

Organization for Security and Co-operation in Europe High Commissioner on National Minorities

Minister of Foreign Affairs of the Republic of Moldova

**Max van der Stoel
OSCE High Commissioner on National Minorities
The Hague**

Chisinau, 31 March 2000

Dear Mr Van der Stoel,

Thank you very much for your letter of 2 November 1999 concerning the draft amendment to the Law on Advertisement. I would also like to express my gratitude for your continuous evaluation of the situation in the Republic of Moldova.

I deemed it important to inform the Moldovan authorities engaged in the process of elaboration and promotion of the respective amendment, about your views and proposals on that matter. As a result of these consultations, I would like to convey to you some of our additional considerations on the issues mentioned in our letter.

Sharing your concerns regarding the respect of human rights including the rights of persons belonging to national minorities, I would like to ensure you again that the Republic of Moldova remains faithful to the commitments it has undertaken by virtue of international agreements in the field of human rights, including those referred to in your letter.

We consider that the draft amendment to the Law on Advertisement, recently approved by the Parliament in the first reading, does not contradict the international obligations of the Republic of Moldova. The linguistic limitations envisaged in the given amendment, not hampering the freedom of expression of ideas and opinions, are consistent with the legitimate requirements of a state on the management of the mass-media. The linguistic limitations imposed by the Moldovan public authorities in the field of advertisement, compatible with the provisions of Art. 19 (3) of the International Covenant on Civil and Political Rights and Art. 10 (2) of the European Convention for the Protection of Human Rights and Fundamental Freedoms, are aimed at ensuring the rights of Romanian (Moldovan) language speakers which constitute the majority of the population of the Republic of Moldova. The dissemination in the Republic of Moldova of the advertisement information in 90-95 percent range in Russian, the language of a national minority constituting only 13 percent of the state's population, is affecting the rights and fundamental freedoms of other language speakers to benefit from obtaining the information in their mother tongue.

We are grateful for your readiness to support the efforts on the promotion and consolidation of the state language in public sphere through education and encouragement. We are confident that we proceed exactly in this manner. At the same time, it is worth mentioning that the state regulations in the linguistic field in the Republic of Moldova which serve as a framework for the amendment to the Law on Advertisement, are conditioned by our specific situation, also characteristic for other states from former soviet space. The process of overcoming the unfair consequences of the policy of russification of the Moldovan society pursued for a long time by tsarist and soviet regimes and ensuring a basic equity in the field of language functioning, is instrumental for the elimination of the sources of tension and for consolidation of civic peace.

Being open for a sincere and constructive dialogue on the problems raised in your letter, as well as on the issues faced by the Moldovan society, that would represent an interest for you in your capacity as the OSCE High Commissioner on National Minorities, I would like to invite you to visit the Republic of Moldova at a time convenient for you.

Yours sincerely,

Nicolae Tabacaru
Minister