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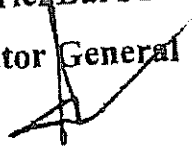
ROMANIA
Ministry of Industry and Trade

Directorate General for Programmes with International Organisations

The Energy Charter Secretariat
Brussels
fax: 0032-2-775 9801

Please find enclosed the statement issued by the Ministry of Justice in accordance with Art. 26(3)(b)(ii) of the Energy Charter Treaty (Annex ID).

Sincerely yours,
Gabriel Barbu
Director General



THE ENERGY CHARTER SECRETARIAT	
NEGOTIATIONS	
Date/No:	27.05.99 / 906
Attribution:	DA
For Info:	IC, DICE, LA, DB

ROMANIA

Article 21 of the 1991 Romanian Constitution states that "every person is entitled to go to court in order to defend his/her rights and legitimate interests" and "no law shall restrict the exertion of this right".

Article 125(1) of the Constitution stipulates that "justice is made through the Supreme Court of Justice and other judicial bodies established by law".

Law no 92/1992 on judicial bodies organisation stipulates that "the judicial power is separated from the other powers in the state and has its own responsibilities to be delivered through courts and the Public Prosecutor's Office as provided for in the Constitution and other relevant legislation.

The operation of the Supreme Court of Justice is regulated by Law no 56/93.

The Civil Code, in the eleven chapters of the 4th book entitled "Arbitration" as amended by Law no 59/93, regulates the establishment and operation of arbitration courts as well as their relationship to judicial courts.

Pursuant to art. 163 of the Civil Code - relating to litispence "nobody can be called, for the same reason, before several Courts of Justice. This exception can be raised by any of the parties to the dispute or by the judge. Once the exception is accepted, the dispute shall be submitted to the first court or, in case the courts are of different levels, to the higher-level court.

Since 1975 Romania has been a part to the Convention for the Settlement of Disputes in respect of Investments occurring between the States and Nationals of other States of 1965; in 1961 Romania became a part to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958.