

PRELIMINARY CHAMBER – EVOLUTION OR INVOLUTION IN THE ROMANIAN CRIMINAL PROCEDURE

Author

Ramona Mihaela COMAN*

ABSTRACT: *This paper deals with two aspects referring to the procedure of the preliminary chamber, which could raise questions about the right to a fair trial guaranteed by Article 6 of the European Convention on Human Rights: is the judge of the preliminary chamber compatible to judge the case on the merits, does the exclusively written and non-contradictory procedure respect the guarantee of the fair trial? The analysis of the two issues was made by comparing it with the Italian system, where our legislator inspired from.*

KEYWORDS: *preliminary chamber, fair trial, incompatibility, non-contradiction*
JEL CLASSIFICATION: *K 14, K40*

* Ph D Student at “Sapienza” University of Rome, Italy Assistant at the Petru Maior University of Tîrgu Mureş, Faculty of Economics, Law and Administrative Sciences, ROMANIA.