



PUBLIC INTERNATIONAL LAW
AND TREATY OFFICE DIVISION

Strasbourg, 13 October 2020

Ref.: JJ9124C
Tr./005-270

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 the Note verbale No. 14969 from the Ministry of Foreign Affairs of the Republic of Serbia, dated 9 October 2020, transmitted to the Secretary General of the Council of Europe on 12 October 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.

Encl.

(seal)

Note to all member States.
Copy Permanent Representation of Serbia,
SMUL Sekretarijat.

COPY (*)

Annex to the Note verbale JJ9124C
dated 13 October 2020
ETS No. 5 – Article 15

No. 14969

The Ministry of Foreign Affairs of the Republic of Serbia presents its compliments to the Secretary General of the Council of Europe in her capacity as depositary of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and has the honor to inform that in line with Article 15 of the Convention, it advised the Secretary General in its Note No. 6510 that the state of emergency was declared pursuant to Article 200 of the Constitution of the Republic of Serbia, in order to take measures necessary to prevent the outbreak and spread, and suppress contagious COVID-19 disease. Furthermore, pursuant to Article 15 of the Convention, the Republic of Serbia would like to provide additional information as follows.

Under Article 200 para 8 of the Constitution, at its session of 29 April 2020, the National Assembly of the Republic of Serbia confirmed the Decision on the declaration of the state of emergency. The state of emergency was revoked by the Decision to abolish the state of emergency, effective as of 6 May 2020.

The Declaration of the state of emergency was preceded by the Decision of the Government of the Republic of Serbia which labeled COVID-19, caused by SARS-CoV-2 virus, a contagious disease. The Decision was issued on 10 March 2020 and remains in force having undergone a number of amendments dictated by the epidemiological situation (RS Official Gazette Nos. 23/2020, 24/2020, 27/2020,28/2020, 30/2020, 32/2020,35/2020, 37/2020, 38/2020, 39/2020,43/2020,45/2020,48/2020, 49/2020,59/2020,60/2020, 66/2020, 67/2020, 72/2020, 73/2020,75/2020, 76/2020, 84/2020,98/2020, 100/2020, 106/2020, 107/2020, 108/2020 and 116/2020). In the above Decision, COVID-19 was declared a contagious disease and "its prevention and suppression to be in the interest of the Republic of Serbia". Furthermore, it stipulated that "in order to prevent the onset and spread of the infectious COVID-19, to suppress it and protect the population from it, measures shall be implemented as prescribed by the Law on Protection of the Population from Infectious Diseases, the Law on Health Care, the Law on Public Health and other measures required by the character of the disease in line with the epidemiological situation".

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H.E. MRS. MARIJA PEJCINOVIC BURIC
SECRETARY GENERAL OF THE COUNCIL OF EUROPE
Strasbourg

**(*) Withdrawal of Derogation registered at the Secretariat General on 12 October 2020 – Or.
Engl.**

Pursuant to the Constitution and legislation in force in the Republic of Serbia measures are enforced to prevent the spread and suppress COVID-19, envisaged, *inter alia*, by the above Decision and the Decree of the Government of the Republic of Serbia on the measures for the prevention and suppression of contagious COVID-19 (RS Official Gazette Nos. 66/2020, 93/2020,94/2020, 100/2020, 109/2020 and 111/2020). In prescribing specific measures for the prevention of spreading and to suppress COVID-19, efforts were made that they conform with the Convention for the Protection of Human Rights and Fundamental Freedoms and limit human rights only to the extent required by the epidemiological situation and medical necessity. Necessary measures are subject to constant review taking into account the epidemiological situation, World Health Organization recommendations and experience gained to prevent the spread and suppress this contagious disease.

All decisions made by the Government and other institutions of the Republic of Serbia are published with immediate effect in the Official Gazette and put on the website of the Government of the Republic of Serbia (<https://www.srbija.gov.rs/>). In addition, all information is also made readily available to the public via the Legal Information System website (<http://www.pravno-informacioni-sistem.rs/fp/covid19>).

The Ministry of Foreign Affairs of the Republic of Serbia avails itself of this opportunity to renew to the Secretary General of the Council of Europe the assurances of its high consideration.

Belgrade, 9 October 2020
(seal)