



Strasbourg, 6 April 2021

Ref.: JJ9209C
Tr./005-275

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 2 April 2021, transmitted to the Secretary General of the Council of Europe on 2 April 2021, 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.

Note to all member States.
Copy Republic of Moldova.

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

No. FRA-CoE/352/124

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 31 March 2021 the Parliament of the Republic of Moldova introduced a state of emergency for 60 days, from 1 April to 30 May 2021, on the entire territory of the Republic of Moldova. The Decision of the Parliament is attached to this Note.

The existing measures already in force or envisaged to be implemented during the mentioned period of state of emergency entail or may entail restrictions to fundamental human rights and freedoms 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 public meetings and gatherings and other mass events.

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 particular, article 11 of the Convention, article 2 of the First Protocol and article 2 of the Protocol No. 4.

Taking into consideration the grave pandemic situation in the Republic of Moldova, the aforementioned measures are essential and critical in combating the spread of the COVID-19 and to protect the life and security of the nation.

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, 2 April 2021

SECRETARY GENERAL OF THE COUNCIL OF EUROPE
STRASBOURG

(*) Declaration registered at the Secretariat General on 2 April 2021 – 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. 19 of the Law no. 212/2004 on the regime of the state of emergency, curfew and state of war, taking into account the Report of the Commission for Emergency Situations of the Republic of Moldova regarding the necessity to declare the state of emergency, taking into consideration the serious pandemic situation and the fact that the subject concerns the state security and national interest,

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 01 April - 30 May 2021.

Art. 2. - During the period of the state of emergency, the Commission for Emergency Situations of the Republic of Moldova shall issue decisions 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 a quarantine regime and other mandatory sanitary anti-epidemic measures;
- 4) establishing a special working regime for all entities;
- 5) prohibiting public meetings and gatherings and other mass events;
- 6) rationalisation, when necessary, of the consumption of food and other first necessity goods;
- 7) coordinating media activities on:
 - a) informing the population about the causes and proportions of the emergency situation, the measures undertaken for the prevention of risks, liquidation of the consequences of this situation and protection of population;
 - b) familiarization of the population with the rules of conduct during the emergency 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 dismissal 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 within the limits of 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. - Decisions of the Commission for Emergency Situations of the Republic of Moldova 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 Emergency 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 GRECEANÎI

No.49. Chişinău 31 March 2021