

Minutes

of the meeting between the Romanian and Ukrainian delegations led by Mr. Ilie Calin Bodea, State Secretary from the Romanian Ministry of Economy and Mr. Aleksey Perevezentsev, State Secretary from the Ukrainian Ministry of Economic Development and Trade

On 28 February 2019, in Bucharest took place the meeting of the delegations of the Romanian Ministry of Economy and the Ukrainian Ministry of Economic Development and Trade, led by state secretaries Ilie Calin Bodea and, respectively, Aleksey Perevezentsev. The composition of the delegations is enclosed.

Mr. Ilie Călin Bodea welcomed the visit and asked the members of both delegations to introduce themselves. Mr. Bodea passed the floor to Mr. Perevezentsev.

Mr. Aleksey Perevezentsev, State Secretary from the Ukrainian Ministry of Economic Development and Trade has pointed out to an important issue regarding the thefts done by both sides, Romanian and Ukrainian, from the premises of C.I.M. Krivoi Rog plant. His Excellency expressed the position of the Ukrainian government whose desire is to work with and collaborate with the Romanian government. Mr. Aleksey Perevezentsev has also informed the Romanian counterpart that thefts from Krivoi Rog are currently under investigation and some of the evidence found there bothers him. In addition, Mr. Secretary of State Aleksey Perevezentsev has informed all those present to the meeting that there is a high interest of some international companies for Krivoi Plant, for example the company Kobe Steel from Japan who is already thinking about future activities on this property and ways to solve issues with the Romanian side. Again, Mr. Aleksey Perevezentsev has made an invitation to the Romanian party to feel free to inspect the area.

Mr. Ilie Călin Bodea, State Secretary from the Romanian Ministry of Economy has made it clear that he would like to address these issues.

Thus, the main identified problem is to allow Romanian workers unobstructed access and entrance to the factory. This is exactly why the involved Romanian entrepreneurs have been

invited to attend the consultation with the Ukrainian representatives from the Ministry of Economic Development and Trade and from the Ukrainian Embassy in Bucharest, meeting taking place at the Romanian Ministry of Economy. Mr. Bodea has asked Ukrainian delegates if access to the facility is possible starting quite the following day. The Ukrainian State Secretary's answer was positive and he further clarified that he was not foreseeing any problem regarding free access to Krivoi Rog facilities for Romanians from the officially presented lists that he received two weeks ago.

However, at his turn, Mr. Marian Roşioru, the ARCOM director has pointed out that things are not really the way presented by the Ukrainian side. As such, he had actually been told that they would not be able to enter the plant until they could meet certain conditions. Thus, branch directors received the following message: "no matter who comes to the discussions in Bucharest and regardless of the outcome of these discussions, Romanians will not have access to Krivoi Rog without the necessary documents."

Ukrainian Secretary of State Mr. Aleksey Perevezentsev concluded the atmosphere between the two sides was not too friendly and, therefore, invited both the Romanian entrepreneurs and delegates from the Romanian Ministry of Economy to come to Kiev in an attempt to solve the brought to the table issues. Also, Mr. Aleksey Perevezentsev mentioned that there seems to be no communication between the entrepreneurs and the board management of the plant and, consequently, he has expressed the desire to resolve and mediate the raised problems by putting face to face the management of CIM Krivoi Rog with representatives of Romanian contractors.

Mr. Marius Florescu-Ciobotaru, First Secretary from the Ministry of Foreign Affairs of Romania, mentioned that the Romanian side has already fulfilled the requirements put forward by the Ukrainian side in order to restore the access of the Romanian personnel to the Krivoi Rog Plant's site. He underlined that the Ukrainian side had no other claims and that the access of the personnel should not be tied or conditioned by other activities proposed by the Ukrainian side. MFA representative suggested that an official letter from Krivoi Rog plant management stating that indeed the Romanian side is granted free and unobstructed access to the premises of Krivoi Rog would make the situation clear. He reiterated that the responsibility for any loss incurred on

the Romanian properties, due to the lack of access of the Romanian personnel to the plant's site, lies entirely with the Ukrainian side.

Mr. Marian Roşioru, ARCOM Director underlined that he has been waiting for a long time for such a constructive dialogue between the two sides and therefore he hopes for a fast solution to the raised problems. He also mentioned that the relationship between the two sides, beginning with the authorities and ending with the local people was and it continues to be a very good one.

Mr. Bodea thanked his Ukrainian counterpart for the invitation to pay a visit to Kyiv, that he would like to honor, but due the fact that Romania is currently holding the presidency of the EU Council his available time does not allow him to make this visit in the very near future.

However, he pointed out that the Romanian side is willing to continue further negotiations with the Ukrainian side and, consequently, he proposed that an Expert Working Group of the relevant Ministries of the two involved Parties should be formed to discuss and find the best solutions to resolve all the current problems with CIM Krivoi Rog Plant.

Mr. Bodea also underlined that any action by the Ukrainian party on the CIM Krivoy Rog objective cannot in any way affect the claims of the Romanian party and the claim arising from Romania's participation in the construction of the Krivoi Rog acidification mineral mining complex. Thus, the Ukrainian party remains liable to the Romanian party for any damage that would be caused to the Romanian investment, in accordance with the applicable bilateral legal framework.

Mr. Perevezentsev agreed with Mr. Bodea and reiterated the invitation for the Romanian representatives to come to Kiev not only to resolve the already discussed issues but also for future bilateral cooperation and he made it clear that the invitation will also be sent via official diplomatic channels.

In the end, Mr. Roşioru asked the representatives of the Ukrainian Embassy in Bucharest if starting the next day the Romanian workers can get the necessary visas.

In response, Mr. Volodymyr Lukovych, First Secretary of Ukrainian Embassy in Bucharest stated that, of course, the Embassy staff has no problem in issuing such visas any time, any day, according to the Convention between the Government of the Socialist Republic of Romania (S.R.R) and the Government of the Union of Soviet Socialist Republic (U.S.S.R) signed in December 1986.

Secretary of State Aleksey Perevezentsev said that if the Romanian part would like to further ensure that the Romanian workers have free access to Krivoi Rog plant, they were kindly invited to come to Kiev where he would personally take care of these issues. Moreover, he thanked the entire team of the Romanian Ministry of Economy for the meeting and he is looking forward to future collaboration and the visit of the Romanian counterpart to Kiev.

In the end, Mr. Nicolae Bădălău, Minister of Economy welcomed the Ukrainian delegation and assured of all support and openness of the Romanian Ministry of Economy and the Romanian Government to solve all existing problems. He felt confident that there will be other bilateral economic cooperation agreements in the future, taking into consideration the good existing relationship between Romania and Ukraine. The Minister agreed and was open to any solutions that will be agreed by the two sides regarding Romania's investment in Krivoi Rog for the benefit of both countries.

Composition of the delegations of Ukraine:

Aleksey PEREVEZENTSEV, State Secretary of the Ministry of Economic Development and Trade of Ukraine
Oleksiy ROZHKOV, Director of the Department for International Trade and Economic Cooperation and European Integration, Ministry of Economic Development and Trade of Ukraine
Volodymyr LUKOVYCH, First Secretary, Embassy of Ukraine in Romania
Oleksandr SLIUSARENKO, Second Secretary, Embassy of Ukraine in Romania