

Israel Rejects Romanian Request to Jail Citizen on Tax Charges

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By William Hoke

Israel's state attorney recently rejected a Romanian request made under an EU extradition treaty to imprison an Israeli citizen who was convicted of tax fraud in the Eastern European country.

Gideon Zelivansky was indicted in Romania in 2013 for fraudulently evading €1 million in tax, according to a September 2 article in *Globes*, an Israeli financial newspaper. In 2014 Zelivansky was convicted of understating the value of corporate shares that he transferred to avoid paying a creditor. His 10-year prison sentence was reduced to six years in 2015, but he fled to Israel before being sent to prison.

Danielle Einav, a lawyer with the Eitan Maoz law firm in Tel Aviv, was one of the attorneys who represented Zelivansky in his challenge of the Romanian request. She told *Tax Notes* that while Israeli law does not generally allow the extradition of a resident or a citizen, Romania had the right to request that Zelivansky serve his prison sentence in Israel. *Globes* reported that Romania filed the request in April 2018. In June 2019 the Israeli state prosecutor's office asked the Jerusalem District Court to order Zelivansky's detention while the extradition proceedings played out. Einav said her client was detained in Israel for less than a month before being released on bail.

Zelivansky's legal team asked the state attorney's office to consider the quality of the evidence presented to the Romanian court and whether the alleged offenses would be considered a crime under Israeli law, Einav said. "We questioned the fairness of the trial," she said. "Romania is known for its problematic legal system. It is kind of hard to determine from the indictment what the criminal issue was. The indictment is [around] 300 pages and . . . it is hard to understand. In Israel, an indictment would never be [issued] under these circumstances."

Einav said the state attorney's office decided on August 31 that it would not seek Zelivansky's imprisonment. "The decision is final and cannot be appealed," she said. "But he is still dealing with a civil case" in Romania. Einav said Zelivansky "will not be visiting Romania anytime soon."