



**PERMANENT MISSION OF THE REPUBLIC OF MOLDOVA
TO THE UNITED NATIONS OFFICE IN GENEVA**

No. 494/ R-ONU- 636

The Permanent Mission of the Republic of Moldova to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedure Branch, and has the honour to transmit herewith the response of the Government of the Republic of Moldova to the Joint Urgent Appeal no. *MDA 2/2014* dated 8 July 2014, of the Special Rapporteur on the human rights of migrants and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related tolerance.

The Permanent Mission of the Republic of Moldova to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, Special Procedure Branch, the assurances of its highest consideration. *v.m.*

Geneva, 15 September 2014

Encl.: 1 page

**OFFICE OF THE UNITED NATIONS HIGH
COMMISSIONER FOR HUMAN RIGHTS
SPECIAL PROCEDURES BRANCH**

Geneva

With reference to the urgent appeal of the Special Rapporteur on the human rights of migrants and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, concerning the case of punishment of four Israeli medical students, as well as related public statements by a representative of the Bureau on Migration and Asylum about the foreign students, hereby it is presented the official position of the Government of the Republic of Moldova.

According to the relevant national authorities dealing with the mentioned case, the 4 Israeli citizens (students) that were involved in an altercation with 2 Moldovan citizens at a restaurant in Chişinău, on 3 May 2014, the Israeli students were sanctioned, according to art. 354 of the Contravention Code of the Republic of Moldova No. 218-XVI from 28 October 2008, with an administrative fine equivalent to 20 conventional units. On the basis of the reports drafted by the police officer, the mentioned administrative fines were issued for verbal offense addressed to a person in a public place, as well as other similar offences that supposedly broke moral norms, disturbed public order, as well as individual peace (*non-aggravated hooliganism*).

In the following months, June and July 2014, the 4 Israeli citizens appealed the mentioned police report before the Chişinău Central district Court.

On 27 June 2014 the Court admitted the appeal, at the same time finalizing the launched administrative procedures against the respective students, as well as declaring void the reports drafted by the police officer, on the basis of not ensuring the respect of established procedure. According to the decision of the Court, the 4 defendants were not provided with the services of an interpreter to ensure the explanation of the rights and obligations of the concerned students.

In the meantime, the Israeli students deposited Court summons against the Bureau of Migration and Asylum (BMA), where they plead for the quash of the expulsion orders and residence bans issued by the BMA against the defendants. At the moment, the Moldovan Court is in the process of examination of the given case.

Also, for the duration of the examination of the case, the Court has decided for the suspension of decisions issued by the BMA against 3 Israeli students, Dallashi Abd Alkader, Dallasheh Hamzeh and Abu Ahmad. As to the examination of the complaint deposited by Mr. Matani Muhammad, the Court decided for its examination without suspending the decision of the BMA against him.

During the examination of this case before the Court, the defendants' right to an interpreter is fulfilled according to the legislation of the Republic of Moldova, which ensures the due explanation of the rights and obligations of the Israeli citizens through the whole process.

At the moment, all four cases are in the process of examination by the Court.

As to the public statements made by Mr. [REDACTED] representative of the BMA, regarding the foreign students, the Office of the General Prosecutor has envisaged to conduct a control of the activity of Mr. [REDACTED]