



ROMANIA

by Nadiya Nychay and Nicoleta Tuominen,
Dentons Europe LLP

www.dentons.com

IMPLEMENTATION AND LAW

Government Emergency Ordinance ('GEO') no. 202/2008 sets out a general framework for the implementation of international and EU sanctions in Romania. GEO no. 202/2008 provides procedures for granting exceptions to sanctions regimes and ways to challenge the decisions of national authorities on international sanctions (Articles 8-10). It also lists the competent authorities for hearing certain sanctions-related matters and requests (Article 12). Furthermore, GEO no. 202/2008 establishes administrative penalties for violations of international sanctions regimes (Article 26).

While Romania implements UN sanctions, it does not have an autonomous sanctions regime. Accordingly, the sanctions targets list in Romania refers only to the EU and UN lists. There are no other nationally managed sanctions lists.

POWERS AND PROVISIONS

Charged with implementing the various types of sanctions in Romania are those authorities that already hold the respective law-enforcement powers under existing legislation. In particular, the competence to block funds or economic resources held, owned by, or under the control of designated individuals or entities resides with the Ministry of Public Finances of Romania, through its National Tax Administration. The National Tax Administration is also the central authority managing frozen accounts.

Any person wishing to obtain a derogation from the application of any type of international sanctions may, pursuant to GEO no. 202/2008, address such a request in writing to the relevant Romanian competent authority, enclosing all relevant and supporting documents. The competent authority will decide whether to grant the derogation or not upon consultation with the Ministry of Foreign Affairs, which will give its opinion on the consistency of the request with international law.

The Ministry of Foreign Affairs renders and transmits its opinion to the competent authority no later than five working days after receipt of the request from the competent authority. The decision to grant or reject the request for derogation from the application of international sanctions is communicated in writing within 15 days of the receipt of the request.

KEY AGENCIES

For informing and supervising credit institutions in relation to international sanctions

National Bank of Romania

Str. Lipscani nr. 25

cod 030031

Sector 3

Bucharest

Tel.: + 40 21 313 04 10

Web: www.bnro.ro



Nadiya Nychay is a Partner and
Nicoleta Tuominen is a Counsel in the Brussels
office of Dentons Europe LLP.

www.dentons.com

For regulated entities operating on the capital market and in the private pension sector

Financial Supervisory Authority

Tel.: +40 800 825 627

Fax: +40 21 659 60 51 and +40 21 659 64 36

Email: office@asfromania.ro

Web: www.asfromania.ro

The Financial Supervisory Authority is established as a specialised autonomous administrative authority having legal personality, pursuant to GEO no. 93/2012 on the establishment, organisation and functioning of the Financial Supervisory Authority, approved with amendments by Law no. 113/2013, as amended and supplemented.

The Financial Supervisory Authority is independent and self-financed, and competent to exercise powers under the provisions of the aforementioned emergency ordinance by taking over the duties and prerogatives of the National Securities Commission, the Insurance Supervisory Commission, and the Commission for the Supervision of the Private Pension System.

For entities not under the prudential supervision of any particular authority

National Office for Preventing and Combating Money Laundering

Str. Ion Florescu nr. 1

Sector 3

Bucharest

Tel.: +40 21 315 52 07

Fax: +40 21 315 52 27;

Email: onpcsb@onpcsb.ro

Web: www.onpcsb.ro

Freezing of assets

Ministry of Public Finance

Strada Apolodor nr. 17

Sector 5

cod 050741

Bucharest

Tel.: +40 21 319 97 59; +40 21 226 11 10; +40 21 226 10 00

Fax: +40 21 312 25 09

Email: publicinfo@mfinante.ro

Web: www.mfinante.ro

National Agency for Fiscal Administration

Str. Apolodor nr. 17

Sector 5

cod 050741

Bucharest

Tel.: +40 21 319 97 59; +40 21 319 97 76; +40 21 319 97 68

Email: presa.anaf@mfinante.ro

Web: www.anaf.ro

Restrictions on trade

**Department for Foreign Trade (Ministry of Economy, Commerce and Business Environment –
General Directorate for Commercial Policy)**

Calea Victoriei nr. 152

Sector 1

Bucharest

Tel.: +40 21401 05 49

Fax: +40 21401 05 48

Web: www.dce.gov.ro

**Customs General Directorate (National Agency for Fiscal Administration, Ministry of Public Finance);
Directorate for Customs Supervision and Control**

Str. Matei Millo nr. 13

Sector 1

Bucharest

Tel.: +40 21 315 58 58

Fax: +40 21 313 82 51

Email: vama@customs.ro

Web: www.customs.ro

Restrictions on trade in military and dual-use goods

National Agency for Export Control

Strada Polonă nr. 8

Sector 1

cod 010501

Bucharest

Tel.: +40 21 311 20 83

Fax: +40 21 311 12 65

Email: ancex@ancex.ro

Web: www.ancex.ro

Ministry of Defence

Str. Izvor, nr. 3-5

Sector 5

cod 050561

Bucharest

Tel.: +40 21 410 40 40; +40 21 402 34 00

Web: www.mapn.ro

Ministry of Economy, Commerce and Business Environment

Str. Calea Victoriei, nr. 152,

Sector 1

Bucharest

Tel.: +40 21 202 51 66

Fax: +40 21 202 51 75

Web: <http://economie.gov.ro/>

Travel restrictions**General Inspectorate of Border Police (Ministry of Interior)**

B-dul Geniului nr. 42C

Sector 6

cod 060116

Bucharest

Tel.: +40 21 408 74 00

Fax: +40 21 312 11 89

Email: pfr@igpf.ro

Web: www.politiadefrontiera.ro

National Visa Centre (Ministry of Foreign Affairs)

Tel.: + 40 21 232 55 33

Fax: + 40 21 232 55 78

Email: cnv@mae.ro

Web: www.mae.ro

ENFORCEMENT AND PENALTIES

Breaching sanctions provisions constitutes an offence punishable by a fine of approximately €2,200 to €6,500 and the confiscation of property used or resulting from the breach.

If a person belonging to the staff of an authority or public institution committed the breach, in addition to the fine, specific penalties can also be applied.

Enforcement in practice

No public information exists on Romania's enforcement practice.

OUTREACH

Regulatory authorities do not generally conduct outreach on sanctions compliance for potentially affected industry sectors or the public.

POLITICAL FACTORS

No public information is available regarding the political factors in Romania pertaining to sanctions.

This chapter is reprinted from the book **Sanctions in Europe**, published
by WorldECR, the journal of export controls and sanctions,
January 2020.

www.worldecr.com