



**PERMANENT DELEGATION OF ROMANIA
to UNESCO – PARIS**

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The Permanent Delegation of Romania to UNESCO presents its compliments to the Members of the World Heritage Committee and has the honor to refer to the nomination to the World Heritage List (No. 1552).

In view of the 42nd session of the UNESCO World Heritage Committee which is currently taking place in Manama, Bahrain, the Romanian Government kindly requests the support of the esteemed members of the World Heritage Committee *to refer* (in accordance with Article 151 (c) of the Operational Guidelines for the Implementation of the World Heritage Convention) the nomination of the *Roșia Montană Mining Landscape* planned to be examined by the Committee during its current session.

This request is due to the ongoing arbitral proceeding at the International Centre for Settlement of Investment Disputes (ICSID) – World Bank Group, in order to protect the economic rights of the Romanian State. The Romanian authorities also consider that Roșia Montană's inscription decision should be taken only if the site is not subject of any litigation.

Other possible discussion and/or decision taken by the Committee regarding this nomination file during the above-mentioned arbitral proceedings would negatively impact Romania's capacity to defend its position in the arbitration and would be used by the mining company to build up its accusation and to exercise additional pressure.

The nomination is not fully ripe until enough clarity is brought regarding the legal issues in the arbitral file.

There is no "ascertained threat towards the integrity of the property" in case of a referral decision of the Committee, as the subject of the arbitral file is the obtaining of damages and not reopening mining exploitation.

The Permanent Delegation of Romania to UNESCO avails itself of this opportunity to renew to the Members of the World Heritage Committee the assurances of its highest consideration.

Paris, 28 June 2018



**To the Members of the World Heritage Committee
UNESCO
Paris**