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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**AMENDMENTS TO THE LAW
ON FREEDOM OF EXPRESSION
OF THE REPUBLIC OF MOLDOVA

(LAW 192 OF 12 JULY 2012
ON THE PROHIBITION OF THE USE
OF COMMUNIST SYMBOLS)**

Law on Freedom of Expression**of the Republic of Moldova****No. 64 from 23.04.2010**

(Official Monitor 117-118/355, 09.07.2010)

Article 3. Freedom of expression

(1) Everyone has the right to freedom of expression. This right shall include freedom to seek, receive and communicate facts and ideas.

(2) Freedom of expression protects both the content, as well as cast information, including information that offend, shock or disturb.

(3) The exercise of freedom of expression may be subject to restriction by law, necessary in a democratic society for national security, territorial integrity or public safety, to protect order and prevent crime, to protect the health and morals, reputation or rights of others, for preventing the disclosure of confidential information or for maintaining the authority and impartiality of the judiciary.

(4) The restriction of freedom of expression is only permitted to protect a legitimate interest under paragraph. (3) and only if the restriction is proportional to the situation that caused it, observing the proper balance of interests protected freedom of speech and freedom of the public to be informed.

(4¹) Under conditions of para. (3), dissemination and/or use for political purposes of symbols of the totalitarian communist regime (hammer and sickle and any support with these symbols) are forbidden, as well as promotion of totalitarian ideologies, actions that are punishable under legislation in force".

(5) Guarantees for freedom of expression do not extend to speeches that incite hatred or violence.

[Art.3 completed by Law no. 192 of 12.07.2012, in force since 01.10.2012]