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_____ of _____

**Deputy Prime Minister for reintegration
Cristina Lesnic**

**OSCE Mission to Moldova
E.S. Claus Neukirch**

**Embassy of the United States of America
E.S. Dereck J. Hogan**

**Embassy of the Russian Federation
E.S. Vasnetov Oleg**

**Embassy of Ukraine
E.S. Marko Shevchenko**

**Delegation of the European Union
E.S. Peter Mihalko**

**Embassy of Germany
E.S. Angela Ganninger**

**Embassy of the Republic of Italy
E.S. Valeria BIAGIOTTI**

**Embassy of the French Republic
E.S. Pascal Le Deunff**

**Embassy of the Kingdom of Sweden
E.S. Anna Lyberg**

According to generally accepted international standards, in the case of human rights restrictions imposed on a particular territory, including when a state of emergency is declared throughout the country or in certain localities, the Ombudsman continues to monitor respect for human rights throughout the country.

In performing his basic duties such as monitoring, documenting, reporting, raising awareness of human rights in territories outside government control, the People's Advocate, being independent of the government, applies a variety of approaches taking into account safety and security issues, access and strategic priorities. Any interaction of the People's Advocate with the representatives of the Tiraspol structures is undertaken in accordance with the Paris Principles and in no way shall be construed as legitimizing such entities.

The People's Advocate maintains a direct dialogue with the people living in the Territorial Administrative Units on the Left Bank of the Dniester and Bender municipality, the civil society, as well as with the Human Rights Commissioner from Transnistria.

Thus, recently, in the context of the situation created following the spread of COVID-19 in the Republic of Moldova, the People's Advocate (Ombudsman), in his address to the Human Rights Commissioner in Transnistria, expressed his concern about the unilateral and disproportionate actions of the Tiraspol structures undertaken in the context of the state of emergency established, as of March 17, 2020. The People's Advocate addressed the Human Rights Commissioner with the urge to contribute to resolution of the problems arising in the context of prevention and fighting the new type of Coronavirus related, in particular, to ensuring the access of people to the workplace, to the place of living, to banking institutions on both banks of the Dniester, to centers of family doctors, as well as to goods of strict necessity (food, medicines).

More severely is that, by Decree No. 123 of March 30, 2020, the leader from Tiraspol, Vadim Krasnoselsky, implemented mechanisms for managing the state of emergency, which, in the opinion of the People's Advocate, are disproportionate and contrary to international human rights standards. Thus, during the emergency situation in the Transnistrian region a wide range of rights might be limited, such as: the right to free movement, the right to establish domicile or residence in any locality in the region, the right to leave, to emigrate and to return to the region; the right to work, to the free choice of work, the right not to be subjected to forced labour; the right to rest and to the normal working week established by law; the right to property and to own property.

International law allows emergency measures in response to significant threats, but the measures should be proportionate to the evaluated risk, necessary and applied in a non-discriminatory way. Derogations from international law under the conditions of emergency must be used for legitimate public health objectives, and not be used as a tool through which constitutional authorities are imposed different rules to keep local residents' hostage.

The People's Advocate (Ombudsman) calls the state authorities, representatives of mediators and observers in the negotiation process of the "5 + 2" format to apply diplomatic, legal or other measures, which are in their power and are in accordance with international law, to ensure the realization of human rights and freedoms in the Territorial Administrative Units on the Left Bank of the Dniester and in Bender municipality (Transnistria) under the state of emergency, so that the human rights restrictions are proportional to the situation that determines them.

The Ombudsman considers that the external dialogue platforms where the position of Chisinau, that of the internationally recognized partners and of the international organizations to which the Republic of Moldova is a part is ensured, as well as the "5 + 2" negotiation format, could become platforms for cooperation between national authorities, relevant external actors, the representatives of the mediators and observers who can contribute to mitigating the effects generated by the unjustified restrictions brought to human rights and freedoms by the decision-makers from the Transnistrian region under the state of emergency.

**Respectfully, Mihail COTOROBAI,
The People's Advocate (Ombudsman)**