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КРИМІНОЛОГІЧНА ПОЛІТИКА В УМОВАХ ПОШИРЕННЯ ГОСТРОЇ РЕСПІРАТОРНОЇ ХВОРОБИ COVID-19

Анотація. *Актуальність дослідження обумовлена необхідністю розробки підходів і алгоритмів в питаннях протидії загрозам розповсюдженням світових пандемій з метою запобігання катастрофічним наслідкам в галузях громадського здоров'я та економіки. Мета даного дослідження полягає у визначенні пріоритетних напрямів кримінологічної політики під час карантинних заходів пов'язаних з COVID-19, а також у розробці комплексу стратегічних підходів з питань віктимологічного забезпечення безпеки під час карантинних заходів. У дослідженні був використаний діалектичний метод, а також методи моделювання та системного аналізу даних, які дозволили проаналізувати сучасні виклики, що постають перед українською правовою системою в питаннях визначення комплексу законодавчих вимог і урядових рішень, спрямованих на виявлення та усунення причин і умов вчинення злочинів, забезпечення безпеки суспільства під час карантинних заходів пов'язаних з COVID-19. Результати дослідження дозволяють зробити припущення, що наявність стратегічного документа могла б зробити його дієвим політико-правовим інструментом в питаннях протидії та подолання наслідків поширення існуючих і майбутніх вірусних хвороб. Такий документ має передбачати чіткий алгоритм дій і заходів для забезпечення безпеки громадян при настанні кризових ситуацій та запобігання вчинення злочинів зумовлених загрозами поширення пандемій. У зв'язку з цим, запропоновано комплекс політико-правових рішень стратегічного значення для протидії поширенню світової пандемії на національному рівні та напрями формування кримінологічної політики в умовах реалізації протиепідемічних заходів. У практичному аспекті результати дослідження можуть застосовуватися з метою розробки суб'єктами законодавчої ініціативи різних країн, комплексних документів і стратегій для регулювання суспільних відносин в умовах правових обмежень пов'язаних з епідеміологічними загрозами.*

Ключові слова: Covid-19, SARS-CoV-2, коронавірус, пандемія, кримінологічна політика, віктимологічне забезпечення, стратегія боротьби.

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CRIMINOLOGICAL POLICY IN THE CONDITIONS OF SPREAD OF ACUTE RESPIRATORY DISEASE COVID-19

Abstract. *The relevance of the study is due to the necessity to develop approaches and algorithms to combat the threat of global pandemics in order to prevent catastrophic consequences in the fields of public health and the economy. The purpose of this study is to identify priority areas of the criminological policy during quarantine activities related to COVID-19, as well as to develop a set of strategic approaches to victimological security during quarantine activities. The study used a dialectical method, as well as methods of modelling and systematic analysis of data, which allowed analysing the current challenges facing the Ukrainian legal system in defining a set of legal requirements and government decisions aimed at identifying and eliminating the causes and conditions of crime, ensuring public safety during quarantine activities related to COVID-19. The results of the study suggest that a strategic document could be an effective political and legal tool in combating and overcoming the consequences of the spread of existing and future viral diseases. Such a document should provide a clear algorithm of actions and measures to ensure the safety of citizens in crises and prevent the commission of crimes caused by the threat of pandemics. In this regard, a set of political and legal decisions of strategic importance to counter the spread of the global pandemic at the national level and the direction of the formation of criminological policy in the implementation of anti-epidemic measures. In practical terms, the results of the study can be used to develop the legislative initiative of Ukraine and other countries, comprehensive documents and strategies to regulate public relations in the face of legal restrictions related to epidemiological threats.*

Keywords: Covid-19, SARS-CoV-2, coronavirus, pandemic, criminological policy, victimology, control strategy.

INTRODUCTION

The coronavirus pandemic of 2019 caused profound changes in the daily life of the world community. The countries have begun to experience economic downturns, with an

unprecedented burden on social, economic support and public health systems, which many people rely on in difficult times. The updated strategy of the World Health Organisation to combat COVID-19 of April 14, 2020¹ states that in a short time the local outbreak of COVID-19 has developed into a global pandemic with three defining features that can be described as: a) speed and scale b) severity c) social and economic destabilisation. Controlling people's freedom of movement has become a top priority for governments seeking to slow the spread of the virus. In a pandemic, growing demand and limited resources create ideal conditions for the intensification of corruption, financial and other crimes. Underfunding of health facilities due to various fraudulent and corrupt factors weakens the potential of the health sector. At the same time, the complexity of the work of doctors is growing proportionally, and the role of the medical sector is becoming even more significant. The use of substandard and ineffective drugs, which have become available due to illegal actions, can worsen the condition of patients, complicate the accurate diagnosis or even lead to death, as noted in the analytical report of Europol Crime and Contagion [1].

The lack of comprehensive unified approaches at the national and international levels in the field of victimological security of the population during the spread of pandemics necessitates the filling of such political and legal gaps. In the current context, the implementation of comprehensive measures to study, assess and prevent criminal threats, as well as the introduction of scientific developments in the practice of social control over crime combined into a single strategic document are considered a priority in terms of public safety. Current studies examining the victimisation factors caused by the spread of quarantine measures caused by epidemics and pandemics, in particular COVID-19, address the criteria for quarantine measures [2], the balance between the effectiveness of quarantine measures and the preservation of civil rights and freedoms [3; 4], the impact of quarantine measures on the constitutional rights of citizens [5], criticism of restrictive measures imposed by states in connection with the COVID-19 pandemic in the context of compliance with WHO International Health Regulations [6], the legal liability of health workers in conditions of the spread of coronavirus infection [7; 8] etc. The criminological policy should be carried out according to clearly defined scientifically based criteria, specially defined by law subjects, as well as with the use of modern methods and technologies that will establish the influence of external factors on this process. This approach should be a priority in the development of measures to improve this process and in general the content of the criminological policy, taking into account the existing legal risks associated with possible: miscalculations and inconsistencies in law-making, unprofessional application of legislation in the fight against crime, lack of knowledge about the interpretation of the law and other shortcomings at the level of law enforcement, including on issues of preventive activities, which made up the content of this study.

The main requirement for the effective formation and implementation of criminological policy in the context of the spread of acute respiratory disease COVID-19, should be the coherence of international norms and practices in combating global biological threats and national legislation in matters of security during the quarantine. In

¹ Updated World Health Organization COVID-19 Strategy. (2020, April). Retrieved from <https://www.who.int/ru/emergencies/diseases/novel-coronavirus-2019/strategies-plans-and-operations>.

today's environment, the main and primary threat is the spread of the COVID-19 pandemic, which necessitates an analysis of current domestic and foreign regulations in the field of public relations during the restrictive measures to prevent the spread of coronavirus and anti-epidemic measures.

1. MATERIALS AND METHODS

The study is based on the analysis of the Updated Strategy for Combating COVID-19 of the World Health Organisation (WHO)¹, the analytical report of Europol Crime and Contagion (2020) [1], the International Health Regulations (IHR) approved by the WHO in 2005², legislation Of Ukraine, in particular the Law of Ukraine “On protection of the population from infectious diseases”³, the Law of Ukraine “On prevention of the spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 on the territory of Ukraine”⁴, the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine aimed at preventing the occurrence and spread of coronavirus disease (COVID-19)”⁵ and others. The above laws list and substantiate the basic principles, rules and recommendations that were used and systematised during the study of information on coronavirus infection and in the writing of this paper. The methodological basis of the article was a dialectical method of scientific knowledge of socio-legal phenomena, as well as general science (empirical – observation and comparison; empirical-theoretical – abstraction and modelling, analysis and synthesis, induction and deduction; theoretical – analogy, historical, systematisation and classification) and separate scientific (special) methods – sociological, statistical and others. The dialectical method of scientific knowledge was used during the specific review of Ukrainian legal documents, as well as foreign ones, for example, the Updated Strategy for Combating COVID-19 of the World Health Organization (WHO) was considered. Using the dialectical method, the information of the analytical report of Europol Crime and Contagion (2020) [1] was objectively considered, and also from the objective point of view the recommendations and rules specified in the above-stated laws of Ukraine concerning prevention of spread of the respiratory disease COVID-19 on the territory of Ukraine were analysed.

The method of system data analysis was used. Using the methods of analysis and synthesis, the author consistently analysed the available information on the research topic. With the help of analysis, structural elements, properties and signs of coronavirus disease (COVID-19) were analysed. The synthesis method combined information on coronavirus

¹ Updated World Health Organization COVID-19 Strategy. (2020, April). Retrieved from <https://www.who.int/ru/emergencies/diseases/novel-coronavirus-2019/strategies-plans-and-operations>.

² International Health Regulations. (2005, June). Retrieved from https://zakon.rada.gov.ua/laws/show/897_007#Text.

³ Law of Ukraine No. 1645-III “On protection of the population from infectious diseases”. (2000, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/1645-14#Text>.

⁴ Resolution No. 211 “On prevention of the spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 on the territory of Ukraine”. (2020, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/211-2020-п#Text>.

⁵ Law of Ukraine No. 530-IX “On Amendments to Certain Legislative Acts of Ukraine Aimed at Preventing the Occurrence and Spread of Coronavirus Disease (COVID-19)”. (2020, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/530-20#Text>.

disease into a single system. Using this method, all available information from the literature and legal sources on the prevention and control of the spread of coronavirus was systematised and grouped into a single system. The modelling method was used to develop possible options for the formation and implementation of criminological policy in the context of the spread of acute respiratory disease COVID-19. Conclusions were made on the necessity for further technical and software equipment of coronavirus prevention centres “Covid-19”, sanitary-epidemiological stations with computer equipment and telecommunications. Using the method of classification, the laws aimed at combating coronavirus infection were sequentially organised and distributed, and they were divided into groups according to certain characteristics. The sociological method of scientific research was used in the study of legal regulation in foreign countries, in particular, the experience of the United States and European countries was analysed. Using the methods of system analysis and scientific design, the paper considers the current challenges facing the Ukrainian legal system in the formation of criminological policy during the implementation of quarantine measures related to COVID-19 in the international context, as well as developed a set of policy measures importance for counteracting the spread of the global pandemic at the national level. Using the method of systematisation of information, the Ukrainian legislation was analysed, as well as the base of the existing legislative acts on the research topic was systematised. In particular, the Law of Ukraine “On Prevention of the Spread of Acute Respiratory Disease COVID-19 Caused by SARS-CoV-2 Coronavirus on the territory of Ukraine” was analysed. Provisions of this law inform the population about administrative liability in case of non-compliance with the rules of prevention of the spread of coronavirus infection. Also, the method of analogy was used to study the issue of preventing the spread of coronavirus infection. The study of foreign sources of information on the control and prevention of coronavirus infection, provided an opportunity to study practical experience and develop recommendations in case of similar situations in Ukraine.

2. RESULTS AND DISCUSSION

COVID-19 is a new type of infectious disease that differs from other diseases caused by coronaviruses, severe acute respiratory syndrome and Middle Eastern respiratory syndrome. According to world statistics, about 40% of cases are mild, 40% have moderate disease, including pneumonia, 15% have severe disease, and 5% have critical illness [9]. In Ukraine, Covid-19 coronavirus infection (a new type of pneumonia) was first diagnosed on March 3, 2020 in Chernivtsi. On March 13, the first fatal case of coronavirus infection was recorded. The results of the study show that the lack of strategic approaches to the issues of integrated response to the spread of biological threats is currently characteristic not only for Ukraine. In particular, the experience of the United States speaks of the selective and unsystematic application of legal instruments to combat the COVID-19 pandemic in this country, which, however, is due to the complexity of its legal system, the state system. At the same time, it is obvious that the presence of a comprehensive strategic document, which would provide a clear algorithm of actions and measures to ensure the safety of citizens in crisis situations caused by the threat of pandemics could be a guarantee of human life. Therefore, one of the main priorities in ensuring the security of the country should be state criminological policy as a coordinated activity of all branches of

government and civil society institutions, aimed at identifying and eliminating the causes and conditions (determinants) of crimes, forecasting possible changes in criminogenic situation, adjusting strategic management criminal justice system for the formation and implementation of anti-epidemic measures. Against the background of the development of the global pandemic in many countries of the world there is a sharp outbreak of crimes, which are directly or indirectly related to the introduction of anti-epidemic and quarantine measures. According to the European Police Office (Europol), during operation “Pandea”, which recently took place around the world, police discovered 2000 websites offering counterfeit anti-coronavirus drugs, sprays and ointments (Riegert, 2020) [10].

Restrictions on free movement and closure of borders have had a direct impact on some criminal activities, the growth of which has slowed or stopped. But at the same time, criminal gangs are emerging that use public confusion to create new demand for illegal goods and services. It can be expected that as the crisis develops, the opportunities for criminal activity will expand. In particular, in countries where organised crime groups have links to health systems, life-saving resources are used for criminal gain, weakening the response of states to health emergencies [1]. Quarantine restrictions have no less of an impact on international cooperation. Thus, for many countries, the security of their citizens seems to be a higher priority than the provisions of international instruments guaranteeing free movement. However, in the scientific community, not everyone shares the views on the benefits of severe restrictive measures. It is argued that, in the short term, travel restrictions prevent goods from entering pandemic-affected regions, slow down international public health initiatives, stigmatise society and disproportionately harm the most vulnerable. In the longer term, countries that choose which international instruments to comply with may encourage other countries to do the same, which in turn undermines the basic tenets of international relations [6]. In accordance with Part 1 of Art. 33 of the Constitution of Ukraine¹, everyone who is legally on the territory of Ukraine is guaranteed freedom of movement, except for restrictions prescribed by law. Thus, the constitutional right to free movement of a country is not absolute and may be limited by the relevant law.

In this case, and given the current situation in Ukraine and the state's measures to prevent the spread of COVID-19 in Ukraine, such a law is the Law of Ukraine “On Protection of the Population from Infectious Diseases”², which defines, in particular, principles of activity of executive bodies, local self-government bodies, aimed at preventing the occurrence and spread of infectious human diseases, localisation and elimination of their outbreaks and epidemics. This Law establishes the rights, duties and responsibilities of individuals in the field of protection of the population from infectious diseases [11]. Articles 20 and 22 of this Law provide for the responsibilities of persons who are potential carriers and the measures to be taken against such persons. Such persons – if they pose a real risk of infecting others – are subject to treatment, medical supervision and examination in appropriate health care facilities.

Article 29 of the Law regulates the issue of establishing quarantine, during which the necessary preventive, anti-epidemic and other measures, their executors and terms of

¹ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254к/96-вр#Text>.

² Law of Ukraine No. 165-III “On protection of the population from infectious diseases”. (2000, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/1645-14#Text>.

implementation are approved, temporary restrictions of the rights of individuals and additional responsibilities imposed on them are determined. Article 31 of this Law defines institutions (special hospitals, isolators, observers) based on which the necessary examinations of persons who have had reliable contacts with a patient with a particularly dangerous infectious disease, as well as persons with symptoms of such diseases must be located and passed. The Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine Aimed at Preventing the Occurrence and Spread of Coronavirus Disease (COVID-19)” of March 17, 2020¹ provides administrative liability for violating the rules on quarantine of people, sanitary and hygienic, sanitary and anti-epidemic rules and norms outlined by the Law of Ukraine “On Protection of the Population from Infectious Diseases”, other acts of legislation, as well as decisions of local governments on the fight against infectious diseases. The law provides for the creation of a legal basis for the prompt implementation by the state of a set of urgent measures to prevent and treat COVID-19, including procurement of goods, works and services necessary for this purpose, without applying the procedures provided by the Law “On Public Procurement”²; 100% prepayment for such goods, works and services; control by the Cabinet of Ministers over the prices of medicines, medical supplies and socially significant goods [12].

The law introduces a set of legal norms aimed at protecting the rights of individuals and legal entities during quarantine, and restrictive measures related to the spread of COVID-19, namely: the possibility of working at home for employees, civil servants and local government officials and providing with their consent leave; granting the right to owners to change the modes of operation of bodies, institutions, enterprises, institutions, organisations, in particular, regarding the reception and service of individuals and legal entities with mandatory informing the public about it through websites and other means of communication; prohibition on revocation of the certificate of registration of an internally displaced person (for the period of quarantine and within 30 days after its revocation), etc. The law instructs the Government to set additional surcharges for medical and other workers directly involved in the eradication of human disease at COVID-19 for the period of implementation of measures to prevent the occurrence and spread of coronavirus disease, until the completion of these measures, and additional payments to certain categories of workers, which ensure the main areas of life. The law establishes administrative liability for leaving a place of observation (quarantine) by a person who may be infected with COVID-19. In particular, violation of the rules on human quarantine, sanitary and hygienic, sanitary and anti-epidemic rules and norms provided by the Law “On protection of the population from infectious diseases”, other legislation, as well as decisions of local governments on infectious diseases entails penalties in the form of fines for citizens, including officials. Such changes have been made to the Code of Ukraine on Administrative Offences (to supplement Article 44-3)³. In addition, the law provides for

¹ Law of Ukraine No. 530-IX “On Amendments to Certain Legislative Acts of Ukraine Aimed at Preventing the Occurrence and Spread of Coronavirus Disease (COVID-19)”. (2020, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/530-20#Text>.

² Law of Ukraine No. 922-VIII “On Public Procurement”. (2015, December). Retrieved from <https://zakon.rada.gov.ua/laws/show/922-19#Text>.

³ Code of Ukraine on Administrative Offenses. (1984, December). Retrieved from <https://zakon.rada.gov.ua/laws/show/80731-10#Text>.

criminal liability for violating the rules and regulations established to prevent and control epidemic and other infectious diseases, if such actions have caused or are known to cause the spread of these diseases or death or other serious consequences. According to the Criminal Code of Ukraine¹, liability for such offences includes sanctions in the form of fines, arrest, restraint or imprisonment. According to regulations, quarantine is an administrative and health measure used to prevent the spread of particularly dangerous infectious diseases, i.e. diseases characterised by severe and (or) persistent health disorders in a significant number of patients, high mortality and rapid spread of diseases among the population. Government Resolution of March 11, 2020, No. 211 “On prevention of spread of acute respiratory disease COVID-19 caused by Coronavirus SARS-CoV-2 on the territory of Ukraine” (as amended by Resolution of April 2, 2020, No. 255)² defines the categories of persons which are subject to obligatory hospitalisation to observers (isolators), and the procedure for such hospitalisation. Thus, since in accordance with Art. 33 of the Constitution of Ukraine³, citizens of Ukraine may not be deprived of the right to return to Ukraine at any time, they are obliged to comply with all rules and established security measures, in particular, related to mandatory isolation (observation) in view of the quarantine emergency regime and implementation of measures aimed at preventing the spread of coronavirus.

At the same time, there is opposition from some citizens to compulsory observation, which is associated with self-confidence and irresponsibility for possible irreversible consequences and threats to other citizens within the state. These citizens are insufficiently informed about the places and conditions of mandatory isolation (observation), its legal requirements. The experience of the United States in the introduction of quarantine measures shows that the powers of the authorities for the period of implementation of such measures, although quite broad, but subject to significant constitutional restrictions. Although the powers of health authorities should be based primarily on scientific expediency, at the same time they should not violate the fundamental universal values of personal freedom and non-interference in private life [13]. The balance of personal rights and freedoms and legal restrictions in connection with quarantine measures is one of the main issues in the development of quarantine measures, regardless of the jurisdiction of a country. Quarantine measures should be applied only when necessary for public health purposes (or are the least restrictive alternative) and only when they are accompanied by guarantees of adequate legal protection [5]. The US Department of Health and Human Services' (HHS) emergency declaration at the time of the coronavirus pandemic in the United States allows the use of additional financial resources, expands the powers of federal agencies, interagency coordination and temporarily repeals some legislation. The introduction of emergency regimes in the states and in the field is also allowed [3]. A separate problem in the application of certain measures to combat the pandemic may be

¹ Criminal codex of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

² Resolution No. 211 “On prevention of the spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 on the territory of Ukraine”. (2020, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/211-2020-п#Text>.

³ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254к/96-бп#Text>.

their incompatibility with the International Health Regulations (IHR) approved by the WHO in 2005¹. For example, paragraph 2 of Article 43 of the IHR implies that states should not apply additional health measures only as a precautionary measure, and must justify their decisions by “scientific principles”, “scientific data” and “WHO recommendations”. Many of the restrictions on movement imposed during the COVID-19 outbreak are not supported by health or WHO studies. Thus, the WHO has recommended not restricting free movement, arguing that restrictions do more harm than good [6].

In connection with the above, it is possible to formulate several basic special requirements for the effectiveness of the formation and implementation of criminological policy in the context of the spread of acute respiratory disease COVID-19:

- the coherence of international norms and practices in combating global biological threats and national legislation in matters of security during quarantine measures;

- the normative definition of the term “examination for coronavirus “Covid-19” (in most cases, this term means the examination performed to detect antibodies to coronavirus “Covid-19”);

- prohibition of refusal of admission to a medical institution and the provision of emergency medical care or restriction of other rights of persons on the grounds that they are carriers or patients with COVID-19, as well as restriction of the rights of relatives and friends of the infected. Illegal actions of officials, violations of the rights of infected or sick people with coronavirus, their relatives and friends can be appealed in accordance with the legislation of Ukraine;

- establishment of criminal liability for knowingly not informing about the infection or infection of another person (persons) with coronavirus by a person who knew about the presence of coronavirus infection. A perpetrator must also compensate for the damage caused by the failure to provide medical and social assistance to an infected person. However, the responsibility of healthcare professionals for human coronavirus infection should be approached with extreme caution, deeply analysing the responsibility of each person, as well as the situation in which a healthy person was infected with a coronavirus infection by a sick person. Therefore, Art. 325 of the Criminal Code of Ukraine “Violation of sanitary rules and regulations for the prevention of infectious diseases and mass poisoning” should, in the authors’ opinion, add Part 2 as follows: “Infection of another person with infectious diseases by a person who knew he had the disease”;

- it is necessary to envisage the development of a better anti-epidemic surveillance system for COVID-19, which would provide the organisation of monitoring of infected and persons from “high-risk groups”.

Thus, modern achievements of scientific and technological progress necessitate further technical and software equipment of coronavirus “Covid-19” prevention centres, sanitary epidemiological stations with computer equipment, telecommunications, which will create a single integrated automated information and analytical system at the regional level on this problem based on basic computer programs. The issue of cybersecurity in ensuring the effective functioning of such systems deserves special attention, as the shortcomings of software applications can make them objects of criminal encroachment,

¹ International Health Regulations. (2005, June). Retrieved from https://zakon.rada.gov.ua/laws/show/897_007#Text.

create threats to the security and privacy of patients, etc. [14]. Based on this, the system of medical examination of the population is subject to revision and improvement, which provides for both mass epidemic and sample surveys of certain categories of the population to preserve the volume of research on persons from “high-risk” groups and other contingents [15]. The social significance of the problem of coronavirus “Covid-19”, legal regulation of examination of “high-risk groups”, the issue of liability of medical staff and others for human coronavirus infection requires high training for organisational, legal, treatment and prevention and anti-epidemiological measures and their information software. Thus, the experience of the United States shows that in the United States there is no common approach to ensuring the legal immunity of physicians related to the performance of their professional duties in situations that require immediate decision on how to save the patient's life (e.g. use of ventilators) [16]. Existing federal and state laws provide limited immunity to physicians and nurses in situations that require urgent decisions. The scientific community notes that health workers' concerns about liability should be kept to a minimum, as even a small likelihood of prosecution can affect the ethics of doctors' decisions about their responsibilities, which may, for example, be reflected in appointment of ventilators by the principle of “first come – first served”, and not based on the conditions of objective necessity [17].

In this regard, the strategic general social directions of the formation of criminological policy during the implementation of quarantine measures should include:

- appropriate professional training of doctors, lawyers, teachers in the institutes of improvement and advanced training courses for specialists of various specialties and especially virologists-infectious diseases;

- development and publication of relevant scientific, legal and educational literature (monographs, thematic reviews, methods, abstracts, collections, reference books, textbooks, etc.) on preventing the spread of infectious diseases, including the use of positive experience abroad on issues of coronavirus “Covid-19”;

- inclusion of human coronavirus prevention issues in the curricula of all educational institutions;

- training of leaders of youth organisations, persons from “high-risk groups” in territorial centres of human coronavirus prevention;

- training of practical health care specialists, law enforcement officers and scientists in the leading specialised research institutions of Ukraine and abroad.

- strict adherence to self-isolation and observation.

The measures will allow for the training of highly qualified personnel for the provision of legal and specialised medical care and significantly increase the efficiency of the entire system of health care, education and legal information support of this problem [18]. In connection with the above, it can be stated that it is necessary to adopt at the legislative level the State Response Strategy for Covid-19 (Prevention Strategy), the main task of which should be to control the pandemic and its cessation by slowing down virus transmission and reducing mortality. COVID-19, as well as the elimination of negative social, economic, political and other consequences caused by the introduction of quarantine restrictions that may lead to illegal actions in this area. Achieving such a strategic goal is possible by:

- a) coordination of state and regional response measures to eliminate the causes and

conditions of crimes;

b) involvement and mobilisation of affected by the virus and local communities and individuals at risk to identify and provide information on illegal actions in the context of quarantine measures;

c) application of situationally necessary medical and sanitary measures to slow down the transmission of the virus and control of concomitant cases that may lead to the commission of offenses;

d) preparation of the health care system in order to reduce COVID-19-related mortality, preserve priority health care services and protect health workers from and against wrongdoing;

e) planning of emergency measures to ensure uninterrupted vital public functions and elimination of circumstances that may lead to the commission of offenses in the field of medical services.

The defining goals of the Strategy are:

– mobilisation of all social institutions and citizens of the country to fight the pandemic, in order to ensure the acceptance of responsibility by all state and public sectors and participation in the prevention of diseases and illegal behaviour that may contribute to the spread of coronavirus;

– control of cases and foci of the disease, and prevention of virus transmission among the population by rapid detection and isolation of all cases, provision of appropriate medical care, tracking, quarantine and support for all those who came into contact with patients;

– prevention of spread of the virus among the population by taking appropriate situation measures to prevent and control infection, general measures of physical distancing, as well as appropriate and proportionate restrictions on domestic and foreign travel, in which there is no urgent need;

– reduction of mortality through the provision of appropriate clinical care to patients with COVID-19, ensuring the continuity of priority health and social care services and the protection of health workers and vulnerable groups;

– development of safe and effective vaccines and therapeutic agents that can be distributed in the required quantity and available depending on the needs of the health care system and the population.

The necessity for formal platforms for interagency coordination of efforts to counter the spread of pandemics is confirmed by a study of Singapore, which since the outbreak of SARS in 2003 has systematically strengthened its ability to combat new infectious diseases and as of today, it has one of the lowest mortality rates among Asian countries in terms of the number of patients (23 deaths in 32,800 patients) [19]. In addition, the need for comprehensive strategic approaches to criminological and victimological support of global and national security during quarantine measures stems from the essence of the studies considered in this paper on the EU and the US, which give an idea of clearly developed approaches to the above issues in these countries do not yet exist. Quarantine measures and bans on free movement are often the first response against new infectious diseases. However, these traditional remedies tend to have limited utility for rapidly spreading infectious diseases, and if used exclusively as a tool of harsh influence, selectively and unsystematically, they can be counterproductive [20].

Ukraine should implement a set of measures appropriate to its capabilities and situation in order to slow down the transmission of the virus and reduce the mortality associated with COVID-19, with the ultimate goal of achieving and (or) maintaining a stable level of virus transmission or the absence of new infections and the elimination of circumstances that lead or may lead to the commission of crimes in the context of anti-epidemic measures.

CONCLUSIONS

The outbreak of the COVID-19 pandemic has revealed the unwillingness of many nations to effectively counter the new global threat in terms of effective legal and enforcement mechanisms. In this sense, Ukraine is no exception. At the same time, the analysis of Ukrainian legislation suggests that since the spread of the pandemic in Europe, it has been able to adapt relatively quickly to new realities. At the same time, the issues facing the Ukrainian legal system in terms of the formation and implementation of criminological policy in the field of public safety during quarantine measures related to the spread of the coronavirus pandemic revealed the need to develop a national strategy document that includes a set of measures to combat viral threats and regulation of public relations during their spread. Such a complex should include the achievements of international practices, be flexible and adaptable to new challenges, given the close contact of criminological, economic, political, social and other areas of security of the individual and society.

The proposed set of measures reflected as a State Response Strategy for Covid-19 could create the preconditions for the formation of an effective mechanism in criminological and victimological support of global and national security, given the existing and future epidemiological threats. It is assumed that being adapted to the relevant legal realities of other states, the proposed strategy has the right to exist in any legal system. The results of the study suggest that future challenges in the formation and implementation of criminological policy to ensure the safety of citizens during quarantine and restrictive measures will be due to the adaptation of criminal activity to such conditions, and therefore it is assumed that further research should focus on the development of criminological approaches to combating crimes in the field of public health and violation of norms for the prevention of infectious diseases.

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