistan/news/news/news?root_node_selection=76321> accessed 27 March 2020.

²¹ 'Coronavirus - Uzbekistan Travel Advice' (*GOV.UK*, 2020) <<https://www.gov.uk/foreign-travel-advice/uzbekistan/coronavirus>> accessed 25 March 2020.

²² 'Coronavirus - Uzbekistan Travel Advice' (*GOV.UK*, 2020) <<https://www.gov.uk/foreign-travel-advice/uzbekistan/coronavirus>> accessed 26 March 2020.

²³ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

²⁴ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

(excluding goods supplies). This restriction may be relaxed in light of the Presidential speech on 26 March 2020 but it is not yet clear what processes will be implemented in the near future to facilitate the movement of humanitarian organizations.

As for other humanitarian organizations situated outside of Uzbekistan, they will most probably be affected by Tashkent's lockdown. Especially if the movement of humanitarian organizations is aimed at providing psychosocial aid. The Republic has closed land and air borders to all non-Uzbek nationals.²⁶

As for the provision of non-medical aid, the answer will depend on the nature of the aid and whether it would qualify as goods.

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

As noted in the answer to question three above, the government will start imposing tax and customs exemptions to facilitate the importation of medical equipment into the Republic and will allow medical specialists to move across borders.²⁷

In regards to other quarantine conditions, medical personnel assisting citizens placed in the constructed quarantine zone in a district in Tashkent may be exempt from travel restrictions.²⁸

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

We are unable to ascertain whether the RC (or humanitarian organizations) are categorized as 'essential' or 'emergency' services. Regardless of what category the RCSU might fall under, the Cabinet of Ministers instructs that in a state of emergency, all organizations, irrespective of the form of business or working hours, must assist in ensuring civil protection is maintained in order to enhance response mechanisms.²⁹

More recently, however, we note that the government has instructed all state and non-state actors to provide paid leave to a huge number of their employees and have the remaining employees working remotely.³⁰

In accordance with the decision of the Commission, as of 30 March 2020, all means of transport (including private vehicles) has been suspended in Tashkent and other regions in the Republic. Governmental officials, medical personnel and emergency operators as well as a number of organizations are exempt from this movement restriction. Special exemption permits are provided online by the state services centers for such organizations. We believe that international humanitarian organizations such as the RCSU should be able obtain such special permits by sending a formal letter to the Ministry of Foreign Affairs of the Republic with the request to facilitate with obtaining such permits on an *ad hoc* basis.

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

The Cabinet of Ministers' Resolution provides the Ministry of Internal Affairs together with the National Guard and the Agency of Sanitary and Epidemiological Surveillance the power to establish strict control and ensure compliance with the measures set out in the Resolution during the COVID-19 outbreak.³¹

²⁵ 'Coronavirus - Uzbekistan Travel Advice' (GOV.UK, 2020) <<https://www.gov.uk/foreign-travel-advice/uzbekistan/coronavirus>> accessed 26 March 2020.

²⁶ 'Coronavirus - Uzbekistan Travel Advice' (GOV.UK, 2020) <<https://www.gov.uk/foreign-travel-advice/uzbekistan/coronavirus>> accessed 25 March 2020.

²⁷ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

²⁸ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

²⁹ 'Presidential Decree of the Republic of Uzbekistan "About First-Priority Measures for Mitigation of Negative Impact on Industries of Economy of Corona Virus Pandemic..."' (Cis-legislation.com, 2020) <<https://cis-legislation.com/document.fwx?rgn=123015>> accessed 27 March 2020.

³⁰ 'Additional Measures Defined to Strengthen Social and Medical Protection of the Population' (2020) <<https://www.gov.uz/en/news/view/27062>> accessed 27 March 2020.

³¹ 'Cabinet of Ministers' Resolution of the Republic of Uzbekistan No. 176 Dated March 23, 2020' (ABOUT ADDITIONAL MEASURES AGAINST THE SPREAD OF CORONAVIRUS INFECTION, 2020) <<https://lex.uz/docs/-4772484#-4773539>> accessed 27 March 2020.

Employers and heads of all organizations, regardless of their legal personality or organizational form, must comply with the following measures:³²

- compulsory medical checks in the case of visitors and the use of medical masks and equipment when performing such checks;
- checking the temperature of employees in the workplace, dismissing the employee if showing symptoms and promptly notifying the health authorities on the COVID-19 hotline ‘1003’;
- immediately provide information about those who came in contact with an infected employee, and take necessary measures to disinfect the premises;
- providing awareness to employees about the requirements for self-isolation and other necessary measures.

Although the Presidential speech dated 26 March 2020 instructed that organizations must implement a working remotely policy, the above measures will still apply as a minimal number of necessary personnel will continue to work from their offices.³³

On the community level, the Resolution obliges citizens and residents to immediately communicate with the health authorities if any of the symptoms of the virus appear, and inform the authorities about any suspected cases.³⁴

On 26 March 2020, President Mirziyoyev has signed a Resolution “*On additional measures to support the employees of medical and sanitary-epidemic services involved in the prevention of the spread of the coronavirus infections*” according to which medical personnel treating COVID-19 patients will receive a salary increase ranging from USD 525 to USD 2,630 approximately, payable on a biweekly basis during the quarantine period.³⁵

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

According to official reports, the Uzbekistan government has stopped the exportation of medical masks.³⁶

³² ‘Cabinet of Ministers’ Resolution of the Republic of Uzbekistan Dated March 23, 2020 No. 176 (*Redcrescent.uz*, 2020) <<http://redcrescent.uz/newsu.html>> accessed 26 March 2020.

³³ Press service of the President of the Republic of Uzbekistan published at official telegram channel at <<https://t.me/koronavirusinfouz>> accessed 30 March 2020.

³⁴ ‘Cabinet of Ministers’ Resolution of the Republic of Uzbekistan Dated March 23, 2020 No. 176 (*Redcrescent.uz*, 2020) <<http://redcrescent.uz/newsu.html>> accessed 26 March 2020.

³⁵ Press service of the President of the Republic of Uzbekistan published at official telegram channel at <<https://t.me/koronavirusinfouz>> accessed 30 March 2020.

³⁶