

Information on the People`s Advocate (Ombudsman) of the Republic of Moldova activity during the COVID pandemic

Following the declaration by the Parliament of the Republic of Moldova, on March 17, of the state of emergency regarding the epidemiological situation generated by the COVID-19 virus, the People's Advocate Office, as a National Human Rights Institution (NHRI) accredited with the state " A " according to the Paris Principles, the People's Advocate and the People's Advocate for Children's Rights have not suspended their activity, continuing to monitor the respect of human rights by the state authorities, as provided in Art. 5 paragraph (6) of the Law on the People's Advocate (Ombudsman) no. 52/2014.

In this context, each decision issued by the Commission for Exceptional Situations is analyzed, the notifications of people regarding the alleged violations of human rights by institutions and persons with responsibilities and on the problems, they face in the emergency situation are analyzed and systematized.

The People's Advocate expresses his concern vis-à-vis some decisions of the Commission for Exceptional Situations as well as vis-à-vis some actions / inactions of the state institutions and considers that they seriously undermine the fundamental human rights and freedoms. The People's Advocate also considers that the restriction of certain rights is not proportional to the situation that determined it. In this regard, the People's Advocate asked to be received in the audience by the President of the Commission for Exceptional Situations, submitted several initiatives and recommendations on ensuring the respect of human rights both to the Commission for Exceptional Situations and to the institutions responsible for certain areas.

Among the issues addressed by the People's Advocate in the approximately 60 actions, initiatives, statements are the restriction of the right of access to justice; insufficient measures to protect the employees of the penitentiary system, and also of the detainees; improper endowment with protective equipment for medical workers; the problems faced by the persons living on the left bank of the Dniester (Transnistrian region); social-economic problems faced by the population from quarantined localities, in the context of measures to combat COVID-19; ensuring the population and the media access to information during the pandemic, implicitly of people with sensory disabilities; combating discrimination and hate speech towards persons infected by COVID-19; protection of whistleblowers; observing the right to health of other categories of patients than those contaminated by COVID-19; observing the right of the child to education etc.

At the same time, the People's Advocate called on the authorities to act under conditions of maximum transparency and to make every effort to manage the crisis effectively, without admitting violations of fundamental rights and freedoms.

Unfortunately, the Commission did not follow the recommendations and proposals of the People's Advocate, on the contrary, the institution was subjected to public

criticism and attacks by high level decision makers. Moreover, the request of the People's Advocate to be received in audience by the President of the Exceptional Situations Commission remained unanswered.

However, the People's Advocate Office will continue to monitor the situation in the country from the point of view of respecting human rights and the proportionality of restricting certain rights and freedoms in an emergency, will forward to the authorities recommendations whenever needed, because namely in emergency, crisis, war, instability situations the most serious human rights violations occur.

At the same time, we inform you that on the web page of the People's Advocate Office www.ombudsman.md, a specialized section has been created "*Respecting human rights under the conditions of emergency*"^{[1][1]}, where it is placed information about the initiatives, reactions, statements of the People's Advocates on issues regarding the observance of human rights in the period of emergency. Also, another section was created "*People are reporting. People's Advocates react*"^{[2][2]}, which includes concrete cases of interventions of Ombudsmen to ensure respect for human rights and freedoms in the context of the COVID-19 pandemic.

^{[1][1]} <http://ombudsman.md/en/news/respectarea-drepturilor-omului-in-conditiile-starii-de-urgenta-reactii-si-initiative-ale-avocailor-poporului/>

^{[2][2]} <http://ombudsman.md/en/despre/covid-19/>