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CRIMINAL INVESTIGATION AND TRIAL OF CASES CONCERNING THE OFFENSES COMMITTED BY LEGAL PERSONS: THEORETICAL, PRACTICAL AND NORMATIVE APPROACHES

SPECIALTY 554.03 – CRIMINAL PROCEDURE LAW

Summary of the doctoral thesis in law

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The Doctoral thesis and summary can be consulted at the Library of the Moldova State University and on the website of the National Agency for Quality Assurance in Education and Research.

The summary has been sent on April 14th 2026.

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CONCEPTUAL HIGHLIGHTS OF THE DISSERTATION

The actuality and importance of the approached theme, the framing of the theme within the international, national, zonal concerns, of the research collective and in an inter- and transdisciplinary context, the presentation of the results of previous research regarding the chosen theme. In the current context — more than ever — an essential role is played by new ideas and efficient legislative solutions, capable of contributing to the diminution of criminality in society. At the same time, an increased interest is noted from researchers and practitioners towards various problems of a legal nature, among which the issue of determining the circle of subjects of the offense and of criminal liability stands out. A special place in this regard is occupied by the theoretical and practical aspects regarding the regulation of the institution of criminal prosecution and of the trial of offenses committed by legal persons.

The actuality of the doctoral thesis is determined by the necessity of a rigorous theoretical understanding of the particularities of the special procedure of criminal prosecution and trial of the offenses committed by legal persons — a relatively new subject for the criminal process of the Republic of Moldova. The normative regulation of the criminal prosecution and of the trial of criminal cases regarding the offenses committed by legal persons must be based on the priority of the rights and freedoms of the participants in legal relations, in relation to the interests of the state in the process of investigating and discovering offenses. However, the legislator did not succeed, in all cases, to adequately ensure the respect and protection of the rights and interests of persons (including legal ones) during the criminal prosecution and the examination of criminal cases in court. In particular, certain essential aspects remain unregulated or insufficiently developed, such as: the conditions for the initiation and termination of the criminal prosecution against legal persons; the manner of their representation during the criminal procedure; as well as the issues that are to be resolved by the court of law at the pronouncement of the sentence regarding legal persons.

In the context of the profound socio-economic reforms through which the Moldovan society is passing, the institution of the criminal liability and prosecution of legal persons becomes indispensable for the adequate regulation of market relations, of the relations between the state and the business environment, as well as for the protection of the rights and interests of citizens. The development of entrepreneurship and the consolidation of healthy market relations cannot be conceived in the conditions of unfair competition. Currently, more than ever, the existence of efficient legal mechanisms is necessary to ensure a fair competitive environment, including through the elimination of illicit practices used by some economic agents to promote their own interests through various criminal schemes. One of these essential legal instruments is represented by the institution of the criminal prosecution and of the trial of the offenses committed by legal persons. The interests of the business environment and of the state determine the active participation of the Republic of Moldova within various international organizations, which promote economic cooperation based on international treaties. A sig-

nificant part of these treaties, ratified also by the Republic of Moldova, has become an integral part of the national legal system. Many of them enshrine the necessity of regulating the criminal liability of legal persons, as well as of establishing the procedures of criminal prosecution and trial of the offenses committed by them within the domestic law. The tendency of instituting and regulating the criminal liability of legal persons is not only inevitable, but also in continuous expansion. This evolution is determined not only by the alarming increase of corporate criminality, but also by the requirements provided in numerous international legal instruments. At the same time, the issue of the criminal liability and of the criminal prosecution of legal persons has become an object of regulation for different regional international organizations, which demonstrates the increased interest towards this legal institution. The institution of the criminal liability of legal persons involved in economic activities with elements of extraneity is determined, mainly, by the global economic processes and by the accelerated development of market relations. All those mentioned impose a profound, substantial and comprehensive analysis, with a view to developing a new approach regarding the legal nature and the importance of the institution of the criminal prosecution and of the trial of the offenses committed by legal persons.

The purpose of the work consists in the in-depth and systematic analysis of the specificity of the criminal prosecution and trial of cases regarding the offenses committed by legal persons, through the prism of the theoretical, practical and normative approaches, with a view to identifying the existing deficiencies and proposing some efficient legislative and procedural solutions for the improvement of the criminal procedural legal framework of the Republic of Moldova in this field.

The objectives of the research, outlined in accordance with the proposed purpose, are the following:

– the analysis of the current state in the field of criminal prosecution and trial of cases regarding the offenses committed by legal persons, in a national and international context;

– the identification and evaluation of the premises that have led to the institution of the special procedure of criminal prosecution and trial of the offenses committed by legal persons;

– the determination of the place and specificity of the procedure of the criminal prosecution and trial of these cases within the system of special procedures of the criminal process;

– the establishment of the particularities of the criminal prosecution in the case of offenses committed by legal persons;

– the identification and analysis of the aspects related to the notification of the criminal prosecution bodies and the initiation of the criminal prosecution regarding legal persons;

– the performance of a formal-legal analysis of the norms of criminal procedural law applicable in the activity of prosecuting and judging the offenses committed by legal persons;

– the characterization of the criminal procedural status of the representative of the legal person in the procedures of prosecution and trial of offenses;

– the cataloging and highlighting of the particularities of applying preventive measures in relation to legal persons;

– the analysis of the specificity of the evidence in criminal cases regarding legal persons;

– the exposition of the particularities of performing some criminal prosecution actions in the files targeting legal persons and of their examination in the court of first instance;

– the formulation of well-founded proposals and recommendations for the improvement of the criminal procedural legislation, with an emphasis on the procedure of criminal prosecution and trial of the offenses committed by legal persons.

The research hypothesis derives from the fact that the incomplete regulation and the non-uniform application of the special procedure of criminal prosecution and trial of the offenses committed by legal persons determine practical difficulties and legislative gaps that affect the efficiency of combating corporate criminality, a fact which imposes the elaboration of normative and procedural solutions adapted to the specificity of these offenses.

The state of the research methodology and the justification of the chosen research methods. The work relies on the universal dialectical method of scientific knowledge, which allows a profound and complex analysis of the studied legal phenomena. Complementarily, methods specific to the science of law were used, such as the historical method, the comparative method, the logical-formal method, the systemic method and the grammatical method, which ensure a rigorous and structured approach to the theme. The normative framework analyzed in the work is composed of a complex of legal acts, which include: relevant international treaties and conventions; the Constitution of the Republic of Moldova; the national criminal and criminal procedural legislation; decisions of the Constitutional Court and of the Plenum of the Supreme Court of Justice of the Republic of Moldova; orders issued by the Prosecutor General of the Republic of Moldova; normative acts that regulate the activity of some structures and subdivisions involved in the criminal prosecution of cases referring to legal persons. Also, for a comparative perspective and a broader understanding of the issue, relevant provisions from the criminal procedural legislations of some states.

The empirical basis of the research is grounded in the systematic examination of relevant judicial practice, both at the level of national courts (in the Republic of Moldova and Romania) and by reference to the jurisprudential benchmarks established by the Constitutional Court and the European Court of Human Rights.

The major scientific problem addressed and solved within the research consists in identifying and substantiating a coherent, efficient normative and procedural framework, compatible with the fundamental principles of criminal procedure, capable of clearly and predictably regulating the particularities of criminal investigation and trial in criminal cases in which the legal person holds the status of subject of criminal liability.

The scientific novelty of the study is substantiated by the development of a comprehensive and integrated analysis of the criminal investigation phase and the trial procedure in cases concerning offenses committed by le-

gal entities, which are approached as an autonomous procedure of a special nature within the criminal process of the Republic of Moldova and Romania. The research advances an innovative perspective on the application of procedural criminal law norms in relation to this category of criminal cases, in the context of regulatory frameworks undergoing continuous evolution. At the same time, the study has enabled the identification of the premises that led to the institutionalization of the criminal liability of legal entities, as well as the highlighting of the normative and functional particularities that characterize the regulation of criminal investigation and adjudication in cases involving offenses committed by legal entities.

The theoretical significance and practical value of the doctoral thesis lie in the conduct of an in-depth, systematic, and coherent analysis of the normative and functional dimensions of the institution under examination, thereby making a substantial contribution to the consolidation and development of the doctrinal framework of this field of criminal procedure. Through the analytical approach undertaken and the conclusions advanced, the research outlines a relevant conceptual framework capable of supporting the further evolution of scientific inquiry in this area. The theoretical aspects highlighted are likely to generate constructive academic debates and to stimulate the development of future studies aimed at deepening the legal regime governing the criminal investigation and adjudication of offenses committed by legal entities. In this manner, the thesis contributes to the diversification and enrichment of the specialized literature, as well as to the shaping of a coherent doctrinal discourse around an emerging issue. From a practical perspective, the research findings may be utilized by criminal investigation bodies and courts in the process of examining and resolving criminal cases involving legal entities. Moreover, the contributions put forward may serve as a basis for improving the procedural criminal law framework in this domain. Last but not least, the doctoral thesis may constitute a valuable teaching resource within higher education institutions with legal and economic profiles, both for ongoing instructional activities and for the professional training and development of specialists in the field.

Approval of the results. The fundamental results of the research, as well as the conclusions drawn and recommendations put forward within the doctoral thesis, were subjected to a rigorous process of scientific debate multiple national and international academic forums, receiving recognition and appreciation from the scientific community.

The publications on the theme of the thesis. On the theme of the doctoral thesis, 10 scientific works were published.

The volume and structure of the thesis**:** 292 pages of main text which comprises: introduction, chapters (four), general conclusions and recommendations, bibliography of 316 titles, annexes.

Keywords**:** legal person, criminal liability, criminal investigation, examination on the merits, representation, summoning, competence, preventive measures, evidence, offense, judicial agreement, preliminary hearing, judicial investigation, judgment.

CONTENT OF THE DISSERTATION

The work is elaborated in a volume adequate to the scientific and academic requirements specific to the research field. Its content is structured and determined in a coherent manner by the formulated purpose and objectives of the thesis.

The first Chapter „The analysis of the situation in the field of the criminal prosecution and trial of cases regarding the offenses committed by legal persons" comprises the following paragraphs: 1.1. The analysis of the research conducted on the theme of the thesis in the Republic of Moldova; 1.2. The analysis of the scientific materials on the theme of the work, published in other states; 1.3. Conclusions to Chapter 1.

Chapter I offers a systematic analysis of the scientific literature published both in the Republic of Moldova, and in other states, referring to the particularities of the criminal prosecution and trial of the offenses committed by legal persons. The study of the bibliographic sources is realized in chronological order, taking into account the value and contribution of each work in the field. Special attention was granted to the works elaborated in Romania, the Russian Federation and in other states, highlighting the depth and complexity of the theoretical-practical recommendations regarding the criminal procedure applicable to legal persons.

Chapter two – „Generalities regarding the prosecution and trial of the offenses committed by legal persons" - is constituted of five paragraphs:

The first paragraph of this Chapter (2.1. *The criminal liability of legal persons: normative foundations and mechanisms of realization*) analyzes the distinction between the theoretical aspirations regarding the criminal liability of legal persons and the manner in which these are reflected in the legal practice. Here we mention that the legal person represents the result of a legal relation of a specific nature, which presupposes the recognition of a collective entity as a distinct subject of law. This legal construction is of a considerable complexity, since it implies not only rules and principles from the sphere of civil law – where its traditional consecration takes place –, but also important interferences with other branches of law, including criminal law, criminal procedural law, fiscal law and administrative law. The recognition of the capacity to answer legally, including criminally, imposes a nuanced analysis upon the manner in which the collective will, the institutional liability and the relation with the normative system are structured. The application of some adapted criminal procedures, (*such as the judicial agreement of public interest – a.n.*), reflects the legislative effort to correlate the specificity of the legal person with the exigencies of the modern criminal process[1]. In the context of the global economic and legal evolution, argues A. *Gurghiș*, "...the criminal phenomenon associated with legal persons has acquired a significant magnitude, which has generated unprecedented sit-

[1] USHNITSKIY, R. R. The essence of the legal person and the foundations of its criminal-legal liability. In: *Theoretical-applied aspects of the formation of the institution of the criminal prosecution of legal persons: Materials of the All-Russian sci.-practical conf.*, Novosibirsk, Feb. 19, 2015. Novosibirsk : SibAGS Publ., 2015, pp. 225-233. ISBN 978-5-8036-0665-9, p. 225.

uations, including in the Republic of Moldova. This theme becomes increasingly relevant in the national legal landscape, considering the economic and social impact of the illicit activities carried out by legal entities"[2].

Paragraph 2.2. *The Premises for Regulating the Investigation and Adjudication of Offences Committed by Legal Persons within the System of Special Procedures* highlights the historical, economic, and legal conditions that have led to the emergence of special procedures dedicated to the investigation and adjudication of offences committed by legal persons. The social and legal transformations promoted by states directly influence the evolution of societal lifestyles, thereby implicitly generating changes in the sphere of criminality. In this context, crime is not only intensifying at the global level, but is also diversifying in its forms of manifestation, including through the increasingly frequent involvement of legal persons or through the commission of offences for their benefit. Such developments mark the consolidation of a new subject of crime — the legal person. Consequently, the response of the state and society to this type of criminality becomes increasingly complex, necessitating the identification of effective mechanisms for its prevention and suppression[3].

Paragraph 2.3. *The Procedure for the Investigation and Adjudication of Offences Committed by Legal Persons within the System of Special Criminal Procedures* provides a detailed account of the specific procedural stages governing criminal investigation and the adjudication of cases involving legal persons. Under the influence of social and legal changes within society, lifestyles evolve, which in turn leads to transformations in the profile of criminality. In recent years, there has been a concerning increase in the number of offences worldwide, including those committed in the interest of, or with the involvement of, legal persons. Combating offences committed by such entities constitutes a major challenge for both the state and society. Accordingly, this issue has been the subject of extensive analysis by legal scholars, as well as by legislative, executive, and judicial authorities[4].

Criminality involving legal persons exacerbates the overall level of crime in society, fostering the development of socially dangerous phenomena such as corruption, terrorism, organized crime, and related forms of illicit activity[5].

In paragraph 2.4., entitled *The representation of legal persons and the*

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[2] GURGHIȘ, A. *The procedure regarding the criminal prosecution and the trial of cases in the case of the commission of offenses by legal persons*. Doctoral thesis in law. Chișinău, 2024. 244 p., p. 9.

[3] LEBEDEV, N. Yu. The procedural independence of the investigator – a guarantee of ensuring the rights of the participants in the criminal process. In: *Criminal-procedural and criminalistic readings in Altai : Materials of the annual interreg. sci.-practical conf., dedicated to the memory of the honored lawyer of the RF, doctor of legal sciences, professor E. N. Tihonov*. Barnaul, 2008, pp. 196-198. ISBN 978-5-7904-0775-8, pp. 196-198.

[4] *Ibidem*, pp. 196-198.

[5] VERCHENKO, N. I. The economic premises of the spread of corruption offenses. In: *Current problems of the criminal policy of the Russian Federation : Materials of the intern. sci.-practical conf.* Omsk : Omsk Law Academy, 2013, pp. 66-71. ISBN 978-5-98065-109-1, p. 66.

specificity of legal assistance in criminal cases regarding legal persons the problem of the legal representation of legal persons within the criminal process is approached, highlighting both the particularities of the mandate of the legal representatives, and the importance of specialized legal assistance. The modalities through which legal persons can be represented in an efficient and legal manner before the judicial and criminal prosecution bodies are discussed, considering the complexity of the cases and the distinct interests of the legal persons. In this context, for ensuring the appropriate conduct of the criminal process, the specialized doctrine underlines the necessity of the direct participation of the parties in certain procedural acts. Usually, their personal presence is mandatory; in the situations in which this thing is not possible or desired, the law provides the possibility of designating a representative[6].

The final paragraph (2.5. *Conclusions to Chapter 2*) synthesizes the main findings of the chapter, highlighting the complexity and specificity of the institution of the prosecution and trial of the offenses committed by legal persons.

The third Chapter, under the generic title "The initiation and carrying out of the criminal prosecution in the case of offenses committed by legal persons" includes seven paragraphs.

Paragraph 3.1., entitled *Procedural competence in the case of offenses committed by legal persons* examines the legal framework that establishes the competent authorities and bodies for the exercise of the criminal prosecution in the cases involving legal persons. Although the legislation operates with the notions of „competence" and associated terms such as „competent" and „empowered", the Code of Criminal Procedure[7] does not define them explicitly within the fundamental notions. Currently, the doctrinal interpretations regarding the concept of „competence" and the limits of its exercise vary significantly, including aspects related to rights and obligations, attributions, jurisdiction and sphere of activity. This situation is aggravated by the non-uniform use of these terms in various normative acts. The correct definition, both legislative and theoretical, of the concept of „competence" is essential for the efficient orientation of the process of perfecting the attributions of the state bodies and of those responsible with the carrying out of the criminal prosecution, as well as with the examination and resolution of criminal cases[8]. The competence of the law enforcement bodies in the criminal cases involving legal persons is determined through a complex of material, territorial and functional criteria, adapted to the specificity of the offenses committed by these entities.

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[6] NEAGU, I. *Treatise of criminal procedure. The general part*. Bucharest : Universul Juridic Publ., 2010. 709 p. ISBN 978-973-127-224-5, p. 125; ILIE, A.-R. *Engaging the criminal liability of the legal person*. Bucharest : C. H. BECK Publ., 2011. 380 p. ISBN 978-973-115-977-5, p. 303.

[7] *The Code of Criminal Procedure of the Republic of Moldova*. Law of the Republic of Moldova no. 122-XV from March 14, 2003. Official Monitor, 2003, no. 104-110. In force since June 12, 2003.

[8] MERLAKOV, D. S. *The criminal-procedural competence of the subjects conducting the pre-trial proceedings*: Author's abstract of the dissertation. ... candidate of legal sciences. Omsk, 2023. 24 p., pp. 3-4.

In the following section (3.2. *The notification of the criminal prosecution body and the initiation of the criminal prosecution in the case of offenses committed by legal persons*) the modalities and conditions through which the criminal prosecution is officially initiated are examined, including the criteria for the notification of the criminal prosecution bodies. The institution of notifying the law enforcement bodies about the illicit acts committed by legal persons represents, as well as in the case of physical persons, „...the starting point of the process which can finalize with their attraction to criminal liability"[9]. According to the opinion expressed by Budăi R., „There are no procedural particularities regarding the notification of the criminal prosecution bodies in the cases involving legal persons as authors of the offense. However, the normative framework provides an express obligation upon the persons who exercise management functions or control attributions within legal persons. Thus, to the extent that these persons become aware, in the exercise of their service attributions, of the commission of an offense for which the criminal action is initiated ex officio, they have the legal obligation to immediately notify the criminal prosecution body and to order measures for the conservation of evidence, of the traces of the offense and of the material evidence. Therefore, the obligation of notifying the judicial bodies is not conditioned by the nature of the person who committed the deed (physical or legal) but derives from the functional position of the one who takes note of the existence of the offense"[10]. The legal doctrine underlines that also in the case of legal persons, the information referring to the committed offenses or those in the preparation phase are often brought to the knowledge of the criminal prosecution bodies at a time interval after the commission of the deeds. With a view to initiating a legal and thoroughly founded criminal reaction, the existence of some objective and sufficient premises that would justify the initiation of the criminal process is imposed[11].

Paragraph 3.3. - *Preventive measures applied regarding legal persons* - details the types of preventive measures that can be ordered against legal persons, their purpose and the legal conditions for application. In the opinion of Gh. Mateuț, „the distinct nature of the legal person - susceptible to reorganizations, transformations or even to the cessation of existence — imposes the application of some special preventive measures, adequate to this reality. These measures constitute a derogatory procedure from the common law, but are subjected, at the same time, to the general exigencies provided by the criminal procedural legislation in the matter of preventive

[9] DUMITRESCU, F.-G. The particularities of notifying the criminal prosecution bodies in the case of offenses committed by legal persons. In: *Tradition and innovation in scientific research: The materials of the Sci. conf. with intern. particip.*, 10th Edition, Oct. 8, 2021. Bălți, 2022, vol. II, pp. 106-113. ISBN 978-9975-50-272-6. Available: https://ibn.idsi.md/vizualizare_articol/159432# [accessed 2025-08-23], p. 111.

[10] BUDĂI, R. Carrying out the criminal prosecution towards hospitals in the case of the commission of some offenses against life or against bodily integrity or health. In: *The criminal liability of the legal person*. Coord.: A.-R. TRANDAFIR, G.-A. LAZAR. Bucharest : Solomon Publ., 2021, pp. 221-247. ISBN 978-606-9628-03-4, p. 238.

[11] *Textbook of the criminal process*. Under the ed. of A. S. KOBLIKOV. Moscow : Spark, 1995. 382 p. ISBN 5-87143-037-6, p. 131.

measures"[12]. The law establishes special preventive measures for the legal persons drawn to criminal liability, distinct from the preventive measures that can be taken regarding physical person suspects and defendants[13]. The preventive measures applicable to legal persons have, by their nature and content, the role of ensuring the conservation of the legal personality and the protection of the patrimony of the defendant entity, so that, at the end of the criminal process, the application of an eventual punishment would not be lacking efficiency or impossible to execute[14].

The tracing of criminal assets and the application of precautionary measures regarding legal persons and the placing of the goods of the legal person under sequestration are analyzed in paragraph 3.4. This part analyzes the procedures through which the goods of the legal person involved in offenses can be traced, identified and secured for the guarantee of the reparation of damages. The mechanisms of placing the goods under sequestration, their conditions and effects within the criminal procedure are explained. Or, the process of recovering criminal assets is a phased one, rigorously regulated and oriented towards ensuring the efficiency of the confiscation measures and the reparation of the damages caused through offenses. Also here the following are mentioned: the criminal procedural legislative framework provides the possibility of applying precautionary measures also regarding the legal person, either as a distinct „demarche", or as a complementary measure to the preventive ones, having as purpose the ensuring of special confiscation, the reparation of the damage caused through the commission of the offense or the guaranteeing of the execution of the fine sanction in the hypothesis in which this is ordered as a punishment. According to the opinion expressed by I. Neagu, „the precautionary measures constitute procedural measures of a real nature, having as principal effect the indisponibilization of the goods that belong to the suspect, to the defendant or to the civilly responsible party. Their necessity derives from the risk that, during the carrying out of the criminal process, until the pronouncement of a definitive decision, the targeted persons would alienate the owned goods, which could lead to the impossibility of the reparation of the damage, due to their insolvency"[15]. Gr. Theodoru considers that „The precautionary measures have as purpose the ensuring of the special or extended confiscation, the guaranteeing of the execution of the fine punishment or of the judicial expenses, as well as the reparation of the damage caused through the commission of the offense"[16]. *The placing of the goods of the legal person under sequestration*

[12] MATEUȚ, Gh. *Treatise of criminal procedure. The general part*. Vol. II. C. H. BECK Publ. Bucharest, 2012. 915 p. ISBN 978-973-115-252-3, p. 695; MATEUȚ, Gh. *Criminal procedure. The special part*. Bucharest: Universul Juridic Publ., 2024. 1158 p. ISBN 978-606-39-0394-6, p. 914.

[13] THEODORU, Gr. *Treatise of criminal procedural law*. Bucharest : Hamangiu Publ., 2013. 879 p. ISBN 978-606-522-441-4, p. 819.

[14] LAZĂR, G.-A. *The sanctioning system applicable to legal persons*. Bucharest : Universul Juridic Publ., 2021. 496 p. ISBN 978-606-39-0824-8, p. 37.

[15] NEAGU, I. *Op. cit*., p. 622.

[16] THEODORU, Gr. *Treatise of criminal procedural law*. Bucharest: Hamangiu Publ., 2008. 1080 p. ISBN 978-973-1836-86-7, p. 489.

represents a fundamental precautionary measure within the criminal process, meant to prevent the subtraction or the diminution of the patrimony affected by offenses. The procedure of applying the sequestration is identical, both in the case of the legal person, and in that of the physical person[17].

In paragraph 3.5., named *The specificity of the evidence, the particularities of performing the criminal prosecution actions and of the termination of the criminal prosecution in the case of offenses committed by legal persons*, the modalities of administering the evidence and the particularities of carrying out the criminal prosecution actions specific to the cases involving legal persons are approached. Referring to the particularities of the evidence in the criminal cases regarding legal persons, the author *Lefterache L. V.* argues the following: „The criminality of legal persons can have a transnational character. In this context, the purpose of an evidentiary model, alongside the standardization of the investigation, is that of identifying the elements that compose the guilt, so that the criminal procedural instruments used can be applicable in different systems of law"[18]. In the opinion of *Budăi R.*, „The administration of the evidence represents the essential stage of the criminal prosecution, since, depending on the existing evidence in the file, it will be decided either the sending to trial of the legal person, or the dismissal of the case regarding it"[19]. In another register it was also retained the fact that the analysis of the aspects and particularities *referring to the termination of the criminal prosecution and the sending to trial* of the case in which a legal person is involved becomes essential for ensuring efficient and equitable justice. The author *Smeșcova L. V.* underlines that „The particularities of the termination of the criminal prosecution regarding legal persons are reflected through a diversity of forms and procedural solutions, which can be ordered by the criminal prosecution body, depending on the concrete circumstances of the case"[20].

Paragraph 3.6. *The conclusion of the judicial agreement of public interest within the criminal prosecution*. The section describes the concept and the applicability of the judicial agreement of public interest as a specific procedural instrument in the case of legal persons. According to the opinion expressed by *Zolotuhina L.*, „In the evolution of the politico-legal thought a gradual development of the concept of „public interests" is noted, this intellectual demarche being marked by the efforts of thinkers from different eras to analyze the relation between public and private interests, in the search for

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[17] JURMA, A. The legal person – subject of criminal liability. Bucharest : C. H. BECK Publ., 2010. 287 p. ISBN 978-973-115-738-2, pp. 225-226.

[18] LEFTERACHE, L. V. The analysis of the evidentiary elements upon the guilt of the legal person in criminal cases. The missing link. The evolution of the judicial practice. In: *The criminal liability of the legal person*. Coord.: A.-R. TRANDAFIR, G.-A. LAZAR. Bucharest : Solomon Publ., 2021, pp. 111-112. ISBN 978-606-9628-03-4, pp. 111-112.

[19] BUDĂI, R. *Op. cit.*, p. 242.

[20] SMESHKOVA, L. V. On the perspectives of the legislative regulation of carrying out the criminal prosecution regarding legal persons. In: *Theoretical-applied aspects of the formation of the institution of the criminal prosecution of legal persons: Materials of the All-Russian sci.-practical conf., Novosibirsk, February 19, 2015*. Novosibirsk : SibAGS, 2015, pp. 209-216. ISBN 978-5-8036-0665-9, p. 213.

an optimal balance between these"[21]. The author *Pavel-Guzun I.* underlines that „...this procedure, although it has a limited character by the fact that it applies exclusively to legal persons, plays a significant role within the justice system, pursuing both the simplification and the making efficient of the judicial process, and the offering of a concrete advantage to the legal person, which can benefit from the prosecutor's renunciation to send the case to court"[22]. In the same context, we note also the observations of A. *Gurghiș*, who underlines that "Through the institution of this special procedure, the legal persons blamed for the commission of an offense can conclude a transaction with the prosecutor, on the basis of which they are conditionally released from criminal liability. In this manner, the legal person acquires an active position in determining the solution regarding the termination of the criminal prosecution and the sending of the case to court, or even the cessation of the criminal prosecution regarding it"[23].

The conclusions to Chapter 3, reflected in the final paragraph (3.7) synthesize the main discussed aspects, highlighting the complexity and specificity of the procedural stages related to the initiation and carrying out of the criminal prosecution in the case of offenses committed by legal persons.

Chapter 4, entitled „The examination in the court of law of the criminal cases regarding the offenses committed by legal persons", realizes, through its content, the research of several compartments. In paragraph 4.1. *Criminal procedural guarantees and the general conditions of the examination in the court of law of the cases regarding the offenses committed by legal persons* the legal framework that ensures the respect of the procedural rights of the parties involved in the trial of the criminal cases with legal persons is analyzed.

The drawing to criminal liability of legal persons is done on general bases, this has a series of particularities compared to the criminal liability of the physical person. This specificity, as it is mentioned in some doctrinal sources, „Determines the existence of some special procedural rules applicable in the case of instrumenting a criminal file against legal persons"[24]. The

[21] ZOLOTUHINA, L. "Public interest" as an administrative-legal category in the history of political-legal thought. *Law and Life*. 2019, no. 8/2(332), pp. 42-46. ISSN 2587-4365. Access mode: https://ibn.idsi.md/ru/vizualizare_articol/83514# [date of access 2025-08-10], p. 45.

[22] PAVEL-GUZUN, I. *The particularities of evidence within summary proceedings*: Doctoral thesis in law. Chișinău, 2024. 243 p., p. 88.

[23] GURGHIȘ, A. The challenges of introducing the judicial public interest agreement into the criminal procedural legislation. In: *Journal of the National Institute of Justice*. 2024, no. 2 (69), pp. 13-17. ISSN 1857-2405, p. 17. Available: https://www.inj.md/sites/default/files/new/2.RINJ_2_69_2024__site-2.pdf [accessed 2025-08-23].

[24] DUMITRESCU, F.-G. Some reflections of a theoretical-practical nature regarding the procedure of prosecution and trial of offenses committed by legal persons. In: *Realities and perspectives of national legal education : Collection of communications of the Nat. sci. conf. with intern. particip.*, Oct. 01-02, 2019. Chișinău, 2020, vol. II, pp. 564-575. ISBN 978-9975-149-88-4 [online] [accessed 23.02.2023]. Available: https://ibn.idsi.md/sites/default/files/imag_file/564-574.pdf, p. 572; DUMITRESCU, F.-G. Criminal prosecution and the trial of cases regarding the offenses committed by legal persons in the system of special procedures. In: *Particularities of adapting the legislation of the Republic of Moldova and Ukraine to the European Union legislation: Collection of communications of*

trial in the first instance constitutes the initial and indispensable stage of the trial process, representing an essential condition for the realization of the act of justice[25]. Without the traversing of this phase, the accomplishment of justice cannot take place in a legitimate manner. *Iu. Sedleţchi* and *D. Miluşev* state that „The trial of the criminal case constitutes a procedural form of realization of the criminal justice within the society and expresses one of the fundamental functions of the state"[26]. In the case of legal persons, the trial procedure unfolds in an identical manner with the one applicable to physical person defendants[27]. Regarding the legal persons involved in a criminal procedure, the author A. *Gurghiş* underlines that „...these benefit from protection also from the perspective of the ECHR, being enshrined a series of fundamental procedural guarantees, applicable not only to physical persons, but also to legal persons"[28].

The preliminary session in the criminal cases regarding the offenses committed by legal persons represents the second paragraph of this Chapter. Here is treated the role and the importance of the preliminary session, which has as purpose the organization of the judicial process, the establishment of the object of the case and the resolution of the procedural problems that can influence the efficient unfolding of the process. The particularities of the preliminary session in the context of the offenses committed by legal persons are accentuated. Thus, in the opinion of *M. Udroiu*, „A particularly important role within the preliminary session and of the trial in general is held by the resolution of the aspects referring to the preventive measures, respectively their maintenance, modification, revocation or cessation. The verification of the legality and well-foundedness of these measures represents a fundamental guarantee of the respecting of the procedural rights of the parties"[29].

Paragraph 4.3. - *The preparatory part of the trial session in the case of the offenses committed by legal persons* - details the procedural preparations that precede the trial session proper. In the opinion of *Covalenco E.* and *Vizdoagă T.*, „The preparatory part is meant to ensure for the judicial investigation and the judicial debates the unfolding in strict concordance with the provisions

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the Intern. sci.-practical conf., Nov. 01-02, 2019. Chişinău, 2019. Chişinău: Cetatea de Sus Printing House, 2019, pp. 207-213. Available: https://ibn.idsi.md/ro/vizualizare_articol/152474# [accessed 2025-08-23], p. 211.

[25] ŢONCU, S. *Judgment based on the evidence administered during the criminal investigation phase*: Doctoral thesis in law. Chişinău, 2019. 187 p., p. 126. Available: http://www.cnaa.md/files/theses/2019/55151/sanda_toncu_thesis.pdf [accessed 2025-08-21].

[26] SEDLEŢCHI, Iu.; D. MILUŞEV. Some considerations regarding the relationship between the general conditions of the trial of the case and the principles of the criminal process. In: *Vector European*. 2018, no. 2, pp. 5-9. ISSN 2345-1106, p. 5. Available: https://ibn.idsi.md/ro/vizualizare_articol/78886# [accessed 10.08.2025].

[27] BOROI, Al. and G. NEGRUŢ. *Criminal procedural law*. 2nd Edition, revised and updated. Bucharest: Hamangiu Publ., 2020. 732 p. ISBN 978-606-27-1449-9, p. 648.

[28] GURGHIŞ, A. *The procedure regarding the criminal prosecution and the trial of cases in the case of the commission of offenses by legal persons. Op. cit.*, p. 62.

[29] UDROIU, M. (coord.). *The Code of Criminal Procedure. Commentary on articles*. Bucharest: C. H. BECK Publ., 2015. 1691 p. ISBN 978-606-18-0409-2, p. 950.

of the law, the ensuring of the reasonable term of trial and the possibility of examining directly in court the evidence of the prosecution and of the defense"[30]. Also, Covalenco E. and Vizdoagă T. do not overlook the actions that take place within the preparatory part of the trial session[31].

In the following paragraph, 4.4., *The particularities of the judicial investigation in the cases regarding legal persons* we retain the opinion of the authors *Dolea I., Roman D.* and *Vizdoagă T.*, who argue that, „In the situation in which a case regarding the commission of an offense by a legal person is examined, all the guarantees of a fair criminal process must be respected, including the respect of the procedural stages of the trial, the ensuring of the rights and mechanisms conferred to the legal representative, as well as the participation of the defender and, as the case may be, of the translator. At the same time, the problem of the necessity of granting the same degree of criminal procedural protection to the legal person, as to the physical one, was brought into discussion"[32]. The author *M. Udroiu* argues that the manner of unfolding of the judicial investigation, (*including in the cases regarding the offenses committed by legal persons*), is determined by the position adopted by the defendant regarding this stage, respectively the choice between the common law procedure and the abbreviated procedure of the recognition of guilt[33]. Another aspect that we analyze is related not only to the specificity of the examination of the cases regarding the offenses committed by legal persons in the general (common) procedure, but also within some summary procedures.

Paragraph 4.5. *The judicial debates, the last word of the defendant, the deliberation and the pronouncement of the sentence in the cases regarding the offenses committed by legal persons* describes the final stages of the judicial process, from the debates of the parties and the right of the defendant to the last word, to the deliberation of the judging panel and the pronouncement of the sentence. An increased attention we grant to the specificity of the object of deliberation in the case of the offenses committed by legal persons. The researcher *N. Volonciu* argues that „The judicial debates represent that part of the trial session in which the floor is given to the prosecutor and the parties, to expose their point of view in connection with the factual and legal situation resulted from the judicial investigation, as well as in connection with any other problem raised in the case"[34]. *Covalenco E.* and *Vîzdoagă T.* mention that „The judicial debates constitute a procedural activity specific to the trial stage, which consists in the sustaining of some expositions and the formulation of conclusions, orally and in contradictoriality, before the

[30] COVALENCO, E. and T. VIZDOAGĂ. Procedure before the first instance. The preparatory part of the court hearing. In: *The judge's manual for criminal cases*. Chișinău, 2013, pp. 275-288. ISBN 978-9975-53-231-0, p. 275. Available: https://www.inj.md/sites/default/files/Manualul%20judectorului%20pentru%20cauze%20penale_0.pdf [accessed 2025-08-21].

[31] *Ibidem*, pp. 275-276.

[32] DOLEA, I. et al. *Criminal procedural law*. Chișinău : Cartier Juridic Publ., 2005. 960 p. ISBN 9975-79-343-6, p. 745.

[33] UDROIU, M. (coord.). *Op. cit.*, p. 973.

[34] VOLONCIU, N. *Treatise of criminal procedure. The special part*. Vol. II. Bucharest, 1998. 517 p. ISBN 973-9131-24-7, p. 211.

court, regarding the object of the trial. Through debates is concluded the complex and responsible activity carried out by the court and by the parties for the purpose of clarifying the aspects and circumstances deduced to judgment"[35]. Regarding the *last word of the defendant*, *M. Udroiu* appreciates that „...this offers the possibility of the defendant to express his attitude towards the deeds that are imputed to him, towards the unfolding of the process and towards the manner in which he views the drawing to criminal liability"[36]. The activity of deliberation in the criminal cases with legal persons presupposes a double and complex evaluation. The deliberation, in the opinion of *Covalenco E.* and *Vîzdoagă T.*, „...represents a set of actions through which the court, after the conclusion of the judicial debates, proceeds to the verification and evaluation of the evidentiary and procedural material of the case, with a view to formulating a definitive appreciation upon it and of the solution that is to be pronounced in the criminal law conflict"[37]. In this context, in relation to the conducted research, we fully support the affirmations of *Gordilă N.* and *Gîrlea A.*, who underline that „A specific element in the examination of the cases regarding the offenses committed by legal persons is represented by the object of deliberation. This is due to the particularities of the criminal components, the modalities of commission of the offenses and the difficulties in establishing the degree of guilt within the legal persons"[38]. In the end, the pronouncement of the sentence regarding legal persons must reflect a balance between the repressive finality of the criminal sanction and the specificity of the subject of the offense (the legal person).

The final paragraph of the respective Chapter (4.6. *Conclusions to Chapter 4*) synthesizes the central ideas of the chapter, underlining the relevance and complexity of the procedural stages in the court of first instance regarding the criminal cases with legal persons.

[35] COVALENCO, E. and T. VÎZDOAGĂ. Procedure before the first instance. Judicial debates. In: *The judge's manual for criminal cases*. Chișinău, 2013, pp. 323-334. ISBN 978-9975-53-231-0, pp. 323-324. Available: https://www.inj.md/sites/default/files/Manualul%20judectorului%20pentru%20cauze%20penale_0.pdf [accessed 2025-08-21].

[36] UDROIU, M. (coord.). *Op. cit.*, pp. 1022-1023.

[37] COVALENCO, E. and T. VÎZDOAGĂ. Procedure before the first instance. Deliberation and adoption of the sentence. In: *The judge's manual for criminal cases*. Chișinău, 2013, pp. 355-377. ISBN 978-9975-53-231-0, pp. 352-353. Available: https://www.inj.md/sites/default/files/Manualul%20judectorului%20pentru%20cauze%20penale_0.pdf [accessed 2025-08-21].

[38] GORDILĂ, N., GÎRLEA, A. The procedure for examining the offenses committed by legal persons. In: *The judge's manual for criminal cases*. Association of Judges from Moldova. Chișinău, 2013, pp. 1055-1064. ISBN 978-9975-53-231-0, p. 1064.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The scientific results obtained following the research carried out within this doctoral thesis materialize in the following: **1)** The procedure of prosecution and trial of the offenses committed by legal persons must be analyzed as a complex institution of the criminal process (70, pp. 564-575; 71, pp. 207-213; Chapter 2); **2)** The aspects of a material order constitute only one of the components of the institution of the criminal liability of legal persons. However, an essential role is played also by the criminal procedural aspects, referring to the drawing of the legal person to criminal liability (the criminal prosecution and the trial of the cases in which these are involved); (63, pp. 128-135; 66, pp. 172-176; 70, pp. 564-575; 71, pp. 207-213; Chapter 2); **3)** The procedure of drawing to criminal liability of the legal person begins once with the initiation of the criminal prosecution against the physical person (or physical persons) who acted illegally in its interest or in its name; (64, pp. 32-39; 66, pp. 106-113; Chapter 3); **4)** The procedure of drawing to criminal liability of a legal person is distinct from the procedure of carrying out the criminal prosecution. The criminal prosecution represents an essential and complex stage, and the correct application of the norms afferent to this institution presupposes a rigorous professional preparation (64, pp. 32-39; 66, pp. 106-113; Chapter 3); **5)** In practice, the initiation of the criminal prosecution does not produce direct effects regarding the drawing to criminal liability of the legal person, since, in this stage, the researches are carried out in rem (64, pp. 32-39; 66, pp. 106-113; 67, pp. 172-176; Chapter 3); **6)** The content of the institution of representation in the civil procedural law is maintained also in the criminal procedural law. The representatives are the persons empowered to participate, in the name and in the interest of a party, at the fulfillment of the procedural acts. The representation can be legal or conventional. Considering the specificity of the procedure of drawing to criminal liability of the legal person, the criminal procedural law permits its representation also through a mandatary designated by the judicial body (65, pp. 168-174; Chapter 2); **7)** The preventive measures applicable to legal persons are meant to conserve the legal personality and to protect its patrimony, so that at the end of the process a sanction could be applied (69, pp. 43-48; Chapter 3); **8)** The demonstration of the guilt of the physical person influences the establishment of the guilt of the legal person when it, through the intermediary of a physical person, coordinates, influences or organizes his/her behavior. (64, pp. 32-39; Chapter 3); **9)** The judicial agreement of public interest, applicable in the criminal cases targeting legal persons, represents an alternative mechanism of resolution, oriented towards efficiency, responsibilization and the protection of the public interest (Chapter 3); **10)** The examination of the criminal cases regarding the offenses committed by legal persons in the court of law must integrally respect the fundamental criminal procedural guarantees, applicable to any subject of law, including the legal person (69, pp. 564-575; Chapter 4); **11)** The examination in the court of first instance of the cases regarding the offenses committed by legal persons presupposes the adaptation of the stages of the criminal process to the specificity of this subject of law, with the full respect of the procedural guarantees (Chapter 4).

The theoretical-practical aspects approached within the doctoral thesis were reflected in the following aspects: 1) The issue of the criminal prosecution and of the trial of the offenses committed by legal persons is a justified and current one. For an adequate regulation, a procedural model is necessary that would ensure the compatibility of this institution with the fundamental principles of the criminal process; 2) The activity of a legal person - from constitution until liquidation - implies, inherently, risks of a criminal nature, susceptible of producing significant damages both to the society, and to some determined persons; 3) The criminal prosecution and the trial of the criminal cases in which legal persons are involved must be realized with the strict respect of the criminal procedural guarantees provided by the law, with a view to ensuring a fair and legal process; 4) The damages generated by the offenses committed by legal persons are often considerably larger than those provoked by the offenses committed by physical persons; 5) The experience of other states in the field of the regulation and application of the criminal liability of legal persons is relevant, since it offers useful landmarks for the adjustment of the legislative framework and of the domestic judicial practice, on the basis of comparative researches of criminal and criminal procedural law; 6) The coherent regulation and the efficient application of the institution of the criminal liability of legal persons presupposes a reconceptualization of the classic approaches regarding the nature and the content of the criminal procedural relations, with a view to aligning them to the contemporary legal and economic realities.

Following the scientific research of the subject of the doctoral thesis, the ***scientific problem of major importance*** was solved, which resides in the identification and foundation of a coherent, efficient and compatible normative and procedural framework with the fundamental principles of the criminal process, which would regulate in a clear and predictable manner the particularities of the criminal prosecution and of the trial of the criminal cases in which the legal person has the quality of subject of the criminal liability. This scientific problem of major importance derives from the necessity to harmonize the classic principles of the criminal and criminal procedural law — built around the physical person subject — with the modern legal, economic and social realities, in which the legal person becomes a significant actor in the relations of criminal and criminal procedural law, it being demonstrated through the following ***conclusions*** elaborated on the basis of the research hypothesis of the doctoral thesis, namely:

1. The issue of the criminal prosecution and of the trial of the offenses committed by legal persons proves to be fully justified and current. An adequate approach to this matter presupposes the elaboration of a coherent normative and practical model, which would allow the integration of the institution of the prosecution and trial of the offenses committed by legal persons within the criminal process without disrupting its internal balance, respectively without compromising the coherence of the fundamental principles and of the procedural mechanisms that stand at the basis of its functioning.

2. The capitalization of the experience of other states in the matter of criminal prosecution and trial of the offenses committed by legal persons proves to be particularly relevant, since it offers valuable landmarks for the perfection of the normative framework and of the domestic judicial practice.

3. The institution of some specific procedures of criminal prosecution and trial of the offenses committed by legal persons stimulates the adoption by them of some internal mechanisms of increased corporate control over the persons who hold management functions, contributing thus to the efficient prevention of criminal behaviors within legal entities.

4. Considering the specific particularities of engaging the criminal liability of the legal person, the legislator opted for the institution of some distinct criminal procedural norms applicable to this category of subjects. The procedure regarding the drawing to criminal liability of the legal person falls within the sphere of special procedures and has a derogatory character towards the general criminal procedural framework.

5. In the quality of defender in the criminal cases that concern the offenses committed by legal persons, exclusively the lawyer can figure. Unlike the legal representative, the participation of the lawyer is not mandatory, and the legislation does not impose a limit regarding the number of lawyers who can intervene in these cases.

6. A clear distinction is necessary between the attributions of the lawyer designated as mandatary of the legal person for its representation in justice and those of the lawyer who exercises the role of defender in the same process. In the first case, the lawyer, in the quality of mandatary, practically replaces the legal representative and ensures the "personal" presence of the legal person before the judicial bodies. In the second case, the lawyer acts according to the provisions regarding the legal assistance of the suspect or defendant, offering counseling, clarifications and specialized interventions in law.

7. The procedure of drawing to criminal liability of the legal person is triggered through the initiation of the criminal prosecution regarding the physical person (or the physical persons) who committed the illegal deeds in the name or in the interest of the legal person. Thus, the criminal liability of the legal entity is subordinated to the finding of a criminal behavior of a physical person who acts within his/her relations with it.

8. The simultaneous cumulation of the quality of injured party and suspect during the criminal prosecution is possible only when within the same file two connected deeds are investigated, and for one of these the legal person acquires the quality of suspect, and for the other - the quality of injured party.

9. We consider necessary an express and explicit regulation of the respect of the principles of necessity and proportionality in the application of preventive measures regarding legal persons. Such a clarification would limit the risk of some extensible interpretations of these conditions and would reaffirm the "reasonable suspicion" as a fundamental premise for the ordering of preventive measures, ensuring thus a fair and correct unfolding of the criminal process. The non-rigorous and unconscious non-respecting of the requirements of necessity and proportionality in the application of preventive measures regarding legal persons generates the risk of some excessive and unjustified criminal procedural measures, affecting thus the balance and correctness of the criminal procedure.

10. A substantial reconfiguration of the interdiction regarding the carrying out of some specific patrimonial operations, susceptible of leading to the significant diminution of the patrimonial active or to the insolvency of the

legal person is necessary, including through its merging with the interdiction of concluding certain legal acts, limiting however the applicability exclusively to the acts with a fraudulent character. The merging of the preventive measures consisting in the interdiction of some patrimonial operations and of some specific legal acts into a single preventive measure, accompanied by adequate guarantees against arbitrariness, is imposed. This measure should target exclusively the patrimonial legal acts with a (also) fraudulent character, to ensure a balance between the necessity of protecting the public interest and the respect of the fundamental rights of the legal person.

11. Within the investigation of the criminal deeds attributed to legal persons, the object of the evidence must include, necessarily, also the establishment of the following essential circumstances: a) the identification of the person or persons who committed the offense in the name or in the interest of the legal person; b) the determination of the motive and the pursued purpose through the commission of the deed; c) the existence of some accomplices, as well as the clear delimitation of the contribution of each one to the realization of the criminal activity.

12. The particularities of carrying out the criminal prosecution actions in the case of legal persons derive from the specificity of this procedural subject, imposing the adaptation of the methods of criminal investigation to the organizational structure, to the decisional flow and to the collective responsibility. Thus, the criminal prosecution bodies must target not only the identification of the illicit deed, but also the precise delimitation of the decisions, actions or inactions of the legal representatives or of the management factors, with a view to establishing the causal link between their conduct and the legal person, as titular of the criminal liability.

13. The inclusion and the regulation of the judicial agreement of public interest in the criminal process of the Republic of Moldova marks an important step in the alignment of the national criminal procedural system to the modern tendencies of responsibilization of legal persons, with an emphasis on cooperation, the reparation of the damage and the efficiency of the judicial procedures.

14. In the context of the trial of a criminal case which has as object offenses imputed to a legal person, the respect of all the exigencies of a fair trial, according to the national and international standards, is imposed. This presupposes the rigorous traversing of the procedural stages, the guaranteeing of the procedural rights of the legal representative of the legal person, the effective participation of the defender and the ensuring of the assistance of an interpreter, with a view to realizing a real and effective defense.

15. There are no conceptual or legal impediments that would exclude the legal person from the benefits of the simplified procedure of the recognition of guilt. Since the law expressly permits the conclusion of a guilt recognition agreement with it, it implicitly results that the legal person can be subjected to the simplified trial procedure, with the respect of all the procedural guarantees applicable in criminal matters.

16. Within the same criminal process, a legal person can be both a defendant, and a civilly responsible party, since, until the pronouncement of a definitive judicial decision, its legal liability is not engaged, the presump-

tion of innocence being applicable. This procedural coexistence reflects the duality of the procedural roles and ensures the respect of the fundamental rights of the legal person during the entire criminal process.

17. The civil action formulated within the criminal process is solved according to the norms of the common law, including when this targets a legal person situated in a state of insolvency. Until the pronouncement of a definitive decision, the claim of the civil party is registered with a suspensive effect, through the submission of a request for recognition, ensuring thus the protection of the rights of the injured party within the insolvency procedure.

18. Within the examination of the criminal cases that concern the offenses committed by legal persons, the object of deliberation acquires a specificity determined by the nature of the offenses, the modalities of commission and the complexity of evaluating the guilt of the legal entity. The court will analyze with attention not only the deeds, but also the typology of the applicable sanctions, adapted to the particularities of the criminal liability of the legal person.

19. The cumulation of the qualities of defendant and civilly responsible person refers to the possibility that a legal person would be, within the same criminal process, both a defendant party, and a civilly responsible party, being able to be subjected to conviction in both hypostases, regarding the same deed retained in its charge. This double quality highlights the complexity of the legal liability of the legal person, which can imply both criminal sanctions, and civil obligations, in the context of the unity of the deed.

20. The sentence pronounced in the criminal cases having as subject the legal person is pronounced in accordance with the general procedural norms, being subjected both to the ordinary and extraordinary ways of appeal, under the conditions established by the applicable legislative framework. This procedure ensures the respect of the fundamental procedural principles and the guarantee of the access to justice before the superior courts.

Description of the personal contributions, with the underlining of their theoretical significance and practical value. The personal contributions resulted from the scientific research carried out within the doctoral thesis are found in the following directions, with theoretical and applicative relevance in the field of criminal procedural law: a) the outlining of the complex character of the criminal process applicable to legal persons, with the highlighting of the specific procedural stages; b) the argumentation of the distinction between the aspects of a material order and the criminal procedural ones of the institution of the criminal liability of the legal person; c) the demonstration of the link between the regulation of the special procedure regarding legal persons and the development of the market economy, in the sense that this regulation answers to some objective needs generated by the evolution of the socio-economic relations; d) the revelation of the complex and crucial character of the criminal prosecution in the cases with legal persons, arguing the necessity of a specialized professional preparation of the criminal prosecution bodies in the management of these files; e) the establishment and demonstration of the fact that the criminal prosecution *in rem* does not produce, automatically, effects upon the drawing to criminal liability of the legal person, its participation in the process being possible even in the quality of injured person at the

moment of the initiation of the criminal prosecution; f) the particularization of the institution of procedural representation in the case of legal persons; g) the qualification (appreciation) of the preventive measures applicable to legal persons as restrictive measures of rights, founded on the existence of a reasonable suspicion regarding the commission of an offense, being destined to guaranteeing the good unfolding of the criminal process and to the prevention of procedural risks; h) the elaboration of a structural synthesis regarding four essential evidentiary directions in the establishment of the guilt of the legal person, depending on the legal relation between it and the physical person through the intermediary of whom the deed was committed; i) the detailing of the criminal procedural guarantees in the cases that concern legal persons; j) the analysis of the procedural specificity of the examination in the court of first instance of the offenses committed by legal persons.

The scientific novelty and the originality of the thesis. The scientific novelty and the originality of the thesis reside in the complex and integrated approach of the criminal prosecution and of the trial of the cases regarding the offenses committed by legal persons, treated as a distinct and special procedure within the criminal process of the Republic of Moldova. This research offers a new perspective upon the manner in which the criminal procedural norms apply to these subjects of law, in the context of a relatively recent and continuously developing regulation. The study permitted the identification of the premises of appearance of this institution, of the particularities of a normative and functional order regarding the institution and regulation of the criminal liability of the legal person, as well as the clear delimitation of the content and specificity of the criminal prosecution in this category of cases. Also, the conditions and particular traits of the examination in the court of first instance of the criminal cases involving legal persons were analyzed, with an emphasis on the adaptation of the procedure to the characteristics of this „type of defendant". The work contains numerous elements of originality, through the formulation of some own theoretical concepts and the proposal of some practical solutions oriented towards the improvement of the regulation of the initiation, carrying out of the criminal prosecution and of the judicial procedure applicable to legal persons, contributing thus to the consolidation of an efficient, coherent and equitable procedural framework.

The legal, empirical and scientific basis of the research. *The legal basis* of the research is constituted of the ensemble of the national and international normative acts relevant for the institution of the criminal liability of legal persons and for the procedure of criminal prosecution and trial of the offenses committed by them. In this sense, the normative foundation is represented by the Constitution of the Republic of Moldova, the Criminal Code and the Code of Criminal Procedure, as well as by other legislative acts and acts subordinated to the law that regulate the activity of the judicial authorities, the status of the legal person, the procedural rights and guarantees. Also, the research relies on international standards, including on documents adopted by the Council of Europe, the European Union and other international organisms relevant for criminal justice.

The empirical basis was constituted from the analysis of the relevant judicial practice, both at the level of the national courts, and by reporting

to the jurisprudence of the Constitutional Court and of the European Court of Human Rights. Judicial decisions regarding criminal cases in which legal persons were involved in the quality of subjects of the criminal process were examined, being highlighted the aspects of non-uniform application of the law, the difficulties of a procedural order, as well as the regulatory gaps noticed in practice.

The scientific basis of the work is ensured by the doctrinal studies dedicated to the issue of the criminal liability of the legal person, both from the national doctrine, and from the compared one. In this sense, the works of the reference authors from the field of criminal law, criminal procedural law and compared law were capitalized, being analyzed doctrinal conceptions regarding the legal nature of the legal person in the criminal process, the mechanisms of individualization of the liability and the evidentiary particularities applicable to this category of subjects. Relevant interdisciplinary perspectives were also integrated, especially from the sphere of civil, economic and administrative law, to support a complex and integrating vision upon the corporate criminal phenomenon.

The rigorous combination of these three levels – legal, empirical and scientific – permitted the outlining of an approach theoretically founded and practically validated, capable of offering pertinent answers and applicable solutions in relation to the current challenges of the criminal liability of legal persons in the criminal justice system of the Republic of Moldova and of other states.

The theoretical significance and the applicative value of the work. *The theoretical significance* of the present thesis consists in the scientific foundation of the criminal prosecution and of the trial of the cases regarding the offenses committed by legal persons, as a criminal procedural institution with a distinct and specialized character. The work realizes an ample, systemic and coherent analysis of the normative and functional content of this institution, contributing to the doctrinal development of a relatively new field in the national criminal process. Through the formulated approaches and through the drawn conclusions, the thesis offers a useful conceptual framework for the ulterior development of the scientific research in this thematic area. The highlighted theoretical elements can constitute the basis of some constructive scientific debates and can stimulate the elaboration of some future works oriented towards the deepening of the legal regime of the criminal liability of legal persons. Thus, the thesis contributes to the enrichment of the specialized literature and to the structuring of a coherent doctrinal discourse around an emergent issue.

The applicative value of the research is supported by the practical relevance of the formulated proposals and solutions. The obtained results can be used by the criminal prosecution bodies and by the courts of law in their activity of investigation and resolution of the criminal cases that involve legal persons. The contributions of the work can serve as support for the perfection of the criminal procedural normative framework, especially regarding the regulation of the procedural activities carried out towards legal persons in the quality of subjects of the criminal liability. At the same time, the thesis can constitute a valuable didactic instrument within the higher education institutions with a legal and economic profile, both for the current didactic

activity, and for the continuous professional training programs of the practitioners from the justice system. In a particular manner, the work addresses those involved in the training and specialization of prosecutors, judges, criminal prosecution officers, as well as of other representatives of the authorities with competences in the investigation of economic-financial offenses or those committed in the corporate environment. Through the combination of the theoretical dimension with the applicative one, the thesis offers a consistent support for the development of a unitary and efficient judicial practice in relation to corporate criminality, ensuring at the same time the premises of a coherent reform of the criminal procedural regulations in this matter.

Data regarding the approval of the results. The essential results of the research, the formulated conclusions and the proposed recommendations within the thesis were subjected to the scientific debate within several national and international conferences, being accepted and appreciated by the academic community. At the same time, the content of the work was capitalized through the publication of 10 scientific articles in recognized specialized journals.

The limitations of the research and directions for future investigations. Although the doctoral thesis offers an in-depth analysis of the procedural regime applicable to the offenses committed by legal persons in the context of the national law, certain research directions remain open, constituting the natural limits of the conducted scientific demarche and, at the same time, starting points for ulterior studies. Thus, the continuation of the scientific investigations in the following essential directions is imposed: 1) The comparative analysis of the procedure of criminal prosecution and trial of legal persons in the Romano-Germanic system of law, with a view to identifying the good practices and the legal mechanisms that could be adapted and capitalized in the national system; 2) The study of the procedural regime applicable to legal persons within the Anglo-Saxon system of law, with an emphasis on the differences of approach regarding the criminal liability, the evidentiary standards and the role of the court in the management of complex cases with corporate implications; 3) The historical evolution of the regulations regarding the criminal liability of legal persons, both in the domestic law, and in the compared law, to understand the conceptual and normative transformations that have led to the current legal-procedural paradigm; 4) The development of a unitary methodological framework regarding the investigation of the offenses committed by legal persons, which would ensure an efficient, equitable approach adapted to the specificity of this type of procedural subject. These research directions remain further current and require an increased attention from the doctrinarians and practitioners, with a view to consolidating a criminal justice system capable of answering to the modern challenges of corporate criminality.

Recommendations:

Following those mentioned above, *de lege ferenda*, we propose:

1) The completion of the Code of Criminal Procedure of the Republic of Moldova with art. 522[1] and of the Code of Criminal Procedure of Romania with art. 490[1], "*Circumstances that are to be proved in the criminal process in the cases regarding legal persons*", in the following wording:

„*Within the criminal prosecution and the trial of the criminal cases re-*

garding legal persons, there must be proved:

1) *the time, the place and the modality of commission of the offense, the character and the magnitude of the damage caused through the offense;*

2) *the involvement, the participation of the legal person at the commission of the offense (the character of the actions and decisions of the legal person, which determine its drawing into the criminal deed either in the activity of concealing the offense or its socially-dangerous consequences);*

3) *the character and the magnitude of the material benefits, obtained by the legal person as a result of the commission of the offense;*

4) *the data that characterize the suspect (accused) legal person in the criminal case (the previous drawing to contraventional or criminal liability, its strategic importance for the region and the state, the carrying out of philanthropy and sponsorship activities or of other activities of social utility)".*

2) The completion of:

a) Article 523[2] of the Code of Criminal Procedure of the Republic of Moldova *(The conditions of conclusion of the judicial agreement of public interest)*, with para. (4) and (5) in the following wording:

(4) „*The prosecutor has the obligation to inform the victim regarding the conclusion of the judicial agreement of public interest. The victim keeps the right to request the execution of the reparatory obligations through the summons procedure, according to the Code of Civil Procedure.*

(5) *In the situation in which there is an identifiable victim, and the legal person does not prove the reparation of the caused damage, the judicial agreement of public interest must explicitly provide the modalities and the term for the realization of this reparation*".

b) Article 523[6] of the Code of Criminal Procedure of the Republic of Moldova *(The effects of the confirmation of the judicial agreement of public interest)*, with para. (5) in the following wording:

(5) „*During the duration of the execution of the judicial agreement of public interest the prescription term is suspended. In the case of the integral fulfillment of the assumed obligations, the criminal liability is removed, without bringing prejudice to the right of the victims to request reparations before the civil court*".

c) Article 523[7] of the Code of Criminal Procedure of the Republic of Moldova *(The effects of the non-confirmation of the judicial agreement of public interest)*, with para. (4) and (5) in the following wording:

(4) „*In the hypothesis in which the court does not confirm the judicial agreement of public interest, the legal person has the possibility to exercise the right of withdrawal, and in the case in which it does not prove the integral execution of the assumed obligations within the provided term, the prosecutor will order the initiation of the criminal prosecution, with the exception of the case in which new evidence intervenes. In the eventuality of a conviction, the partial execution of the obligations provided in the judicial agreement of public interest could be taken into account.*

(5) *The refusal of the confirmation of the judicial agreement of public interest implies the notification of the interruption of the procedure, and, with the exception of the sums afferent to the administrative taxes, the restitution of the fine of public interest already paid will be ordered*".

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ADNOTARE

DUMITRESCU Florin-George „Urmărirea penală și judecarea cauzelor privind infracțiunile săvârșite de persoane juridice: abordări teoretico-practice și normative", teză de doctor în drept, Chișinău, 2026.

Structura tezei: introducere, capitole (patru), concluzii generale și recomandări, bibliografie din 316 titluri, anexe, 292 pagini text de bază.

Cuvinte-cheie: persoană juridică, răspundere penală, urmărire penală, examinare în fond, reprezentare, citare, competență, măsuri preventive, probatoriu, infracțiune, acord judiciar, ședință preliminară, cercetare judecătorească, sentință.

Scopul lucrării: Scopul tezei de doctor constă în analiza aprofundată și sistematică a specificului urmăririi penale și judecării cauzelor privind infracțiunile săvârșite de către persoanele juridice, prin prisma abordărilor teoretice, practice și normative, în vederea identificării deficiențelor existente și propunerii unor soluții legislative și procedurale eficiente pentru îmbunătățirea cadrului juridic procesual-penal din Republica Moldova în acest domeniu.

Obiectivele cercetării: analiza stării actuale în domeniul urmăririi penale și judecării cauzelor privind infracțiunile săvârșite de către persoanele juridice, în context național și internațional; stabilirea particularităților urmăririi penale în cazul infracțiunilor comise de persoanele juridice; identificarea și analiza aspectelor legate de sesizarea organelor de urmărire penală și începerea urmăririi penale în privința persoanelor juridice; efectuarea unei analize juridico-formale a normelor de drept procesual penal aplicabile în activitatea de urmărire și judecare a infracțiunilor comise de către persoane juridice; caracterizarea statutului procesual-penal al reprezentantului persoanei juridice în procedurile de urmărire și judecare a infracțiunilor; catalogarea și evidențierea particularităților aplicării măsurilor preventive în raport cu persoanele juridice; analiza specificului probatoriului în cauzele penale privind persoanele juridice; expunerea particularităților efectuării unor acțiuni de urmărire penală în dosarele ce vizează persoane juridice și ale examinării lor în instanța de fond; formularea unor propuneri și recomandări fundamentate pentru perfecționarea legislației procesual-penale, cu accent pe procedura de urmărire și judecare a infracțiunilor comise de către persoanele juridice.

Noutatea și originalitatea lucrării rezidă în abordarea complexă și integrată a urmăririi penale și a judecării cauzelor privind infracțiunile săvârșite de către persoanele juridice, tratate ca o procedură distinctă și specială în cadrul procesului penal din Republica Moldova. Această cercetare oferă o perspectivă nouă asupra modului în care normele procesual-penale se aplică acestor subiecți de drept, în contextul unei reglementări relativ recente și în continuă dezvoltare. Studiul a permis identificarea premiselor de apariție a acestei instituții, a particularităților de ordin normativ și funcțional privind instituirea și reglementarea răspunderii penale a persoanei juridice, precum și delimitarea clară a conținutului și specificului urmăririi penale în această categorie de cauze. De asemenea, s-au analizat condițiile și trăsăturile particulare ale examinării în instanța de fond a cauzelor penale ce implică persoane juridice.

Problema științifică de importanță majoră, soluționată în cadrul cercetării constă în identificarea și fundamentarea unui cadru normativ și procedural coerent, eficient și compatibil cu principiile fundamentale ale procesului penal, care să reglementeze în mod clar și predictibil particularitățile urmăririi penale și ale judecării cauzelor penale în care persoana juridică are calitatea de subiect al răspunderii penale.

Semnificația teoretică a teze de doctor constă în fundamentarea științifică a urmăririi penale și a judecării cauzelor privind infracțiunile săvârșite de persoanele juridice, ca instituție procesual-penală cu un caracter distinct și specializat. Lucrarea realizează o analiză amplă, sistemică și coerentă a conținutului normativ și funcțional al acestei instituții, contribuind la dezvoltarea doctrinară a unui domeniu relativ nou în procesul penal național. Prin abordările formulate și prin concluziile desprinse, teza oferă un cadru conceptual util pentru dezvoltarea ulterioară a cercetării științifice în această arie tematică.

Valoarea aplicativă a cercetării este susținută de relevanța practică a propunerilor și soluțiilor formulate. Rezultatele obținute pot fi utilizate de organele de urmărire penală și de instanțele de judecată în activitatea lor de investigare și soluționare a cauzelor penale care implică persoane juridice. Contribuțiile lucrării pot servi drept suport pentru perfecționarea cadrului normativ procesual-penal, în special în ceea ce privește reglementarea activităților procesuale desfășurate față de persoanele juridice.

Implementarea rezultatelor științifice: rezultatele cercetării acestui subiect au fost reflectate în articole științifice, au fost prezentate în cadrul conferințelor științifice naționale și internaționale, contribuind astfel la aprofundarea investigării științifice a subiectului urmăririi penale și judecării cauzelor privind infracțiunile săvârșite de persoane juridice.

ANNOTATION

DUMITRESCU Florin-George, „Criminal Investigation and Trial of Cases Concerning Offences Committed by Legal Persons: Theoretical, Practical and Normative Approaches", PhD thesis in Law, Chișinău, 2026.

Structure of the thesis: introduction, four chapters, general conclusions and recommendations, bibliography comprising 316 titles, annexes, 292 pages of main text.

Keywords: legal person, criminal liability, criminal investigation, examination on the merits, representation, summons, jurisdiction, preventive measures, evidence, offense, judicial agreement, preliminary hearing, judicial investigation, judgment.

Purpose of the research: The purpose of the doctoral thesis is to provide an in-depth and systematic analysis of the specific features of criminal investigation and trial of cases concerning offences committed by legal persons, from theoretical, practical and normative perspectives, with a view to identifying existing deficiencies and proposing effective legislative and procedural solutions aimed at improving the criminal procedural legal framework of the Republic of Moldova in this field.

Research objectives: analysis of the current state of criminal investigation and trial of cases concerning offences committed by legal persons, in both national and international contexts; determination of the particularities of criminal investigation in cases involving offences committed by legal persons; identification and analysis of aspects related to the notification of criminal investigation bodies and the initiation of criminal proceedings against legal persons; conducting a legal and formal analysis of the criminal procedural law norms applicable to the investigation and trial of offences committed by legal persons; characterization of the criminal procedural status of the representative of the legal person in investigation and trial procedures; classification and highlighting of the particularities of applying preventive measures to legal persons; analysis of the specific features of evidence in criminal cases involving legal persons; examination of the particularities of carrying out certain criminal investigation actions in cases concerning legal persons; presentation of the specific features of conducting certain criminal investigation actions in cases involving legal entities and of their examination before the court of first instance; formulation of substantiated proposals and recommendations for improvement of criminal procedural legislation, with an emphasis on procedures for the investigation and trial of offences committed by legal persons.

Scientific novelty and originality: The scientific novelty and originality of the research lie in the comprehensive and integrated approach to the criminal investigation and trial of cases concerning offences committed by legal persons, treated as a distinct and special procedure within the criminal process of the Republic of Moldova. The research offers a new perspective on the manner in which criminal procedural norms are applied to these subjects of law, in the context of relatively recent and continuously evolving regulation. The study enabled the identification of the premises for the emergence of this institution, the normative and functional particularities regarding the establishment and regulation of the criminal liability of legal persons, as well as a clear delimitation of the content and specific features of criminal investigation in this category of cases. In addition, the conditions and particular characteristics of the examination on the merits of criminal cases involving legal persons were analyzed.

Major scientific problem addressed: The major scientific problem addressed and solved within the research consists in identifying and substantiating a coherent, efficient normative and procedural framework, compatible with the fundamental principles of criminal procedure, capable of clearly and predictably regulating the particularities of criminal investigation and trial in criminal cases in which the legal person holds the status of subject of criminal liability.

Theoretical significance: The theoretical significance of the doctoral thesis consists in the scientific substantiation of criminal investigation and trial of cases concerning offences committed by legal persons as a distinct and specialized criminal procedural institution. The research provides an extensive, systemic and coherent analysis of the normative and functional content of this institution, contributing to the doctrinal development of a relatively new field within national criminal procedure. Through the approaches adopted and the conclusions drawn, the thesis offers a useful conceptual framework for the further development of scientific research in this thematic area.

Practical applicability: The practical value of the research is supported by the relevance of the proposed solutions and recommendations. The results obtained may be used by criminal investigation bodies and courts of law in their activities related to the investigation and adjudication of criminal cases involving legal persons. The contributions of the thesis may also serve as a basis for improving the criminal procedural normative framework, particularly with regard to the regulation of procedural activities carried out in relation to legal persons.

Implementation of scientific results: The results of the research have been reflected in scientific articles and presented at national and international scientific conferences, thereby contributing to the advancement of scientific inquiry into the issues of criminal investigation and trial of cases concerning offences committed by legal persons.

АННОТАЦИЯ

ДУМИТРЕСКУ Флорин-Жеордже, «Уголовное преследование и судебное рассмотрение дел о преступлениях, совершённых юридическими лицами: теоретико-практические и нормативные подходы», диссертация на соискание ученой степени доктора права, Кишинёв, 2026.

Структура диссертации: введение, четыре главы, общие выводы и рекомендации, библиография, включающая 316 наименований, приложения, 292 страниц основного текста.

Ключевые слова: юридическое лицо, уголовная ответственность, уголовное преследование, рассмотрение дела по существу, представительство, повестка, подведомственность, меры пресечения, доказательства, преступление, судебное соглашение, предварительное заседание, судебное следствие, приговор.

Цель исследования: Цель диссертационного исследования заключается в углублённом и системном анализе особенностей уголовного преследования и судебного рассмотрения дел о преступлениях, совершённых юридическими лицами, сквозь призму теоретических, практических и нормативных подходов, с целью выявления существующих недостатков и выработки эффективных законодательных и процессуальных решений, направленных на совершенствование уголовно-процессуальных основ Республики Молдова.

Задачи исследования: анализ современного состояния уголовного преследования и судебного рассмотрения дел о преступлениях, совершённых юридическими лицами, в национальном и международном контексте; установление особенностей уголовного преследования по делам о преступлениях, совершённых юридическими лицами; выявление и анализ аспектов, связанных с уведомлением органов уголовного преследования и началом уголовного преследования в отношении юридических лиц; проведение формально-юридического анализа норм уголовно-процессуального права, применимых при расследовании и рассмотрении преступлений, совершённых юридическими лицами; характеристика уголовно-процессуального статуса представителя юридического лица в процедурах уголовного преследования и судебного разбирательства; систематизация и выявление особенностей применения мер пресечения в отношении юридических лиц; анализ специфики доказывания по уголовным делам, связанным с юридическими лицами; исследование особенностей проведения отдельных процессуальных действий по уголовным делам в отношении юридических лиц; выявление этапов и характеристик рассмотрения уголовных дел в отношении юридических лиц в суде; формулирование обоснованных предложений и рекомендаций по совершенствованию уголовно-процессуального законодательства в части процедуры уголовного преследования и судебного рассмотрения преступлений, совершённых юридическими лицами.

Научная новизна и оригинальность исследования заключаются в комплексном и интегрированном подходе к уголовному преследованию и судебному рассмотрению дел о преступлениях, совершённых юридическими лицами, рассматриваемых как самостоятельная и специальная процедура в рамках уголовного процесса Республики Молдова. Исследование предлагает новый взгляд на применение уголовно-процессуальных норм к данным субъектам права в условиях относительно недавнего и динамично развивающегося правового регулирования. В ходе исследования были выявлены предпосылки возникновения данного института, нормативные и функциональные особенности установления и регулирования уголовной ответственности юридических лиц, а также чётко определены содержание и специфика уголовного преследования по данной категории дел. Кроме того, проанализированы условия и особые характеристики рассмотрения по существу уголовных дел, в которых участвуют юридические лица, в суде первой инстанции.

Основная научная проблема, решённая в исследовании, имеющая важное теоретическое и практическое значение, заключается в выявлении и обосновании целостной, эффективной и совместимой с фундаментальными принципами уголовного процесса нормативной и процессуальной модели, способной чётко и предсказуемо регулировать особенности уголовного преследования и судебного рассмотрения уголовных дел, в которых юридическое лицо выступает субъектом уголовной ответственности.

Теоретическая значимость диссертационной работы состоит в научном обосновании уголовного преследования и судебного рассмотрения дел о преступлениях, совершённых юридическими лицами, как самостоятельного и специализированного института уголовно-процессуального права. Работа содержит всесторонний, системный и последовательный анализ содержания данного института, способствуя доктринальному развитию сравнительно нового направления национального уголовного процесса. Сформулированные подходы и выводы создают концептуальную основу для дальнейших научных исследований в данной области.

Практическая значимость исследования подтверждается прикладным характером предложенных выводов и рекомендаций. Полученные результаты могут быть использованы органами уголовного преследования и судебными инстанциями в процессе расследования и разрешения уголовных дел, связанных с юридическими лицами. Выводы и предложения диссертации могут служить основой для совершенствования уголовно-процессуального регулирования процессуальной деятельности в отношении юридических лиц.

Апробация и внедрение результатов исследования: Результаты исследования отражены в научных публикациях и представлены на национальных и международных научных конференциях, что способствовало углублению научного осмысления проблем уголовного преследования и судебного рассмотрения дел о преступлениях, совершённых юридическими лицами.

DUMITRESCU Florin-George

CRIMINAL INVESTIGATION AND TRIAL OF CASES CONCERNING THE OFFENSES COMMITTED BY LEGAL PERSONS: THEORETICAL-PRACTICAL AND NORMATIVE APPROACHES

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