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Council of Europe's experts call on the Parliament of Moldova to pass Draft Law No. 109 on Non-Commercial Organizations

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"The draft Law, if adopted in its current version, would be a welcome improvement on the current regulation of non-profit legal entities, creating a single instrument governing all types of them and addressing a number of existing problems for them". This is the statement of the Council of Europe's experts, Anna RURKA, President of the Conference of International Non-Governmental Organizations (INGOs) and Jeremy McBRIDE, President of the Expert Council on NGO Law. The experts launched today, 7 May 2020, a public call to the Parliament of the Republic of Moldova to pass Draft Law No. 109 on Non-Commercial Organizations (NCO).

The European experts highlight the provisions of the new draft law that would:

- Enable all individuals, whatever their citizenship or residence, to found and be members of associations, as well as to become their managers/leaders and members of their control bodies;
- Extend to all types of legal entities the possibility of establishing associations;
- Remove certain limitations on state officials belonging to associations or their control bodies; and
- Restrict the scope for state officials to interfere in the internal operation of associations.

The experts consider that the provisions of the draft Law are in line with the European standards on freedom of association and that their adoption would facilitate the free exercise of this right in the Republic of Moldova. Moreover, the adoption of the draft Law would serve as a good example for other countries in the region. The experts recall the importance underscored in Recommendation CM/Rec(2018)11 of the Committee of Ministers to all Council of Europe member States ensuring an enabling legal framework and a conducive political and public environment for civil society organisations.

The call was launched in the context of the finalization by the Commission for Legal Matters, Appointments and Immunities of the Parliament of the Republic of Moldova of draft Law No. 109 on Non-commercial organizations passed in the first reading in May 2018. The Call in English is available here: .

On 30 April 2020, more than 40 civil society organizations addressed a similar public appeal to Parliament, calling to pass the draft in the final reading, to bar any amendments that could impede nonprofits' work, and to consult with civil society organizations about any proposed amendment to the draft law in a transparent and inclusive way.

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