



Strasbourg, 4 March 2022

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NOTE VERBALE

The Secretariat General of the Council of Europe (Treaty Office) presents its compliments to the Ministry of Foreign Affairs and has the honour to enclose a copy of Note verbale No. FRA-CoE/352/96 from the Permanent Representation of Moldova to the Council of Europe, dated 3 March 2022, transmitted to the Secretary General of the Council of Europe on 3 March 2022, concerning Article 15 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5).

This information is transmitted in pursuance of Resolution (56) 16 of the Committee of Ministers.

The Secretariat General of the Council of Europe (Treaty Office) avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.



Note to all member States.
Copy Republic of Moldova.

**Permanent Representation of the Republic of Moldova
to the Council of Europe**

No. FRA-CoE/352/96

NOTE VERBALE

The Permanent Representation of the Republic of Moldova to the Council of Europe presents its compliments to the Secretary General of the Council of Europe and pursuant to article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms wishes to notify that on the 24 February 2022 the Parliament of the Republic of Moldova introduced a state of emergency, siege and war. from 24 February to 24 April 2022, on the entire territory of the Republic of Moldova, considering the situation related to the regional security and the menace to the national security. The Decision of the Parliament is attached to this Note.

The Parliament Decision No. 1/2022 on the declaration of the state of emergency is abrogated (Note Verbale No. FRA-CoE/352/ 81 of 25 February 2022).

The existing measures already in force or envisaged to be implemented during the mentioned period of state of emergency entail or may entail restrictions such as ordering, if necessary, establishing a special regime for entry in and exit out of the country; establishing special regime for the use of the airspace; establishing a special regime of movement on the territory of the country, including of the movement and control of merchandise; expelling from the territory of the country people whose presence may affect the ensuring of the public order and security; temporary evacuation of the citizens from the areas that pose menace to life and the obligatory provision of permanent or provisional accommodation for them; allocating financial means for the enforcement of the directives of the Commission for Exceptional Situations of the Republic of Moldova, if it is necessary; establishing a special working regime for the economic agents and public institutions, solving other issues related to their activities, necessary for carrying out rescue and extrication operations and other urgent operations; prohibition on holding rallies, public demonstrations and other mass actions; prohibition on the creation and activity of paramilitary formation of persons on the territory of the state; ordering, as needed, the temporary disruption of gas, energy and drinking water supply; adoption of the necessary decisions to undertake swift actions to supply natural gas, electricity and other energy sources, including by derogation from the normative provisions; coordination of the activity of mass media regarding the introduction of special rules for the use of telecommunications, the fight against misinformation, fake news and hate speech; prohibition of the dismissal of employees, except for the cases provided by the normative acts, for this period; modification of the procedure for the appointment and dismissal of the heads of economic agents and public institutions; involvement of citizens in the provisions of services in the public interest in accordance with the law; carrying out, in the manner provided by law, the requisition of goods in order to prevent and liquidate the consequences of the situations that imposed the declaration of the state of emergency; carrying out necessary actions in order to prevent, mitigate and liquidate the consequences of the situations that imposed the declaration of the state of emergency; taking the necessary measures for the management of the migration flows; accessing and managing the international assistance for the duration of the state of emergency.

The application of these measures has triggered the necessity for the Republic of Moldova to derogate pursuant to article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms from the application of certain provisions of the Convention and its Protocols.

In the context of major national security threats in the immediate vicinity of the land border between the Republic of Moldova and Ukraine, as a result of the beginning of massive military actions on the territory of Ukraine on 24 February 2022, the afore-mentioned measures are essential and critical in protecting the national security of the country.

Pursuant to article 15 (3) of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Permanent Representation will inform the Secretary General of the Council of Europe about the future developments regarding the state of emergency as well as when the above-mentioned measures and derogations have ceased to apply, and the provisions of the Convention are being fully implemented again on the territory of the Republic of Moldova.

The Permanent Representation of the Republic of Moldova to the Council of Europe avails itself of this opportunity to renew to the Secretary General of the Council of Europe the assurances of its highest consideration.

(seal)
Strasbourg, 3 March 2022

To: Secretary General of the Council of Europe
Strasbourg

(*) *Derogation registered at the Secretariat General on 3 March 2022 – Or. Engl.*
Link to the [Decision No. 41 of the Parliament on the declaration on the state of emergency](#).