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By email

Geneva, 30 September 2022

**Re: Gabriel Resources Ltd. and Gabriel Resources (Jersey) Ltd. v. Romania
(ICSID Case No. ARB/15/31)**

Dear Mr. President,
Dear Members of the Tribunal,

We refer to the application dated 18 September 2022 by the *Centrul Independent pentru Dezvoltarea Resurselor de Mediu (ICDER)* and Greenpeace Romania (the “**Amici**”), for leave to submit another brief in the above matter in accordance with Section III of Annex C to the Canada-Romania BIT and Article 37(2) of the ICSID Arbitration Rules.

As with their first application in November 2018, the Amici have already submitted their brief, together with their application.

Further to the Tribunal’s directions of 20 September 2022 and the parties’ agreement, the Respondent hereby submits its comments regarding the admissibility of the application.


The application (and brief) meet the criteria set out in Section III(4) of Annex C of the Canada-Romania BIT for submissions by non-disputing parties:

- (i) their submission will “assist the Tribunal in the determination of a factual or legal issue related to the arbitration by bringing a perspective, particular knowledge or insight that is different from that of the disputing parties;”
- (ii) their submission addresses a matter within the scope of the dispute;
- (iii) they have demonstrated a significant interest in the arbitration; and,
- (iv) as they have recalled, there is a significant public interest in the subject matter of the arbitration.

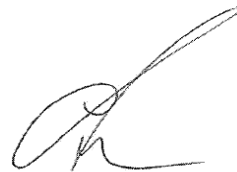
The Amici note, and the Respondent agrees, that their intervention will neither cause an undue burden nor disrupt the proceedings. Further, granting the application will not unfairly prejudice any party to this arbitration.

The Respondent thus respectfully requests that the application be granted.

Yours sincerely,



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Lorraine de Germiny
Christophe Guibert de Bruet
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