

Appendix 1

Unofficial translation

“Romania

Court of Appeal of Bucharest

The IIIrd Civil Section

Cabinet of the Chairman

29.05.2003

To the President of the Court of Appeal of Bucharest

Following your letter no. 2869/c/13/05.2003, asking for the viewpoint of the magistrates from this Section with regard to the sphere of the States immunity and the participation of States in any dispute tried in Romania, we inform you that:

We consider that the foreign Stat, its representative of the diplomatic mission of the foreign State may not be defendants in any dispute tried in Romania, irrespective of their nature, taking into account that they enjoy immunity according to article 31 of the Vienna Convention on Diplomatic Relations, ratified by Romania by Decree no. 566 of 1968.

[...]

In case where the State or its representatives are applicants, they are deemed to have waived immunity. (art. 32 (3) of the Convention).

[...]”