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**HUMAN RIGHTS AND MEASURES TO COMBAT THE COVID-19 PANDEMIC IN THE
EUROPEAN UNION, ROMANIA AND THE REPUBLIC OF MOLDOVA - A COMPARATIVE
APPROACH**

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CONCEPTUAL RESEARCH MILESTONES

The topicality and importance of the issue addressed. The Covid-19 pandemic has severely affected Europe and the world, with major consequences for public health and the economy. Numerous deaths and illnesses have put pressure on health systems. Restrictive measures taken to limit the spread of the virus have slowed the economy, causing disruptions in supply chains and requiring government intervention. The crisis has also highlighted the role of the European Union in addressing such threats. In Romania, on 16 March 2020, following the spread of the pandemic, the President proclaimed a state of emergency, relying on provisions in the Constitution and the Government Emergency Ordinance. The exercise of certain rights and freedoms, such as freedom of movement and the right to education, was restricted to combat the spread of COVID-19.

Following measures restricting rights and freedoms in Romania, the Permanent Representation of the country to the Council of Europe notified the General Secretariat about them. According to Article 15 of the European Convention on Human Rights, states may temporarily derogate from their obligations in situations of public emergency if they inform the Council of Europe and comply with certain conditions. However, the Convention states that certain fundamental rights, such as the right to life or the right not to be subjected to torture, cannot be suspended in such situations either.

The Republic of Moldova quickly went through different levels of alert due to the spread of COVID-19, declaring a state of emergency on 17 March 2020, initially until 15 May. The Emergency Situations Committee has been authorised to implement measures such as regulating entry and exit from the country, imposing travel restrictions, quarantine, a specific regime for organisations, banning gatherings and targeting consumption of essential commodities. Furthermore, there was the possibility of controlling the media to inform and educate citizens. The decision also included special procedures for appointing and dismissing heads of agencies, prohibiting resignations, mobilising citizens in public services and carrying out requisitions. Additional measures were foreseen to combat the effects of the pandemic.

In the context of the Covid-19 pandemic, there has been intense debate in academic and legal circles about derogations from Article 15 of the European Convention. There are two opinions: some experts consider the derogations justified, arguing that once the emergency is over, the laws will return to normal. Others believe that derogations are not necessary because the Convention already has provisions for emergency situations. During the pandemic, some countries derogated from the convention, while others did not. This crisis was unique, occurring at a time when human rights are central to public discourse and seen as integral to the rule of law in liberal democracies.

Aim and objective of the thesis. This paper aims to analyse how the measures adopted against the Covid-19 pandemic have affected human rights, at the level of Romania, the Republic of Moldova but also at the level of the European Union as a distinct entity. Romania has been a member of the European Union since 2007 and the Republic of Moldova is a candidate country for accession to the European Union in 2022. We therefore found it

useful to make a comparative presentation of how the measures adopted against the Covid-19 pandemic have affected human rights at the level of these three entities. We believe that this approach can provide valuable lessons for better management of difficult or dangerous times from a human rights perspective.

Scientific research methodology. The paper is based on several categories of sources:

- For the European Union - normative acts, position papers issued by various institutions with responsibilities in the field of human rights at European level: the Council of Europe's Directorate for Human Rights, The Subcommittee on Human Rights of the European Parliament, The European Instrument for Democracy and Human Rights European Network of National Human Rights Institutions etc. reports requested by the European Union Agency for Fundamental Rights from Member States; guidelines, information, instructions issued by official or non-governmental entities; basic documents on human rights, such as the Convention for the Protection of Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the European Union.
- For Romania - Romanian Constitution, Emergency Ordinance no. 1/1999 on the state of siege and the state of emergency regime, Decree no. 195 of 16 March 2020 on the establishment of a state of emergency on the territory of Romania, published in the Official Gazette no. 212 of 16 March 2020; issued by the President of Romania, other normative acts issued during the pandemic period with a bearing on fundamental rights and freedoms, communiqués and information from the Strategic Communication Group and the Department for Emergency Situations, available on the website of the Ministry of the Interior, other documents, normative acts, position papers, etc. issued by the competent authorities.
- For the Republic of Moldova - Constitution of the Republic of Moldova, Law on the Regime of Emergency, Curfew and War No 212-XV of 24.06.2004, provisions of the Commission for Exceptional Situations of the Republic of Moldova, decisions of the Extraordinary National Commission for Public Health of the Republic of Moldova.

Bibliographic documentation was carried out mainly at the Central University Library in Iasi, where books and specialized journals were consulted, as well as publications such as the Official Gazette. Databases with scientific papers available online were also considered.

The normative acts underlying this work have been analysed to highlight the human rights issues in the context of the Covid-19 pandemic. Several methods of scientific research were used: the descriptive method (presentation of the information contained in the sources); the comparative method (comparative analysis of the human rights situation in Romania, the Republic of Moldova and the European Union); the causal relationship (applied to the correlation between the measures adopted to combat the pandemic and the violation of

fundamental rights and freedoms); the logical method (when formulating the conclusions of this research).

Structure of the work. The paper is structured in four chapters. The first is devoted to theoretical issues: defining the main objectives of the paper, the current state of research and general considerations on human rights. The second chapter is devoted to methodological issues, concerning the most important categories of sources - in particular legal sources and their approach. The third chapter deals with the human rights situation in a pandemic context in the European Union. The fourth chapter looks at the human rights situation in a pandemic context in Romania and the Republic of Moldova. The paper also includes Introduction, Conclusions and Bibliography.

Originality of the work. The thesis has several elements of originality:

- Contribution to the research of events and issues of the utmost topicality and relevance for the current period.
- Contribution to the corpus of scientific works elaborated by Romanian jurists with reference to the subject of human rights during the pandemic; although at international level the volume of works is already considerable, the works published in Romania are much less.
- Comparative perspective applied to the human rights situation in Romania, the Republic of Moldova and the European Union.
- Contribution to the understanding of the importance of respect for fundamental rights and freedoms as a guiding principle in any state policy approach.

THESIS CONTENT

1. Human rights during the Covid-19 pandemic in the context of scientific research

The COVID-19 pandemic has forced global governments to take exceptional measures to protect public health, but this has had repercussions for human rights. This PhD thesis aims to assess and compare the impact of these measures on human rights in the European Union, Romania and the Republic of Moldova. The analysis includes an examination of specific measures adopted - from travel restrictions to vaccination - and an assessment of how they have affected fundamental rights such as freedom of movement or the right to education. The paper also examines the compliance of the measures with international human rights standards. The results will highlight possible differences in the approaches of the regions analysed and suggest recommendations to better address future crises, balancing public health protection with respect for human rights. In essence, this paper aims to find an optimal balance between public health measures and the protection of fundamental rights.

The paper has the following main objectives:

Review of pandemic measures. This objective aims to examine in detail the measures taken by the European Union, Romania and the Republic of Moldova to combat the COVID-19 pandemic. This includes, but is not limited to, travel restrictions, quarantine, isolation, social distancing measures, compulsory masks and vaccination.

This involves a detailed analysis of the measures taken by the European Union, Romania and the Republic of Moldova to combat the spread of SARS-CoV-2. In particular, attention will be paid to issues such as:

- **Travel restrictions:** the nature and extent of travel restrictions imposed, including border closures, flight restrictions, arrival quarantine requirements and travel bans, were examined.
- **Quarantine and containment:** examined how quarantine and containment were implemented and managed, including the location of quarantine (at home or in specially equipped centres), its duration and how it was monitored and enforced.
- **Social distancing measures:** the nature of social distancing measures imposed, such as limitations on public gatherings, closure of workplaces and schools, limitations on capacity in enclosed and public spaces, and other measures to reduce contact between people, were examined.
- **Mandatory wearing of masks:** it was analysed how mandatory wearing of masks has been implemented and enforced in different contexts, such as in enclosed public spaces, public transport and open spaces.

For each of these aspects, the degree of compliance with international recommendations and guidelines, the effectiveness in combating the spread of the virus and the impact on human rights were considered. Possible differences in the approaches adopted

by the European Union, Romania and the Republic of Moldova were also analysed, the reasons for these differences and their implications were examined.

Analysis of the impact of these measures on human rights. This involves a thorough analysis of how the measures adopted to combat the COVID-19 pandemic have affected fundamental human rights. This objective focused on fundamental rights and freedoms such as:

- Freedom of movement: the ways in which travel restrictions, quarantine and isolation have affected the freedom of movement of individuals were examined. This will include analysis of the impact on migrants, people living in border areas and those travelling for business or personal purposes.
- Right to privacy: the impact of measures such as contact tracing and health data collection on the right to privacy was examined. This includes the analysis of the data protection measures implemented and how they were respected.
- Right to work: the impact of pandemic measures on the right to work was analysed. This includes analysis of the impact on employment, telework, workers' rights and job security.
- The right to education: the impact of school and higher education closures on the right to education. It looked at how distance learning has been implemented and its accessibility for all pupils and students.
- Right to health: examined how pandemic measures have affected access to health services for other diseases or conditions. It also looked at how the right to health was affected by quarantine and isolation measures.
- freedom of assembly: the way in which movement restrictions and social distancing have restricted the exercise of this right was analysed.
- Religious freedom: the way in which social distancing and mobility-limiting rules have affected religious practices was analysed.

For each right analysed, consideration has been given to how governments and international bodies have balanced the need to protect public health with the obligation to protect fundamental human rights. Possible differences in the impact on human rights in the European Union, Romania and the Republic of Moldova were also identified and the reasons for these differences and their implications were analysed.

The issue of human rights in the context of the Covid-19 pandemic has been considered a matter of the utmost importance, generating hundreds of books and thousands of scholarly articles by specialists from all over the world. As little time has passed since the end of the pandemic, its manifestation and consequences are still poorly understood and the long-term effects are not yet fully clear. For this reason, the volume of scientific work on the pandemic will steadily increase in the coming years. Among these, human rights will continue to be an important topic, as they are part of the most important mechanisms of the functioning of today's society.

The protection of human rights is one of the fundamental principles underlying contemporary democratic societies. Fundamental rights and freedoms are codified in treaties

and conventions signed by many states, and enjoy genuine systems designed to ensure their respect. These mechanisms were put to the test during the Covid-19 pandemic, when the need to combat the disease led to the adoption of measures of eugenics and deregulation that ran counter to respect for human rights.

2. Legal sources on human rights issues during the Covid-19 pandemic. Methodological aspects

The Covid-19 pandemic was a complex, multi-faceted phenomenon. Most of the measures adopted by states to contain the infection affected fundamental rights and freedoms in one way or another. Both at EU level and at the level of individual states, a huge volume of legislation, decrees, decisions, resolutions, recommendations, etc. has been issued.

The exhaustive presentation of these legal acts is far beyond the scope of a single work. For this reason, this paper has retained and analysed only a selection of these documents, chosen from the most important or relevant ones issued during this period. These documents were then analysed in the context of the pandemic.

Investigating the legal sources issued at European Union level but also at State level involves the following difficulties: it requires the examination and study of a large volume of documents - regulations, resolutions, reports, positions, etc.; the specialist literature that must be examined in order to place these documents in the correct context is extremely vast; the normative acts must be evaluated from a comparative and sociological perspective in order to highlight the real impact of restrictive measures on human rights.

From a methodological point of view, the human rights legislation adopted in the European Union, Romania and the Republic of Moldova during the Covid-19 pandemic was approached as follows: the most important categories of documents were identified and presented; some representative documents (laws, instructions, guidelines, etc.) were selected; these were analysed from a human rights point of view. These documents were accessed and consulted predominantly online, on dedicated websites such as : EUR-Lex - website containing all European Union legislation; Official News website - specially built to include all the normative acts issued in Romania during the pandemic adopted in the context of measures to combat it; website dedicated to the decisions adopted by the Extraordinary National Public Health Commission of the Republic of Moldova. To these were added the websites of official entities - Government, Parliament.

During the COVID-19 pandemic, the European Union (EU) adopted several important legal documents and took action to address the crisis while ensuring the protection of human rights. Some of the most important documents and are the following:

European Commission guidelines. The European Commission has issued numerous guidelines on the protection of fundamental rights in the context of the coronavirus pandemic. These guidelines aimed to ensure that measures taken by Member States to combat the pandemic were in line with the EU Charter of Fundamental Rights. These guidelines were not binding and served as recommendations to Member States. However, they played an

important role in coordinating the response to the pandemic and ensuring that measures taken at national level were in line with EU law and respected fundamental rights.

European Parliament resolutions. The European Parliament has adopted several resolutions during the pandemic, calling on Member States to respect fundamental rights and freedoms during the implementation of pandemic measures. For example, the European Parliament adopted a resolution on coordinated EU action against the COVID-19 pandemic and its consequences, which called on Member States to ensure that emergency measures are necessary, proportionate, temporary and in accordance with fundamental rights.

These resolutions have been an important tool for the European Parliament to express its position on key issues related to the pandemic and its impact on fundamental rights and freedoms. They also served as a call to action for the European Commission and Member States to take the necessary measures to address the challenges posed by the pandemic, while respecting fundamental rights.

Court of Justice of the European Union (CJEU) rulings. The CJEU has issued several rulings during the pandemic that have had human rights implications. For example, the CJEU has ruled in cases related to data protection, asylum and migration and freedom of movement. These rulings have clarified the application of EU law in the context of the pandemic and helped to ensure that fundamental rights are protected. The CJEU has also issued several rulings which have had implications for freedom of movement in the EU.

Various EU agencies, such as the European Union Agency for Fundamental Rights (FRA), the European Centre for Disease Prevention and Control (ECDC) and the European Asylum Support Office (EASO), took action and issued guidance during the pandemic to help Member States tackle the crisis while respecting human rights.

Romania. The management of the crisis caused by the Covid-19 pandemic in Romania has been the responsibility of several institutions: Presidency, Government, Parliament, General Inspectorate for Emergency Situations, etc.

At the onset of the pandemic, the most important regulatory act was Decree No 195 of 16 March 2020 on the establishment of a state of emergency in Romania, issued by the President of Romania. During the pandemic, an impressive volume of legislation was issued by the relevant institutions. In the first months alone after the declaration of the state of emergency, the Government adopted no less than 48 ordinances and emergency ordinances, 194 Government decisions, hundreds of ministerial orders and other subsequent acts.

Republic of Moldova. In the Republic of Moldova, the adoption and implementation of measures to combat the Covid-19 pandemic were managed by the Extraordinary National Public Health Commission. The national legal framework for preparedness and response to public health emergencies reflects the standards set by EU legislation, the World Health Organization and other international bodies. It includes measures for the prevention, preparedness and management of public health emergencies, risk assessment of outbreaks, declaration or cancellation of public health emergencies, allocation of special powers related to premises and property, including containment and quarantine measures, establishment of rules for access and exit from areas subject to

containment or quarantine, informing citizens about public health emergencies, and mechanisms for coordination and mobilisation of emergency funds.

Faced with the declaration of a Public Health Emergency at international and national level due to the COVID-19 pandemic, the Government of the Republic of Moldova has organised and ensured communication between different sectors for the implementation of public health measures necessary to control and prevent the spread of COVID-19, through the National Extraordinary Public Health Commission (CNESP) and the Commission for Exceptional Situations (CSE).

3. The human rights situation in the context of measures to combat Covid-19 at EU level

In response to the pandemic, member countries adopted various measures that affected freedom of movement, both domestically and internationally. Measures restricting internal mobility ranged from complete or partial lockdowns to limiting inter-regional movement, the introduction of curfews and movement restrictions for certain groups of people. Such restrictions were not always linked to the epidemiological situation of the respective area, but were imposed at national level, ignoring regional and local developments of the pandemic, resulting in a disproportionate impact on some regions and generating discontent.

In the context of the COVID-19 pandemic, border closures and movement restrictions in Europe have affected many aspects of life, including travel, residence rights and healthcare. There has been an increase in security measures at both external borders, targeting asylum seekers and migrants, and internal Schengen borders. Most of these measures have been taken unilaterally by EU Member States, leading to a fragmented response at European level. Governments have been challenged to balance the protection of public health with freedom of movement, a key principle of European integration.

During the COVID-19 pandemic, states had a duty to contain and eradicate the disease, ensuring their population's right to life and health through effective public health measures. However, the measures adopted by EU countries also affected other fundamental rights, such as freedom of movement, the right to education and the right to privacy. The pandemic has highlighted the difficulty of striking a balance between necessary and excessive measures, given the uncertainty about the real risk of the virus and the differential impact on the population. Such emergencies have also affected the functioning of institutions, favouring the executive branch. Any restrictions imposed on human rights in such contexts must be proportionate, temporary and in line with international human rights standards, which remain valid in emergency situations, respecting the principles of democracy and the rule of law.

In this context, an important contribution to the protection of fundamental rights in the EU has been made by representatives of civil society, NGOs and official organisations such as the European Ombudsman.

4. Human rights situation in the context of measures to combat Covid-19 in Romania and the Republic of Moldova

Decree No 195 of 16 March 2020, issued by the President of Romania, concerns the establishment of a state of emergency in the context of the SARS-CoV-2 pandemic, which has infected 160,000 people and caused over 5,800 deaths globally. This legislation underlines the World Health Organisation's decision to declare a pandemic and highlights the measures taken by affected countries to limit the spread of the virus, such as health actions and the limitation of socio-economic activities. The text stresses the need for exceptional measures, such as a state of emergency, in Europe, given the increase in cases in Romania and the risk to public health. The document stresses that any restriction of rights must be proportionate, legitimate and necessary in a democratic society, taking into account the exceptional situation and the public interest.

The decree imposes a state of emergency in Romania for 30 days to combat COVID-19. During this period, certain rights, such as freedom of movement or the right to education, are restricted, depending on the specific situation. The emergency measures are classified in two annexes and are established and coordinated by the Ministry of the Interior and the National Committee for Emergency Situations, together with the Ministry of Health and other relevant institutions. All measures must be observed by all entities and persons, and institutions are obliged to assist the Ministry of the Interior in fulfilling its tasks. Annex 2 of the decree contains measures including isolation and quarantine of persons from risk areas and those coming into contact with them, quarantine of buildings, localities or geographical areas, gradual closure of state border crossing points, limitation or prohibition of movement of vehicles or persons in certain areas or between certain hours, gradual prohibition of movement on various types of transport and routes, temporary closure of certain public premises and limitation of the activity of public hospitals to the admission and treatment of urgent cases, including patients infected with SARS-CoV-2 or diagnosed with COVID-19.

The Parliament of the Republic of Moldova has declared a state of emergency for the period 17 March to 15 May 2020 in the context of the COVID-19 pandemic. During this period, the Commission for Exceptional Situations has been authorized to implement measures such as: special regimes for entry/exit from the country and movement within the country, quarantine and other sanitary and anti-epidemic measures, prohibition of public gatherings and demonstrations, rationing of food consumption and necessities, coordination of mass information, modification of procedures for appointing and dismissing leaders, prohibition of resignation of workers, calling citizens for public services and requisitioning of goods to prevent and liquidate the consequences of the emergency situation. The Government of the Republic of Moldova coordinated and communicated inter-sectorally the implementation of public health measures associated with the COVID-19 emergency through the CNESP and the Commission for Emergency Situations. The measures, including travel restriction and socio-economic measures, were implemented according to the stages of

transmission of COVID-19, the epidemiological situation and the capacity of the health system. The CNESP and CTESP ensured coordination of measures for all public health risks/emergencies, including COVID-19. Intersectoral coordination was essential for managing the pandemic and mitigating the socio-economic and health system impact.

In 2020-2021, the NPHC and SSC admitted that the measures taken against the pandemic were disproportionate, uneven, significantly limited human rights and freedoms and failed to prevent or counteract the spread of SARS-CoV-2. Among the rights most affected were freedom of peaceful assembly, freedom of expression, freedom of movement, access to information, the right to petition and access to justice. Economic, social and cultural rights were also affected by the pandemic, related restrictions and the related socio-economic crisis. In addition, it is considered that certain anti-pandemic measures did not take into account the situation of vulnerable and marginalised groups, which had a disproportionately negative impact on them.

Measures with a major impact on human rights included: stopping school classes, securing borders, implementing quarantine and isolation, limiting public gatherings and restricting mobility within households. The closure of school classes resulted in fewer hours or days of schooling, migration to online learning platforms and the total closure of educational institutions. Securing borders has meant closing access to other countries or regions, imposing specific restrictions on certain segments of the population based on geographical origin, exposure to COVID-19 or test results. Quarantine targeted people possibly exposed to COVID-19 without having a certified infection, such as travellers or those who interacted with potential or confirmed cases. Isolation was targeted at those with symptoms or a confirmed diagnosis, including suspected persons with symptoms, confirmed non-symptomatic cases and discharged cases. Limiting gatherings set a maximum threshold of attendees at indoor or outdoor events. Household-level containment included restricted movement hours, self-isolation instructions and lockdowns, allowing movement only in critical situations, such as medical visits or purchase of essential goods. Some measures may also have restricted the mobility of vulnerable groups, such as senior citizens or people with pre-existing conditions.

In Romania, during the state of emergency and the state of alert, the People's Advocate has been extremely active, issuing a multitude of letters, position papers, referrals and recommendations to government officials, including the Prime Minister, the Strategic Communication Group, and the Ministers of Interior, Health, Labour and Social Protection, Education and Research, and Public Finance. These initiatives were targeted at decisions taken by these officials during the state of emergency and state of alert and their impact on the fundamental rights and freedoms of citizens. The People's Advocate stressed the need for these actions because of the severity of the measures taken by the Romanian authorities to combat and prevent the effects of the Covid-19 pandemic. According to the People's Advocate, Romania has implemented some of the most drastic measures restricting rights and freedoms, which is worrying, even though some of these measures have been effective in preventing the spread of the Covid-19 virus in the community.

The People's Advocate of the Republic of Moldova has had similar initiatives to protect human rights in situations where certain measures taken by the authorities in the name of public health have violated some fundamental rights. The Ombudsman, also known as the People's Advocate, is a constitutional entity in the Republic of Moldova with the role of promoting and defending human rights. During the COVID-19 pandemic, the role of the Ombudsman became essential as society faced unprecedented challenges.

The Moldovan Ombudsman observed multiple human rights violations and excessive restrictions on democratic freedoms and processes in 2020. The COVID-19 pandemic has aggravated poverty, inequality, structural discrimination and worsened the human rights situation in general.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

General conclusions. After reviewing numerous documents from Romania, Moldova and the EU, it is clear that the COVID-19 pandemic has had major global effects, affecting millions of people and generating health, economic, social and humanitarian crises. It has caused tensions in global governance, influencing EU foreign and security policies. The pandemic has exacerbated global inequalities, with a major impact on the most vulnerable groups, including migrants.

As an event of such magnitude, the pandemic has been the subject of much research to better understand its causes, mode of manifestation, effects and consequences. An important part of this research is how fundamental rights and freedoms have been affected by the measures taken by countries around the world to combat the epidemic.

In the context of the COVID-19 pandemic, European governments have adopted public health measures limiting individual rights to stop the spread of the disease. While many of these restrictions were justified, some were excessive or did not take into account the costs to vulnerable groups. The pandemic exacerbated existing inequalities and affected rights such as freedom of assembly, movement, economic, religious and voting rights. However, while the pandemic and control measures have challenged human rights, they are not an impediment to taking the necessary measures to combat the virus.

The measures taken to combat COVID-19 have had a profound impact on democracy, the rule of law and fundamental rights, restricting rights such as freedom of movement, expression and assembly. Many EU countries have reintroduced border controls, imposed self-isolation and banned non-essential travel, particularly affecting freedom of movement. The measures adopted in the context of the pandemic have had varying degrees of impact on fundamental rights: moderate - health border control, ban on large events, preventive recommendations, with severe effects on vulnerable groups; considerable - partial border closures, limited gatherings, suspension of school classes and closure of non-essential businesses; high - majority of borders closed, mobility of people severely restricted, most businesses closed, schools suspended; extreme - almost complete closure of borders, borders totally closed, gatherings banned, only essential businesses operating, schools suspended.

Freedom of assembly and association, pillars of democracy, have been seriously undermined in the EU due to social distancing measures. Some countries have allowed assembly with respect for distance, others have banned it. Anti-Covid-19 measures have undermined equal access to healthcare, targeting in particular vulnerable groups. Drug shortages and reallocation of resources have also harmed people with other conditions.

Meeting the objectives of the thesis. The present work aimed to make a comparative analysis of the human rights situation during the Covid-19 pandemic in Romania, the Republic of Moldova and the European Union as a whole. For this purpose, we investigated more than one hundred legal acts, resolutions, reports, guidelines, information, etc. issued in the three entities during the Coronavirus pandemic. In the preparation of the paper, I also used the previous experience gained in the research, which was used in the form

of scientific articles cited with reference to issues such as restriction of movement during the pandemic, derogation from the European Convention on Human Rights and the work of the People's Advocate.

Analysing the measures adopted by Romania and the Republic of Moldova during the Coronavirus pandemic, similarities and differences were identified:

- Both countries have adopted exceptional measures, with Romania invoking Article 15 of the European Convention on Human Rights, provoking extensive debate.
- The unchanged principle is that Article 15 does not allow the suspension of democratic principles or fundamental rights.
- Both Romania and the Republic of Moldova have declared states of emergency and imposed measures such as quarantines and restrictions on freedom of movement.
- Authorities in both countries have been criticised for their handling of the pandemic and lack of transparency.
- Both states are bound by the European Convention on Human Rights and must respect human rights, even in a crisis.
- Romania's Constitutional Court played an active role, declaring some measures unconstitutional.
- Although both countries have imposed restrictions, in the Republic of Moldova they have been more severe and have lasted longer. In addition, Moldova has reported more cases of abuse by law enforcement officers than Romania.

The paper analysed the impact of the COVID-19 pandemic on human rights in the European Union. Although the measures taken by Member States to control the virus were essential, they significantly affected rights such as the right to health, freedom of movement and the right to work. The pandemic has accentuated inequalities and brought many human rights issues to the fore.

Through this paper we have endeavoured to contribute to a better understanding of some of the issues and phenomena that have dramatically influenced society in recent years. Due to the magnitude of the phenomenon and the fact that some consequences have not yet fully manifested themselves, there are still many issues that can be investigated with reference to human rights in times of high risk. We are therefore in a position to make the following **recommendations**:

- Conduct extensive research in academic circles on human rights.
- Governments to act with transparency and accountability, providing accurate information to the public and being subject to independent monitoring.
- The rule of law must be respected and the measures taken must be legal, necessary and proportionate.
- Protecting vulnerable groups, such as the elderly and refugees, to ensure their safety and avoid discrimination.
- Ensuring access to essential services for all, including healthcare and vaccines.

- Treat each person with respect and dignity, ensuring that restrictions are proportionate and necessary.
- Promote international cooperation, through the exchange of information and mutual assistance, to ensure respect for human rights globally.

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- Mihai Doltu, "Human Rights during Public Health Crises" - accepted for publication at Transylvanian Review.
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Adnotare

Doltu Mihai, "Drepturile omului și măsurile pentru combaterea pandemiei COVID-19 în Uniunea Europeană, România și Republica Moldova - o abordare comparativă".

Teză de doctorat în Științe juridice, Specialitatea științifică: 552.08. Drept internațional și european public. Școala doctorală Științe Juridice a Universității de Studii Europene din Moldova. Chișinău, 2023

Structura tezei: Patru capitole, Introducere, Concluzii generale și recomandări, Bibliografie cu 199 de titluri (127 acte normative, rapoarte, orientări etc. și 72 lucrări de specialitate). Rezultatele obținute au fost valorificate în opt articole științifice.

Cuvinte cheie: drepturi și libertăți fundamentale, pandemia de Covid-19, Uniunea Europeană, România, Republica Moldova, restricții, abordare comparativă.

Scopul lucrării: lucrarea de față își propune să analizeze în manieră comparativă modul în care măsurile adoptate împotriva pandemiei de Covid-19 au afectat drepturile omului, la nivelul României, al Republicii Moldova dar și la nivelul Uniunii Europene ca entitate distinctă.

Obiectivele cercetării: Examinarea măsurilor de combatere a pandemiei. Analiza impactului acestor măsuri asupra drepturilor omului.

Noutatea și originalitatea științifică: Contribuție la cercetarea unor evenimente și aspecte de maximă actualitate și relevanță pentru perioada actuală. Perspectiva comparativă aplicată situației drepturilor omului din România, Republica Moldova și Uniunea Europeană. Contribuție la înțelegerea importanței respectării drepturilor și libertăților fundamentale ca principiu călăuzitor în abordarea oricăror politici de stat.

Rezultatul/rezultatele obținute care contribuie la soluționarea unei probleme științifice importante: investigarea comparativă realizată în urma cercetării situației drepturilor omului în cele trei entități menționate; considerăm că această abordare e cea mai potrivită pentru a produce concluzii pertinente.

Semnificația teoretică: lucrarea oferă repere teoretice pentru orice cercetare care în vedere investigarea comparativă a unor realități juridice.

Valoarea aplicativă: prezenta lucrare poate servi ca material de referință atât pentru specialiștii din mediul academic cât și pentru practicieni.

Implementarea rezultatelor științifice: prin publicarea acestora sub forma unui volum de specialitate; prin aprofundarea în continuare a acestei linii de cercetare.

АННОТАЦИЯ

Долту Михай, "Права человека и меры по борьбе с пандемией COVID-19 в Европейском союзе, Румынии и Республике Молдова - сравнительный подход".

Докторская диссертация по юридическим наукам, научная специальность: 552.08. Международное и европейское публичное право. Докторская школа юридических наук Университета европейских исследований Молдовы. Кишинев, 2023 г.

Структура диссертации: четыре главы, введение, общие выводы и рекомендации, библиография, включающая 199 наименований (127 нормативных актов, докладов, методических рекомендаций и т.д. и 72 специализированные работы). Полученные результаты использованы в в восьми научных статьях.

Ключевые слова: основные права и свободы, пандемия Ковид-19, Европейский союз, Румыния, Республика Молдова, ограничения, сравнительный подход.

Цель работы: В данной работе ставится задача сравнительного анализа того, как меры, принятые против пандемии Ковид-19, повлияли на права человека в Румынии, Республике Молдова и Европейском союзе как отдельном субъекте.

Задачи исследования: Изучить меры по борьбе с пандемией. Проанализировать влияние этих мер на права человека.

Научная новизна и оригинальность: Вклад в исследование событий и проблем, имеющих наибольшую актуальность и значимость для текущего периода. Сравнительный подход к ситуации с правами человека в Румынии, Республике Молдова и Европейском союзе. Вклад в понимание важности уважения основных прав и свобод как руководящего принципа в подходе к любой государственной политике.

Полученный результат/результаты способствуют решению важной научной проблемы: сравнительное исследование, проведенное по результатам изучения ситуации с правами человека в трех указанных субъектах, мы считаем наиболее подходящим для получения соответствующих выводов.

Теоретическая значимость: работа дает теоретические ориентиры для любых исследований, направленных на сравнительное изучение правовых реалий. Прикладное значение: работа может служить справочным материалом как для научных, так и для практических работников.

Реализация научных результатов: публикация в виде научного сборника; дальнейшее углубление данного направления исследований.

Annotation

Doltu Mihai, "Human rights and measures to combat the COVID-19 pandemic in the European Union, Romania and the Republic of Moldova - a comparative approach". PhD thesis in Legal Sciences, Scientific speciality: 552.08. International and European public law, Doctoral School of Legal Sciences of the University of European Studies of Moldova. Chisinau, 2023

Thesis structure: Four chapters, Introduction, General conclusions and recommendations, Bibliography with 199 titles (127 normative acts, reports, guidelines, etc. and 72 specialized works). The results obtained were used in eight scientific articles.

Key words: fundamental rights and freedoms, Covid-19 pandemic, European Union, Romania, Republic of Moldova, restrictions, comparative approach.

Aim of the paper: This paper aims to analyse in a comparative manner how the measures adopted against the Covid-19 pandemic have affected human rights in Romania, the Republic of Moldova and the European Union as a distinct entity.

Research objectives: To examine measures to combat the pandemic. To analyse the impact of these measures on human rights.

Scientific novelty and originality: Contribution to the research of events and issues of the utmost topicality and relevance for the current period. Comparative perspective applied to the human rights situation in Romania, the Republic of Moldova and the European Union. Contribution to the understanding of the importance of respect for fundamental rights and freedoms as a guiding principle in the approach to any state policy.

Result/results obtained contributing to the solution of an important scientific problem: comparative investigation carried out following research on the human rights situation in the three entities mentioned; we consider this approach to be the most appropriate to produce relevant conclusions.

Theoretical significance: the paper provides theoretical guidelines for any research aimed at the comparative investigation of legal realities.

Applicative value: this paper can serve as reference material for both academics and practitioners.

Implementation of the scientific results: by publishing them in the form of a scholarly volume; by further deepening this line of research.

DOLTU MIHAI

**HUMAN RIGHTS AND MEASURES TO COMBAT THE COVID-19 PANDEMIC IN THE
EUROPEAN UNION, ROMANIA AND THE REPUBLIC OF MOLDOVA - A COMPARATIVE
APPROACH**

552.08. International and European public law

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