

CONSIDERATIONS REGARDING EXEMPTIONS FROM THE PROVISIONS OF ARTICLE 9 OF THE CRIMINAL CODE, IN THE LIGHT OF THE LEGISLATION AT THE EUROPEAN LEVEL

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ABSTRACT: *Romanian legislation must be harmonized with that at the European level. A continuous concern of the legislator is needed in this sense. The fulfilment of this objective also includes the recent changes in the field of criminal legislation, taking into account either the Criminal Code or “the criminal provisions contained in organic laws, emergency ordinances or other normative acts that had the force of law at the time of their adoption”, as stated in the Art. 173 of the Criminal Code. These changes also brought with them some exceptions to the principle of personality regarding the application of the Romanian criminal law in space.*

KEYWORDS: *criminal law, modification, person, territory, exemption.*
JEL Code: *K14, K42.*

1. GENERAL PRESENTATION

Until this moment, there are two derogations from the provisions of art. 9 of the Criminal Code¹, article in which the principle of personality of the application of the Romanian criminal law in space is regulated. These two exemptions are established by the

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¹ Law no. 286/2009 regarding the Criminal Code, published in the Official Gazette of Romania no. 510 of July 24, 2009, with subsequent modifications and completions. In art. 9 of the Criminal Code it is stipulated: “The personality of the criminal law (1) The Romanian criminal law applies to the offenses committed outside the territory of the country by a Romanian citizen or by a Romanian legal person, if the punishment provided by the Romanian law is the imprisonment for life or for more than 10 years. (2) In the other cases, the Romanian criminal law shall apply to the offenses committed outside the territory of the country by a Romanian citizen or by a Romanian legal person, if the deed is provided as a crime also by the criminal law of the country where it was committed or if it was committed in a place that is not subject to the jurisdiction of any state. (3) The pursuit of the criminal action is made with the prior authorization of the Attorney General of the Prosecutor's Office attached to the Court of Cassation and Justice. The term in which the prosecutor may issue the authorization is up to 30 days from the date of the request for the authorization and can be extended, according to the law, without the total duration to exceed 180 days”. Available at: <https://legislatie.just.ro/public/detalidocument/109855> (Accessed: September 9, 2022).

provisions of two laws, more precisely: art. II from Law² no. 217/2020 for the amendment and completion of Law no. 286/2009 regarding the Criminal Code, as well as for the amendment of art. 223 para. (2) from Law no. 135/2010 regarding the Criminal Procedure Code, and art. II from Law³ no. 234/2022 for the amendment of art. 18⁴ of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption and for ordering other measures to implement Directive (EU) 2017/1371 of the European Parliament and of the Council of July 5, 2017 on combating fraud directed against the financial interests of the Union by criminal law means. Although the legislator uses two distinct terms in the aforementioned normative acts, namely "derogation" and "exemption", to refer to the nature and applicability of their provisions, the two terms are synonymous⁴.

2. CONSIDERATIONS REGARDING THE EXEMPTION PROVIDED IN LAW NUMBER 217/2020

Through the provisions of art. II from Law no. 217/2020 there has been established a derogation from the provisions of art. 9 of the Criminal Code, with the application of the provisions of art. 12 of the Criminal Code⁵. The reference to "prison for more than 10 years" from the content of art. 9 para. (1) of the Criminal Code has in mind the special

² Published in the Official Gazette of Romania no. 1012 of October 30, 2020. In the content of art. II it is stated that: „By exception to the provisions of art. 9 of Law no. 286/2009 regarding the Criminal Code, published in the Official Gazette of Romania, Part I, no. 510 of July 24, 2009, with subsequent amendments and additions, and in application of art. 12 of Law no. 286/2009, with subsequent amendments and additions, for the facts provided in art. 218-220, art. 221 para. (1)-(2¹), art. 222¹, art. 216¹ and art. 374 para. (1) and (1¹) of Law no. 286/2009, with subsequent amendments and additions, the Romanian criminal law applies to crimes committed outside the territory of the country by a Romanian citizen or a Romanian legal entity, regardless of the penalty provided by Romanian law, even if the act is not provided as a crime by the criminal law of the country where it was committed". Available at: <https://legislatie.just.ro/Public/DetaliiDocument/231967> (Accessed: August 30, 2022).

³ Published in the Official Gazette of Romania no. 730 of July 20, 2022. In the content of art. II it is stated that: „By way of derogation from the provisions of art. 9 of Law no. 286/2009 on the Criminal Code, with subsequent amendments and additions, as well as in application of art. 12 of the same law, if the acts are committed outside the territory of the country by a Romanian citizen or a Romanian legal person, regardless of the penalty provided by Romanian law, even if the act is not provided as a crime by the criminal law of the country where it was committed the prosecution will be carried out without the need for the prior authorization of the public prosecutor from the public prosecutor's office attached to the court of appeal in whose territorial radius the first notified public prosecutor's office is located or the general public prosecutor from the public prosecutor's office attached to the High Court of Cassation and Justice, the Romanian criminal law applies to the crimes provided in: a) art. 6, 7 and art. 18¹-18⁵ of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption, with subsequent amendments and additions; b) art. 4, 8 and 9 of Law no. 241/2005 for preventing and combating tax evasion, with subsequent amendments and additions, art. 270 and art. 272-275 of Law no. 86/2006 regarding the Customs Code of Romania, with subsequent amendments and additions, art. 289-292, art. 294, 295, 297, 298, art. 306-309 and art. 367 of Law no. 286/2009 on the Criminal Code, with subsequent amendments and additions, and art. 49 of Law no. 129/2019 for the prevention and combating of money laundering and the financing of terrorism, as well as for the amendment and completion of some normative acts, with the subsequent amendments and additions, if they resulted in reaching the financial interests of the European Union". Available at: <https://legislatie.just.ro/Public/DetaliiDocument/257679> (Accessed: August 30, 2022).

⁴ Available at: <https://sinonime.com/dex/?cheie=derogare&m=0> (Accessed: September 9, 2022).

⁵ In art. 12 of the Criminal Code it is provided as follows: "Criminal law and international treaties. The provisions of art. 8-11 shall apply unless otherwise ordered by an international treaty to which Romania is a party". Available at: <https://legislatie.just.ro/Public/DetaliiDocument/109855> (Accessed: September 9, 2022).

maximum limit provided by the criminal law⁶ (Neagu, N., 2020, p. 780). Logically interpreting the last sentence of art. II from Law no. 217/2020, using *per a contrario* reasoning, the legislator states that Romanian law will be applied for the facts referred to in the article even if the said deed is provided as a crime by the criminal law of the country where it was committed if the deed is committed by a Romanian citizen or a Romanian legal entity, regardless of the punishment provided by Romanian law. Therefore, the exception is relative to non-compliance with the condition of double incrimination when the punishment provided by law is a fine or imprisonment of less than 10 years for the application, in a specific case, of the Romanian criminal law. We note that the legislator does not make any reference and, therefore, does not establish any exemption from the provisions of para. (3) of art. 9 of the Criminal Code, in the sense in which "the prior authorization of the general prosecutor of the public prosecutor's office attached to the court of appeal in whose territorial radius the first notified public prosecutor's office is located or, as the case may be, the general prosecutor of the public prosecutor's office is required near the High Court of Cassation and Justice" for initiating the criminal action. Reported to the maximum penalty limit in the case of crimes described in art. 218, 219, 220, 221 para. (1) - (2¹), 222¹, 216¹, 374 par. (1) and (1¹), which range from a fine to 18 years in prison, we understand the legislator's effort to ensure that a deed from those listed in art. II from Law no. 217/2020, committed outside the territory of the country, by a Romanian citizen or a Romanian legal person, will not go unpunished. Moreover, the non-institution of an exemption relative to para. (3) of art. 9 of the Criminal Code constitutes a veritable lever to ensure that the Romanian courts are not overloaded. Considering the provisions of art. 12 of the Criminal Code, as well as the fact that by Law no. 217/2020, a directive from the European level has not been transposed, and in the Convention on the Rights of the Child⁷ there is no derogatory provision, Romanian law will be applied under the conditions and in the cases stipulated in art. II from Law no. 217/2020, with the application of the provisions of art. 9 of the Criminal Code.

We cannot fail to notice an unprecedented situation in the content of art. II from Law no. 217/2020, in the sense that the legislator includes in the list of articles he refers to art. 222¹ of the Criminal Code⁸. In this last article, there are the aggravated versions of the crimes of sexual intercourse with a minor (art. 220 of the Criminal Code), sexual corruption of minors (art. 221 of the Criminal Code) and recruitment of minors for sexual purposes (art. 222 of the Criminal Code). In the content of art. II from Law no. 217/2020 the legislator also establishes the exemption for the facts provided in art. 220 and 221 (1) - (2¹), but he does not make any reference to art. 222 of the Criminal Code. Therefore, we consider three clarifications necessary to ensure consistency from the point of view of the legal provisions in force.

⁶ For details see Neagu, N. (2020), *Criminal Law. The General Part*, Universul Juridic Publishing House, Bucharest, p. 780.

⁷ Adopted by the United Nations General Assembly on November 20, 1989.

Available at: https://ro.wikipedia.org/wiki/Conven%C8%9Bia_asupra_Drepturilor_Copilului (Accessed: September 9, 2022).

⁸ In art. 222¹ of the Criminal Code it is provided as follows: "Deeds committed under aggravating circumstances. If the facts provided in art. 220-222 are committed by two or more people together or by a person who has previously committed a crime against sexual freedom and integrity against a minor, a crime of child pornography or pimping against a minor, the special limits of the punishment are increased by a third".

A first clarification is that regarding the fact that the Romanian criminal law will be applied in the event of committing an act of sexual corruption of minors outside the territory of Romania by a Romanian citizen or a Romanian legal entity, without the condition of double incrimination being met, only if the act falls within the provisions of art. 221 para. (1) - (2¹), not in the provisions of art. 221 para. (3) - (4) of the Criminal Code, as well as in the provisions of art. 222¹ of the Criminal Code, but only by reference to the provisions of art. 221 para. (1) - (2¹) of the Criminal Code.

A second clarification is the one relative to *de lege ferenda* proposal regarding the inclusion in art. II of Law no. 217/2020 of also the para. (6) of art. 221 of the Criminal Code, because in that paragraph it is provided the attempt to commit the crimes described in para. (1), (2) and (2¹) of art. 221 of the Criminal Code, as the legislator considered the attempted rape (art. 218 of the Criminal Code), the attempted sexual assault (art. 219 of the Criminal Code) and the attempted sexual intercourse with a minor (art. 220 of the Criminal Code). *Mutatis mutandis*, we propose *de lege ferenda* the inclusion of para. (6) of art. 374 of the Criminal Code by referring to paragraph (1) and (1¹) of art. 374 of the Criminal Code.

A third clarification is the one relative to *de lege ferenda* proposal to include in the provisions of art. II from Law no. 217/2020 the art. 222 of the Criminal Code because these provisions are included in art. 222¹ of the Criminal Code which, as we previously stated, contains the aggravated variants, and the legislator, regarding the other articles listed in the last mentioned article, referred to them in art. II from Law no. 217/2020.

3. CONSIDERATIONS REGARDING THE EXEMPTION PROVIDED IN LAW NUMBER 234/2022

Regarding art. II from Law no. 234/2022, we find that the legislator used the same legislative technique, as he did with regard to art. II from Law no. 217/2020, establishing exemptions from the provisions of art. 9 of the Criminal Code. However, a difference can be noted relative to the establishment of a derogation from also the provisions of art. 9 para. (3) of the Criminal Code, in the sense that "the prior authorization of the prosecutor general of the prosecutor's office attached to the court of appeal in whose territorial range the prosecutor's office first notified is located or, as the case may be, of the prosecutor general of the prosecutor's office attached to the High Court of Cassation and Justice" for the initiation of criminal proceedings, in application of Romanian law to the crimes expressly provided in the article, when they are committed outside the territory of Romania, by a Romanian citizen or a Romanian legal entity, if the respective crimes had the result of affecting the financial interests of the European Union, a derogation that is instituted in a cumulative condition, along with the one relative to the amount of the penalty and the one related to the lack of double incrimination.

We therefore find a new vision of the legislator, in the sense of establishing exceptions from the provisions of the general part of the Criminal Code, more precisely from the provisions of art. 9 of the Criminal Code, this normative act being the general law in criminal matters.

We consider that, although welcomed, in essence, in the fight against criminality, in the fields considered both in art. II from Law no. 217/2020, as well as in art. II from Law no. 234/2022, the establishment of numerous exceptions to the provisions of art. 9 of the

Criminal Code will lead to a difficulty from the point of view of the application of criminal law in space because it will also have to be researched, in addition to taking into account the punishment limits provided by law for the crime committed in a specific case, in applying the provisions of art. 9 of the Criminal Code, if there are exemptions from them, established by different normative acts⁹. Moreover, by establishing these exceptions, a hierarchy will be reached from the point of view of the importance for society of the values also protected by the criminal law. Already, through the exception established by the provisions of art. II from Law no. 217/2020, the Romanian criminal law will be compulsorily applied for an act of rape, in the basic version, committed outside the territory of Romania, by a Romanian citizen, but the same thing will not happen if the same person commits it in the same place an act of bodily harm, in the basic version, because the maximum penalty provided by law is, in the case of the latter, 7 years in prison. Or, another example, through the exception established by the provisions of art. II from Law no. 234/2022, if a Romanian citizen commits an act of misappropriation of funds outside the country, the maximum penalty being 5 years in prison, or an act of negligence in service, the maximum penalty being 3 years in prison, the Romanian criminal law will be compulsorily applied, but if the same person commits an act of manslaughter in the same place, in the basic version, the application of the Romanian criminal law is conditioned by the provisions of art. 9 of the Criminal Code. In this context, we consider it necessary for *de lege ferenda*, to amend art. 9 of the Criminal Code, in the sense of returning to the legal text of art. 4 of Law no. 15/1968 regarding the adoption of the Criminal Code of Romania¹⁰, with the mention, of course, of the Romanian legal entity.

Another aspect is related to the way in which the legislator chose to transpose Directive 2017/1371 of the European Parliament and of the Council¹¹ into national legislation, through the provisions of art. II from Law no. 234/2022, considering the last sentence¹² from point 11 of the preamble of Directive 2017/1371, in the sense that the object of this directive is represented only by the crimes that presuppose the intention, and in art. 11 paragraph (1) letter b) from the above-mentioned directive, the obligation¹³ is established that "each Member State takes the necessary measures to establish its competence regarding the crimes mentioned in art. 3, 4 and 5 when (...) the perpetrator of the crime is

⁹ Up to this point we are considering only organic laws, such as Law no. 217/2020 and Law no. 234/2022. However, we also have the experience of amending and supplementing the Criminal Code through emergency ordinances of the Government.

¹⁰ Law no. 15/1968 regarding the adoption of the Criminal Code of Romania, published in the Official Bulletin no. 79-79 bis of June 21, 1968, currently repealed. In art. 4 of Law no. 15/1968 it was stipulated as follows: "the personality of the criminal law. The criminal law applies to offenses outside the territory of the country, if the perpetrator is a Romanian citizen or if, having no citizenship, he has his domicile in the country". Available at: <https://legislatie.just.ro/public/detalidocument/144628> (Accessed: September 9, 2022).

¹¹ Directive (EU) 2017/1371 of the European Parliament and of the Council of July 5, 2017 on the fight against fraud against the financial interests of the Union by criminal law, published in the Official Journal of the European Union L 198/29 of 28.7.2017. Available at: <https://eur-lex.europa.eu/legal-content/ro/txt/pdf/?uri=celex:32017l1371&from=en> (Accessed: September 9, 2022).

¹² The last thesis of point 11 of the preamble of Directive 2017/1371 is the following: "Crimes that do not involve intent are not subject to this directive".

¹³ According to art. 11 paragraph (1) letter b) of Directive 2017/1371, „Each member state takes the necessary measures to establish its jurisdiction over the offenses referred to in articles 3, 4 and 5 when: (...) the perpetrator of the offense is a national of its own". This obligation arises from the very binding character of the directive, as a European legal act. For details, see: www.mae.ro/node/27929 (Accessed: August 31, 2022).

a national of his". However, under these conditions, we consider it excessive on the part of the legislator to include in the list contained in art. II of Law no. 234/2022 the art. 18⁵ of Law no. 78/2000¹⁴, in which an act committed through fault is described, or the art. 298 of the Criminal Code¹⁵, in which the act of negligence in service is described.

It is also interesting that the legislator transposed the same provision from Directive 2017/1371 through two separate laws, namely Law no. 283/2020¹⁶ regarding the amendment of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption and for the establishing other measures to transpose Directive (EU) 2017/1371 of the European Parliament and of the Council of July 5, 2017 on combating fraud directed against the financial interests of the Union by criminal legal means and Law no. 234/2022, regarding art. 3 paragraph (2) letter c) point i), aspect revealed by the criminal provisions of the above-mentioned laws, which successively modified the provisions of Law no. 78/2000. The reason for this situation is explained in the Explanatory Memorandum¹⁷ of Law no. 234/2022, respectively, (...) regarding the transposition of art. 3 paragraph (2) letter (c) point (i), it was argued that the national provision for the transposition does not fully comply with the text of the Directive, which uses a broader expression (resources of the Union budget) compared to that of the national provision (resources to be transferred to the general budget of the Union)(...)".

A final consideration is relative to the reference that the legislator makes in the content of art. II from Law no. 234/2022 to art. 49 of Law¹⁸ no. 129/2019 for the prevention and

¹⁴ According to art. 18⁵ of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption, „Violation by fault by the director, administrator or person with decision-making or control powers within an economic operator of a service duty, by not fulfilling it or performing it defectively, if the deed resulted in the commission by a person who is under his command and who acted on behalf of that economic operator of one of the crimes provided in art. 18¹ - 18³ or the commission of a crime of corruption or money laundering in relation to European Union funds, is punishable by imprisonment from 6 months to 3 years or a fine". Law no. 78/2000 was published in the Official Gazette of Romania no. 219 of May 18, 2000 and was subsequently amended and supplemented.

¹⁵ According to art. 298 of the Criminal Code, "Negligence in service. The violation by fault by a public official of a service duty, by not fulfilling it or by fulfilling it defectively, if this causes damage or an injury to the rights or legitimate interests of a person or a legal entity, is punished with imprisonment from 3 months to 3 years or with a fine".

¹⁶ Published in the Official Gazette of Romania no. 1199 of December 9, 2020.

¹⁷ Available at: <http://www.cdep.ro/proiecte/2022/100/90/5/em244.pdf> (Accessed: September 9, 2022).

¹⁸ Published in the Official Gazette of Romania no. 589 of July 18, 2019. Art. 49 of Law no. 129/2019 has the following content: „ (1) It constitutes the crime of money laundering and is punishable by imprisonment from 3 to 10 years: a) the exchange or transfer of goods, knowing that they come from the commission of crimes, for the purpose of hiding or of dissimulating the illicit origin of these goods or in order to help the person who committed the crime from which the goods originate to evade prosecution, judgment or the execution of the punishment; b) concealing or concealing the true nature, provenance, location, disposition, circulation or ownership of the goods or the rights over them, knowing that the goods come from the commission of crimes; c) the acquisition, possession or use of assets by a person other than the active subject of the crime from which the assets originate, knowing that they originate from the commission of crimes. (2) The attempt is punishable. (2¹) An aggravating circumstance is the commission of the crime of money laundering by one of the reporting entities provided in art. 5, in the exercise of his professional activity. (3) If the act was committed by a legal person, in addition to the penalty of the fine, the court applies, as the case may be, one or more of the complementary penalties provided in art. 136 para. (3) letters a)-c) from Law no. 286/2009, with subsequent amendments and additions. (4) Knowledge of the origin of the goods or the intended purpose must be established from the objective factual circumstances. (5) The provisions of par. (1) - (4) apply regardless of whether the crime from which the asset originates was committed on the territory of Romania or in other member states or third countries. (6) The provisions of par. (1) - (4) also applies to money laundering offenses committed outside the territory of the

combating of money laundering and the financing of terrorism, as well as for the modification and completion of some normative acts. Law no. 129/2019 transposes into Romanian legislation Directive¹⁹ 2015/849 of the European Parliament and of the Council on preventing the use of the financial system for the purpose of money laundering or financing terrorism, amending Regulation (EU) no. 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Directive 2006/70/EC of the Commission. Law no. 129/2019 was supplemented in 2021 by the provisions of Law²⁰ no. 102/2021 regarding the completion of art. 49 of Law no. 129/2019 for the prevention and combating of money laundering and the financing of terrorism, as well as for the modification and completion of some normative acts, taking into account the adoption at the European Union level of Directive²¹ 2018/1673 of the European Parliament and of the Council on combating money laundering through criminal law measures, European legal act that contains, in art. 10 para. (1) letter b), a provision similar to the one in art. 11 paragraph (1) letter b) from Directive 2017/1371, as follows: "Each Member State shall take the necessary measures to establish its jurisdiction over the crimes referred to in articles 3 and 4, in the following cases: (...) the perpetrator of the crime is a national of its own". In the Explanatory Memorandum²² to Law²³ no. 102/2021 it is stated that: "the above-mentioned text [O.N. Art. 10 para. (1) letter b) of the Directive] imposes the obligation on States to assume jurisdiction over money laundering offenses committed by its nationals, without any nuance regarding the condition of the incrimination of the deed also on the territory where the act was committed". Following the entry into force of Law no. 102/2021, on April 30, 2021, the provisions of art. 49 of Law no. 129/2019 were supplemented with para. (6), as follows: "The provisions of para. (1) - (4) also apply to money laundering offenses committed outside the territory of the country by a Romanian citizen or by a Romanian legal person even if the act is not provided as a crime by the criminal law of the country where it was committed". Analysing this legal text, we find that although it is not specified that it is a derogation from the provisions of art. 9 of the Criminal Code, with the application of art. 12 of the Criminal Code, however, in essence, it is still an exception to the application of the principle of personality of the criminal law. Therefore, by the reference that the

country by a Romanian citizen or by a Romanian legal person even if the act is not provided as a crime by the criminal law of the country where it was committed".

¹⁹ Directive (EU) 2015/849 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of May 20, 2015 on preventing the use of the financial system for the purpose of money laundering or terrorist financing, amending Regulation (EU) no. 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Directive 2006/70/EC of the Commission, published in the Official Journal of the European Union L 141/73 of 5.6. 2015. Available at: <https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:32015L0849&from=RO> (Accessed: September 9, 2022).

²⁰ Published in the Official Gazette of Romania no. 446 of April 27, 2021.

²¹ DIRECTIVE (EU) 2018/1673 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of October 23, 2018 on combating money laundering through criminal law measures, published in the Official Journal of the European Union L 284/22 of 12.11.2018. Available at: <https://eur-lex.europa.eu/legal-content/ro/TXT/?uri=CELEX%3A32018L1673> (Accessed: September 9, 2022).

²² Available at: <http://www.cdep.ro/proiecte/2020/400/60/1/em613.pdf> (Accessed: September 19, 2022).

²³ Law no. 102/2021 regarding the completion of art. 49 of Law no. 129/2019 for the prevention and combating of money laundering and the financing of terrorism, as well as for the modification and completion of some normative acts, published in the Official Gazette of Romania no. 446 of April 27, 2021.

legislator makes in the content of art. II from Law no. 234/2022 to art. 49 of Law no. 129/2019 a new exception is established, specific to the act of money laundering which resulted in the financial interests of the European Union being affected, which is redundant, because the scope of the provisions of para. (6) of art. 49 of Law no. 129/2019 also includes the hypothesis in which the result is the one mentioned above.

4. CONCLUSIONS

As a conclusion of the whole work, we appreciate the legislator's effort to constantly modify and complete the national legislation so that it is in agreement with the European level, but it would be desirable to pay more attention to the way in which the legal texts that transpose the European legal acts are drafted, in order to avoid transposing the same text twice, as well as changing the legislator's vision to continue by establishing derogations from the provisions contained in art. 9 of the Criminal Code because, if this trend continues, it will be difficult to apply the Romanian criminal law to the various concrete cases, depending on the quality of the person.

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- Directive (EU) 2018/1673 of the European Parliament and of the Council of October 23, 2018 on combating money laundering through criminal law measures
- Law no. 15/1968 regarding the adoption of the Criminal Code of Romania
- Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption
- Law no. 286/2009 regarding the Criminal Code
- Law no. 129/2019 for the prevention and combating of money laundering and the financing of terrorism, as well as for the modification and completion of some normative acts
- Law no. 217/2020 for the amendment and completion of Law no. 286/2009 regarding the Criminal Code
- Law no. 283/2020 regarding the amendment of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption and for establishing other measures to transpose Directive (EU) 2017/1371 of the European Parliament and of the Council of July 5, 2017 on combating fraud directed against the financial interests of the Union by criminal legal means

Law no. 102/2021 regarding the completion of art. 49 of Law no. 129/2019 for the prevention and combating of money laundering and the financing of terrorism, as well as for the modification and completion of some normative acts

Law no. 234/2022 for the amendment of art. 18³ of Law no. 78/2000 for the prevention, detection and sanctioning of acts of corruption and for ordering other measures to implement Directive (EU) 2017/1371 of the European Parliament and of the Council of July 5, 2017 on combating fraud directed against the financial interests of the Union by criminal legal means

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