



Strasbourg, 20 March 2020

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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 a Note verbale from the Permanent Representation of the Republic of Moldova to the Council of Europe, dated 18 March 2020, transmitted to the Secretary General of the Council of Europe on 19 March 2020, 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.

(seal)

Encl.

Note to all member States.
Copy Republic of Moldova.

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

No. FRA-CoE/352/169

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, in accordance with relevant provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms, wishes to inform about the decision of the Parliament of the Republic of Moldova to declare a state of emergency on 17 March 2020 as a critical measure to stop the spread of COVID-19. The state of emergency has been instituted for a period of 60 days, from 17 March - 15 May 2020 on the entirety of the territory of the Republic of Moldova.

The measures already in force or envisaged to be gradually implemented entail or may entail restrictions to fundamental rights and liberties *inter alia* by way of establishing a special regime of entry and exit from the country, a special regime of movement on the territory of the Republic of Moldova, suspending the activity of educational establishments, introducing the quarantine regime, prohibiting meetings, public demonstrations and other mass gatherings, and therefore, triggering the necessity for the Republic of Moldova to derogate, in accordance with 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 particular, Article 11 of the Convention, Article 2 of the First Protocol and Article 2 of the Protocol No. 4.

Bearing in mind the worrying trends of COVID-19 spread in Europe, the afore-mentioned measures are essential steps in combating the spread of the COVID-19 and protect the population against this global pandemic.

The Permanent Representation kindly asks that this Note Verbale be considered as a notification for the purposes of Article 15, paragraph 3, of the Convention. Additionally, the Representation will duly inform the Secretary General when such measures have ceased to operate and the provisions of the Convention are again being fully executed.

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, 18 March 2020

SECRETARY GENERAL
OF THE COUNCIL OF EUROPE
STRASBOURG

(*) **Declaration registered at the Secretariat General on 19 March 2020 – Or. Engl.**

PARLIAMENT OF THE REPUBLIC OF MOLDOVA

DECISION

on the declaration of the state of emergency

In accordance with art. 66 sub-para. m) of the Constitution of the Republic of Moldova and art. 12 of Law no. 212/2004 on the regime of the state of emergency, curfew and state of war, taking into account the declaration of the World Health Organisation regarding the COVID-19 pandemic on 11 March 2020 and the establishment of the countrywide Red Code in connection with the epidemiologic situation created by the infection with COVID-19 by the National Extraordinary Commission for Public Health on 13 March 2020,

The Parliament of the Republic of Moldova adopts this decision.

Art. 1. - The state of emergency shall be declared throughout the territory of the Republic of Moldova in the period of 17 March - 15 May 2020.

Art. 2. - During the period of the state of emergency, the Commission for Exceptional Situations of the Republic of Moldova shall issue provisions with a view to implementing the following measures:

- 1) establishing a special regime for the country entry and exit;
- 2) establishing a special regime of movement on the territory of the country;
- 3) introducing the quarantine regime and other mandatory sanitary-antiepidemic measures;
- 4) establishing a special working regime for all entities;
- 5) prohibiting public meetings and gatherings and other mass events;
- 6) providing, when necessary, for the rationalisation of consumption of first necessity food and other goods;
- 7) coordinating media activities on:
 - a) informing the population about the causes and proportions of the exceptional situation, the measures undertaken for the prevention of risks, liquidation of the consequences of this situation and protection of population;
 - b) notifying the population about the rules of behaviour during the exceptional situation;
 - c) introducing special rules for the use of telecommunications means;
- 8) amending the procedure for the appointment and dismissal of the managers of economic operators and public institutions;
- 9) prohibiting the resignation of workers, except for the cases provided for by the normative acts, for this period;
- 10) calling the citizens to provide services in the public interest according to the law;
- 11) carrying out, in the manner established by the law, the requisition of goods in order to prevent and liquidate the consequences of the situations which imposed the declaration of the state of emergency;
- 12) carrying out other necessary actions in order to prevent, mitigate and liquidate the consequences of the Corona virus Pandemic (COVID-19).

Art. 3. - The provisions of the Commission for Exceptional Situations of the Republic of Moldova are mandatory and enforceable for the managers of the Central and Local Public Administration Authorities, of economic operators, of public institutions, as well as for citizens and other persons within the territory of the Republic of Moldova.

Art. 4. - All the provisions issued by the Commission for Exceptional Situations of the Republic of Moldova enter into force once issued.

Art. 5. - The Parliament of the Republic of Moldova will inform, within three days, the UN Secretary General and the Secretary General of the Council of Europe about this decision and the reasons for its adoption.

Art. 6. - This decision enters into force on the date of its adoption, it is immediately brought to the attention of the population through mass-media and is published in the Official Journal of the Republic of Moldova.

Speaker of the Parliament

ZINAIDA GRECEANÎ

Chişinău, 17 March 2020

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