

**THE PARLIAMENT OF THE REPUBLIC OF MOLDOVA**

**L A W**

**on the Status of Refugees**

Given the necessity to observe fundamental human rights and freedoms;  
Considering that the state should ensure compliance of the domestic law with the generally recognised principles and norms of international law and provisions of the international documents to which the Republic of Moldova is a party;  
Realising that the regulation of refugee status constitutes an important guarantee of human rights;  
On the basis of art. 19, para. (2) and art. 72, para. (3) of the Constitution,

The Parliament adopts this organic law.

**Chapter I. General Provisions**

**Article 1. Main notions**

For the purpose of this law the following notions are defined:

**Asylum** – legal institution whereby a state grants protection to aliens by granting them refugee status, political asylum, or temporary protection;

**Alien** – a foreign national (with one or more citizenships) or a stateless person;

**Asylum seeker** – an alien who applies for refugee status;

**Refugee** – an alien whose refugee status has been recognised in conformity with this law;

**Political asylum** - exceptional protection granted to an alien by the President of the Republic of Moldova;

**Country (countries) of origin** – country (countries) whose national an alien is; in case of a stateless persons it is the country of his/her lawful and habitual residence;

**Article 2. Objectives and Sphere of Application of the Law**

(1) This law establishes a legal, economic, social and organisational framework for granting asylum (refugee status, political asylum, and temporary protection) in the Republic of Moldova and determines the status of asylum seekers and refugees.

(2) Asylum shall be granted pursuant to the provisions of this law and other normative acts, in compliance with generally recognised principles of international law and provisions of the international treaties to which the Republic of Moldova is a party.

(3) The provisions of this law shall be applied to all asylum seekers, refugees and individuals who enjoy temporary protection as well to the public authorities competent in dealing with their issues.

### **Article 3. Right to asylum**

- (1) Relations resulting from granting and exercising the right to asylum are regulated by the provisions of the Constitution of the Republic of Moldova, international documents to which the Republic of Moldova is a party, by this law and other normative acts adopted in conformity with the above mentioned.
- (2) Aliens have the right to seek asylum in accordance with the conditions and procedures set by this law.

## **Chapter II. General Principles**

### **Article 4. Non-discrimination**

The provisions of this law shall apply to asylum seekers, refugees and beneficiaries of temporary protection without any discrimination as to race, nationality, ethnic origin, language, religion, sex, opinion, political membership, property or social origin.

### **Article 5. Confidentiality**

- (1) All the information regarding asylum seekers and refugees is confidential.
- (2) Confidential information about asylum seekers or refugees can be imparted to a third party only by the consent of the former.
- (3) Legal representatives of asylum seekers and refugees, as well as representatives of United Nations High Commissioner for Refugees may participate by the consent of the former in the procedure of examination of asylum applications and in the sittings of the authorities competent in dealing with refugee and asylum seeker issues.

### **Article 6. Prohibition of Expulsion or Return**

- (1) No refugee shall, in any manner whatsoever, be returned or expelled:
  - a) to a country where his life or freedom could be endangered on account of race, religion, nationality, membership of a particular social group or political opinion;
  - b) to a country where he could be subjected to torture, inhuman or degrading treatment or punishment;
  - c) to a country where he could be subjected to capital punishment.
- (2) No asylum seeker shall be expelled or returned from the territory of the Republic of Moldova, before all ordinary ways of appeal are exhausted.
- (3) In case of a court decision on expulsion of a refugee, he/she shall be allowed a reasonable period of time for all necessary formalities for legal admission into another country. In case of need, safety measures provided by law are applied to this person before return or expulsion.
- (4) The benefit of the provision regarding the reasonable period of time may not be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the

national security of the country or who having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the public order.

### **Article 7. Family Unity**

(1) Members of the refugee's family indicated in para. (2) of this article shall equally enjoy the right to asylum in the Republic of Moldova.

(2) Refugee status shall be equally granted to the spouse, children aged under 18 and other members of the family that accompany the refugee and are supported by him/her, on condition that they are living together, have no other nationality, and that their marriage had been concluded before the asylum was requested.

(3) The child aged over 18 or who has acquired in another way full legal capability shall not enjoy asylum, under para. (2) and shall fill in a separate application form for asylum in the Republic of Moldova. The child who was granted the right to asylum before reaching the age of 18 shall continue to enjoy this right.

(4) Members of the refugee's family who were granted the right to asylum under para. (2) shall retain this right in case of divorce, separation or death of the refugee.

### **Article 8. Protection of Children**

The child who enjoys temporary protection, applies for refugee status or is recognised as a refugee according to the provisions of this law and to the international treaties related to this matter to which the Republic of Moldova is a party, shall receive protection and humanitarian assistance in order to enjoy his/her rights, irrespective of the fact whether he/she is accompanied by his/her parents or not.

### **Article 9. Naturalisation**

With a view to facilitating naturalisation of refugees, optimal conditions shall be created for expediting naturalisation procedure under the conditions stipulated by Law on Citizenship no. 1024-XIV of 2 June 2000.

## **Chapter III. Authorities Competent in Refugee Matters**

### **Article 10. Main Directorate for Refugees**

(1) The Main Directorate for Refugees shall be the administrative authority to administer and deal with the issues of asylum seekers, refugees and temporary protection beneficiaries. The Main Directorate for Refugees functions under the Ministry of Justice. The regulation, structure and staff of the Main Directorate for Refugees shall be approved by the Minister of Justice.

(2) The Main Directorate for Refugees co-operates with public authorities as to the process of implementation of the necessary rules and procedures to ensure the observance of asylum seekers' and refugees' rights.

(3) The Main Directorate for Refugees co-operates with the United Nations High Commissioner for Refugees as to training the staff and ensuring its informational, teaching and methodological activity.

### **Article 11. Responsibilities of the Main Directorate for Refugees**

The Main Directorate for Refugees shall:

- a) register applications of asylum seekers, interview them, collect data and evidence necessary for asylum seekers' files;
- b) implement measures of protection and assistance offered to asylum seekers and refugees pursuant to this law;
- c) establish and manage, upon need, reception, screening and accommodation centres for asylum seekers and refugees. The Ministry of Justice approves regulations of the centres;
- d) administer funds allocated to the Main Directorate for Refugees budget, other types of assistance, as well as financial assistance granted to asylum seekers and refugees by national and international organisations;
- e) perform other duties stipulated in the legislation of the Republic of Moldova, international documents and its regulation.

### **Article 12. Director of the Main Directorate for Refugees**

(1) The Main Directorate for Refugees is headed by its Director appointed by the Minister of Justice.

(2) The Director shall:

- a) ensure good functioning of the Main Directorate for Refugees;
- b) grant, withdraw and cancel refugee status;
- c) designate, pursuant to the legislation, one representative as a guardian for every unaccompanied asylum seeker under the age of 18 or who is incapable to take legal actions;
- d) undertake other duties provided by the legislation of the Republic of Moldova, by international instruments and by the Directorate's regulation.

3) In exercising his/her duties the Director shall issue instructions, orders and other decisions.

### **Article 13. Council for Refugees**

(1) The Council for Refugees shall be set up by an order of the Minister of Justice and shall be composed of representatives of interested ministries and departments, one representative of United Nations High Commissioner for Refugees and at least one representative of the non-governmental organisations that deal with refugee issues.

(2) The Council for Refugees examines appeals against the rejection of applications for refugee status.

(3) Duties of the Council for Refugees shall be established by a decree of the Minister of Justice.

#### **Article 14. International Co-operation**

(1) The Republic of Moldova co-operates with other countries, United Nations High Commissioner for Refugees and other international bodies with a view to solving refugee issues.

(2) The Government shall co-operate with United Nations High Commissioner for Refugees in order to facilitate the execution of its duties.

(3) The Main Directorate for Refugees shall inform asylum seekers and refugees about their right to contact United Nations High Commissioner for Refugees. Its representatives can communicate with each asylum seeker or refugee on the territory of the Republic of Moldova, regardless of his/her whereabouts and get familiarised with his/her personal files.

#### **Chapter IV. Asylum**

##### **Article 15. Asylum seeker**

(1) Asylum seeker's status starts from the moment of submission by an alien of the application for refugee status and ends in issuing a decision whereby he/she is either recognised as a refugee, or his application is rejected. In case the rejection of the application is contested, the alien shall retain the status of asylum seeker until the exhaustion of all ordinary ways of appeal.

(2) Asylum seekers who entered illegally the territory of the Republic of Moldova shall be considered temporarily admitted to the territory of the country and shall not be sanctioned for their illegal entry, in case of the initiation of the procedure of granting refugee status. The treatment applied to such persons shall comply with international human rights standards and with the provisions of this law.

(3) Asylum seekers who have not crossed the state border shall be admitted to the territory of the country, upon the request of the Director of the Main Directorate for Refugees.

(4) Asylum seekers can be lodged in reception, screening and accommodation centres.

(5) For identification and evidence purposes, personal files of asylum seekers containing data related to their identity, photos, fingerprints and other data shall be made. Personal files are kept at the Main Directorate for Refugees.

(6) Asylum seekers shall be subjected to obligatory general medical examination.

##### **Article 16. Asylum seeker's Documents**

(1) Until the decision on the application for asylum (refugee status), the Director of the Main Directorate for Refugees shall issue to the asylum seeker a temporary identity document in which family members who accompany him/her are entered too.

(2) The temporary identity document is valid for a period of 30 days with the possibility of its extension for other periods of 30 days each, until the final decision on the application.

(3) Upon handing the temporary identity document, the Main Directorate for Refugees may keep the asylum seeker's identity documents.

### **Article 17. Rights and Duties of the Asylum seeker**

(1) The asylum seeker shall enjoy the following rights:

- a) not to be returned or expelled until a decision on his application for asylum is taken;
- b) to stay in the Republic of Moldova until the expiry of the term of 15 days from the date of the final and irrevocable decision of rejection of the asylum application;
- c) to have the application examined within a reasonable period of time;
- d) to services of a translator and legal assistance;
- e) to be informed about the possibility of contacting UNHCR's representatives;
- f) to be informed about the possibility and terms of appealing the decision whereby his/her asylum application has been rejected;
- g) to be interviewed by a person of the same sex;
- h) to present evidence in justification of his/her claim;
- i) to other rights provided by the legislation.

(2) If the asylum seeker's application is not solved within a period of 6 months, he/she, upon request, may be temporarily granted the right to labour.

(3) The asylum seeker has the following duties:

- a) to have correct and civilised conduct, observe the rules set by authorities and respond to their requests;
- b) not to provoke and to avoid any situations of conflict or incidents with the population and not to commit offences and crimes;
- c) to comply with the provisions of the present law and of the legislation in force;
- d) to submit truthful information regarding his/her case;
- e) to co-operate with the authorities with a view to solving his/her application;
- f) to keep the Main Directorate informed about any change of the domicile, civil and legal status, loss or damage of the identity papers.

### **Article 18. Political Asylum**

(1) In exceptional cases persons who held political, diplomatic positions or positions of public interest in other countries or in international bodies, persons who showed a remarkable attachment to, respect for and interest in the Republic of Moldova, as well as other VIPs who are persecuted in their country of origin can apply for political asylum to the President of the Republic of Moldova.

(2) Applications for political asylum shall be examined by the Commission on Citizenship and Political Asylum Issues under the Presidency of the Republic of Moldova.

(3) Conditions, rules and grounds for granting political asylum to the categories of persons mentioned in par. (1) are established by a respective regulation and approved by the President of the Republic of Moldova.

(4) Persons whose requests for political asylum were rejected can apply for refugee status.

(5) Persons who were granted political asylum have the same rights and duties as refugees.

## **Chapter V. Temporary Protection**

### **Article 19. Conditions for Granting Temporary Protection**

(1) In exceptional cases due to events that might provoke large-scale influxes of asylum seekers, the Government shall decide upon granting temporary protection to groups of persons.

(2) In the situations indicated in paragraph (1), at the proposal of the Director of the Main Directorate for Refugees, the Minister of Justice shall carry out an analysis of the situation, taking into account the causes of the possible influxes of people and draw up a report in this respect in which he/she suggests that the Government grant temporary protection to groups of people.

(3) Granting temporary protection shall not impede persons to have individual access to the procedure of granting refugee status.

### **Article 20. Cessation of Temporary Protection**

(1) Temporary protection shall cease in case of:

- a) renunciation of protection;
- b) voluntary repatriation;
- c) acquisition of refugee status;
- d) resettlement to another country;
- e) cessation of the situation for which temporary protection is granted.

(2) If the person who enjoys temporary protection applied for asylum under general conditions, he/she shall be subject to the provisions of art. 6 of this law.

(3) Cessation of the situation for which temporary protection is granted shall be determined by the Director of the Main Directorate for Refugees and shall be brought to the notice of every beneficiary of temporary protection.

## **Chapter VI. Refugee Status**

### **Article 21. The Right to Acquire Refugee Status**

The right to acquire refugee status in the Republic of Moldova shall be enjoyed by an alien who has well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or his/her political opinion, is

outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

## **Article 22. Aliens who Cannot Be Granted Refugee Status**

(1) Refugee status shall not be granted to an alien who:

- a) has committed a crime against peace, humanity, or a war crime in terms of international treaties;
- b) has intentionally committed a crime on the territory of the Republic of Moldova, before or after his application for asylum, for which the Criminal Code provides for more than 3 years of imprisonment, or has committed a serious non-political crime outside the country;
- c) has committed acts contrary to the purposes and principles of the United Nations;
- d) given his behaviour or membership of a particular organisation or group, poses a threat to the national security and/or to public order;
- e) holds multiple citizenship and having no well-founded reason, has not requested protection of any of the countries whose citizen he/she is.

(2) Refugee status shall not be granted to an alien who entered legally or illegally the Republic of Moldova from a third country, where he/she was not persecuted, his/her rights were not violated, his/her life and physical integrity were not endangered, from where he/she was neither expelled nor returned in terms of this law, with the exception of the cases when the alien entered the country for the purpose of family reunification.

## **Chapter VII. Rights and Duties of Refugees**

### **Article 23. Rights of Refugees**

(1) Refugee status confers on its beneficiary the rights provided by the law on legal status of foreign citizens and stateless persons, as well as the following special rights:

- a) to stay on the territory of the Republic of Moldova and receive respective documents for proving his/her identity and crossing the border;
- b) to choose a place of residence and move freely pursuant to the alien law;
- c) to be employed by natural or juridical persons, follow liberal professions, perform trade acts and other juridical acts;
- d) to be remunerated and enjoy other material rights resulting from activities performed, as well as social insurance pursuant to the law;
- e) to receive primary education under the provisions of the legislation for Moldovan nationals and other forms of education under the same provisions as those set for aliens;
- f) to enjoy the same treatment as is accorded to nationals of the Republic of Moldova with respect to freedom of religion and religious education of his/her children;
- g) to enjoy the guaranteed minimum of free medical assistance according to the conditions set for foreign citizens;
- h) to have free access to courts and administrative assistance;
- i) not to be expelled nor returned, except for reasons of national security or public order. In case such actions are taken, the person shall not be sent to territories where his/her life or freedom would be endangered for reasons of race, religion, nationality, membership of a particular social group or political opinion.



(2) When lacking means of subsistence, a refugee has the right to receive assistance to the amount and mode established by the Government. The material assistance shall be granted on condition of:

- a) submitting an application;
- b) binding himself/herself to reimburse the received sum;
- c) available funds of the state.

The term of granting assistance shall not exceed 6 months.

#### **Article 24. Duties of Refugees**

Refugee status holder has the following duties:

- a) to know and observe the Constitution of the Republic of Moldova, provisions of this law and other normative acts;
- b) to have a correct and civilised conduct, observe rules set by authorities and respond to their requests;
- c) not to provoke and to avoid any conflict situations or incidents with population, and not to commit offences and crimes;
- d) to reimburse the assistance received in conformity with para. (2) of art. 23 in case if he/she secures profits that allow the reimbursement. The reimbursed amounts shall be revenues to the state budget.

#### **Article 25. Refugee Documents**

(1) Each refugee will be issued an identity document in conformity with the procedure stipulated by the legislation.

(2) Refugees can obtain travel documents that allow them to travel outside of the territory of the Republic of Moldova, except in cases when national security or public order is endangered.

### **Chapter VIII. Procedure for Granting Refugee Status**

#### **Article 26. Application for Refugee Status**

(1) The application for refugee status shall be submitted immediately after:

- a) the applicant presented himself at a state border check point with the purpose of crossing it;
- b) the applicant entered the territory of the Republic of Moldova;
- c) certain events occurred in the applicant's country of origin, which determined him to seek protection, if he/she has the right to stay in the Republic of Moldova.

(2) Asylum seekers shall submit a written application to the Main Directorate for Refugees. The application is in the form of a questionnaire.

(3) Applications may be submitted at state border check points, or at police stations and will be forwarded to the Main Directorate for Refugees in conformity with para. (4) and (5) of this article.

(4) In respect of the persons who applied for asylum at police stations or state border check points, a report shall be drawn up in confidential conditions that shall indicate:

- a) data regarding the identity of the person, and if it cannot be confirmed by any documents, the stated identity shall be indicated;
- b) circumstances that urged the person to apply for asylum;
- c) country where rights and freedoms of the asylum seeker are persecuted under the provisions of para. (1) of article 21;
- d) other data deemed necessary for the procedure for the examination of the case;
- e) obligation of asylum seekers to present themselves as soon as possible at the Main Directorate for Refugees.

(5) The applicant's documents shall be sent together with his/her application and report to the Main Directorate for Refugees. The police and border guard officials shall issue to the asylum seeker a temporary certificate the specimen of which is approved by the Minister of Justice, which shall replace the temporary identity document and allow the travel to the Main Directorate for Refugees.

(6) The Main Directorate for Refugees shall register the application for asylum, all important data offered by him/her, issue a document certifying his identity to him/her, confirm the submission of the application for asylum and ensure prohibition of his expulsion or return.

(7) Application for asylum shall be submitted in the state language or in one of the languages of the States Members of the United Nations and shall contain the reasons for applying for protection on the territory of the Republic of Moldova.

## **Article 27. Interview**

(1) The asylum seeker shall be interviewed in connection with his/her application for asylum to the Main Directorate for Refugees. If the interview does not take place upon submission of the application, the asylum seeker shall be informed as soon as possible of the date of the interview, which shall not exceed 21 days from the date of submission of the application.

(2) The asylum seeker can be interviewed in the presence of a representative of a non-governmental organisation or a lawyer. United Nations High Commissioner for Refugees' representatives have the right to assist at interviews. The asylum seeker shall answer personally the questions put to him.

(3) Upon request, the asylum seeker shall be interviewed by a person of the same sex.

(4) The asylum seeker shall present evidence to justify his/her fear of being persecuted in connection with the circumstances set in art. 21 and shall provide the necessary information concerning his/her domicile, the itinerary covered, stops in other countries, applications submitted in other countries, as well as other data relevant to the examination of the case.

(5) The Main Directorate for Refugees shall organise and conduct the interview, verify the facts stated by the asylum seeker and draw up the documentation necessary for the decision-making. The file may also contain information offered by United Nations High Commissioner for Refugees in connection to the application for asylum.

#### **Article 28. Collection of Evidence**

- (1) The asylum seeker is obliged to produce evidence and co-operate with authorities competent in refugee matters, in verification of the presented facts and particularly:
- a) to submit verbally or in writing the necessary information to competent authorities;
  - b) to observe official instructions, especially the requirement to present himself/herself in person before the competent authorities;
  - c) to submit all the documents in his possession to the competent authorities under the provisions of this law.
- (2) Doubt shall be interpreted in favour of the asylum seeker only in case if the latter has made real efforts to prove his/her narration and when his/her statement is coherent and plausible and did not contradict well-known facts.
- (3) When taking a decision, the examiner shall take into consideration the information offered by United Nations High Commissioner for Refugees, the United Nations reports related to human rights, information offered by UNHCR, as well as other information.

#### **Article 29. Eligibility Officer**

The eligibility officer of the Main Directorate for Refugees shall:

- (a) ensure that the asylum seeker states his/her case as thoroughly as possible, and with all the evidence available;
- (b) determine the asylum seeker's credibility and assess the afforded proofs (if necessary giving the asylum seeker the benefit of doubt) with a view to ascertaining the objective and subjective elements of the his/her situation;
- (c) correlate these elements with the relevant criteria of the international instruments to which the Republic of Moldova is party in order to come to the right conclusion with regard to granting refugee status;
- (d) call attention of the asylum seeker to the fact that the information the latter presents shall serve as the basis for the decision, and consequently it should be truthful and correct;
- (e) inform the applicant of the fact that presentation of false data regarding the circumstances on which the asylum request is based may constitute a ground for its rejection.

#### **Article 30. Abusive Applications**

The Main Directorate for Refugees shall declare an application for asylum as being abusive when:

- a) it is established that the application is obviously fraudulent, in so that the asylum seeker might deliberately mislead the authorities;
- b) the application, though honest, does not meet the criteria for granting asylum under this law;

- c) the application is submitted by a person whose claim for granting refugee status has been previously rejected, unless new facts have been presented;
- d) the application is another state's authorities' competence.

### **Article 31. Decision regarding the Application for Asylum**

(1) After interviewing the asylum seeker, on the basis of the information prepared by the Main Directorate for Refugees, the Director shall take a decision:

- a) on approving the asylum seeker's application for refugee status;
- b) on rejecting his/her application for refugee status.

(2) The Director's decision shall be justified and shall be brought to the asylum seeker's notice as soon as possible. Upon request a copy of the decision shall be issued to United Nations High Commissioner for Refugees.

(3) If the application for asylum is approved, the Main Directorate for Refugees shall inform the asylum seeker about the terms of asylum, rights and duties of a refugee, as well as of the fact that refugee status can be withdrawn and the right to asylum can cease under this law.

(4) If the application for asylum is rejected, the decision shall contain the right and the period for appealing against this decision, as well as the obligation to leave the territory of the Republic of Moldova within 15 days from the date of the final and irrevocable decision.

### **Article 32. Appeal against the Decision**

(1) The Director's decision of rejecting the application for asylum can be appealed to the Council for Refugees within 10 days from its announcement to the asylum seeker.

(2) The Director's decision can be further appealed to the Court of Appeal within 5 days from its announcement to the asylum seeker.

### **Article 33. Decisions of Courts of Law**

(1) A court of law examines the asylum seeker's or prosecutor's final appeal and expounds on the legality of the decision of the Council for Refugees by pronouncing a motivated decision.

(2) If it is ascertained that the decision of the Council for Refugees was illegal the court shall annul it and order issuance of another decision or re-examination of the case.

(3) If it is ascertained that the decision was legal, the court's decision shall be final and irrevocable while the decision of the Council for Refugees shall be enforceable.

## **Chapter IX. Cessation of Refugee Status**

### **Article 34. Withdrawal of Refugee Status**

Refugee status shall be withdrawn from the alien who:

- a) has voluntarily re-acquired the lost nationality or has acquired a new nationality and enjoys the protection of the country of his new nationality;
- b) has voluntarily re-availed himself of the protection of his/her country of origin;
- c) can avail himself of the protection of the country of his/her nationality, because the reasons for which he was granted refugee status have ceased to exist;
- d) has no nationality and can return to the country of his/her legal and habitual residence, because the reasons for which he was granted refugee status have ceased to exist;
- e) has been granted the citizenship of the Republic of Moldova;
- f) has taken up his/her lawful and habitual residence in the country he previously left, owing to well-founded fear stipulated in art. 21 of this law.

### **Article 35. Cancellation of Refugee Status**

The alien's refugee status shall be cancelled if:

- a) the status was granted on basis of the applicant's false statements or on the data obtained by the applicant in a fraudulent way;
- b) after being granted refugee status, the alien committed one of the acts stipulated in art. 22, or it has been discovered that he had committed such an act before the final decision whereby he was granted refugee status.

### **Article 36. Consequences of Cessation of Refugee Status**

(1) Withdrawal or cancellation of refugee status shall have no legal effect on members of the family of the person in relation to whom such actions were taken if there is well-founded fear stipulated in para. (1) of art. 21.

(2) The alien whose refugee status was either cancelled or withdrawn shall be treated in accordance with the legal provisions regarding the legal status of aliens and stateless persons in the Republic of Moldova.

(3) The alien in whose respect the measures stipulated in art. 35 and this article have been applied, shall not be returned to the country where his/her life, physical integrity or fundamental rights could be endangered.

(4) Exception to provisions of para. (3) shall be made for the alien whose refugee status was cancelled and who by his actions endangers national security or public order in the Republic of Moldova.

## **Chapter X. Transitory and Final Provisions**

### **Article 37.**

(1) Until this law comes into force the procedure of examination of asylum seekers' applications by United Nations High Commissioner for Refugees shall be carried out according to the conditions set by UNHCR.

(2) Persons who were granted international protection by United Nations High Commissioner for Refugees have the right to asylum under this law.

### **Article 38.**

(1) The Government, central public and local authorities shall:

- collaborate with United Nations High Commissioner for Refugees with a view to creating an infrastructure necessary for the application of the dispositions of the law;
- direct efforts towards creation of reception, screening and accommodation centres for asylum seekers and refugees.

(2) The Government:

- within 3 months from the date of publication of this law shall provide the Main Directorate for Refugees with an office and technical and material means necessary for fulfilling its duties pursuant to this law;
- shall determine annually the quantum of assistance rendered to refugees in conformity with the provisions of para. (2) of art. 23 depending on the amount of the budget allocations for this purpose;
- within 6 months after the entrance of this law into force:

shall submit to the Parliament proposals regarding ways of bringing the legislation in force into line with the provisions of this law;

shall bring its normative acts into line with the provisions of this law;

shall elaborate normative acts necessary for the implementation of this law.

(3) The Ministry of Foreign Affairs shall request the United Nations' assistance to ensure the application of this law and as well as re-establish control and equip the Eastern Moldovan-Ukrainian border.

### **Article 39.**

(1) This law enters into force on 1 January 2003.

(2) Provisions relating to the prohibition of expulsion, return and sanctioning asylum seekers enter into force as of the date of the publication of this law and are applicable to all the aliens staying on the territory of the Republic of Moldova who seek or have been granted asylum on its territory.

DEPUTY SPEAKER OF THE PARLIAMENT  
Mihail Camerzan

Chisinau, 25 July 2002,  
No. 1286-XV