

**SOME CONSIDERATION REGARDING LEGAL LIMITATIONS
ABOUT ASSET FREEZING DURING THE CRIMINAL TRIAL IN
ROMANIA**

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ABSTRACT: *In the field of the Romanian criminal trial, especially regarding the serious offences, judiciary bodies may order asset freezing, in order to avoid concealment, destruction, disposal or dissipation of the assets that may be subject to special or extended confiscation or which may serve to secure the penalty by fine enforcement or to pay court fees or to compensate damages caused by the committed offense. A general legal frame is provided by Articles 112 and 112¹ Criminal Code, Articles 249-253 Criminal Procedure Code.*

For a clear outline of the precautionary asset freezing, including the fact that such aspects may prejudice the rights of the defendant or could regard the entire criminal trial, we must take into consideration the provisions and guarantees provided by the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention), and also the Romanian Constitutional Court's jurisprudence or the decisions of the High Court of Review and Justice regarding the motion of appeal in the interest of the law.

KEY WORDS: *asset freezing; special confiscation; extended confiscation; trial; rights of defendant.*

JEL Classification: *K 14, K 42*

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