INTERNATIONAL CENTRE FOR
ASSET RECOVERY

Enhancing and Modernising the Romanian Asset Recovery System

Final Report

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About this report

This report was prepared by Rita Simões, Senior Specialist, Asset Recovery.

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The views expressed in this report are those of the author and do not necessarily reflect the official position of the Government of Romania or the Ministry of Justice.

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Acronyms and abbreviations

AML	Anti-Money Laundering
AMO	Asset Management Office
ANABI	National Agency for the Management of Seized Assets
ANAF	National Agency for Fiscal Administration
ANI	National Integrity Agency
ARO	Asset Recovery Office
CC	Criminal Code
CoE	Council of Europe
CCR	Romanian Constitutional Court
CFR	European Union Charter of Fundamental Rights
CPC	Criminal Procedure Code
CSM	Superior Council of Magistracy
CSO	Civil Society Organisation
DCCO	Directorate for Combating Organised Criminality
DDICJ	International Law and Judicial Cooperation Directorate
DGA	Anti-Corruption General Directorate
DGESCS	Directorate- General of Enforcement in Special Cases
DICE	Directorate for Combating Economic Crime
DIICOT	Directorate for Investigating Organised Crime and Terrorism
DNA	National Anti-Corruption Directorate
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EDP	European Delegated Prosecutor
EIO	European Investigation Order
EJN	European Judicial Network
EPPO	European Public Prosecutor's Office
EU	European Union
EUR	Euro
FATF	Financial Action Task Force
FD	Council Framework Decision
FIU	Financial Intelligence Unit
ICAR	International Centre for Asset Recovery
ICCJ	High Court of Cassation and Justice
JIT	Joint Investigation Team

MAI	Ministry of Internal Affairs
Mechanism	National Mechanism for Crime Prevention Support
MJ	Ministry of Justice
MLA	Mutual legal assistance
NCBC	Non-Conviction Based Confiscation
ONPCSB	National Office for Prevention and Control of Money Laundering
PICCJ	Prosecutor's Office attached to the High Court of Cassation and Justice
ROARMIS	Romanian Asset Recovery and Management Integrated System
RON	Romanian Leu (plural: Lei)
SIENA	Secure Information Exchange Network Application
StAR	Stolen Asset Recovery Initiative
STR	Suspicious Transaction Report
UN	United Nations
UNCAC	United Nations Convention Against Corruption
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organised Crime
VAT	Value-Added Tax

Executive Summary

Context

To strengthen Romania's capacity to trace, seize, and recover proceeds of crime, the National Agency for the Management of Seized Assets (ANABI) commenced a multi-component project in 2025 in collaboration with the International Centre for Asset Recovery (ICAR) of the Basel Institute on Governance, funded by the Swiss–Romanian Cooperation Programme. The project aims to enhance international judicial cooperation in money laundering and asset recovery through knowledge exchange and best practices. One component of the project is the conduct of an "external audit of the investigative capacity of Romanian authorities for the confiscation and recovery of crime proceeds". This document represents the output for this component.

Purpose

The purpose of this audit was to assess the effectiveness of the legal and institutional framework of the Romanian asset recovery system with a view to identifying areas for improvement.

Building on a previous assessment completed by ICAR in July 2013 titled *Enhancing the Investigation Capacities of the Romanian Authorities to Confiscate and Recover Proceeds of Crime* (2013 Report), it aimed to:

- Examine the current legislative framework of Romania's asset recovery system;
- Outline the current role and functions of authorities with competence in the area of investigation, prosecution, asset tracing, seizure, management and disposal within the context of the Romanian asset recovery system;
- Examine the developments relating to Romania's asset recovery system in view of recommendations presented in the 2013 Report;
- Identify the ongoing challenges faced by practitioners in their efforts to recover assets; and
- Outline opportunities to improve Romania's framework in the context of relevant international and European Union (EU) standards, including the latest EU Directive on Asset Recovery and Confiscation (Directive (EU) 2024/1260), which must be transposed by EU Member States by 23 November 2026.

The findings of this audit are contained in this report. They are based on information acquired through desk-based research, the conduct of a series of semi-structured interviews with relevant Romanian stakeholders conducted between 2 and 12 June 2025 and a follow up visit to validate findings, held between 20 and 21 January 2026, with the relevant Romanian authorities.

References to Romanian legislation are based on translations from the law from Romanian to English, as provided by Romanian authorities.

Key findings

Since 2013, Romania has made notable progress in strengthening its asset recovery framework. Structural and institutional reforms, supported by legislative measures and digital tools, have improved coordination, monitoring and oversight of seized and confiscated assets. At the same time, ongoing challenges have been identified that, if addressed, could further enhance the efficiency, effectiveness and social impact of asset recovery. The findings presented here reflect both achievements and areas for continued focus, as identified through the analysis of existing frameworks, operational practices and stakeholder interviews.[1]

1. Main progress since 2013

Institutional and legal reforms: The establishment of ANABI, the ROARMIS information system, and the National Asset Recovery Strategy 2021–2025 has notably strengthened Romania's institutional capacity, coordination mechanisms, and clarified responsibilities for managing seized assets.

Digital infrastructure: ROARMIS and other digital tools now support monitoring, reporting, and inter-agency coordination, enhancing transparency and operational oversight.

Reuse initiatives: Confiscated assets are increasingly being used to support victims, crime prevention, and community projects, introducing a social dimension to asset recovery.

2. Key challenges

Effectiveness of confiscation and recovery: A significant gap persists between the total value of confiscation orders issued and the amounts ultimately recovered. This reflects challenges at different stages of the asset recovery cycle, including tracing, freezing, management and post-conviction enforcement.

Financial investigations: Financial investigations are not yet systematically conducted in all relevant cases. Capacity constraints, including limited specialised personnel, uneven access to analytical tools and targeted training gaps, affect the consistent application of

[1] The findings summarised here are drawn from the analysis presented in Section 4 of this report.

financial investigation techniques, including in cases involving special and extended confiscation.

Money laundering enforcement: The number of stand-alone and third-party money laundering investigations remains comparatively limited. Enforcement activity continues to focus primarily on domestic predicate offences. Cross-border and complex laundering schemes appear less frequently pursued, which may affect the system's capacity to address higher-risk cases.

Cross-border cooperation: The use of international cooperation instruments for asset tracing and evidence gathering could be further strengthened. Operational and legal limitations affecting informal channels, such as ARO-to-ARO and FIU-to-FIU exchanges, as well as formal mechanisms, including MLA and EIOs for tracing and freezing assets, constrain the ability to identify and secure assets abroad, thereby impacting asset recovery outcomes.

Precautionary measures: Freezing practices frequently rely on equivalent-value measures rather than asset-specific identification. Divergent practices regarding co-ownership, liens and evidentiary thresholds, combined with limited financial investigations and cross-border tracing, contribute to differences between targeted amounts and assets effectively secured.

Asset management: Asset management responsibilities remain distributed across several authorities. While the framework is operational, fragmentation may affect consistency in valuation, storage standards, operational procedures and insurance coverage. Broader use of interlocutory sales could support value preservation in appropriate cases.

Post-conviction enforcement and equivalent-value confiscation: The execution of equivalent-value confiscation orders faces structural constraints. These include reliance on estimated damages rather than identified assets and limited tracing powers in certain contexts, particularly in relation to foreign-located assets and complex ownership structures.

Use and allocation of confiscated assets: Opportunities exist to enhance the reuse of both movable and immovable property. The National Mechanism for Crime Prevention Support has not yet received transfers resulting from equivalent-value confiscations. Operational, procedural, and IT-related limitations constrain the traceability of recovered assets and the timely allocation of funds or assets for their intended purposes.

Information systems and interoperability: Although authorities have access to key databases, interoperability remains limited. The national asset recovery management system has improved monitoring capacity; however, incomplete integration and inconsistencies in data input reduce real-time oversight and performance monitoring.

Overall, while the legal and institutional framework is broadly in place, further efforts could enhance operational effectiveness, inter-institutional coordination and alignment with EU standards.

Recommendations

The recommendations in this report draw on stakeholder interviews, a comparative review of domestic and EU legislation, and supplementary materials, including institutional reports. The implications of Directive (EU) 2024/1260 and related EU instruments were also considered to identify potential future reform priorities, particularly where implementation could address challenges highlighted in the report.

The recommendations are strategic, operational and legal in nature and their implementation should be considered contingent upon available human and technical resources.[2] They should be viewed in the broader context of Romania's judicial and law enforcement system and are intended to support ongoing improvements.[3]

Recommendation 1: The utilisation of financial investigations should be established as a strategic priority of the Romanian Government and competent judicial and law enforcement authorities.

Recommendation 2: Capacities relating to the conduct of cross-border asset tracing should be strengthened.

Recommendation 3: The legislative framework and operational practices relating to immediate action powers and precautionary measures should be enhanced in line with EU standards.

Recommendation 4: Assets currently under management should be reviewed to determine whether actions can be taken to better preserve their value.

Recommendation 5: Processes and practices relating to seized asset management should be enhanced.

Recommendation 6: Interlocutory sales should be established as a standard asset management measure.

Recommendation 7: Processes and practices for the enforcement of confiscation orders should be strengthened in line with Directive (EU) 2024/1260.

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[2] This is particularly relevant because, as highlighted in the report, several key stakeholders—including the Judiciary, PICCJ, MAI, ANABI, and FIU—are already operating below authorised staffing levels.
[3] The recommendations summarised here are drawn from the analysis presented in Section 4 of this report. The specific sub-measures for implementing these recommendations are discussed in greater detail in Section 4.

Recommendation 8: Post-conviction tracing powers and practices should be aligned with pre-conviction tracing powers and practices.

Recommendation 9: Institutional capacity to manage and dispose of confiscated assets should be enhanced.

Recommendation 10: Processes allowing for the direct reuse of confiscated assets should be enhanced.

Recommendation 11: Database integration should be improved.

Recommendation 12: System interoperability, case management and reporting practices should be enhanced.

Recommendation 13: Targeted training should be delivered to authorities across the asset recovery process to enhance capacity.

Structure of this report

The rest of the report is organised as follows:

- Section 1 describes the methodological approach applied in conducting the study, including data collection and analytical methods.
- Section 2 provides an overview of EU standards in the field of asset recovery, serving as a benchmark for assessing the Romanian model.
- Section 3 details the Romanian asset recovery framework, including the current legislative and regulatory provisions, institutional and strategic landscape, and operational procedures governing the asset recovery process.
- Section 4 presents the findings and recommendations, focusing on practical measures to enhance the effectiveness of Romania's asset recovery system as a whole.

1 Methodology

As stated above, the purpose of this audit was to assess the effectiveness of the legal and institutional framework of the Romanian asset recovery system with a view to identifying areas for improvement.

For context, the asset recovery process can be understood as a multi-phase process comprising the following stages:

- **Investigative phase**, in which the proceeds of crime are located and ownership evidence is gathered. This phase covers various areas of investigative work, often involving formal procedures such as requests for mutual legal assistance to obtain information on offshore bank accounts or other records, as well as financial investigations to analyse banking data. The objective is to transform intelligence into admissible evidence. The outcome of this phase typically results in temporary measures – such as precautionary measures – that precede a confiscation order issued by the court.
- **Freezing or seizure phase**, where the competent authority issues orders to restrain assets, ensuring that the proceeds and instrumentalities of crime are not dissipated and remain available for realisation during the disposal phase.
- **Asset management phase**, during which restrained assets are managed to preserve their value and ensure optimal realisation during disposal.
- **Trial phase**, where the accused person or defendant is tried and convicted (or acquitted), and the court determines the confiscation order.
- **Confiscation and disposal phase**, during which the confiscation order is enforced, the state takes formal ownership of the relevant property, and disposes of it in accordance with the law, while considering applicable international asset-sharing obligations, victim compensation, and decisions on the final use of confiscated assets.

This audit sought to identify, examine and assess the laws, institutions and practices that relate to the asset recovery process in Romania (i.e. “the asset recovery system”).

The process for the audit involved four components, which are explained below.

1.1 Component 1: Preparatory desk research

This component included:

- A preliminary review of laws, regulations, and strategies relevant to the Romanian asset recovery system;
- An examination of material outlining the operational and institutional scope of Romania's asset recovery system; and
- Analysis of preliminary findings and the creation of working hypotheses to inform preparation for the on-site mission (2-12 June 2025), including the selection of institutions and interview questions.

This preparatory work aimed to establish an overview of the legal and institutional framework governing asset recovery in Romania, as well as an understanding of the interactions among the institutions involved and their available capacities.

These were then preliminarily benchmarked against European and international standards and best practices observed in comparable jurisdictions to identify potential challenges that may reduce the overall effectiveness and efficiency of Romania's asset recovery regime:

- Systemic challenges such as weak definitions of roles and responsibilities, unclear chains of command, inadequate communication protocols, and inefficient workflow processes;
- Institutional and capacity challenges, including a lack of integrated strategies for human resources management, recruitment, capacity building, knowledge retention, performance evaluation, and incentives; as well as the absence of coordination mechanisms;
- Legislative and procedural challenges on the use and potential of asset recovery structures, and the absence of clear procedures to maximize the benefits of both formal and informal cooperation among institutions within Romania's asset recovery system.

For the purposes of outlining the current Romanian asset recovery system and performing a preliminary benchmarking exercise, the author of this report first sought to build on the main findings of the 2013 Report, and conducted an extensive and comprehensive desk-based mapping process comprising the following elements:

- Topic mapping: comprising the definition of asset recovery for the purposes of the project, covering all stages of the asset recovery process – namely tracing, freezing, management, confiscation, and disposal of assets – as well as the criminal activities from which the related proceeds and instrumentalities are derived, including money laundering and its predicate offences;

- Source mapping: including the collection and review of relevant legislation, regulations, reports, strategies and related documentation. This step also identified existing best practices in Romania;
- System mapping: aimed at identifying the inter-institutional interactions among the entities that constitute Romania's asset recovery system;
- Institutional mapping: focused on identifying the intra-institutional interactions among the departments of institutions involved in the asset recovery process; and
- Capacity mapping: examining the institutional and human capacities within relevant departments and institutions, including mechanisms for knowledge and information retention.

Once the relevant data had been identified, the information was then analysed according to the corresponding thematic streams:

- Intelligence gathering: in which the capabilities, capacities and workflows of domestic intelligence-gathering institutions and their interactions with each other and international counterparts were analysed;
- Investigation and prosecution, subdivided into:
    - Criminal investigation: in which the evidence-gathering methods employed by law enforcement and their adequacy in addressing all elements of the offence to ensure effective prosecution and adjudication were analysed. This included compliance with fundamental rights and due process requirements, as well as the links and interactions between criminal and financial investigations to ensure the effective securing of proceeds and instrumentalities of crime;
    - Financial investigation: in which the mechanisms for identifying and tracing proceeds and instrumentalities of crime were analysed, as well as those supporting criminal investigations and prosecutions to enable the seizure of proceeds and instrumentalities;
- International co-operation: in which the frameworks and mechanisms required to ensure effective international co-operation were analysed, including those relating to the gathering of evidence from abroad and the facilitation of the seizure and confiscation of internationally located criminal assets;
- Seizure and management of seized assets: in which the pre-confiscation stage linked to criminal and financial investigations was analysed with a focus on the presentation of evidence leading to the seizure of assets, the implications of such measures, and the management of seized assets throughout criminal proceedings to ensure the preservation of their value;
- Confiscation and disposal of assets: in which the issuance of confiscation orders by courts was examined;

- Case management and statistical tools: in which technical resources to track investigations, freezing and confiscation measures, as well as asset recovery outcomes were analysed;
- Effectiveness of the Romanian asset recovery system: in which the extent to which freezing and confiscation measures result in the actual recovery of assets was assessed.

These results informed the preparation of semi-structured questionnaires that were subsequently used to frame the interviews conducted during an on-site visit. The purpose of these interviews was to gather additional, direct insights from the stakeholders in the asset recovery system to further inform and enhance the analysis conducted during the desk-based exercise.

1.2 Component 2: On-site data collection

This component involved interviews and consultations with key stakeholders (and one virtual interview) that included:

- The Superior Council of Magistracy (CSM);
- Judges from the Bucharest Tribunal and Bucharest Court of Appeal;
- The Prosecutor's Office at the High Court of Cassation and Justice (PICCJ);
- The National Anti-Corruption Directorate (DNA);
- The Directorate for Investigating Organised Crime and Terrorism (DIICOT);
- The European Public Prosecutor's Office (EPPO);
- The National Agency for Fiscal Administration (ANAF);
- The Ministry of Internal Affairs (MAI);
- The Anti-Corruption General Directorate (DGA);
- The Directorate for Combating Organised Crime (DCCO);
- The Directorate for Combating Economic Crime (DICE);
- The Directorate for International Law and Judicial Cooperation (DDICJ) within the Ministry of Justice (MJ);
- The Directorate for the Development of Normative Acts (DEAN) within the MJ;
- The Directorate for Crime Prevention (DPC) within the MJ;
- The National Integrity Agency (ANI);
- The National Office for Preventing and Combating Money Laundering (ONPCSB);
- The National Agency for the Management of Seized Assets (ANABI);
- Representatives from three civil society organisations (CSOs);
- One representative of the National Union of Romanian Bar Associations (UNBR).

Further elements and documentation were received after the on-site visit, which were also taken into account in the analysis.

1.3 Component 3: Analysis and drafting

Once a complete picture of Romania's asset recovery system had been obtained through the desk-based and on-site components of the audit, the system was then comprehensively benchmarked against applicable international and European Union (EU) standards, similar to the process used to draft the 2013 Report.

The international-level instruments used for this purpose included:

- The CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (CETS 141);[4]
- The CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198);[5]
- The Financial Action Task Force (FATF) Recommendations on Money Laundering, Terrorist Financing and Proliferation;[6]
- The United Nations Convention Against Corruption (UNCAC)[7] and United Nations Convention against Transnational Organised Crime (UNTOC);[8]
- A number of EU instruments (which are outlined in detail in Section 2).

The findings of this process and subsequent recommendations were then compiled into a draft report and shared with key stakeholders for validation.

1.4 Component 4: Validation and finalisation

In this component, key stakeholders were consulted on the findings in the draft report. The validation process included a second on-site visit to discuss the findings directly with stakeholders between 20-21 January 2026.

Following this process, the final report was prepared, including the validated findings.

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[4] Council of Europe, *Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime*, CETS No. 141 (November 1990), https://rm.coe.int/168007bd23.
[5] Council of Europe, *Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism*, CETS No. 198 (May 2005), https://rm.coe.int/168008371f.
[6] Financial Action Task Force (FATF), *The FATF Recommendations* (October 2025), https://www.fatf-gafi.org/en/publications/Fatfrecommendations/Fatf-recommendations.html.
[7] United Nations, *United Nations Convention against Corruption*, General Assembly Resolution 58/4 (October 2003), https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.
[8] United Nations, *United Nations Convention against Transnational Organised Crime and the Protocols Thereto*, General Assembly Resolution 55/25 (November 2000). http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf.

2 European Union standards on asset recovery

The EU has established a comprehensive framework governing the asset recovery process. These standards have two main objectives:

- To create a common set of rules on freezing and confiscation across EU Member States (i.e. for the purpose of harmonisation), and
- To create a common set of rules to enhance cross-border cooperation among Member States, particularly in the framework of mutual recognition, ensuring the direct enforcement in one Member State of freezing and confiscation orders in another.

With regard to harmonisation, the instruments that make up this framework include:

- Council Framework Decision 2001/500/JHA, on money laundering and on the identification, tracing, freezing, seizing and confiscation of instrumentalities and proceeds of crime;
- Council Decision 2007/845/JHA, concerning co-operation between AROs of Member States in the tracing and identification of proceeds from, or other property related to, crime;
- Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union; and
- Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation.[9]

With regard to cross-border cooperation and mutual recognition, these include:

- Council Framework Decision 2003/577/JHA on the application of the principle of mutual recognition to freezing orders;
- Council Framework Decision 2006/783/JHA on the application of the principle of mutual recognition to confiscation orders;
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters;

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[9] Directive (EU) 2024/1260 replaces, in the Member States to which it applies, the following instruments:
-Council Framework Decision 2001/500/JHA;
-Council Framework Decision 2005/212/JHA;
-Council Decision 2007/845/JHA;
-Directive 2014/42/EU.

- Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders.

The key elements of these instruments are explained below.

2.1 Council Framework Decision 2001/500/JHA

Council Framework Decision (FD) 2001/500/JHA aimed to strengthen EU compliance with CETS 141 by harmonising EU Member States' approaches in this context and by targeting serious and organised crime through effective money laundering measures. It required Member States to:

- Adopt confiscation measures for both proceeds and instrumentalities of crime;
- Ensure the money laundering offence is broad and punishable by imprisonment exceeding one year;
- Establish value-based confiscation for domestic and cross-border cases.

2.2 Council Framework Decision 2003/577/JHA

FD 2003/577/JHA established rules for Member States regarding the recognition and execution of freezing orders issued by the judicial authorities of another Member State, particularly regarding evidence collection and asset seizure. This instrument sets out procedural requirements, including for the direct transmission of freezing orders, the timelines for execution and the grounds for non-recognition or postponement. Article 3 lists offences, including organised crime-related offences, money laundering and corruption, for which dual criminality checks are abolished under Article 10(3).

Directive 2014/41 subsequently replaced the components of this FD relating to the freezing of evidence in all Member States except Ireland and Denmark. Regulation (EU) 2018/1805 subsequently replaced the components of this Framework Decision that relate to freezing for the purpose of confiscation, again excluding Ireland and Denmark.

Regulation (EU) 2023/2844 of the European Parliament and of the Council of 13 December 2023 on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, applicable from May 2025, modernised judicial cooperation by mandating secure, decentralised digital communication between competent authorities of Member States. It requires that confiscation orders issued under FD 2003/577/JHA be transmitted through a decentralised IT system.

2.3 Council Framework Decision 2005/212/JHA

FD 2005/212/JHA allows for the confiscation, in whole or in part, of instrumentalities and proceeds from offences punishable by imprisonment of over one year, or of property of equivalent value. The concept of extended confiscation was introduced into the EU framework under Article 3 of this instrument.

2.4 Council Framework Decision 2006/783/JHA

FD 2006/783/JHA established rules for the mutual recognition and execution of confiscation orders issued in the framework of criminal proceedings, facilitating their enforcement in a Member State other than the issuing state. It applies to all offences eligible for confiscation and abolishes dual criminality requirements for these offences. Articles 6, 8 and 10 set out eligible offences, extend the grounds for the non-recognition or non-execution of orders and outline conditions for the postponement of execution.

FD 2006/783/JHA also addresses the disposal of confiscated assets. Under Article 16, amounts up to EUR 10,000 remain with the executing state, while larger sums are subject to a 50 percent distribution between issuing and executing states.

Similar to FD 2003/577/JHA, the subsequently introduced Regulation (EU) 2023/2844 now requires that confiscation orders issued under this instrument be transmitted through a decentralised IT system.

This FD was replaced by Regulation (EU) 2018/1805 in all Member States except Ireland and Denmark.

2.5 Council Decision 2007/845/JHA

Council Decision 2007/845/JHA obliges EU Member States to establish or designate a national asset recovery office (ARO). AROs are required to exchange information and best practices, both spontaneously and upon request, with other national AROs.

Europol plays a key role as the CARIN secretariat and, through Europol, supports Member States in identifying and confiscating criminal proceeds. The Secure Information Exchange Network Application (SIENA) further strengthens communication, allowing cross-referencing with Europol's database.[10]

[10] SIENA is Europol's platform for the secure exchange of operational and strategic crime-related information. It supports communication between Europol staff, Member States, and third parties with which Europol has cooperation agreements. Since its launch on 1 July 2009, SIENA has been used by EU law enforcement authorities and partners, including Eurojust, Frontex, OLAF, Interpol, and a number of non-EU countries such as Australia, Canada, and the United States. Access to

2.6 Directive 2014/41/EU

Directive 2014/41/EU created a new instrument, the European Investigation Order (EIO), relating to the collection of evidence in cross-border investigations in the EU.[11]

An EIO is a decision issued or validated by a judicial authority in one Member State to have one or more specific investigative measures carried out in another Member State in order to obtain evidence. It applies across EU Member States, with the exception of Ireland and Denmark.

This instrument allows for the execution of orders covering all types of evidence, including financial information and real-time monitoring of bank accounts. Consequently, gathering evidence for financial investigations in another Member State generally requires the issuance of an EIO.

The EIO can be used to request freezing measures for the purpose of gathering evidence. However, freezing measures intended for the purpose of confiscation must be requested under Regulation (EU) 2018/1805.

The final report evaluating the EIO Directive found that distinguishing between asset freezing for evidentiary purposes and asset freezing for confiscation purposes creates practical challenges. Many Member States reported receiving EIOs to seize assets that are ultimately intended for confiscation. Practitioners noted that the purpose of freezing or seizing assets can be mixed or evolve during an investigation and the simultaneous use of both instruments can cause delays. Difficulties are further compounded when different authorities handle EIOs and freezing certificates issued under Regulation (EU) 2018/1805.[12]

The report recommends that the European Commission consider issuing a handbook or guidelines on the EIO and its interaction with other judicial cooperation instruments, including Regulation (EU) 2018/1805.[13]

Regulation (EU) 2023/2844, applicable from May 2025, requires that EIOs be transmitted through a decentralised IT system.

SIENA has been extended to law enforcement units and initiatives, such as AROs, FIUs and several regional cooperation frameworks.

[11] For cross-border cooperation on evidence gathering between Ireland, Denmark and other EU Member States, the applicable framework includes the relevant MLA conventions and treaties. The primary instrument in this area is the *Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union*, adopted by the Council on 29 May 2000.

[12] Council of the European Union, *Final report on the Tenth Round of Mutual Evaluations on the implementation of the European Investigation Order (EIO)*, 19, https://www.consilium.europa.eu/en/documents/public-register/public-register-search/?AllLanguagesSearch=false&OnlyPublicDocuments=false&DocumentNumber=15834%2F24&DocumentLanguage=EN.

[13] Council of the European Union, *Final Report on the Tenth Round of Mutual Evaluations*, Ibid.

2.7 Directive 2014/42/EU

Directive 2014/42/EU sets minimum rules on the freezing and confiscation of property in criminal matters. It expands extended confiscation powers and introduces non-conviction based confiscation (NCBC) when criminal proceedings have been initiated and cannot continue due to the illness or absconding of the suspect.

The Directive also strengthens safeguards for persons affected by freezing and confiscation measures including:

- The right to an effective remedy and fair trial;
- Prompt communication of freezing and confiscation orders;
- Judicial review of such orders;
- Access to legal counsel;
- Protection of third-party rights; and
- Protection of victims' claims for compensation.

The Directive further encourages Member States to:

- Establish asset management offices (AMOs);
- Allow interlocutory sales; and
- Permit the use of confiscated property for social purposes.

Directive 2024/42/EU introduces post-conviction asset tracing under Article 9, which requires Member States to take the necessary measures to detect and trace property for freezing and confiscation even after a final conviction or following NCBC proceedings, to ensure the effective execution of any confiscation order that has already been issued.

2.8 Regulation (EU) 2018/1805

Regulation (EU) 2018/1805 is a directly applicable instrument that allows for the direct enforcement of freezing and confiscation orders issued by a judicial authority in one EU Member State in another. It applies in all Member States except Ireland and Denmark.

The Regulation establishes the rules under which a Member State recognises and executes freezing and confiscation orders issued by another Member State in proceedings in criminal matters. It does not apply to orders issued in civil or administrative proceedings. This instrument provides a streamlined procedure for executing such orders, including deadlines for recognition and execution, and prioritises victims' rights. For example, it outlines that victims must be prioritised when executing multiple freezing or confiscation orders, ensuring restitution and compensation before any other form of asset disposal. If victims' rights are not at stake, confiscated assets exceeding EUR 10,000 are split equally between the issuing and executing States.

The Regulation introduces the concept of "affected persons," defined as natural or legal persons against whom a freezing or confiscation order is issued, persons owning the property covered by the order, or third parties whose rights are directly prejudiced under the law of the executing State. Affected persons are afforded procedural rights, including:

- Prompt notification of execution or recognition of orders, specifying the issuing authority, legal remedies and reasons for the order;
- The possibility to request assistance from the issuing authority in executing these obligations;
- The right to effective legal remedies in the executing State against the recognition or execution of freezing and confiscation orders while the substantive reasons for the order are being challenged in the issuing State; and
- A requirement that the competent authority of the issuing State be informed of any legal remedies invoked.

The Regulation also stipulates that the management and disposal of frozen and confiscated property are governed by the law of the executing State. The executing State must prevent depreciation of the property and may sell or transfer frozen assets. Proceeds from such sales remain in the executing State until a confiscation order is executed.

According to Eurojust, Regulation (EU) 2018/1805 has significantly improved cross-border freezing and confiscation, although challenges remain. Continuing divergences in Member States' legal frameworks on freezing and confiscation can obstruct effective asset recovery. Moreover, the restitution of frozen or confiscated assets to victims, while a major step forward, remains difficult to achieve in practice due to restrictive national rules, delays and conflicting claims from multiple victims across different jurisdictions.[14]

Regulation (EU) 2023/2844 amended several provisions of Regulation (EU) 2018/1805, requiring that the transmission of freezing and confiscation orders and all official communications between issuing and executing authorities be transmitted through a decentralised IT system.

2.9 Directive (EU) 2024/1260

Directive (EU) 2024/1260 establishes minimum rules on the tracing, identification, freezing, confiscation and management of property within the framework of criminal proceedings. It also applies without prejudice to asset recovery measures adopted in civil

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[14] Eurojust, *Casework Report on Regulation (EU) 2018/1805 on the mutual recognition of freezing and confiscation orders* (September 2025), https://www.eurojust.europa.eu/sites/default/files/assets/files/ej-report-on-regulation-2018-1805.pdf.

or administrative proceedings. Member States, with the exception of Ireland and Denmark, must implement the Directive by 23 November 2026.

The Directive covers a wide range of criminal offences, as set out in Article 2, including the violation of restrictive measures.[15] It regulates all stages of asset recovery, from tracing to disposal. It significantly broadens confiscation powers across the EU. For example, it includes requirements to expand the application of extended confiscation mechanisms to all offences covered by the Directive, and stipulates that NCBC mechanisms should be available in cases where proceedings cannot continue due to death or the expiry of limitation periods. Additionally, it introduces the confiscation of unexplained wealth as a subsidiary measure when conviction-based, extended confiscation or NCBC cannot be applied.

The Directive introduces the concept of the "affected person," similar to Regulation (EU) 2018/1805, defining it to include:

- Any natural or legal person against whom a freezing or confiscation order is issued;
- Any person owning property subject to such an order;
- Any third party whose rights are directly prejudiced by a freezing or confiscation order; and
- Any person whose property is subject to an interlocutory sale.

The Directive ensures that affected persons are granted notification and fair trial rights. They must be informed of freezing, confiscation and interlocutory sale orders, together with the reasons for the measure and the rights and remedies available. The Directive further outlines that affected persons may challenge orders before a court and must be given access to relevant case files and, where necessary, interpretation and translation services. Courts may suspend interlocutory sales where their execution would cause irreparable harm, and absconded suspects must have a reasonable opportunity to challenge confiscation. Third parties may assert ownership or other property rights, including claims under Article 13. All affected persons have the right to legal counsel and must be informed of this right.

Similar to Regulation (EU) 2018/1805, the Directive prioritises victims' rights in the asset recovery process. Claims for restitution or compensation must be considered during asset tracing, freezing and confiscation. AROs may trace property relevant to victims' claims, including in cross-border cases. Confiscation must not prejudice victims' access to

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[15] Directive (EU) 2024/1226 establishes minimum rules on criminal offences and penalties for breaches of Union restrictive measures. Article 10 requires Member States to ensure the freezing and confiscation of proceeds and instrumentalities of such offences, as well as funds or economic resources linked to designated individuals or entities.

compensation, and where lawful assets of the offender are insufficient, Member States may limit confiscation accordingly.

The Directive also requires a systematic approach to asset tracing. When an investigation relates to an offence likely to generate substantial economic benefit, competent authorities must initiate asset-tracing investigations without delay. Member States may restrict this provision to offences committed within the framework of a criminal organisation.

Directive (EU) 2024/1260 strengthens the powers and operational capacity of AROs. Legal powers include:

- Allowing intelligence exchanged between AROs to be presented and used before a court, unless otherwise indicated by the providing ARO;
- Undertaking immediate action to preserve property at risk of dissipation;
- Tracing and identifying instrumentalities, proceeds or other property that may be subject to freezing or confiscation orders, including property linked to EU restrictive measures;
- Requesting cooperation from national authorities in accordance with national law;
- Exchanging information with other AROs in other Member States and with the European Public Prosecutor's Office (EPPO); and
- Accessing centralised or interconnected databases.

The Directive expands post-conviction asset tracing to confiscation orders issued under all conviction-based, extended, NCBC and unexplained wealth confiscation measures. Competent authorities should have tracing and identification tools as effective as those available for freezing assets under the Directive.

Each Member State should designate at least one AMO responsible for managing frozen and confiscated property. AMOs are responsible for preserving property value, assessing management costs, cooperating with national and cross-border authorities, and implementing measures to prevent persons convicted in related proceedings from acquiring confiscated property.

The Directive introduces a requirement for pre-seizure planning. Competent authorities must assess the circumstances of property likely to become the object of a confiscation order to minimise management costs and preserve value. This assessment shall be carried out when preparing or, at the latest, without undue delay after executing the freezing order.

In terms of asset management, the Directive specifies that frozen property may be sold or transferred before a final confiscation order when it is perishable, rapidly depreciating, disproportionately costly to store, or requires specialised expertise. Proceeds must be secured pending judicial determination.

The Directive also encourages Member States to use confiscated property for public or social purposes and to contribute assets to mechanisms supporting third countries affected by EU restrictive measures, including cases of war or aggression.

Under the Directive, Member States must ensure that AROs, AMOs and other competent authorities have adequate personnel, financial, technical and technological resources, access to specialised training, and opportunities for sharing best practices. They must maintain efficient information-management tools, including central or interconnected registers for tracking frozen and confiscated property, containing identification, value, ownership (including beneficial ownership) and case references, subject to data-protection requirements.

Finally, the Directive also specifies that Member States must adopt a national strategy on asset recovery by 24 May 2027 and review it at intervals not exceeding five years. The strategy must address policy priorities and objectives; roles and responsibilities of competent authorities and coordination; allocation of financial, technical and human resources; provision of specialised training; measures for the use of confiscated assets for public or social purposes; international cooperation with third countries; and mechanisms for monitoring and evaluating effectiveness.

2.10 Definitions

Relevant regional and international instruments were used as benchmarks for this report, with a particular focus on EU standards outlined above. The definitions below are key components of the asset recovery process and are essential to understanding the operational and institutional scope of Romania's asset recovery framework.

In particular, Directive 2014/42/EU and Regulation (EU) 2018/1805 provide updated and harmonised definitions that guide the national legal framework. Directive (EU) 2024/1260 is the most recently adopted standard and will fulfil the same function once the transposition deadline has passed. These definitions broadly align with UNTOC, UNCAC, CETS 198 and CETS 141.

Property includes any asset, whether corporeal or incorporeal, movable or immovable and covers legal documents or instruments evidencing title or interest in such property. Under Directive (EU) 2024/1260, this also explicitly includes crypto-assets. This broad definition forms the basis for identifying both proceeds and instrumentalities of crime.

Proceeds are any economic advantage derived directly or indirectly from a criminal offence. This includes all forms of property, as well as any subsequent reinvestment or transformation of proceeds and other valuable benefits. The EU harmonises this definition across Directive 2014/42/EU, Regulation (EU) 2018/1805 and Directive (EU) 2024/1260 to ensure that both direct and indirect benefits are covered.

Instrumentalities are any assets used, or intended to be used, wholly or partially, to commit a criminal offence. This definition is consistent across Directive 2014/42/EU, Regulation (EU) 2018/1805 and Directive (EU) 2024/1260, providing a clear standard for identifying property that facilitates criminal conduct.

Freezing refers to temporarily prohibiting the transfer, destruction, conversion, disposal or movement of property, or temporarily taking custody or control of property. This is defined in Directive 2014/42/EU, Regulation (EU) 2018/1805, as a "freezing order", and Directive (EU) 2024/1260. Freezing measures ensure that property remains available for confiscation.

Confiscation is the permanent deprivation of property ordered by a court in relation to a criminal offence. It can apply directly to criminal proceeds or instrumentalities. This concept is reflected in Directive 2014/42/EU, Regulation (EU) 2018/1805, as a "confiscation order", and Directive (EU) 2024/1260.

Value-based confiscation allows authorities to confiscate property equal in value to criminal proceeds where the seizure of the direct proceeds is not possible. This is reflected in Directive 2014/42/EU and Directive (EU) 2024/1260.

Extended confiscation permits the confiscation of property derived from criminal activities, even if it was obtained before conviction or if its value is disproportionate to the individual's known legal income. This mechanism is provided for in FD 2005/212/JHA, Directive 2014/42/EU and Directive (EU) 2024/1260.

Third-party confiscation targets property transferred to third parties to avoid confiscation, or acquired by third parties from a suspect who knew or should have known the transfer's purpose. This is provided for in Directive 2014/42/EU and Directive (EU) 2024/1260.

Non-conviction based confiscation (NCBC) allows the confiscation of instrumentalities, proceeds, or other property in cases where criminal proceedings can no longer continue, for example, due to illness, absconding, death, or the expiry of limitation periods. Directive 2014/42/EU refers to illness and absconding, whilst Directive (EU) 2024/1260 expands the scope. Broader definitions of this concept exist outside the EU framework, allowing confiscation in significantly wider circumstances, such as through civil recovery in the United Kingdom or civil forfeiture in the United States.

Victim refers to a natural or legal person who has suffered harm or economic loss as a direct result of offences covered by Directive (EU) 2024/1260. This aligns with Article 2(1)(a) of Directive 2012/29.

Affected person includes:

- A person against whom a freezing or confiscation order is issued;
- A person who owns property that is subject to such an order;

- A third party whose rights in relation to the property are directly prejudiced; or
- A person whose property is subject to an interlocutory sale.

This concept was introduced by Regulation (EU) 2018/1805 and expanded by Directive (EU) 2024/1260.

Compensation of victims refers to restitution for individuals or legal entities who have suffered harm or economic loss due to criminal offences. Directive (EU) 2024/1260 aligns this with Directive 2012/29, ensuring victims are formally recognised and prioritised in asset recovery proceedings.

3 The Romanian asset recovery system

3.1 Legislative framework

3.1.1 The Constitution

The Constitution of Romania is superior to all other laws and regulations. International treaties ratified by the Romanian Parliament form part of domestic law and are subject to the Constitution under Article 11(2). Where a conflict arises between the Constitution and an international treaty, the Constitution generally prevails. However, where an international treaty concerns fundamental and human rights, the treaty will take precedence unless the Constitution offers more favourable protection. Romania is also bound by the EU Charter of Fundamental Rights (CFR) when applying EU law, pursuant to Article 51(1) of the CFR.

3.1.2 Confiscation powers

Confiscation powers in Romania are established across multiple legal instruments.

Article 44(8) of the Constitution states that legally acquired property cannot be confiscated and establishes a presumption of lawful acquisition. Authorities must demonstrate a link between assets and criminal activity when seeking seizure or confiscation.

Confiscation measures are extensively referenced in the Criminal Code (CC), which classifies them as a “security measure” under Article 108, rather than a punitive sanction. Security measures aim to remove a state of danger and prevent the commission of criminal offences under Article 107 of the CC.

The CC provides for both “special” and “extended” confiscation under Articles 112 and 112^1.

Special confiscation, under Article 112 of the CC, may be ordered in respect of certain categories of property where they are connected to the commission of an offence, including:

- Goods produced through the offence;
- Property used or intended to be used in committing the offence;
- Property used immediately after the offence to facilitate escape or retain illicit benefits;
- Property given to induce or reward the offence;

- Property acquired through the offence; and
- Goods whose possession is prohibited by law.

Where the property is disproportionate in value, or cannot be confiscated because it does not belong to the offender and the person to whom it belongs was unaware of its use for that purpose, the court may order confiscation of a monetary equivalent. Goods derived from or produced by confiscable property are also subject to confiscation. Romanian law recognises both asset-based and value-based confiscation, including intermingled and transformed assets. Confiscation from knowing third parties is permissible, but confiscation from *bona fide* third parties is not.

Proceeds may only be confiscated where they are not required to be returned to, or used to compensate, an injured party.

Extended confiscation, introduced by Law No. 63/2012, which modified the CC, applies where a person is convicted of an offence punishable by at least four years' imprisonment and likely to generate material gain, provided the court is satisfied that the assets derive from criminal activity. This measure may be based on the disproportionality between lawful income and accumulated wealth and applies to property acquired up to five years before, and where relevant, after the offence, up to indictment. If the assets cannot be located, equivalent-value confiscation can be ordered. Confiscation must not exceed the value of property acquired during the relevant period that exceeds lawful income.

The Romanian law on extended confiscation has been upheld by both the European Court of Human Rights (ECtHR) and the Romanian Constitutional Court (CCR). In *Telbiș and Viziteu v. Romania*, the ECtHR found that fair-trial guarantees under Article 6(1) of the European Convention on Human Rights (ECHR) and the right to property under Article 1 of Protocol No. 1 were respected.[16] The CCR, in Decisions No. 356/2014 and No. 11/2015, confirmed compliance with the Constitution, as long as they were not applied to assets acquired before the relevant laws came into effect, noting that the principle of non-retroactivity applies.[17]

Specific criminal offences, including corruption, money laundering, terrorism financing and drug trafficking, are subject to mandatory confiscation rules that complement the general regime. [18]

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[16] *Telbis and Viziteu v. Romania*, no. 47911/15, 26 June 2018, https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-184058%22]}.

[17] Decisions No. 356/2014 and No. 11/2015, https://www.juridice.ro/wp-content/uploads/2014/09/Curtea-Constitu%C5%A3ional%C4%83.pdf and https://legislatie.just.ro/Public/DetaliiDocumentAfis/165515.

[18] Mandatory confiscation rules for these offences are set out in specific legislative instruments. Articles 289–292 of the CC govern corruption offences. Law No. 129/2019 regulates money laundering and terrorist financing offences, while Law No. 143/2000 addresses drug-related offences. Additionally, Article 16(1) of Law No. 143/2000 requires that, where drugs or related items cannot be recovered, the convicted person must pay their equivalent value.

In cases of corruption, money laundering and terrorism financing, where the original assets cannot be located, confiscation by equivalent value is obligatory. When illicit property cannot be distinguished from lawfully acquired assets, confiscation may be ordered up to the value of the illicit portion, including any profits or benefits that cannot be separated from legally obtained property. In drug-related offences, Article 16(1) of Law No. 143/2000 requires that, where drugs or related items cannot be recovered, the convicted person must pay their equivalent value.

3.1.3 Asset tracing and precautionary measures

Financial investigations are not expressly regulated under Romanian law, but numerous articles of the Criminal Procedure Code (CPC) assist in creating a framework for the identification of assets and the issuance of precautionary measures.

For example, Article 306(7) requires criminal investigation bodies to gather evidence to identify assets subject to special or extended confiscation.

With regard to precautionary measures, Article 249 allows prosecutors, pre-trial judges, or courts to impose these measures to prevent the concealment, destruction, transfer, or removal of property that may:

- Be liable to special or extended confiscation;
- Secure the payment of fines or legal costs; or
- Serve to compensate damage caused by the offence.[19]

Additionally, Article 249(4^1) imposes a duty on prosecutors to prevent dissipation of assets subject to confiscation. For certain offences – including money laundering, terrorism financing, tax evasion and corruption – precautionary measures are mandatory, even in the absence of a risk of dissipation.[20]

Defendants, interested persons and prosecutors may challenge precautionary measures, under Articles 250 and 250^1 CPC.

Article 250^2 of the CPC provides for the periodic review of precautionary measures: every six months during the investigation and annually during the trial stage. The CPC, however, does not establish a time limit for reviewing such measures during the preliminary chamber phase. During this stage of the proceedings, a judge reviews the legality of the indictment

[19] According to a binding decision of the High Court of Cassation and Justice (ICCJ), Decision No. 19/2017, it is not necessary to indicate, prove or identify the specific assets on which a precautionary measure is based when applied in criminal proceedings. ICCJ, Decision No. 19/2017 (16 October 2017), https://www.iccj.ro/2017/10/16/decizia-nr-19-din-16-octombrie-2017/.

[20] More recently, Law No. 224/2025 criminalised the violation of restrictive measures and introduces comparable provisions.

and the evidence before allowing the case to proceed to trial.[21] This review assesses whether grounds for the measure remain and authorities may maintain, restrict, extend or lift the measure through appealable decisions.

3.1.4 Seized asset management and interlocutory sales

Seized asset management and interim sales are primarily governed by two key legal instruments, namely the CPC and Law No. 318/2015, alongside other relevant legislative provisions.

As outlined in Law No. 318/2015, ANABI oversees the management of seized assets, including frozen funds, movable assets valued at more than EUR 15,000 and asset sets valued at more than EUR 300,000. Other seized assets are managed by designated custodians, including the police, prosecution offices, or courts.[22]

Additionally, the CPC governs the circumstances in which the interlocutory sale of seized assets is allowed. Under Articles 252^1 to 252^3, movable and immovable seized property may be immediately sold before a final confiscation order at the request of the property owner or with the owner's consent, by order of the public prosecutor, the pre-trial judge, or the court. The possibility of disposing of immovable property with the owner's consent was introduced through Law No. 230/2022.

Movable property can, under Article 252^1 of the CPC, exceptionally be sold without the consent of the owner, by order of a judge, when:

- Its value has fallen by at least 40 percent within a year of seizure;
- Goods consist of live animals, inflammable substances, perishable materials, pharmaceutical, sanitary products or stocks of goods with a cumulative value less than or equal to the amount of EUR 300,000 (or its RON equivalent);
- Storage or maintenance costs are disproportionate.

Article 252^1 para. (3^1) of the CPC, introduced by Law No. 230/2022, permits the interlocutory sale of all means of transport. Road, rail, naval, or air transport can be sold without the owner's consent, under Article 252^1 para. (3^1), when:

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[21] Article 343 of the CPC sets the deadline for conducting the chamber stage at 60 days. However, the deadline for reviewing precautionary measures during this stage remains unclear, in particular whether the six-month or one-year time limit applies.

[22] Additionally, certain categories of seized assets are entrusted to designated custodians:
-Tax warehouses for excise goods, including cigarettes, tobacco products and alcohol.
-Forestry authorities for timber seized in the course of criminal investigations into forestry offences.
-Drug precursors are maintained in the custody of authorised storage facility operators and subject to oversight by the National Anti-Drug Agency (ANA).

- A precautionary measure was ordered to prevent concealment or disposal;
- The owner failed to record the property's value within one year of seizure, and;
- The property is in the custody of a public institution.

The measure is subject to strict cumulative legal conditions and allows the owner to prevent the sale by depositing, within one year of seizure, a financial guarantee equivalent to the value of the asset. It was introduced in response to the rapid depreciation of certain seized assets and the significant storage and maintenance costs incurred by public authorities.[23]

Proceeds from sales are deposited in a special account under Article 252(8) of the CPC.

3.1.5 Disposal and reuse of confiscated assets

The disposal of confiscated assets in Romania is governed through a combination of laws and regulations that include the CPC, Government Ordinance No. 14/2007, Law No. 318/2015, Law No. 216/2016, the Civil Procedure Code and the Tax Procedure Code.

For the disposal of confiscated assets, the workflow is generally as follows:

- After a final confiscation decision, seized assets are transferred to the competent enforcement authority, usually ANAF. However, custody may remain with the original institution or be taken over by specialised realisation authorities;
- Confiscated movable and immovable assets may, under specific circumstances, be assigned free of charge to public or private entities in accordance with applicable legal provisions;
- Confiscated assets are evaluated and sold;
- Unmarketable assets may be destroyed if unusable.

Proceeds of the sale are transferred to the state budget after deducting storage, evaluation, sale, or destruction costs.

Romanian law provides for the direct and indirect reuse of confiscated assets.

Confiscated movable assets can be allocated to public entities, religious institutions or CSOs, under Government Ordinance No. 14/2007.[24]

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[23] The motivations for this amendment, proposed by ANABI, are outlined in detail in the explanatory memorandum to Law No. 230/2022, available at https://sgg.gov.ro/1/wp-content/uploads/2022/06/EM-5.pdf.
[24] ANAF can propose the allocation of such assets through a commission organised at the level of the General Secretariat of the Government, which includes a representative of ANABI.

Confiscated immovable property may be allocated, free of charge, to public entities, as well as associations and foundations, via a Government Decision initiated by the Ministry of Public Finance at ANABI's proposal. These assets may be used as social infrastructure, public-interest facilities, or in accordance with the beneficiaries' statutory activities.[25]

The proceeds from the sale of confiscated assets and funds derived from the enforcement of equivalent-value confiscation orders can be channelled towards victim support and crime prevention initiatives. Law No. 230/2022 established the National Mechanism for Crime Prevention Support (Mechanism). Operational since January 2023, the Mechanism channels the proceeds of confiscated assets into crime-prevention initiatives, victim assistance, legal education and public awareness activities. The Mechanism is funded through asset-recovery operations, including confiscations and the enforcement of equivalent-value orders.

The Mechanism is financed annually by supplementing the budgets of specified public authorities with 50 percent of amounts confiscated in criminal proceedings, 50 percent of revenues from the sale of confiscated assets and 50 percent of funds resulting from enforcement of equivalent-value confiscation orders.

Funding allocation is as follows:

- 20 percent to the Ministry of Education;
- 20 percent to the Ministry of Health;
- 15 percent to the MAI;
- 15 percent to the Public Ministry;
- 15 percent to the MJ;
- 15 percent to ANABI.

ANABI's share is used to provide non-reimbursable funding to associations and foundations active in victim assistance and social support, under Articles 37^{8} to 37^{13} of Law No. 318/2015.

Legislative amendments adopted in 2022 expanded access to financial compensation for victims of crime, as defined in Law No. 211/2004. In particular, amendments introduced through Law No. 230/2022 allow victims to claim compensation for both moral and material damages. To address urgent needs, victims may receive an advance in the form of vouchers worth up to five times the national minimum gross basic salary, pursuant to Article 37^{14} of Law No. 318/2015. These vouchers may be used exclusively for essential expenses, including food, accommodation, transport, medicines, and other basic items.

[25] Law No. 230/2022, Articles 34–35.

Distribution of vouchers is managed through selected public authorities and accredited CSOs providing nationwide victim support.

3.2 Strategic framework

This section provides an overview of the existing strategic framework for asset recovery in Romania.

Romania has adopted a National Asset Recovery Strategy 2021–2025, supported by an accompanying Action Plan.[26] The Strategy is coordinated and overseen by ANABI, with implementation progress monitored through publicly available updates.[27] These monitoring activities also serve to inform the design and priorities of subsequent strategic cycles.

The Strategy is structured around three core objectives:

- Strengthening legal and institutional frameworks: This objective seeks to address legislative and operational gaps while enhancing cooperation among all institutions involved in asset recovery. It emphasises the alignment of national procedures with EU and international standards to ensure a coherent and effective framework.
- Improving efficiency in asset recovery: Efforts under this objective include expanding ANABI's responsibilities, promoting proactive asset management, and leveraging information technology systems to increase transparency, accountability, and the overall effectiveness of asset recovery processes.
- Preventing crime and supporting victims: This objective focuses on establishing a National Mechanism for Crime Prevention Support, using proceeds from confiscated assets to fund victim compensation, educational initiatives, and projects implemented by CSOs, thereby reinforcing the social impact of asset recovery.

The implementation of the Strategy involves all relevant asset recovery stakeholders, with the exception of ANI, alongside CSOs, professional associations (including the Romanian Bar), and private sector entities.

Romania maintains multiple complementary strategies to address crime priorities, including the Anti-Corruption Strategy[28], the National Strategy Against Trafficking in Persons[29], and an Anti-Money Laundering Strategy.[30] Coordination across these strategies is ensured by

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[26] Approved by Government Decision No. 917/25.
[27] Available at https://anabi.just.ro/categorii-implementare.
[28] Ministry of Justice, *Strategic Plan 2021–2025*, https://sna.just.ro/en/c/sna-2021-2025.
[29] Ministry of Internal Affairs (MAI), *National Strategy against Trafficking in Persons 2024–2028 and National Action Plan 2024–2026*, https://anitp.mai.gov.ro/ro/docs/Despre%20Noi/Anexe/National-Strategy-against-Trafficking-in-Persons-2024-2028-and-National-Action-Plan-2024-2026.pdf.
[30] ONPCSB, *Anti-Money Laundering Strategy*, https://www.onpcsb.ro/uploads/articole/attachments/686776039443c738778280.pdf. At the time of the validation of findings visit, the Strategy was undergoing the approval process.

the institutions responsible for each area. The institution implementing a strategy leads its drafting, monitors progress, and coordinates activities with other stakeholders. For example, ANABI coordinates the asset recovery strategy, while also participating in the Anti-Money Laundering Strategy overseen by the FIU. This coordination is intended to ensure that measures are complementary and avoid duplication of efforts.

Effective monitoring and inter-strategy coordination are critical: they accelerate asset recovery, enhance compliance with EU and international standards, and facilitate information sharing among agencies. By integrating oversight, operational execution, and social impact, Romania's strategic framework enables a responsible, sustainable and results-oriented approach to combating crime and maximizing the benefits of asset recovery for society.

3.3 Institutional framework

Romania's asset recovery architecture comprises judicial, prosecutorial, law enforcement, financial intelligence and administrative institutions that operate across the full asset recovery cycle, including tracing, freezing, confiscation, management and disposal stages. While their responsibilities vary, the system's effectiveness depends on strong coordination, timely information exchange and the consistent application of legal standards. Beyond the institutional framework, other stakeholders, such as lawyers and CSOs, play complementary roles by safeguarding rights, supporting victims and promoting transparency.

The **National Agency for the Management of Seized Assets (ANABI)** is responsible for tracing and managing seized assets. ANABI supports tracing by supplying technical expertise and rapidly identifying assets to enable prosecutors to apply precautionary measures. Once assets are frozen or seized, ANABI oversees their management, valuation, preservation and interlocutory sale. ANABI also supports the confiscation phase by providing valuations and information to courts. After confiscation, ANABI transfers assets to ANAF and coordinates social reuse where provided by law.

The **Ministry of Justice (MJ)** plays a central role in advancing international cooperation, developing legislation and coordinating national strategies in the justice sector. Within this framework, the **Directorate for International Law and Judicial Cooperation (DDICJ)** functions as the central authority for mutual legal assistance (MLA). The **Directorate for the Development of Normative Acts (DEAN)** leads on legislative drafting and justice policy formulation, promoting coherence, legal certainty and alignment with European and international standards. The **Directorate for Crime Prevention (DPC)** designs and oversees national anti-corruption and crime-prevention strategies, supporting institutions in identifying vulnerabilities, strengthening preventive measures and reducing criminal risks across the country.[31]

The Superior Council of Magistracy (CSM) plays no operational role in tracing, freezing, confiscation or managing assets. Its function is systemic, ensuring the independence, integrity and professional performance of judges and prosecutors.

Prosecutorial authorities, including the Prosecutor's Office Attached to the High Court of Cassation and Justice (PICCJ), the Directorate for Investigating Organised Crime and Terrorism (DIICOT), the National Anti-Corruption Directorate (DNA) and the European Public Prosecutor's Office (EPPO), are the central drivers of asset recovery, initiating and directing investigations, tracing assets, applying precautionary measures during the investigative stage and seeking confiscation before the courts. They collaborate with police, the Financial Intelligence Unit (FIU) and foreign judicial authorities. Under applicable legal provisions, they also manage seized assets.

Judges ensure legality, proportionality and due process across all critical stages of the asset recovery cycle. They authorise and review precautionary measures, oversee interlocutory sales of depreciating assets during the management stage and, crucially, issue final decisions on special and extended confiscation. Confiscation is an exclusively judicial function.

The **Ministry of Internal Affairs (MAI)** oversees **law enforcement agencies** responsible for operational asset recovery activities. The **General Inspectorate of the Romanian Police** – through the **Directorate for Combating Economic Crime (DICE)** and the **Directorate for Combating Organised Crime (DCCO)** – together with the **Anti-Corruption General Directorate (DGA)**, conducts investigative measures under prosecutorial supervision and enforces precautionary measures. In specific cases, these agencies also manage seized assets.

The **National Agency for Fiscal Administration (ANAF)** enforces confiscation orders issued by the courts, manages assets transferred to the State following confiscation and carries out their disposal, including sales and recovery of equivalent-value amounts. ANAF traces assets and applies precautionary measures to ensure the enforcement of equivalent-value confiscation orders. Revenues are transferred to the state budget or to the Mechanism. It provides ANABI with information about the enforcement of confiscation orders.

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[31] DEAN and DPC are not included in the institutional overview, as this assessment is limited to bodies with direct and specific responsibilities across the asset recovery chain. While DEAN and DPC perform important horizontal functions in legislative drafting, justice policy, and crime prevention, their mandates are overarching and not operationally focused on asset tracing, freezing, management, confiscation, or enforcement. Their exclusion reflects the methodological scope of the assessment and does not diminish their broader role within the MJ.

The **National Integrity Agency (ANI)** supports asset tracing by verifying asset declarations submitted by public officials and detecting discrepancies suggestive of illicit enrichment. ANI does not freeze, confiscate or manage assets; instead, it refers its findings to the competent prosecutorial bodies or ANAF, triggering criminal or administrative investigations when criminal offences are indicated. ANI also initiates procedures for civil unjustified wealth confiscation.

The **National Office for Preventing and Combating Money Laundering (ONPCSB),** Romania's FIU, contributes primarily at the tracing stage by analysing suspicious transaction reports, beneficial ownership data and complex financial flows. It can temporarily block suspicious transactions to prevent the dissipation of assets before precautionary measures can be applied.

Civil society organisations (CSOs) support transparency, accountability and public awareness in asset recovery. They advocate for victims' rights, provide guidance and assistance in restitution or compensation claims and promote the socially beneficial use of confiscated assets. CSOs may also contribute to policy development, monitor the implementation of legal frameworks and engage in capacity-building initiatives for communities, law enforcement and legal professionals.

Lawyers safeguard the rights of suspects, third parties and victims in judicial proceedings. They provide legal counsel, represent clients in challenging freezing, confiscation or interlocutory sale orders and ensure compliance with due process. Lawyers also assist with restitution and compensation claims and advise authorities on complex legal and cross-border issues related to asset tracing and recovery.

The following subsections provide a more detailed explanation of the responsibilities, resources and challenges of the key stakeholders in Romania's asset recovery process.

3.3.1 Ministry of Justice (MJ)

The following relevant stakeholders fall under the authority of the MJ:

3.3.1.1 National Agency for the Management of Seized Assets (ANABI)

Summary:

- ANABI functions as both the Romanian ARO and AMO.
- In its ARO capacity, ANABI engages in international cooperation, exchanges data with EU and non-EU authorities, and provides support to prosecution services, courts, and law enforcement.
- In its AMO capacity, ANABI oversees the administration of seized assets, manages interlocutory sales, and monitors storage capacity.

- ANABI provides guidance, tools, and training to judicial authorities on asset identification, management, and disposal.

ANABI was established under Law No. 318/2015 as a national public institution subordinated to the MJ. It replaced the National Office for Crime Prevention and Co-operation for Criminal Asset Recovery, the former Romanian ARO. ANABI functions both as the Romanian ARO and as the national AMO. The agency has its own administrative structure, organised into directorates, services and offices. Territorial structures may be established by order of the Minister of Justice.

ANABI has a strategic and operational role within Romania's asset recovery system, performing the following functions:

- Managing the National Integrated Asset Recovery and Management Information System (ROARMIS);
- Facilitating the tracing and identification of proceeds of crime and other assets related to criminal activity that may be seized and confiscated in criminal proceedings, including during the enforcement of criminal judgments;[32]
- Managing movable assets seized during criminal proceedings;
- Selling seized movable and immovable assets prior to confiscation;
- Supporting judicial bodies in applying best practices for identifying and managing assets that may be subject to seizure and confiscation during criminal proceedings; and
- Coordinating, evaluating and monitoring at the national level the enforcement of legal procedures related to asset recovery.[33]

ANABI also provides judicial authorities further assistance. This includes:

- Assisting judicial authorities in applying best practices for the tracing and identifying the proceeds of crime and for the streamlined management of seized assets;
- Supporting asset valuation by supplying tables, guidelines and other tools;
- Assisting in the execution of seizure and confiscation orders received from or transmitted to judicial authorities in other EU Member States;
- Exchanging best practices with foreign AROs and AMOs;
- Organising professional training for relevant practitioners; and
- Formulating public policy proposals within its remit.

[32] The possibility of tracing assets post-conviction was introduced by Law No. 230/2022.
[33] ANABI is also part of the Eurojust National Coordination System.

Governance

ANABI is coordinated by a Board, which does not operate on a permanent basis. The Board meets at least twice a year, and additionally on an ad hoc basis where necessary.[34] It comprises:

- The Director General of ANABI;
- Three representatives of PICCJ, including one representative from the DNA and one from DIICOT; and
- One representative from each of the following stakeholders: the MJ, the CSM, MAI, the Ministry of Public Finance, and ANAF;

The Board's duties include:

- Approving ANABI's annual activity report;
- Approving the Agency's operational strategy;
- Endorsing ANABI's public policy proposals in the field of asset recovery;
- Identifying issues arising from the Agency's activities and making recommendations to ANABI's management aimed at improving the efficiency of the identification, management, and capitalisation of seized and confiscated assets, as well as any other organisational or managerial recommendations.

Interviewed stakeholders indicated that the Board provides a forum for interinstitutional dialogue on cross-cutting issues. It facilitates information exchange between the represented institutions and supports coordination on legislative and operational matters. Board members also participate in national and international events to exchange best practices and strengthen cooperation on asset recovery.

Romania's Asset Recovery Strategy

ANABI prepares, coordinates and monitors the implementation of the National Asset Recovery Strategy.

Based on information provided by ANABI following the on-site visit, the analysis of the execution of the 61 measures included in the Strategy demonstrates a strong rate of implementation, with most measures either fully completed or well advanced.[35]

Fully implemented measures have achieved their objectives and produced institutional results. These include strengthening the legislative framework, operationalising IT systems, enhancing inter-institutional cooperation, and delivering training. Partially

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[34] Law No. 318/2015, Articles 12–13.
[35] Of the 61 measures, 38 (62.3 percent) have been fully implemented, 19 (31 percent) partially implemented and four (6.6 percent) not implemented.

implemented measures have made progress but require further work, often due to the need for multiple approvals, technical procedures, coordination, or securing external funding. These include developing storage infrastructure, integrating IT systems (e.g., ROARMIS with ECRIS 5), expanding collaboration with professional bodies, and establishing unified communications. Blocked or unimplemented measures are limited in number and result from structural constraints, such as the absence of a mechanism for mandatory insurance for seized goods, lack of liability insurance for personnel, and the absence of a legal provision explicitly allowing ANABI's participation in Joint Investigation Teams (JITs).[36]

During the validation of findings visit, ANABI indicated that a final evaluation report is under preparation and will be submitted to the Minister of Justice.

Stakeholders highlighted the complexity of coordinating multiple national strategies, while acknowledging ongoing efforts to integrate asset recovery measures across these frameworks.

Romanian Asset Recovery and Management Integrated System (ROARMIS)

ANABI is responsible for the management of ROARMIS, Romania's national registry of claims arising from criminal offences. Operational since December 2023, the system is predominantly used by ANABI and prosecution services and has more than 17,000 institutional users. Access has gradually been extended to the courts, police units, ANAF, the MJ and banking institutions. Since its launch, ANABI and the PICCJ have delivered training on the use of the registry to a substantial number of prosecution and court staff. ROARMIS records information on seizure orders, ongoing cases, asset movements, confiscation status and cases of double seizures.[37]

Access to the system is role-based: users may consult only the data they enter, while supervisors have access to all entries within their organisational hierarchy. In practice, interviewed stakeholders indicated that not all relevant authorities systematically use ROARMIS or consistently entered complete data or are connected to the system. Gradual integration of all relevant stakeholders into the system is ongoing, with the aim of ensuring that all relevant authorities are connected and consistently using ROARMIS.[38] These gaps

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[36]According to information provided by ANABI, a draft amendment to Law No. 318/2015 had initially proposed authorising ANABI to participate in JITs at the request of prosecutors. Consultations with the MJ, the PICCJ, and the CSM concluded that existing legislation already allows ANABI's involvement in JITs.

[37] According to available information, these records were initially collected in physical form and later digitised.

[38] For institutions without direct technical access, a secure public functionality allows the transmission of alerts, including notifications regarding the lifting of precautionary measures. Depending on the stage of proceedings and the institution involved, the system supports workflows covering seized, confiscated, and pre-sold assets, bank accounts administered by ANABI, assets reused for social or public purposes, assessments of asset value in relation to damages caused, and the management of international asset-sharing arrangements.

in institutional integration currently limit the platform's capacity to provide comprehensive and reliable oversight of all seized and confiscated assets across the criminal justice chain.

Beyond its operational use, ROARMIS supports inter-institutional coordination, statistical analysis and policy development in asset recovery. The system can generate reports based on crime type, proceedings stage (seizure, realisation, confiscation) and asset category and value. Such data contribute to Romania's compliance with Directive (EU) 2024/1260, Regulation (EU) 2018/1805 and international monitoring mechanisms, including MONEYVAL.

Work is underway to upgrade the system through the development of ROARMIS 2. The new version is intended to simplify data entry and improve data visualisation and reporting, creating a comprehensive information hub for practitioners ROARMIS 2 will integrate with ECRIS 5, the judiciary's new case management system, allowing for the automatic population of data by judges and prosecutors.[39] It will also allow automated exchanges with relevant institutions.[40]

The effectiveness of ROARMIS and its upgraded version will depend on full institutional integration and consistent data population by all competent authorities.

ANABI's function as an ARO

In its ARO capacity, ANABI:

- Cooperates with competent Romanian public authorities and institutions to identify and trace assets that may be subject to precautionary measures in criminal proceedings;
- Cooperates with asset recovery offices or equivalent authorities in other EU Member States; and
- Represents Romania within the Camden Asset Recovery Inter-Agency Network (CARIN) and participates in the exchange of data and information, including through other similar networks.[41]

ANABI exchanges data and information with EU Member States, non-EU jurisdictions and bodies such as Europol, the EPPO and private sector entities. Through its networks, the Agency can potentially facilitate operational cooperation in the identification of assets in

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[39] ECRIS 5 will function as a tool in the management of the judicial system, providing aggregated and systematised information necessary for decision-making regarding the administration of the judiciary. MJ, *Cerințe tehnice ale Sistemului ECRIS V*, https://www.just.ro/wp-content/uploads/2021/07/A3.-Cerinte-tehnice-ale-Sistemului-ECRIS-V.pdf.
[40] These include the National Trade Register Office, the National Agency for Cadastre and Land Registry, and the National Union of Judicial Executors.
[41] Law No. 318/2015, Article 20.

over 170 jurisdictions, by means of the EU ARO Platform and seven regional networks.[42] Criminal investigation bodies, prosecutors and courts may request information either directly from ANABI or, via the Agency, from AROs or authorities with similar responsibilities in other EU Member States or third countries.

This can include information to enforce special and extended confiscation orders of equivalent value.[43] ANABI reported cases in which assets identified with its support were subject to confiscation orders and subsequently transmitted for recognition and enforcement abroad.

In 2024, ANABI exchanged information with 25 EU Member States and 14 non-EU jurisdictions, including Canada, Switzerland, the United Kingdom, the United States, and several countries in Eastern Europe, the Western Balkans, Africa and Central Asia. ANABI also cooperated with private sector entities such as KuCoin, a global cryptocurrency exchange, and Revolut, a financial technology company.[44]

ANABI can trace, monitor and analyse blockchain transactions using a Chainalysis Reactor Platinum licence, funded by international partners.

The Agency conducts asset tracing abroad in response to requests from Romanian authorities and domestically in response to requests from foreign authorities. Information provided by ANABI to Romanian authorities may serve as a basis for further international cooperation, including the issuance of EIOs. However, information received from foreign authorities cannot usually be used directly as evidence. Consequently, national authorities must initiate EIOs or MLA requests to convert such information into admissible evidence, after which orders to freeze assets may be issued.

According to ANABI's 2024 Activity Report, it receives considerably more requests from foreign authorities seeking to trace assets in Romania than it sends abroad. Between December 2016 and December 2024, it handled 1,938 requests from foreign authorities and 925 from Romanian authorities.[45]

ANABI highlighted that challenges persist regarding their ability to conduct domestic asset tracing. Specifically, interviewees reported that when searching domestic databases, they must retrieve information from multiple, unintegrated registries, such as property ownership

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[42] The regional networks are: ARIN-AP, ARIN CARIB, ARIN-EA, ARIN-SA, ARIN-WA, ARIN-WCA and RRAG. During the validation of findings visit, ANABI reported that, with the establishment of MENA-ARIN, access will be extended to over 200 jurisdictions.
[43] Law No. 318/2015, Article 24.
[44] ANABI, *2024 Activity Report*, https://anabi.just.ro/storage/uploads/90be1fff-b7ec-44cb-b7b3-99aa27bf7e37/Raport-anual-ANABI-2024.pdf.
[45] According to information provided by ANABI during the validation of findings visit, as of December 2025, more than 3,400 requests had been processed, resulting in the identification of approximately 22,000 assets for freezing.

databases and the trade register. This fragmentation reduces the speed and efficiency of asset tracing, particularly in complex or time-sensitive cases.

ANABI's function as an AMO

As a general principle, ANABI's asset management mandate focuses on seized assets rather than confiscated assets. By contrast, confiscated assets fall under separate capitalisation and disposal regimes, typically involving ANAF. ANABI's role relating to confiscated assets is therefore supervisory, consisting of record keeping, monitoring of capitalisation outcomes and coordination with competent enforcement and realisation bodies.[46]

Specifically, ANABI is responsible for managing:

- Seized amounts of money and amounts obtained from interlocutory sales, through a single bank account in RON and separate accounts for each foreign currency. These accounts bear interest. ANABI also manages a cryptocurrency account.[47]
- Seized movable assets with an individual value exceeding the RON equivalent of EUR 15,000 and stocks of assets or products with a cumulative value exceeding the RON equivalent of EUR 300,000.[48]

Seized funds are centrally managed by ANABI. Transfers of frozen funds from commercial banks to ANABI's account require authorization by prosecutors or courts and are not automatic, meaning that substantial amounts may remain outside centralized administration pending periodic reviews of precautionary measures.[49]

Since 2018, ANABI has also managed frozen cryptocurrencies. According to information provided by ANABI, this has included the sale of digital assets pursuant to court orders, with transactions conducted through regulated platforms subject to compliance requirements.[50]

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[46] According to information provided by ANABI during the validation of findings visit, the Agency manages a portfolio of seized assets, including movable assets and crypto-assets, valued at approximately EUR 210 million at the end of 2025. The ANABIGRAM table, which provides an overview of assets under administration, is available at https://anabi.just.ro/storage/uploads/e1f5ba53-08f7-4180-9ff4-b85ecbf2132f/ANABIgram-dec-2025.pdf.
[47] Law No. 318/2015, Article 27.
[48] Law No. 318/2015, Article 28.
[49] Under Article 38(5) of Law No. 318/2015, banks report the frozen amounts to ANABI, which may then request their transfer.
[50] Another example, described in ANABI's *2024 Activity Report*, concerns a criminal case in which ANABI assumed responsibility for managing a diversified portfolio of seized cryptocurrencies, including Bitcoin, Ether, and other tokens, with an estimated value of approximately USD 4 million. The assets were managed in coordination with prosecutors and law enforcement, comprising more than 75 individual digital assets.

ANABI does not manage seized immovable assets but must keep records of such assets in ROARMIS, based on seizure orders transmitted by prosecutors or judges, or courts.[51] The seizure is recorded on the Land Registry, but the property remains in the owner's possession during proceedings.

ANABI has implemented procedures for managing and selling seized assets, including monies frozen in the ANABI single bank account, movable property, or interim sales.[52]

Assets not under ANABI management remain in evidence rooms or other storage facilities managed by police departments, prosecution services, or courts. Custodians apply their own regulations to the management of assets under their administration.[53]

Although all seized assets are required to be recorded in ROARMIS, interviews suggested that, in practice, there is uncertainty both as to whether this requirement is consistently fulfilled and as to how assets remaining in the custody of other authorities are managed.

Law No.318/2015 provides for the possibility of authorities consulting with ANABI before enforcing seizure measures. However, interviews conducted during the on-site visit indicate that, in practice, such planning is applied inconsistently and largely on a case-by-case basis. Assessment and decisions on storage capacity or depreciation risks are often taken after seizure rather than at the planning stage. This approach may limit the ability to minimise management costs and prevent depreciation.

Interlocutory sales

ANABI may sell seized assets before confiscation, even if they are not under its direct administration, including immovable assets. ANABI can proactively propose to judges and prosecutors, depending on the stage of the case, the sale of seized assets. Law No. 318/2015 provides detailed regulations for such sales, covering valuation procedures, the organisation of auctions, record keeping and the engagement of private-sector entities. ANABI maintains a portal on its website for online auctions, which will be integrated with ROARMIS.

In 2024, ANABI completed 49 public auctions, selling items such as vehicles, railway equipment, timber, raw materials, electronics and ferrous waste.[54] ANABI also completed

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[51] Since 2021, ANABI has maintained a protocol with ANCPI to receive data on all seized immovable property in both criminal and tax cases.
[52] ANABI has developed a *Guide for Calculating Damages and Working Tools*, which has been distributed nationally to law enforcement officers and prosecutors since 2021, as part of a POCA project. The guide explicitly addresses administrative procedures, asset valuation, and operational best practices.
[53] According to information provided during the validation of findings visit, the MAI regulates evidence room operations through MAI Order No. 73/2013, with subsequent amendments incorporating ANABI proposals via OMAI No. 96/2022. Courts and prosecutors' offices apply their own procedural regulations in accordance with the CPC.
[54] The conversion rate of seized movable assets into cash reached 107 percent.

the first interlocutory sales of three immovable assets and initiated similar processes for additional properties. Furthermore, it submitted requests for more than 70 assets with a combined value exceeding EUR 2.88 million.[55]

However, information provided by ANABI following the on-site visit indicates that most interlocutory sales occur at the owner's request or with their consent. Data covering the period 2022-2025 show that courts rejected a significant proportion of ANABI-initiated sale requests.[56]

Judicial decisions reflect a cautious approach to interlocutory sales. In assessing such applications, courts examined whether the evidentiary record adequately established depreciation, whether appropriate expert valuation evidence had been adduced, and whether storage or maintenance costs satisfied the applicable proportionality threshold. They also reaffirmed the importance of safeguarding third-party property rights, emphasising that assets registered to individuals other than the defendant may only be sold where a clear and lawful basis is demonstrated.

Disposal of confiscated assets

Article 31 of Law No. 318/2015 requires ANABI to maintain records of all decisions ordering special or extended confiscation issued by Romanian courts or communicated by foreign courts. Confiscated assets managed by ANABI are handed over to the competent capitalisation bodies in accordance with Government Ordinance No. 14/2007.

Under Article 32 of Law No. 318/2015, ANABI conducts quarterly reviews of the capitalisation of confiscated assets and of the use of immovable property transferred to the state's private domain, requesting information from relevant authorities if necessary. It must also publish up-to-date information on each immovable asset confiscated in criminal proceedings, including its legal status, location, photographs, date of transfer to state ownership and other relevant details.

ANABI is empowered to negotiate and facilitate bilateral agreements on the sharing of confiscated assets and, with the approval of the MJ, may conclude such agreements. In fulfilling this role, ANABI cooperates with equivalent bodies in other jurisdictions, as well as with domestic judicial, administrative and capitalisation authorities.[57] The recovered amounts include both asset-sharing agreements under applicable EU instruments and

[55] ANABI, 2024 *Activity Report*.
[56] More specifically, according to ANABI data, 611 interlocutory sales were requested by, or carried out with the consent of, the asset owner. ANABI initiated 32 applications for interlocutory sales without the owner's consent, covering 116 assets. Of these, court approval was granted for 15 assets, 27 requests were dismissed, and 55 remained pending at the time of reporting. In four cases, courts adopted alternative outcomes, including the lifting of seizure, restitution, or the issuance of confiscation orders following a final conviction.
[57] Law No. 318/2015, Article 42.

bilateral agreements concluded by ANABI with the approval of the MJ.[58] In cases involving victims, recovered funds were allocated directly for victim restitution and no asset-sharing arrangements were undertaken, in accordance with the provisions of Regulation (EU) 2018/1805.

The National Crime Prevention Support Mechanism (Mechanism)

ANABI collects funds from confiscations ordered in criminal proceedings, retaining 50 percent of the amounts paid into its single account before transferring the remainder to the bodies responsible for asset capitalisation.[59] For amounts realised from the sale of confiscated property or from enforcing confiscation orders of equivalent value, ANAF must transfer to ANABI 50 percent of the net proceeds obtained.

ANABI distributes its share of the allocated funds through the Mechanism, by managing a programme for awarding non-reimbursable funding to eligible associations and foundations acting in the field of victim and social assistance. Beneficiaries are selected through a competitive evaluation of project proposals.

In 2024, ANABI signed the first non-reimbursable funding contracts with associations and foundations working in victim assistance, protection and social support.[60] The funded initiatives include: *Justice for Victims with Intellectual or Psychosocial Disabilities*, *It Starts with You: Education, Prevention, Action Against Crime* and *Active Measures for Crime Prevention, Victim Protection and Community Resilience in Argeș County,* with a total value of RON 824,394.38, from an available budget of RON 1,737,703.62.[61] The funds transferred by ANABI to the Mechanism reflect the statutory distribution percentages laid down in Article $37^2(1)$ of Law No. 318/2015. For the 2025 budget year, the total amount to be allocated stands at RON 10,646,569.51.

According to ANABI's 2024 Activity Report, the analysis of the data transmitted by ANAF revealed that when confiscation processes involved equivalent sums, these amounts were not transferred to the Mechanism. Instead, these sums were recorded by the tax authorities as part of recovered budgetary claims, bundled together with compensation for material damage, fines, legal costs and other categories, without a breakdown allowing

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[58] According to information provided by ANABI during the validation of findings visit, approximately RON 9.7 million was recovered between 2017 and 2025 through the enforcement of foreign confiscation orders.
[59] The legal outline of the Mechanism was explained in Section 3.1.5.
[60] According to information provided by ANABI as part of of the validation of findings visit, the selection process was conducted between March and May 2024, during which 11 applications from associations and foundations were received. Three projects were selected for funding, while the remaining applications were not approved as they did not meet the eligibility criteria due to administrative, technical, or project maturity issues. The selected projects benefited over 100 victims with intellectual or psychosocial disabilities, provided legal education and psychological counselling to 140 children and youth at high risk of crime, conducted crime prevention activities for 120 adults, offered counselling to 25 victims of domestic violence, and delivered legal education and crime prevention sessions to 3,000 individuals. Unused funds were carried over to the following year.
[61] ANABI, 2024 *Activity Report*.

the identification of the portion representing the amount of confiscated funds. According to ANABI, the continued non-transfer of these funds has persisted since the establishment of the Mechanism and poses a challenge to compliance with the financing rules of the Mechanism.

During the validation of findings visit, ANABI reported that an interim evaluation covering the period 2023–2025 indicates that the Mechanism has been implemented across several beneficiary institutions, supporting activities in areas such as crime prevention, victim support, education and institutional capacity-building. For example, between 2023 and 2025, the MAI implemented projects with an overall fund absorption rate exceeding 85 percent.[62] Early implementation experiences informed consultations with civil society to identify and address operational challenges related to the Mechanism. In 2025, legislative amendments were initiated by ANABI with a view to restructuring the Mechanism as a national programme, including adjustments to implementation timelines and scope. Options are being examined regarding the use of unspent funds to support the administrative and logistical capacity of authorities involved in asset recovery.

Reuse of confiscated immovable property

ANABI facilitates the social reuse of confiscated immovable property under the applicable legal framework.[63]

According to ANABI's 2024 Activity Report, the Agency transferred, free of charge, a confiscated property to the private domain of the commune of *Traian*, *Bacău* County, for use as a residential facility for the elderly. ANABI also submitted to the Ministry of Finance a proposal for the gratuitous transfer of another confiscated property, comprising land and buildings, to the municipality of *Râmnicu Vâlcea*, which was authorised in March 2024.

Despite these examples, the overall number of social reuse requests remains limited. Clarifications provided by ANABI during the validation of findings visit indicate that this is largely due to the characteristics of many confiscated properties, which may be unsuitable for reuse. Constraints include buildings in advanced disrepair, lack of utilities, joint ownership, or land use restrictions. Applications may also be rejected due to incomplete documentation or failure to meet legal eligibility conditions.[64]

[62] According to information provided by ANABI, between 2023 and 2025, the MAI implemented 11 projects with a total budget of RON 4,860,000. Of these, six were completed, two discontinued, and three are ongoing. One project, coordinated by the Prahova County Police Inspectorate, aimed to improve the management and preservation of evidence in the seized asset storage facility. With a budget of RON 535,000, it focused on rehabilitating storage spaces in compliance with MAI Order no. 73/2013, ensuring secure, traceable, and optimal storage of seized vehicles.
[63] Law No. 318/2015, Articles 34–35; Law No. 216/2016.
[64] For example, a four-room apartment in *Brașov* received applications for both public and social reuse, but none met the applicable legal criteria.

Stakeholders, particularly representatives of CSOs, highlighted that structural, legal and financial factors may limit the scale of asset repurposing. Bringing confiscated properties up to operational standards often requires significant investment and guidance for local authorities on potential uses remains limited. Interviewees noted that oversight and prioritisation of repurposing initiatives could be strengthened through dedicated coordination, while local authorities would benefit from additional support in planning the effective use of confiscated assets.

Strengthening partnerships with local authorities, sharing best practices and piloting community-based uses of confiscated assets were identified as practical steps to support social reuse. Interviewees also emphasised that the repurposing of confiscated assets can play a role in addressing structural vulnerabilities linked to crime, including limited access to transport, housing and essential services in marginalised areas. Investments in community centres, legal empowerment initiatives and inclusive infrastructure, alongside the development of scalable community-based models for the social reuse of confiscated assets, were viewed as important for achieving sustainable impact.

Overall, while the legal framework for social reuse is applied in specific cases, structural, legal and financial constraints continue to affect its scale and broader implementation.

Human resources

As of 31 December 2024, 44 of ANABI's 59 funded positions were filled and two were temporarily vacant. The occupied posts comprised seven legal specialist positions equivalent to those of judges and prosecutors, 24 inspector positions for asset tracing and management, 12 civil service posts, and one contractual staff position. The temporarily vacant posts consisted of one legal specialist position and one civil service position.[65] According to ANABI's 2024 Activity Report, ANABI was operating at approximately 75 percent of its funded staffing capacity. However, during the validation of findings visit, ANABI reported that its staffing level had declined to approximately 66 percent.[66]

This staffing shortfall may constrain ANABI's operational effectiveness, including its capacity to fulfil its ARO and AMO functions and to administer confiscated asset disposal procedures.

Storage capacity

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[65] ANABI, *2024 Activity Report.*

[66] According to an update provided during the validation of findings visit, the operational activities of the AMO, the ARO, procedures for the reuse of confiscated assets, cooperation on international freezing orders, and management of the ROARMIS system are carried out nationwide by 19 ANABI inspectors.

ANABI currently relies on two rented warehouses which are operating beyond their technical capacity.[67]

According to information provided by ANABI following the on-site and validation of findings visits, significant challenges in managing storage for seized assets persist, both within law enforcement and prosecution offices and at ANABI level. These challenges include insufficient storage capacity and continued reliance on rented facilities.

Since 2016, ANABI has identified serious deficiencies, including overcrowded police and prosecution storage rooms, growing volumes of seized assets, high rental costs, prolonged storage due to extended court proceedings, and the absence of dedicated facilities in strategic locations such as *Constanța* Port.

To address these constraints, ANABI plans to expand storage capacity by renting an additional warehouse in the Bucharest area and constructing at least three new regional facilities. As of 6 November 2024, feasibility studies and technical documentation for these locations had been approved, forming the basis for procurement procedures launched in December 2024.

During the validation visit, ANABI reported that financing arrangements for the planned storage facilities were discontinued in December 2025.[68] This requires ANABI to explore alternative funding sources and interim storage solutions, including additional budgetary support for a third warehouse.

As a result, overcrowding and reliance on temporary facilities continue to pose risks to asset preservation and operational efficiency. Delays in construction and procurement could limit ANABI's capacity to manage assets effectively.

3.3.1.2 International Law and Judicial Co-operation Directorate (DDICJ)

Summary:

- The DDICJ is one of two bodies that acts as Romania's central authority (the other being the PICCJ).
- DDICJ is the Romanian central authority responsible for handling incoming and outgoing MLA requests during the trial and enforcement stages.
- The central authority within the PICCJ is responsible for incoming and outgoing requests issued during the pre-trial stage.

[67] The warehouses are located in Ilfov County (Pantelimon and Dragomirești-Vale) and are operating 103 percent and 124 percent respectively beyond their technical capacity. These facilities currently store vehicles valued at over EUR 9.6 million. In September 2024, ANABI was designated custodian for an additional 48 vehicles, valued at approximately EUR 2.1 million, which could not be accommodated in existing storage facilities.

[68] Government Emergency Ordinance No. 41/2025 limits the initiation and awarding of new public procurement contracts.

- Cross-border cooperation on evidence gathering, freezing, and confiscation between EU Member States occurs directly between competent authorities; the role of the two central authorities is primarily facilitative.

The DDICJ is a Romanian central authority for MLA and falls under the MJ. It is one of two main designated central authorities in Romania, alongside the PICCJ.[69]

The DDICJ is composed of two divisions and one unit. One division is responsible for international cooperation in criminal law matters, while the other handles international cooperation in civil and family law matters. In addition, there is a unit dedicated to international relations, operating alongside the two divisions. This report focuses on the division responsible for criminal law matters.

The DDICJ acts as Romania's central authority for MLA requests for obtaining evidence and the freezing or confiscation of assets during the trial or enforcement stages of criminal proceedings. Its responsibilities in the framework of asset recovery include handling incoming and outgoing freezing and confiscation orders, international letters rogatory, any other form of international judicial assistance relating to the trial or enforcement stages of proceedings.

By contrast, the PICCJ acts as the central authority for MLA requests in the pre-trial investigation phase.[70] Therefore, the competences of the central authorities are delineated by law. Accordingly, the DDICJ and the PICCJ exercise MLA responsibilities in line with the procedural stage at which a request is issued.[71]

Cross-border cooperation for asset tracing, freezing and confiscation within the EU is governed by the EIO Directive, Regulation (EU) 2018/1805 and FD 2006/783. Such requests are based on mutual recognition and are carried out directly between the competent issuing and executing authorities. The DDICJ and the PICCJ are appointed as central authorities for these instruments, but their role is largely limited to facilitating communication. Therefore, within the EU international cooperation framework, the involvement of central authorities is mostly facilitative.[72]

Operational role

[69] Article 10 of Law No.302/2004 designates Romania's central authorities. In this framework, the MAI was also designated as the central authority for requests for criminal records.
[70] The central authority in the PICCJ is covered in more detail in Section 3.3.2.2.1.
[71] One of the issues identified in the 2013 report was the lack of clarity concerning the mandates of the central authorities. Since then, there has been a positive evolution, with greater delineation and clarification of their respective competences.
[72] For mutual-recognition instruments, including the EIO and Regulation (EU) 2018/1805, additional structures within the PICCJ serve as central authorities: the DNA for serious corruption offences and DIICOT for organised crime and terrorism offences.

The DDICJ functions primarily as an administrative intermediary rather than a decision-maker. Its tasks include verifying compliance with international and domestic requirements, confirming the existence of reciprocity where relevant and identifying the competent executing authority.

In relation to incoming requests, the DDICJ may request additional information or documentation as necessary, including judicial decisions, clarifications, translations or other supporting documents. Once all relevant documentation has been received from the requesting authorities, the DDICJ transmits the requests to the competent Romanian executing authorities, which have the authority to execute or reject requests.

In urgent cases, the DDICJ ensures rapid transmission of requests to executing authorities, notifies relevant bodies, such as ANABI or the courts, and prioritises action where legal deadlines are at stake or where relevant assets are perishable.

The DDICJ notifies ANABI of executed confiscation requests, particularly where asset-sharing agreements are possible or coordination for asset management or return is needed.

Incoming civil confiscation requests are rare. According to DDICJ representatives, at least one request was received from an EU Member State and rejected because Romanian law does not provide for *in rem* civil confiscation. Civil confiscation falls outside the competence of the civil section, which handles civil, commercial and family law cases.

Case management

Cases handled by the DDICJ are managed through the Case Management System (CMS), which records key information such as the case number and the issuing authority. The DDICJ records requests received from domestic and foreign authorities while requests directly transmitted between competent authorities are recorded at the level of the executing authority. At the beginning of each year, the DDICJ requests all national authorities to provide information about this category of cases from the previous year, in order to have an overview of the previous year's activity.

As a result of this decentralised transmission model, a single authority does not always have real-time visibility over all requests related to the same case. In certain situations, this may affect coordination where multiple instruments—such as confiscation orders or European Arrest Warrants—are issued in parallel. Ensuring effective coordination therefore relies on close cooperation between central and national authorities, supported by data systems capable of tracking related requests across institutions. According to information provided during the on-site visit, the DDICJ is not currently connected to ROARMIS.

Networks and other resources supporting the central authorities' role

In its role as a central authority, the DDICJ relies on a range of international and domestic networks to facilitate cross-border cooperation.

Romania has a National Network of Contact Points composed of judges and prosecutors. In some cases, European Judicial Network (EJN) contact points serve concurrently as national contact points.[73] Its members, selected from the Courts of Appeal, meet twice a year to exchange case-law developments, legislative updates, and good practices and to provide peer support within the judiciary. Eurojust, liaison magistrates and EJN contact points also participate in these meetings.[74] ANABI has also participated occasionally, raising awareness of its activities.

However, interviews with both central authorities indicated that these meetings rarely focus on cross-border asset recovery and systematic training for contact points on this topic is limited.[75] The DDICJ itself has a low caseload in asset recovery which restricts the development of practical experience with freezing and confiscation procedures.

3.3.2 Judicial authorities

The status of judges and the Public Ministry is established by the Constitution of Romania and Law No.303/2022. The magistracy comprises the functions exercised by judges in the administration of justice and by prosecutors in the defence of the general interests of society, the rule of law and the rights and freedoms of citizens.[76] Judges and prosecutors are both appointed by the President of Romania and enjoy security of tenure.

Judges are independent in their decision-making and must act according to the law, free from any external influence.[77] Prosecutors conduct their activity under the principles of legality, impartiality and hierarchical control, under the authority of the MJ.[78] In conducting and supervising the criminal investigation, prosecutors are independent.

Judges and prosecutors are required to uphold the supremacy of the law, respect fundamental rights and equality before the law, ensure non-discriminatory treatment in

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[73] European Judicial Network (EJN), established under Joint Action 98/428 JHA and reinforced by Council Decision 2008/976/JHA, facilitates judicial cooperation in criminal matters across EU Member States. Each Member State appoints a National Correspondent for coordination and a Tool Correspondent to maintain EJN online resources. The EJN Secretariat, based at Eurojust in The Hague, oversees the network's administration. Further information on the EJN and its tools is available at https://www.ejn-crimjust.europa.eu/.
[74] According to information provided by the DDICJ, Romania maintains five dedicated liaison magistrates in Italy, Spain, France, the United Kingdom, and Moldova. Their role is facilitative rather than judicial, focusing on effective communication and the resolution of operational issues in cross-border cases. The substantial volume of cases involving these jurisdictions justifies the appointments.
[75] DDICJ cannot provide training directly but is permitted to participate in training initiatives alongside other relevant national authorities.
[76] Law No. 303/2022, Article 1.
[77] Constitution of Romania, Article 124(3); Law No. 303/2022, Article 2(3).
[78] Constitution of Romania, Article 132(1); Law No. 303/2022, Article 3(1).

judicial proceedings, act impartially and in good faith, comply with ethical standards and engage in continuous professional development, while guaranteeing individual rights and public order throughout all stages of proceedings.[79]

3.3.2.1 Superior Council of Magistracy (CSM)

Summary

- The CSM safeguards judicial independence and oversees magistrates' careers, training, and evaluation.

The CSM acts as the guarantor of the independence of the judiciary, as provided for under the Constitution of Romania and Law No. 305/2022. It serves as Romania's central body responsible for overseeing the careers, evaluation, discipline, training and professional conduct of judges and prosecutors. While the CSM has no operational role in asset recovery, it indirectly supports the field by ensuring magistrates are properly trained, evaluated and equipped with the institutional conditions necessary for effective performance.

In this context, and with respect to the professional assessment of prosecutors, interviewees indicated that the application of precautionary measures is included among the criteria considered in their professional performance evaluation framework.

The CSM also contributed to the implementation of the National Strategy on the Recovery of Criminal Assets through measures such as the integration of ROARMIS with ECRIS 5 and the delivery of national and international training programmes between 2021 and 2025. These training initiatives covered asset recovery, economic crime and corruption.

Operational and legal challenges

According to the CSM, cross-cutting challenges affect the effectiveness of the judicial system, including in the area of asset recovery. Staffing shortages, particularly the limited number of specialised prosecutors and judges, are compounded by early retirements and reduced career attractiveness. Early retirements have a particularly strong impact on the ability to fill managerial positions, which typically require a high level of seniority.

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[79] Law No. 303/2022, Article 4.

As of December 2023, judicial posts were only 77 percent filled, with similar gaps across prosecution services.[80] These issues persist with only marginal improvement. According to information provided by the CSM following the validation of findings visit, the proportion of filled judicial positions increased modestly from 83.83 percent as of 31 December 2024 to 85.19 percent as of 31 December 2025. A similar trend is observed for prosecutors, where the occupancy rate rose slightly from 74.05 percent to 75.13 percent over the same period. Despite these increases, vacancy levels remain significant, indicating continued structural capacity constraints.

With respect to the professional assessment of prosecutors, it remains unclear whether, and to what extent, this assessment framework has any impact on their performance.

On a more general note, CSM representatives highlighted challenges that were also noted by judicial authorities and other stakeholders, including limited financial intelligence and opportunities to strengthen international cooperation. Even when assets are frozen, a notable gap remains between precautionary measures and actual recovery. These issues are further compounded by storage constraints, as existing facilities at ANABI and law enforcement agencies are operating at or near full capacity.

Training remains inconsistent, with mandatory curricula unevenly applied and many magistrates acquiring expertise primarily through practical experience.[81] In this respect, the interviewed stakeholders reported that high-quality external programmes, often delivered by international partners, have proven effective.

CSM-specific findings and recommendations

Finding: It remains unclear whether the performance metrics applied in the assessment of prosecutors regarding the use of precautionary measures have a discernible impact on their performance.

Recommendation: Consider exploring the feasibility of complementing existing institutional performance frameworks with system-level, outcome-oriented indicators on asset recovery effectiveness, while fully respecting prosecutorial autonomy and in line with international good practice.

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[80] CSM, *2024 Activity Report*, https://www.csm1909.ro/PageDetails.aspx?PageId=267&FolderId=3571&FolderTitle=Rapoarte-privind-activitatea-Consiliului-Superior-al-Magistraturii.

[81] According to the Council of Europe's (CoE) CEPEJ Evaluation Report, as of 2022, the volume of training delivered to Romanian judges and prosecutors remains below the CoE median. Council of Europe, *European Judicial Systems: CEPEJ Evaluation Report, 2024 Evaluation Cycle (2022 Data)*, 2024, https://rm.coe.int/romania/1680b1df80.

3.3.2.2 Public Ministry

Summary:

- The Public Ministry is hierarchically structured, with the PICCJ coordinating all prosecutorial activities. Specialised offices within the PICCJ include the DNA and the DIICOT.
- It is responsible for conducting criminal investigations and prosecutions.
- The Public Ministry can apply precautionary measures during the pre-trial investigation stage.

The Romanian Public Ministry is responsible for safeguarding the rule of law, protecting citizens' rights and freedoms, and representing the public interest. Under Article 131 of the Romanian Constitution, the Public Ministry is organised into offices attached to the courts of law.

According to Law No. 304/2004 on judicial organisation, prosecutors are empowered to initiate and conduct criminal proceedings, supervise the judicial police, bring cases to court, take civil action when applicable, and prevent and combat crime. They also advise on legislative improvements and ensure the legality of detention.[82]

The Public Ministry is hierarchically structured, with the PICCJ coordinating all prosecutorial activities. This includes specialised units that operate autonomously within their mandates, such as the DNA and the DIICOT. The jurisdictions of the Public Ministry bodies are normally determined by the nature of the offence, territory or person.

Key measures introduced in 2024

In 2024 the PICCJ introduced several structural measures, aimed at strengthening operational capacity.[83]

The Financial Analysis and Investigation Department was established within the PICCJ's Technical Service. This department, staffed by seconded police officers and appointed specialists, reports directly to the Prosecutor General. Its mandate includes:

- Identifying criminal proceeds;
- Optimising and implementing precautionary measures; and

[82] Law No. 304/2004, Article 63.
[83] These measures are described in detail in the PICCJ's 2024 annual report. PICCJ, 2024 *Activity Report 2024*, https://www.mpublic.ro/sites/default/files/PDF/raport_activitate_2024.pdf.

- Improving the handling of special assets such as cryptocurrencies and offshore holdings.

In the same year, the PICCJ adopted two key methodological frameworks. The *Methodology for Conducting Parallel Financial Investigations* was designed to increase the use of precautionary measures, standardise financial investigations and streamline recovery of criminal proceeds.[84] It provides guidance on asset identification, institutional data requests, financial profiling, data analysis and model procedural documents. The Methodology aims to address the findings of the MONEYVAL Fifth Mutual Evaluation Report (2023 MONEYVAL Report), which found critical limitations in financial investigations.[85]

Similarly, the *Methodology for Conducting Investigations in Cases Involving Tax Evasion Offences* establishes uniform procedures for investigating tax evasion, covering all stages from case initiation to the completion of the criminal investigation.[86] It also establishes within the PICCJ the Office for Combating Economic and Financial Crime. This office coordinates criminal prosecution activities carried out by subordinate prosecutor's offices in tax evasion cases.

According to the PICCJ 2024 Activity Report, the Public Ministry prioritised economic, financial and tax-related offences during that period. Despite a reduction in indictments for tax evasion, pending cases increased by 23.3 percent and unresolved cases rose by 30 percent. Precautionary measures also increased by 9.4 percent, reaching RON 1,236,832,486 in 2024 compared to RON 1,130,702,195 in 2023.[87]

Operational and legal challenges

PICCJ interviewees noted that, despite recent reforms, prosecutorial services in Romania continue to face persistent challenges in conducting financial investigations, engaging in international cooperation, investigating money laundering offences and enforcing confiscation orders.

Difficulties identifying assets, particularly those held abroad or registered to third parties, remain a core challenge for the Public Ministry. Vehicles, bank accounts and real estate are frequently registered to third parties, complicating tracing efforts. Investigations targeting family members, associates and commercial partners are carried out where information is available and form part of standard PICCJ practice.

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[84] Adopted by Order No. 70 of 15 March 2024.
[85] MONEYVAL, *Anti-Money Laundering and Counter-Terrorist Financing Measures: Romania, Fifth Round Mutual Evaluation Report* (May 2023), https://www.fatf-gafi.org/content/dam/fatf-gafi/fsrb-mer/Romania-Moneyval-Mutual-Evaluation-2023.pdf.coredownload.pdf.
[86] Adopted by Order No. 69 of 15 March .2024.
[87] PICCJ, *2024 Activity Report*.

Interviewees reported that freezing bank accounts abroad remains challenging. Foreign authorities often require detailed fiscal or financial documentation and respond slowly. While Romania's FIU can freeze accounts for 48 hours, extendable once by the PICCJ for up to 72 hours, applying precautionary measures still requires evidence of the underlying offence, which may lead to FIU freezes expiring before such measures can be put in place. It should be noted, however, that challenges concerning beneficial ownership and international cooperation are cross-cutting in nature and are not unique to Romania, but are encountered in many jurisdictions.

Prosecuting money laundering, particularly stand-alone cases, also poses challenges, as highlighted in the 2023 MONEYVAL Report. Convictions for stand-alone money laundering remain rare, with courts often adopting a narrow interpretation of "concealment," leading to acquittals even in complex financial schemes.

Asset valuation and management present additional difficulties. Mortgages and other liens are not deducted from property values, and low-value assets such as old vehicles pose logistical challenges. Many assets remain unsold for years due to limited market interest, causing depreciation and delaying the realisation of confiscation orders. A more proactive approach would involve assessing, before imposing a freezing measure, the potential value of the assets to be seized in light of the associated management costs, and deciding whether to refrain from freezing or to pursue interlocutory sales

PICCJ interviewees noted challenges in realising confiscation orders following final convictions. Human and technical resource constraints within the disposal process limit the ability to sell assets promptly or to fully realise equivalent-value confiscation orders, which in turn affects asset recovery outcomes.

More broadly, interviewees highlighted structural limitations in coordination among PICCJ, DNA, DIICOT and local prosecution services when investigating connected cases falling under different competences. Where jurisdiction overlaps, coordination tends to rely on informal arrangements, often influenced by workload or resource considerations. In practice, cases involving multiple offence types (such as smuggling and corruption) may be divided between institutions or handled by a single authority, with financial investigations either shared or conducted in parallel depending on case structure.

Furthermore, according to the PICCJ 2024 Activity Report, the Public Ministry faces high caseloads (average 790 cases per prosecutor) and insufficient specialisation for complex crimes. Measures to address these issues include reorganising offices, concentrating workloads, increasing training, and enhancing inter-institutional cooperation.

3.3.2.2.1 The Central Authority in the PICCJ

Summary:

- The PICCJ is Romania's central authority for international cooperation during the pre-trial stage.

The PICCJ functions as Romania's central authority for international cooperation regarding both incoming and outgoing requests issued during the pre-trial stage.[88]

Assistance to prosecutors is provided through a two-tier system: routine cases are handled by contact points within the national network, while specialised cases are coordinated by the central authority in collaboration with the DDICJ.

In cases of incoming foreign requests with links to ongoing Romanian investigations, the PICCJ ensures coordination, which may include the transfer of proceedings or establishing JITs. Within the EU framework, requests are transmitted directly between issuing and executing authorities and the central authority may not always have immediate visibility. In such cases, the PICCJ acts upon the request of the competent Romanian authorities.

Foreign freezing orders with restitution requests issued under Regulation (EU) 2018/1805 are usually executed by Romanian authorities through asset freezing, with restitution considered following the transmission of a confiscation order.

Case management and digitalisation

The 2023 MONEYVAL Report identified structural challenges affecting the demonstration of effectiveness in international cooperation, including a lack of reliable data, the absence of a centralised case management system, and the lack of formalised guidelines for prioritising incoming requests, which may limit the authorities' capacity to monitor and follow up on assistance requests effectively.

To address these challenges, the PICCJ has implemented digital tools aimed at enhancing reporting and case management:

- The internal portal provides prosecutors with key information, guidance, standard forms for freezing orders, and contact details for relevant authorities;

[88] The competences of both central authorities are outlined in Section 3.3.1.2.

- e-Cooperare, launched 1 April 2024, facilitates the monitoring and management of international cooperation requests during the investigative phase, including tracking incoming and outgoing requests, storing digital communications, and recording outcomes of freezing orders applications. Over time, this system will support statistical analysis of international cooperation cases.[89]

Further developments are expected to enhance coordination and case management, including:

- e-CODEX, a decentralised IT platform connecting national systems across the EU, allowing judicial authorities to prepare and transmit cross-border requests digitally. Its implementation in Romania is at an early stage and will complement existing systems;
- ECRIS 5 which will include dedicated modules for international cooperation and integrate with the JIT Platform and e-CODEX, enabling comprehensive recording of judicial activities within a single system.

According to the PICCJ, ROARMIS remains the primary source for both domestic and international freezing orders, although relevant case data continues to be manually registered from paper files.

This overall digitalisation process is expected to strengthen case management and international cooperation. The process is ongoing, with a focus on ensuring interoperability between systems, confidentiality, the protection of personal data and the correct inclusion of data at all stages of a case, from investigation to trial and enforcement.

3.3.2.3 Directorate for Investigating Organised Crime and Terrorism (DIICOT)

Summary:

- DIICOT is a specialised division of the PICCJ that investigates and prosecutes offences linked to organised crime and, within its statutory mandate, other serious criminal offences.

[89] The follow-up visit by MONEYVAL concluded that, while the online e-COOPERARE tool can generate statistics according to various criteria—such as the requesting or responding country, the type of crime under investigation, and the execution status of the request—the authorities have not demonstrated that such statistics are systematically maintained in line with the relevant requirements. MONEYVAL, *1st Enhanced Follow-up Report & Technical Compliance Re-Rating: Follow-up Report*, Council of Europe's Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism, (June 2025), https://rm.coe.int/moneyval-2025-6-ro-5th-round-1st-enhanced-fur/1680b67bda.

The DIICOT operates under the PICCJ and was established by Law No. 508/2004, which was later replaced by Government Emergency Ordinance No. 78/2016.

It investigates and prosecutes offences linked to organised crime, as well as other offences provided by law.[90]

Under Article 11 of Government Emergency Ordinance No. 78/2016, offences investigated only when linked to organised crime include:

- Crimes relating to fraud, forgery, counterfeiting of currency or documents, economic offences, and unfair competition;
- Offences under the Romanian Customs Code;
- Health sector fraud; and
- Tax evasion offences causing material damage exceeding RON 10 million.

Offences investigated regardless of links to organised crime include:

- Crimes against national security;
- Nuclear safety offences;
- Drug-related offences;
- Terrorism related offences;
- Capital market and financial operations offences, and;
- Money laundering when the laundered assets derive from crimes within DIICOT's remit.[91]

Organisation and activity

The DIICOT is structured as follows:

- The central structure – based in Bucharest;
- Fourteen territorial services;
- Twenty-six territorial offices.

The central structure consists of several specialised sections to tackle various types of crime. These include:

- The Organised Crime Section, which consists of the Organised Crime Service, the Economic-Financial Crime Unit, and the Human Trafficking Unit;

[90] Government Emergency Ordinance No. 78/2016, Article 11.
[91] Law No. 224/2025, which amended Government Emergency Ordinance No. 202/2008 on the implementation of international sanctions, stipulates that DIICOT is responsible for investigating and prosecuting such offences.

- The Drug Trafficking Section, which includes the Internal Drug Trafficking Service, the Cross-Border Drug Trafficking Service, and the Street Drug Trafficking Service; and
- The Terrorist Offences and Cybercrime Section, comprising the Terrorist Offences and National Security Service, and the Cybercrime Unit.

Supporting services include the International Cooperation, Representation, and Legal Assistance Service, the Technical and Forensic Service and the Coordination of Specialised Technical Activities Service.

In 2024, the Office for the Coordination of Specialised Technical Activities was reorganised to include the Department for Information Analysis and Financial Investigations, highlighting the prioritisation of financial investigations.[92]

The total damage caused by offences handled by DIICOT in 2024 amounted to RON 288,804,808 and EUR 3,116,490, while the total value of assets seized via precautionary measures increased to RON 482,926,470.

As of 31 December 2024, DIICOT operated with 1,036 posts, comprising 331 prosecutors, 85 specialists, 335 specialised auxiliary and administrative staff, and 285 police officers. Employment levels varied, with prosecutors at 77.95 percent, specialists at 75.2 percent, and seconded police officers at 23.16 percent. Staff turnover in 2024 resulted from retirements, resignations, transfers, secondments, and recruitment through competitions.[93]

Operational and legal challenges

DIICOT faces challenges in tracing and freezing assets, particularly in cases involving cybercrime and the rapidly evolving landscape of digital assets. In 2024, DIICOT established a specialised financial investigation unit, however the complexity of the cases sometimes requires additional support from external partners, such as financial investigators from the police. Investigative tools such as Chainalysis are available and further specialised expertise in digital assets and banking could strengthen operational effectiveness.

Stakeholders noted that the value of precautionary measures sought by DIICOT often exceeds the assets ultimately identified during investigations. In some cases, courts may lift precautionary measures may, particularly when the link between assets and criminal offences is unclear, when measures are not reviewed within the legal deadline, or when proportionality and the duration of proceedings are considered.

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[92] DIICOT, 2024 *Activity Report 2024*, https://www.diicot.ro/images/documents/rapoarte_activitate/raport2024.pdf.
[93] DIICOT, 2024 *Activity Report*.

The use of expert reports to evaluate damages and proceeds presents challenges in DIICOT cases, particularly in cases involving organised crime or complex financial matters. In many instances, the calculation of damages and proceeds does not necessarily require expert reports and could instead be carried out by DIICOT specialists, potentially reducing the duration of proceedings and the need for prolonged precautionary measures

Money laundering investigations present additional complexities, especially in high-value cases or those involving multiple defendants. For a money laundering case to fall under DIICOT's jurisdiction, the criminal activity generating the illicit funds must be within DIICOT's remit. When money laundering and its predicate offence are investigated in the same case but must subsequently be separated, case management becomes particularly complex, especially where the money laundering charge no longer falls within DIICOT's or DNA's jurisdiction. Although the cases may be reunited at the trial stage, courts have in some instances held that case files originating from separate proceedings fall outside the jurisdiction of DIICOT or DNA and should therefore not be investigated by those specialised structures.[94]

3.3.2.4 National Anti-Corruption Directorate (DNA)

Summary:

- DNA is a specialised division of the PICCJ that investigates and prosecutes corruption offences and the laundering of funds linked to these offences.

The DNA operates under the PICCJ and is governed by the provisions of Government Emergency Ordinance No. 43/2002.

It is responsible for investigating and prosecuting, among other offences, the following:

- Bribery exceeding EUR 10,000;
- Corruption with damage exceeding EUR 200,000;
- Offences committed by high public officials and other persons designated by law;
- Crimes against the financial interests of the EU, regardless of the damage amount, excluding cases within the jurisdiction of the EPPO;

[94] For example, in Decision No. 231 of 6 April 2021, the CCR ruled that Article 13(5) of Government Emergency Ordinance No. 43/2002 was unconstitutional. Article 13(5) allowed DNA prosecutors to retain jurisdiction over severed cases even when those cases no longer fell within DNA competence. The CCR considered that such statute created subjective discretion, legal uncertainty, and potential changes to the competent trial court. While the ruling concerned a provision relating to DNA, the Court also noted that "a similar legislative solution is provided for by Article 11(3) of Government Emergency Ordinance No. 78/2016 on the organisation and functioning of DIICOT." Decision No. 231 of 6 April 2021, https://www.ccr.ro/wp-content/uploads/2021/06/Decizie_231_2021.pdf.

- Abuse of office and misappropriation, including usurpation of office when damage exceeds EUR 1 million;
- Tax evasion where the damage exceeds RON 10 million;
- Money laundering when the laundered assets derive from crimes under its remit; and
- Foreign bribery.[95]

Organisation and activity

DNA comprises specialised sections and services dedicated to investigating offences, managing emerging technologies, and providing technical and operational support. In addition, the DNA includes territorial services, units for international cooperation, judicial functions, classified information management, human resources and public relations. In particular, the Service for Emerging Technologies and Methods includes the following units:

- A Financial Investigations Office;
- A Specialists Unit;
- A Digital Search Unit; and
- An IT Unit.

The DNA adopts a unique multidisciplinary approach to asset tracing within criminal investigations, using teams that combine analysts and financial investigators. It also works closely with the FIU, ANAF and ANABI.

Furthermore, the DNA uses custom IT tools to process large datasets and Chainalysis to assist with cryptocurrency investigations. Training initiatives regarding this software are ongoing.

In 2024, the DNA issued 131 indictments and 238 plea agreements were concluded. At the end of 2024, in cases under DNA investigation, precautionary measures were applied to assets valued at RON 236,151,352.[96]

There has been a notable increase in the use of financial investigations in recent years, alongside detailed record-keeping of the types of analyses conducted. In 2024, judicial police officers were delegated to conduct criminal investigation activities in 125 cases (69 in 2023; 37 in 2022) based on 218 delegation orders (109 in 2023; 44 in 2022). The activities carried out under these orders included:

- Financial investigations: 97 (28 in 2023;
- Financial profiling analyses: 210 (30 in 2023);

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[95] Government Emergency Ordinance Article 13.
[96] DNA, 2024 *Activity Report*, https://www.dna.ro/obiect2.jsp?id=706.

- Analyses to identify financial flows, final destinations, or ultimate beneficiaries of funds through bank accounts:59 reports covering 537 persons (26 reports / 221 persons in 2023);
- Checks and analyses to identify movable and immovable assets beyond the financial profile: 67 reports (52 in 2023);
- Complex or big data analyses: 21 (two in 2023).[97]

This demonstrates both an increased reliance on financial investigative tools and meticulous documentation of the investigative methods applied.

Operational and legal challenges

Interviewees identified several challenges in asset tracing and freezing.

The quality of information in beneficial ownership registries remains a significant challenge, as banks do not consistently provide complete data. This aligns with the 2023 MONEYVAL Report, which notes that deficiencies in certain databases, including beneficial ownership registers, can hinder competent authorities' ability to conduct analyses and financial investigations, trace assets, and develop operational strategies.

Another challenge arises from the coordination of administrative freezing measures imposed by the FIU. Often, the limited timeframe for these freezes (48 hours, extendable once by the PICCJ for up to 72 hours) makes it difficult to gather sufficient evidence to implement precautionary measures before FIU freezes are lifted, potentially allowing assets to be dissipated.

In the area of extended and special confiscation, estimated damages are calculated at the start of an investigation. However, discrepancies frequently arise between the nominal value of frozen assets as recorded at the time of seizure and their actual market value, which affects the amounts ultimately realised following confiscation and disposal.

3.3.2.5 European Public Prosecutor's Office (EPPO)

Summary:

- The EPPO is an independent EU body responsible for investigating and prosecuting, crimes affecting the EU's financial interests.
- The EPPO is authorised to act as an issuing authority for several EU judicial cooperation instruments, including the EIO Directive, Regulation (EU) 2018/1805 and FD 2003/577/JHA.

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[97] DNA, 2024 *Activity Report*.

The EPPO is an independent EU body tasked with investigating, prosecuting, and bringing to judgment those responsible for criminal offences affecting the financial interests of the EU, as defined under Directive (EU) 2017/1371. It was established under Regulation (EU) 2017/1939 (EPPO Regulation), which outlines its organisation, powers, and operational procedures within the enhanced cooperation framework.

The EPPO commenced operations on 1 June 2021. Twenty-four of the 27 EU Member States participate in the EPPO, including Romania. Three EU Member States, Ireland, Denmark, and Hungary, opted out.

The EPPO exercises its prosecutorial functions before the competent courts of participating Member States until cases are resolved. Its competence covers offences such as fraud, corruption, cross-border Value Added Tax (VAT) fraud, and other crimes affecting the EU's financial interests. To this end, the EPPO can conduct investigations, request precautionary measures, seize assets, and pursue criminal proceedings.

In participating states, European Delegated Prosecutors (EDPs) collaborate closely in cross-border cases pursuant to Article 31 of the EPPO Regulation. When an investigative measure must be carried out in a state other than that of the handling EDP, the latter decides on the measure and assigns its execution to an EDP in the relevant Member State. This process does not require the issuance of EIOs or freezing orders under Regulation (EU) 2018/1805. For non-participating EU Member States, EIOs or freezing orders must be issued, whereas requests to non-EU states follow MLA procedures.

Romania's EPPO implementation framework

Romania implemented the EPPO framework through Law No. 6/2021, which establishes the procedures for aligning national authorities with the EPPO. The law provides that EDPs are judicial investigation authorities under national legislation. This ensures that the EPPO can fully exercise its competences within Romania.

Romania's EPPO structure currently consists of 20 EDPs, integrated within the EPPO's central structure. Law No. 6/2021 also created a support structure for EDPs within the DNA, comprising a central office in Bucharest and three territorial offices in *Cluj, Iaşi*, and *Timişoara*. This support structure is staffed by 29 police officers, 10 clerks, nine specialists and five drivers, which operate under the direct supervision of EDPs.[98]

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[98] EPPO Romania 2024 *Activity Report*, https://www.eppo.europa.eu/assets/annual-report-2024/pdfs/statistics-member-state/Romania.pdf.

Romania has notified the European Commission that the EPPO is authorised to act as an issuing authority for several EU judicial cooperation instruments, including the EIO Directive, Regulation (EU) 2018/1805, FD 2003/577/JHA, and the Convention on Mutual Assistance in Criminal Matters of 29 May 2000 and its 2001 Protocol.[99]

Operational practices and challenges

The EPPO relies on its in-house officers, with support from other police units for operational tasks such as house searches. There are no dedicated in-house financial investigation officers; complex analyses are conducted with assistance from specialists from the central office. Routine financial investigations and transaction monitoring are handled internally. Cryptocurrency investigations currently depend on expertise from either the central EPPO office or the Romanian police, as there are no dedicated in-house specialists. Interviewed EDPs highlighted operational challenges, particularly regarding the periodic review of precautionary measures.

The six-month review period is considered resource intensive and can complicate proceedings. The Romanian EPPO frequently executes asset freezes on behalf of other EPPO participating states, and reviews must be undertaken in accordance with the CPC, a process that is usually very time consuming.

Besides this, financial investigations and freezing measures executed on behalf of other EPPO offices generally proceed smoothly. Successful cooperation examples include cases in which suspicious transactions flagged by the FIU were promptly verified and seized on behalf of other EDPs. Cooperation with domestic stakeholders is also generally effective.

The FIU responds promptly to EPPO requests, although no structured periodic meetings are held. Collaboration with ANAF functions effectively in tax related cases, though the EPPO's competence for VAT fraud is limited to cases exceeding EUR 10 million, a threshold at the time of the on-site visit not widely tested. The EPPO receives information from ANAF and has access to relevant tax and banking databases.

ANABI oversees all frozen money, including that frozen under Article 31 of the EPPO Regulation. While the EPPO is not directly linked to ANABI's ROARMIS database, it communicates to the Agency details of seized assets that are to be placed under its administration.

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[99] Romania's notification to the European Commission is available at https://www.ejn-crimjust.europa.eu/ejn/libdocumentproperties/EN/3446.

3.3.2.6 The Judiciary

Summary:

- Judges apply and review precautionary measures, issue confiscation orders and ensure a balance between defendants' rights and victims' restitution throughout the criminal process, from investigation through trial, appeal, and enforcement.

Judges play a central role in Romania's asset recovery system, ensuring that criminal proceedings balance defendants' rights with the effective application of precautionary and confiscation measures. They review precautionary measures, assess the evidential link between assets and alleged criminal activity, adjudicate third-party claims, supervise confiscation orders, and safeguard victims' rights to restitution. Their involvement spans the entire criminal process, from investigation to enforcement. Judicial decisions have a decisive impact on the efficiency and ultimate success of recovering criminal proceeds.

Operational and legal challenges

Interviewees consistently described the excessive length of proceedings as one of the most significant structural challenges. Prolonged proceedings undermine both the value of assets and the fairness of the process for defendants and third parties. Delays arise from the multi-stage nature of Romanian criminal procedures, including prosecutions, preliminary chambers, trials, and confiscations, each requiring independent judicial review.

Precautionary measures are subject to periodic review. Interviewees observed, echoing the concerns of other stakeholders, that the review process can be resource intensive. Stakeholders noted that the CPC does not expressly stipulate a sanction for failure to carry out the review within the six-month or one-year time frames. In judicial practice, this has given rise to discussion as to whether such failure leads to the legal termination of the precautionary measure. According to interviewees, the prevailing interpretation is that these time limits are recommendatory. In the absence of an explicit sanction comparable to that applicable to preventive measures, precautionary measures remain in force until formally revoked by a judge.

Valuation of assets and calculation of damages are often complex, particularly in tax evasion and large-scale fraud cases. Expert assessments can take six months to three years, largely due to the lack of digitalised case files. Experts may refuse assignments because of workload or complexity, forcing judges either to replace them or to accept substantial delays.

Judges report discrepancies between the value of frozen assets and the amounts eventually realised, due to depreciation, encumbrances such as mortgages, or market conditions. Immovable property retains value more reliably than vehicles or other movable items, but its realisation still depends on market dynamics and procedural timing.

Confiscation of third-party assets requires clear and detailed evidence from the prosecution establishing the connection between the assets and the defendant. Judges frequently receive insufficient information at the investigation stage, forcing them to terminate existing measures.

Third parties are notified of precautionary measures and may challenge them as "interested persons" under the CPC. They participate both in precautionary measure hearings and subsequent trial proceedings when their assets are involved.

3.3.3 Ministry of Internal Affairs (MAI)

Summary:

- MAI has oversight of Romania's principal law enforcement bodies, including the General Inspectorate of Police and DGA.

The MAI oversees Romania's principal law enforcement and investigative bodies, including the General Inspectorate of Police and DGA. Specialised units within the General Inspectorate of Police, such as DICE and DCCO, investigate complex financial and organised criminal activity.

The MAI participates in implementing the National Strategy for the Recovery of Criminal Assets. According to information provided after the on-site visit, as of September 2025, MAI's assessment of the Strategy and its Action Plan revealed difficulties implementing two measures: compulsory insurance for seized goods and professional liability insurance for personnel managing or valuing assets. These cannot currently be applied due to the absence of a legal basis.

Common challenges across MAI divisions

Across all MAI divisions, operational effectiveness is constrained by a number of common challenges. A shortage of specialised skills – particularly financial analysts and cryptocurrency experts – slows investigations and increases the risk of incomplete analysis. Limited access to analytical tools, which are often centralised, further delays casework and places a disproportionate burden on a small pool of specialists. High staff turnover reduces continuity, while local coordination remains inconsistent, limiting asset tracing and integration with prosecutorial efforts. In addition, legal constraints and restrictions in investigative mandates further hinder enforcement and coordination.

Collectively, these factors underscore the need to strengthen MAI's human, technical, and procedural capacities.

3.3.3.1 General Inspectorate of the Romanian Police

Summary:

- DCCO and DICE are branches of the General Inspectorate of the Romanian Police and operate as judicial police under prosecutorial authority.
- DCCO investigates organised crime and serious economic offences mainly under DIICOT delegations, and conducts financial investigations at both central and local levels;
- DICE investigates economic fraud, financial crimes, and money laundering, primarily under DNA supervision, and provides investigative support to units nationwide;
- DCCO and DICE both have financial investigators embedded in each unit.

DCCO and DICE are branches of the General Inspectorate of the Romanian Police and receive funding through the Ministry of Internal Affairs (MAI).[100] Both operate as judicial police under the delegation and coordination of a public prosecutor, investigating crimes within their respective mandates. Taskforces combining DCCO, DICE, and other police structures, including the DGA in cases with corruption elements, may be established on a case-by-case basis. Prosecutors determine which units participate and assign roles and tasks.

Effective coordination between prosecutors, case officers, and financial investigators is essential. Cooperation functions effectively at the central level, particularly in DIICOT and DNA cases, while coordination at local level varies, which can affect situational awareness for financial investigators and the completeness of asset tracing. Both DCCO and DICE have direct access to a wide range of domestic systems and registries, including the Trade Register for company and beneficial ownership data; the National Agency for Cadastre and Land Registration for property records; ANAF for tax information, IBAN, financial, and income data; Border Police systems for entries and exits; the Romanian Customs Authority for import and export data; the National Bank of Romania for payment incidents; the Directorate for Persons' Records and Database Administration for vehicle registration; and the General Electronic Register of Employees for employment data.

[100] The general legal framework governing the General Inspectorate of the Romanian Police is established by Law No. 218/2002. This framework is further complemented by Law No. 360/2002, which sets out in greater detail the legal conditions, rights, and obligations governing the exercise of police duties.

A structural challenge for both DCCO and DICE arises from the limited availability of individual software licences and analytical tools within each unit. Complex financial investigations – particularly those involving intricate corporate structures, cross-border transactions, or cryptocurrency – require advanced analytical tools. When these tools are centralised rather than available within each unit, investigators rely on a smaller pool of experts serving the entire police force. This approach can introduce delays and limit the extent of case-specific analysis, with a risk that assessments remain partially rather than fully comprehensive. As a result, case officers may not consistently receive all intelligence needed to advance financial investigations.

3.3.3.1.1 Directorate for Combating Organised Crime (DCCO)

The DCCO investigates organised crime and serious economic offences, acting primarily under DIICOT delegations. All DCCO officers are authorised to investigate organised crime, and the unit frequently collaborates with other authorised officers and mixed taskforces.

Within the DCCO, the Macro-Financial Unit is responsible for investigating financial crimes and conducting financial investigations within its mandate. In 2017, the DCCO established a specialised Financial Investigations Unit focusing on cases involving human trafficking, drug trafficking, cybercrime, and related financial predicate offences. This unit conducts parallel financial investigations aimed at tracing criminal proceeds and supporting extended confiscation measures. Financial investigations are conducted at both central and territorial levels and may be coordinated with DICE in cases involving overlapping offences, reflecting the interdependence of specialised investigative structures within Romania's financial crime framework.

The DCCO's staffing includes 12 financial investigators at central level (11 investigators and one head of unit), 30 financial investigators at local level, and at least one financial investigator in every county delegation. The unit also benefits from a specialised cybercrime capability, providing technical expertise for cybercrime cases, including the tracing and freezing of cryptocurrency. Investigative capabilities are supported by cybercrime tools and blockchain-analysis licences, with existing cybercrime experts integrated into DCCO operations. Capacity-building programmes are being expanded to train officers capable of combining cyber and financial investigation expertise, further strengthening the unit's operational reach and adaptability across complex cases.

3.3.3.1.2 Directorate for Combating Economic Crime (DICE)

DICE investigates economic fraud and financial crimes, including money laundering, under the supervision of the PICCJ, DNA, DIICOT and local prosecution services.

It provides operational support across Romania through both central and territorial structures, including within the jurisdictions of 15 courts of appeal. At territorial level, DICE operates in 41 counties and the six municipalities of Bucharest, in addition to its central structure, comprising 48 units staffed by 82 financial investigators.

At central level, DICE has 80 police officers, including seven financial investigators and one head of unit. As the only specialised unit within the department, it performs a dual role: undertaking operational casework assigned by prosecutors while also providing methodological guidance at county level to ensure the effective deployment of local financial investigators. This combination of operational and national coordination duties concentrates significant functional responsibilities within the central structure.

DICE has limited specialised capacity to conduct cryptocurrency-related investigations, reflecting staffing and technical constraints in this rapidly evolving field. In such cases, it relies on a specialised cryptocurrency unit to provide technical support during searches, including the use of IT tools to access devices and extract locally stored or server-based data. Cross-border cybercrime cases have reportedly achieved more effective outcomes, largely due to the involvement of specialised cybercrime investigators, highlighting the importance of dedicated expertise in complex digital investigations.

3.3.3.2 Anti-Corruption General Directorate (DGA)

Summary:

- The DGA is a specialised law enforcement body within MAI, focused on preventing and investigating corruption among Ministry personnel, and operate as judicial police under prosecutorial authority.

The DGA was established in 2005, following the adoption of Government Emergency Ordinance No.120/2005, which was subsequently approved by Law No. 383/2005. The DGA is a specialised structure within the MAI, tasked with preventing and combating corruption among MAI personnel. Its mandate encompasses both preventive and investigative functions aimed at promoting integrity and accountability within the MAI.

In terms of preventive measures, the DGA implements a range of activities designed to reduce the risk of corruption. These include organising information sessions and training programmes for MAI staff, conducting public awareness campaigns, and managing risks associated with corruption and integrity incidents.

The DGA's investigative role is exercised by judicial police officers, who operate under the delegation and coordination of competent public prosecutors. Investigations are limited to cases involving MAI personnel, in line with Article 1(2) of Government Emergency Ordinance No. 120/2005. In some instances, DGA officers undertook delegated investigative measures in cases involving personnel outside the MAI, raising questions about the legality of such actions. As a result of this, on 16 June 2025, the ICCJ ruled that judicial police officers of the DGA are competent to perform criminal investigation acts exclusively in cases concerning MAI personnel.[101]

During the validation of findings visit, DGA representatives reported on the impact of the judgment. Cases involving non-MAI staff have been reassigned to other units, including the county-level services of the General Inspectorate of Police. As a result, the DGA now receives fewer delegations for corruption investigations, focusing exclusively on cases involving MAI staff. In the medium term, as new cases are initiated, this may place additional pressure on other services, including DICE and local units.

The DGA's Intelligence Analysis Unit provides operational support for investigations, using data linkage, open-source intelligence, social media, and databases to gather information on persons of interest. The unit also collaborates on financial investigations, comparing legal income with expenditures and coordinating closely with prosecutors and DICE. The Directorate maintains regional centres to support local units, although financial investigation teams support local units from the central level. Financial investigators have received training in financial investigations and knowledge-sharing forums have been organised with other institutions, such as ANI, DIICOT, and the EPPO.

According to interviewees, the DGA maintains strong collaboration with ANABI, the FIU, the DNA, the DIICOT, the PICCJ, and other relevant entities. The Directorate has access to the ROARMIS system to support its investigative and asset-tracking activities.

The Directorate faces difficulties in asset valuation, limited expertise in complex financial products and cryptocurrencies. Financial analysis tools remain non-automated, and inconsistent bank data formats further impede analysis. While efforts are under way to introduce specialised analytical software, including through funding proposals submitted to the European Anti-Fraud Office (OLAF), these limitations continue to affect efficiency.

3.3.4 National Agency for Fiscal Administration (ANAF)

Summary:

- ANAF is the main body in charge of the enforcement of confiscation orders and selling of assets;
- ANAF may act as civil party in criminal cases.

[101] ICCJ, case 531/1/2025 (16 June 2025), https://www.iccj.ro/2025/09/17/decizia-nr-8-din-16-iunie-2025-2/.

ANAF is a specialised body of central public administration, under the Ministry of Public Finance. ANAF's primary mission is to provide resources for public expenditures by efficiently collecting and managing taxes, charges, contributions, and other amounts. Its organisation and functioning are regulated by Government Decision 520/2013. ANAF's mandate includes:[102]

- Preventing, detecting, and combating tax evasion and fraud;
- Providing technical support to prosecutors during criminal investigations.

ANAF cannot act as a criminal investigative body but may conduct administrative procedures, such as tax inspections, document verification, and risk-based administrative anti-fraud controls to support investigations carried out by the police or prosecutors. When criminal acts are suspected, ANAF notifies the relevant criminal investigation body.

ANAF may also act as a civil party in court proceedings when it or the government is a victim of a crime, including in tax evasion cases, seeking compensation alongside confiscation orders.

National Asset Recovery Strategy

ANAF participates in the implementation of the National Asset Recovery Strategy, with progress monitored against objectives, deadlines, and performance indicators. As of September 2025, main activities in progress included:

- Establishing a cooperation protocol between ANAF and ANABI, granting the DGESCS access to ANABI's online platform for conducting public auctions to sell seized assets and recover debts arising from criminal offences;
- Regularly collecting and centralising information within ANAF on the implementation of procedures for asset disposal and enforcement, ensuring oversight and coordination across territorial enforcement units;
- Preparing and submitting documentation for the procurement of software development services to digitise the management and realisation of confiscated assets.

Role in asset recovery

ANAF's primary role in asset recovery is enforcing confiscation orders, including equivalent-value confiscation orders, and selling confiscated property, carried out by the Directorate General of Enforcement in Special Cases (DGESCS), an internal structure

[102] Government Decision 520/2013, Article 6.

without legal personality, under Article 13² of Government Decision 520/2013. Its responsibilities include:

- Tracing of assets to be seized and sold to satisfy value-based confiscation orders;
- Seizure and valuation of assets in special cases related to the enforcement of criminal judgments; and
- Recovery of assets seized or confiscated in special and extended confiscation and civil unjustified wealth cases.

In addition to recovering assets linked with confiscation, ANAF also collects other debts arising from court judgments issued in criminal matters, namely fines, legal costs, and damages, including proceeds of tax evasion. ANAF recovered a total of RON 1,091,801,842 during the period 2017–2024.[103]

	2017	2018	2019	2020	2021	2022	2023	2024	Total 2017-2024
Total value of budgetary claims recovered through enforcement in special cases	158.774.090	97.814.467	135.262.198	91.692.032	135.204.328	152.455.107	165.139.324	155.460.296	**1.091.801.842**

To identify assets located abroad, ANAF relies on mutual administrative assistance within the EU. To prevent the dissipation of assets and ensure enforcement of confiscation orders, ANAF may implement administrative precautionary measures, which can be challenged in court.

For valuation purposes, ANAF engages accredited external evaluators to support independent valuation prior to sale.[104]

Legal and operational challenges

Interviews with ANAF officials and other stakeholders highlighted a number of operational challenges affecting the enforcement of confiscation orders. These challenges are not unique to ANAF and reflect broader systemic features of the asset recovery framework. A recurrent issue concerns the gap between the amounts stipulated in confiscation orders and the value of seized assets available for enforcement. This gap may arise where assets

[103] This information provided by ANAF via ANABI before the validation visit.
[104] ANAF adopted the Methodology for the Registration, Analysis and Enforcement of Court Decisions Delivered in Criminal Matters, applicable within the DGESCS and its subordinate structures. This instrument sets out the procedural framework governing the recording, analysis and enforcement of final criminal court judgments.

liable for special or extended confiscation are insufficiently identified during the investigative phase or where confiscation orders are based on estimated values rather than on clearly traceable assets. As a result, additional assets must be identified at the enforcement stage, often requiring supplementary administrative precautionary measures, which are generally more limited in scope than equivalent measures available under criminal procedure.

The length of criminal proceedings may create opportunities for asset dissipation, reducing the likelihood of successful tracing and freezing, and consequently increasing the risk of incomplete recovery. This issue is compounded by challenges in establishing beneficial ownership, particularly where assets are transferred to third parties. Similar issues were reported in relation to civil unjustified wealth confiscation.[105]

In 2025, the Romanian Court of Auditors conducted an audit of ANAF, identifying shortcomings in the enforcement of certain criminal judgments, as well as deficiencies in analytical and accounting records relating to budgetary receivables arising from such judgments.[106] These findings pointed, *inter alia*, to delays in enforcement actions and limitations in information exchange between central and territorial units.

In the course of the validation of findings visit, ANAF reported that remedial actions are under way, including the clarification of procedures and the gradual operationalisation of dedicated IT tools, aimed at recording the outcomes of equivalent-value confiscation correctly. Stakeholders further observed that criminal judgments do not always clearly specify the legal nature of the amounts ordered, such as damages, confiscation of proceeds, or equivalent value. This may complicate enforcement and accounting at a later stage, particularly where the state is not the direct victim of the offence.

These issues can affect the monitoring of receivables, the forecasting of revenues, and the proper allocation of recovered funds to the appropriate budgetary lines, as may be the case with transfers to the Mechanism.[107] Clearer differentiation in judgments could facilitate more effective enforcement, improve traceability, and enhance the quality of asset recovery statistics.

More broadly, interviewees emphasised that asset recovery outcomes depend on close coordination across the criminal justice chain, including investigators, prosecutors, courts, and enforcement authorities. In this context, several stakeholders suggested exploring enhanced cooperation mechanisms, such as joint or coordinated teams involving prosecutors, ANAF, and ANABI, particularly in complex cases. These suggestions were

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[105] The civil unjustified wealth law is examined in Section 3.3.6.
[106] Court of Auditors, Audit Report No. 23659 of 26 March 2025, https://www.curteadeconturi.ro/rapoarte-audit/rapoarte-conformitate/raport-audit-de-conformitate-nr-23659-26-03-2025-agentia-nationala-de-administrare-fiscala.
[107] Section 3.3.1.1.

presented as forward-looking options aimed at improving effectiveness, while respecting existing institutional mandates and legal boundaries.

Despite ongoing modernisation efforts, including those undertaken by ANAF, the current availability of monitoring and impact-assessment tools remains limited. This constrains the ability to systematically quantify recoveries and assess performance over time. Addressing these limitations is expected to contribute to improved transparency, planning, and the overall effectiveness of the asset recovery system.

3.3.5 National Office for the Prevention and Control of Money Laundering (ONPCSB)

Summary

- The ONPCSB functions as Romania's FIU and is the designated institution for receipt of Suspicious Transaction Reports (STRs).
- The ONPCSB performs supervisory duties over non-financial institutions.

The ONPCSB functions as Romania's FIU, an independent administrative body with legal personality, under Article 39 of Law No. 129/2019.[108]

The ONPCSB coordinates national money laundering and terrorist financing risk assessments in cooperation with designated authorities and institutions, including the National Bank of Romania, the Financial Supervisory Authority and the National Gambling Office. It receives, analyses and processes financial information, including STRs, supervises non-financial reporting entities such as auditors and accountants and oversees the implementation of international sanctions. The ONPCS also cooperates with self-regulatory bodies, issues guidance on reporting requirements, suspicious indicators, typologies, and registration rules, supervises compliance and organises training.

The ONPCSB is also involved in the drafting of relevant AML legislation, including measures to implement the EU AML package.[109] Following recommendations by MONEYVAL, the ONPCSB will also oversee the National Strategy for the Prevention and Combating of Money Laundering and Terrorist Financing (2025–2030).[110] The Strategy addresses shortcomings identified at national level and aims to strengthen institutional

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[108] Law No. 129/2009 has been amended by Government Emergency Ordinance No. 123/2022, as well as by subsequent legislation. Most notably, Law No. 164/2025 reinforces beneficial ownership obligations, requiring fiduciaries and persons in equivalent positions within similar legal arrangements to provide accurate and complete information on the beneficial owner when registering the trust or similar structure. Failure to comply may result in the removal of the trust or similar structure from the official register.
[109] This includes Directive (EU) 2024/1640, for which a draft transposition law had been prepared, at the time of the validation visit.
[110] Available at https://www.onpcsb.ro/uploads/articole/attachments/686776039443c738778280.pdf.

capacity, modernise legislation, and enhance coordination and effectiveness across all authorities involved in combating money laundering and terrorist financing. At the time of the validation of findings visit, the Strategy had not yet been formally approved.

Nonetheless, key objectives of the Strategy include:

- Developing national institutional capacity;
- Consolidating legal and operational frameworks;
- Improving detection and risk management;
- Fostering a culture of prevention; and
- Enhancing domestic and international cooperation.

Planned measures under the Strategy include amendments to the CPC to ensure direct access for investigative authorities and judges to key electronic databases and reviewing general conditions for precautionary measures.

Further measures include implementing the PICCJ methodologies, providing specialised training for investigative authorities on financial crimes, corruption, tax evasion and other predicate offences, and conducting parallel financial investigations. International cooperation is to be reinforced through the exploitation of MLA requests to initiate domestic investigations, the development of data collection systems, and the interconnection of IT platforms to facilitate timely information sharing with EU and global partners.

The ONPCSB's responsibilities as the FIU

The ONPCSB's responsibilities include receiving, analysing, processing and disseminating financial intelligence, maintaining databases and assessing information from reporting entities and public or private institutions confidentially.

Reporting entities must submit STRs electronically through a reporting portal, before executing transactions linked to suspected money laundering or terrorist financing, while also reporting cash transactions, foreign transfers of EUR 10,000 or more and money remittances of EUR 2,000 or more, even in the absence of suspicion.[111]

In 2024, the ONPCSB received 22,470 STRs and ex officio referrals, a 5.48 percent increase from the previous year. The ONPCSB may order the suspension of transactions for up to 48 hours to verify suspicions and request a one-time extension of up to 72 hours from the PICCJ.[112] In 2024, the ONPCSB suspended transactions amounting to EUR 16,613,980, USD 1,564,014, and RON 48,752.[113]

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[111] Since the 2013 Report, the FIU has made significant progress in this area. At the time, STRs were submitted in hard copy format.
[112] Law No. 129/2019, Article 8, paras. 4 and 6.
[113] ONPCSB, 2024 *Activity Report*, provided during the on-site visit.

The ONPCSB must notify the Public Ministry whenever indications of money laundering or terrorist financing are identified and also inform the Romanian Intelligence Service in cases involving terrorist financing, under Article 34 of Law 129/2019. In 2024, the ONPCSB submitted 179 files to the PICCJ with strong indications for money laundering.

The ONPCSB exchanges information with other FIUs under confidentiality provisions, conducts operational and strategic analyses and receives ex officio reports and requests for information from domestic and foreign partners.

It receives annual updates on case progress, account freezing measures and provides feedback to reporting entities, customs and supervisory authorities to improve the quality of STRs.

The FIU plays a critical role in asset recovery by identifying suspicious financial flows at an early stage and providing information to the Public Ministry. Its ability to suspend transactions and disseminate financial intelligence is central to the initiation of criminal investigations and to the prevention of asset dissipation. However, while significant amounts are temporarily frozen, there is limited data on the extent to which FIU referrals ultimately result in confiscation orders. This lack of information constrains the assessment of ONPCSB's contribution to asset recovery outcomes.

Operational challenges

Despite its central role, ONPCSB continues to face persistent operational challenges. Stakeholder interviews indicate that feedback mechanisms between the ONPCSB, prosecutors and law enforcement authorities are limited and applied inconsistently, thereby reducing the practical impact of STRs, constraining the ONPCSB's ability to refine risk indicators and to tailor its disseminations more effectively.

Given ONPCSB's position at the interface between the private sector and competent public authorities, structured and regular feedback from prosecutorial and law enforcement bodies on the quality of STRs and FIU analytical outputs would strengthen its analytical capacity and support a more targeted dissemination of money laundering intelligence to the Public Ministry.

Recent technological enhancements include the deployment of a financial analysis platform designed to assign risk levels, track transactions and visualise financial flows, with the objective of reducing reliance on manual intervention. At the time of the on-site visit, however, the system's effectiveness remained limited, as the underlying database had not yet been sufficiently populated to enable meaningful trend or pattern analysis. The ONPCSB indicated that further system development, together with sustained data input, is required for the platform to achieve full analytical functionality and to reliably identify emerging risks.

With regard to IT capabilities, the ONPCSB identified several software solutions – particularly in the area of cryptocurrency analysis – that would significantly enhance its analytical functions. Budgetary limitations, however, continue to impede the acquisition and maintenance of such tools. Interviews further indicated that, although the ONPCSB had previously benefited from access to a blockchain analysis platform, this access was discontinued due to insufficient funding.

There remains a continuing need for specialised training for ONPCSB financial analysts, which is currently delivered internally. While human and technical resources have improved since the 2023 MONEYVAL Report, with authorised staffing increasing from 130 to 160 positions, actual staffing levels remain below capacity. In 2024, 121 positions were filled, leaving 39 vacancies. In addition, approximately 70 percent of current staff are expected to reach retirement age within the next decade. Recruitment and retention therefore remain challenging, particularly in light of the significant disparity between public-sector remuneration and that offered in the private sector.

During the validation of findings visit, ONPCSB representatives confirmed ongoing constraints in human and technical resources, which affect its operational capacity. These constraints were described as having implications for the ONPCSB's ability to carry out its functions efficiently and independently, particularly in light of expanding technical and regulatory responsibilities.[114]

Taken together, constraints in technical resources and human capacity limit both the volume and the quality of financial intelligence produced. As noted in the 2023 MONEYVAL Report, these limitations reduce the ONPCSB's ability to effectively support the operational and strategic requirements of partner authorities and continue to hinder its overall effectiveness in this area.

3.3.6 National Integrity Agency (ANI)

Summary:

- Safeguards integrity in public office and prevents corruption;
- Reviews asset and interest declarations of public officials, verifying correspondence with lawful income; Identifies significant unjustified discrepancies exceeding EUR 10,000;
- Refers cases of unjustified wealth for civil confiscation proceedings.

[114] According to information provided by the ONPCSB during the validation of findings visit, 23 analysts are currently involved in legislative and technical workstreams, including the development of templates and technical standards. Each analyst participates in one or more working groups. Future activities under consideration include joint analysis within the EU Anti-Money Laundering Authority (AMLA) framework, subject to specified language requirements and training.

ANI was established under Law No. 144/2007 as an autonomous administrative authority with national competence and legal personality, with functions further defined in Law No. 176/2010. ANI's primary mandate is to safeguard integrity in public office and prevent corruption, by verifying asset and interest declarations submitted by public officials.

ANI is responsible for assessing the declarations of assets and interests of public officials specified in Article 1 of Law No. 176/2010, including high-ranking governmental officials. Article 3(2) of Law No. 176/2010 requires public officials to declare, under their own responsibility, the rights and obligations of their spouses and dependent children, with incorrect declarations potentially giving rise to criminal liability. Moreover, Articles 6(1) and 12(6) of the same law mandate that declarations of assets and interests be publicly accessible on the ANI website. Public officials must submit declarations via the e-DAI platform accessible on the ANI website.[115]

A significant development regarding ANI's responsibilities and operations occurred on 29 May 2025, when the CCR ruled that several provisions of Law No. 176/2010 were unconstitutional. In particular, the Court found that:

- Article 3(2) of Law No. 176/2010 is constitutional only if interpreted as not imposing liability on declarants for the rights and obligations of their spouse or dependent children. Declarants remain obliged to provide this information, but it is unconstitutional to hold them responsible for the accuracy of information regarding third parties.
- The mandatory online publication of asset declarations is neither necessary nor proportionate for certain officials, and infringes privacy rights and the protection of personal data. While public scrutiny is justified for elected or politically appointed officials, it is not justified for those appointed through competitive examination, as existing legal mechanisms are sufficient to review their declarations while safeguarding privacy.

The ruling applies prospectively and does not affect declarations submitted prior to its publication.[116] However, concerns have been raised that the decision may affect transparency and accountability. In response, the MJ, together with ANI, has established a working group to assess the impact of the ruling.[117] During the validation of findings visit, ANI and MJ officials reported that draft legislation is being prepared to address the

[115] e-DAI platform, available at https://integritate.eu/edai/.
[116] Decision No. 297/2025, https://www.ccr.ro/wp-content/uploads/2025/06/Decizie_297_2025.pdf.
[117] European Commission, *2025 Rule of Law Report: Country Chapter on the Rule of Law Situation in Romania*, SWD(2025) 923 final (8 July 2025), https://commission.europa.eu/document/download/fcab6924-01cf-4514-9f68-3989759718e9_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Romania.pdf.

constitutionality issues raised by the CCR, with adoption foreseen in the first semester of 2026.

ANI collects, monitors and verifies declarations to identify incompatibilities, conflicts of interest and significant unjustified discrepancies exceeding EUR 10,000 between assets acquired during public office and lawful income, under Article 10 of Law No. 176/2010.

When discrepancies are identified, the individual concerned is formally invited to provide an explanation, thereby being notified of the ANI review. Individuals may be accompanied by a lawyer and present evidence. ANI may request information from public authorities, private entities and individuals. Following the assessment, ANI prepares a report and presents it to the individual concerned.

Depending on the findings, ANI may notify:

- The PICCJ where criminal conduct is suspected;
- ANAF if taxation issues arise; or
- The Asset Investigation Commission attached to the competent court of appeal, where unjustified wealth exceeding the legal threshold is confirmed.

ANI has launched a big data platform for the automated verification of asset and interest declarations. The system enables inspectors to identify high-risk declarations using predefined risk indicators. It provides a consolidated view of all declarations, flags potentially problematic cases in real time and supports a preventive, risk-based assessment approach. However, all flagged cases require human verification. The system does not provide access to bank accounts or external databases and relies exclusively on information contained in declarations.

During the validation of findings visit, ANI officials reported that they are currently working on establishing formal cooperation agreements with national institutions aimed at facilitating information sharing in order to improve the efficiency of ANI's review processes.

In 2024, integrity inspectors identified 25 cases of incompatibility, 34 administrative conflicts of interest, four unjustified cases of discrepancies between income and assets and nine cases involving indications of potential criminal conduct. In addition, 65,000 declarations were reviewed following confidentiality requests by declarants. ANI registered 674 new reports or self-initiated investigations in 2024, with 3,263 cases pending by year-end – an average of 163 cases per inspector.[118]

Civil unjustified wealth confiscation

[118] ANI, *2024 Activity Report*, https://integritate.eu/wp-content/uploads/2025/07/ANI_Raport-de-activitate-2024.pdf.

Civil confiscation of unjustified wealth is governed by Law No. 115/1996. Proceedings fall under the jurisdiction of Courts of Appeal, each of which has a specialised Asset Investigation Commission composed of two judges (one acting as chair) and one prosecutor. Proceedings are initiated following a referral by ANI and are confidential, though the individual concerned has full access to the file and the right to legal representation. After hearing the parties and examining the evidence, the Commission may:

- Dismiss the case where wealth is justified;
- Suspend proceedings and refer the matter to the competent prosecution office if criminal elements emerge; or
- Refer the case to the Court of Appeal for civil confiscation proceedings.

Once seised of the case, the Court of Appeal summons all parties, the prosecutor and ANI. If unjustified wealth is confirmed, the Court may confiscate the assets or order a payment equivalent to their value.

Final decisions are published in the Official Gazette and communicated to ANI and the Ministry of Finance for enforcement. Confiscated assets are sold by ANAF, with proceeds paid into the state budget.

The ECtHR upheld the Romanian unjustified wealth mechanism in *Păcurar v. Romania*. The Court ruled that this mechanism is compatible with Article 6(1) ECHR (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property) and found that the procedure was fair, adversarial and proportionate.[119]

According to information provided by ANI during the on-site visit, since its establishment in 2007, it has identified 206 cases of unjustified wealth amounting to approximately EUR 43 million. Over the past five years, case numbers have remained modest, reflecting the complexity and resource intensive nature of the assessments.[120] To date, approximately EUR 7.3 million has been subjected to confiscation orders, although actual recovery remains low at around 30 percent, based on ANAF data shared with ANI.

Exchanges with prosecutorial bodies also remain limited. Unexplained wealth confiscation under Directive (EU) 2024/1260 is anchored in criminal proceedings and is, by its nature, distinct from civil unjustified wealth confiscation. Nevertheless, the implementation of the Directive requires enhanced coordination and information sharing between prosecution offices, courts and ANI, as cases involving unjustified wealth may concern the same assets

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[119] *Păcurar v. Romania*, App. No. 17985/18, European Court of Human Rights, 24 June 2025, https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-243776%22]}.
[120] More specifically, the number of cases was as follows: 2024 – 4; 2023 – 11; 2022 – 16; 2021 – 8; and 2020 – 5.

or individuals and give rise to parallel or sequential proceedings. Improved coordination is therefore necessary to avoid duplication, inconsistencies, or procedural gaps.

Human resources limitations remain a significant constraint.[121] At the end of December 2024, ANI had 94 filled positions across legal, IT, communications, registry, classified information, internal audit, human resources, occupational safety, procurement, administration, accounting and executive offices, with an average of 163 cases per officer.

ANI-specific findings and recommendations:

Finding: ANI has limited access to domestic financial data and often receives incomplete or delayed information, which hampers the effectiveness and timeliness of integrity assessments and investigations.

Recommendation: Secure timely and comprehensive access to domestic financial data through legislative amendments or formalised cooperation agreements with relevant authorities, ensuring that ANI can carry out its investigative and monitoring functions efficiently.

[121] The *2025 Rule of Law Report* on Romania concluded that low salaries remain a challenge that hinders the hiring of competent staff and that limited human resources jeopardise ANI's ability to perform its functions.

4 Findings and recommendations

There is a key statistic that encapsulates the need to improve the effectiveness of Romania's asset recovery system. Specifically, data from ANABI's 2023 Activity Report outlines a clear gap between the total amounts ordered for confiscation in asset recovery cases and the total values of assets that are ultimately recovered:[122]

Year	Special Confiscation Orders (RON)	Extended Confiscation Orders (RON)	Total Confiscation Orders (RON)	Amounts Realised After Valorisation (RON)
2023	131,374,990.71	3,828,600.31	**135,203,591.02**	**19,539,197.80**
2022	40,487,020.61	1,155,051.42	**41,642,072.03**	**31,498,643.52**
2021	60,555,424.72	1,571,488.77	**62,126,913.49**	**16,998,357.36**
2020	381,162,469.98	1,324,896.37	**382,487,366.35**	**29,405,021.48**
2019	106,715,187.43	1,151,080.20	**107,866,267.63**	**33,642,567.18**
2018	797,506,615.04	3,702,578.76	**801,209,193.80**	**12,447,146.65**
2017	165,145,708.27	1,759,414.08	**166,905,122.35**	**11,486,454.63**

As the above table demonstrates, in the last decade, courts have consistently issued confiscation orders amounting to hundreds of millions of RON each year. The value of assets actually realised, however, represent a fraction of these totals. For example, in 2018, confiscation orders exceeded RON 800 million, yet less than RON 13 million were ultimately recovered. Similarly in 2023, confiscation orders exceeded RON 135 million while less than RON 20 million were recovered. While, notably, this table does not reflect the full picture of the total recoveries achieved (for example, it does not include assets recovered through confiscation of equivalent-value procedures, or assets recovered through other processes) the difference in figures reflects a key disconnect between efforts and results.[123]

There is no single cause to this discrepancy. Instead, the causes are various and interlinked and reflect a number of systemic issues across the entire asset recovery process, from the investigative phase to the confiscation and disposal phase.

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[122] ANABI, *2023 Activity Report*, https://anabi.just.ro/storage/uploads/6a9dbbaa-5d74-4f1f-985c-7d5beb7fc628/Anexe-raport-anual-ANABI-2023.pdf.
[123] This table does not include data on confiscation of equivalent value, as well as data relating to damages, voluntary payments made during proceedings, or assets transferred into State ownership but not yet valorised.

This section of the report will outline the key issues identified during the audit process that are hindering the effectiveness of Romania's asset recovery system and supressing the total value of assets that are ultimately recovered.

Drawing on information provided during stakeholder interviews, as well as the findings of desk-based research into domestic and EU legislation and supplementary material (e.g. institutional reports), this section will also outline recommendations that could be taken to enhance the asset recovery process – particularly in the context of Romania's obligations to implement Directive (EU) 2024/1260 and related EU instruments.

This section is structured in parallel to the asset recovery process outlined in the Methodology of this paper. It includes findings and recommendations that relate to a number of phases of this process, including:

- The investigative phase;
- The freezing or seizure phase;
- Asset management phase;
- Confiscation and disposal phase.

It also outlines findings and recommendations that relate to the entire asset recovery process.

The effective implementation of several recommendations outlined in this section requires careful consideration of each institution's human and technical capacity. Given that many of the institutions concerned – including the Public Ministry, the Judiciary, law enforcement authorities, the FIU, and ANABI – face staffing constraints, adequate resources and, where necessary, additional funding should be factored in when considering implementation measures.

4.1 The investigative phase

The 2013 Report highlighted a critical lack of financial investigation capacity within Romania's prosecution services and police, including a shortage of specialised personnel and limited use of financial investigations in criminal cases.

Since then, targeted training initiatives, the integration of specialised investigators, and the adoption of the Methodology *for Conducting Financial Investigations* have strengthened this capacity and constitute a step forward in harmonising practices across institutions. However, implementation remains uneven, limiting effectiveness.

4.1.1 Key findings

Limited use of financial investigations, due in part to human and technical resource restraints

Limited and inconsistent use of financial investigations may constrain the ability of authorities trace assets liable to special or extended confiscation. Findings from the 2023 MONEYVAL Report similarly noted this issue, concluding that uneven deployment of financial investigations continues to affect Romania's asset recovery efforts. This situation is compounded by shortages of trained financial investigators and variations in the quality and completeness of information contained in key databases, including beneficial ownership registers. These factors may limit the ability of competent authorities to conduct comprehensive analyses, identify and trace assets, and generate operational intelligence.

Although comprehensive statistics data are not available, findings from the on-site visit indicate that parallel financial investigations are often not initiated at an early stage and are not yet systematically deployed in all cases where their use would be justified.

Differences were observed across prosecution services. Specialised structures such as DNA and DIICOT launch financial investigations more consistently, supported by in-house expertise. However, they report that resource limitations prevent the initiation of such investigations in all relevant cases. This practice is less developed at the level of local prosecution offices, which face greater challenges in terms of staffing and specialised expertise.

Police units, including DCCO and DICE, similarly report staffing shortages relative to workload demands, with central units frequently providing ad hoc support to local investigators assisting prosecutors. Across institutions, shortages of trained financial investigators are compounded by variations in the quality and completeness of information contained in key databases, including beneficial ownership registers. These factors limit the capacity of competent authorities to conduct comprehensive financial analyses, identify and trace assets, and generate operational intelligence.

Investigative teams often lack access to advanced analytical tools necessary to process large volumes of financial data, analyse complex financial flows and verify beneficial ownership information effectively. Other stakeholders, including the FIU, report comparable constraints, which may affect the timeliness and quality of financial intelligence disseminated to law enforcement and prosecutors.

The growing use of digital assets, including cryptocurrencies, further increases investigative complexity. While targeted training initiatives have been introduced, progress remains constrained by limited access to specialised expertise and appropriate IT tools. The public sector also faces difficulties in recruiting and retaining qualified specialists, particularly in competition with the private sector. Existing technological infrastructure remains insufficient to address the speed and complexity of digital asset transactions.

The *Methodology for Conducting Parallel Financial Investigations* represents a positive development. However, it is too early to assess its impact on ensuring the systematic initiation of financial investigations. Overall, the evidence suggests that financial investigations have not yet become standard practice across all prosecution services in Romania.

Addressing these challenges will require the establishment of a framework that enables a more systematic use of financial investigations, supported by the allocation of adequate human and technical resources across law enforcement, prosecution services, the judiciary, and other relevant stakeholders, including the FIU.

Directive (EU) 2024/1260 provides an opportunity to strengthen the systematic deployment of financial investigations. Article 4(3) requires competent authorities to carry out asset-tracing investigations without delay for offences liable to generate substantial economic benefit, with a view to identifying instrumentalities, proceeds, or property that is, or may become, subject to freezing or confiscation.

The effectiveness of efforts to implement this provision, however, will depend on the availability of adequate human and technical resources, including trained financial investigators and appropriate analytical tools. When transposing the Directive, it would be relevant for Romanian authorities to assess the human and technical resources required in light of the expected number and complexity of financial investigations, and how these resources could be allocated at central and local levels within law enforcement and prosecution services.

Limited use of money laundering investigations and prosecutions

Beyond the limited use of financial investigations for asset tracing and confiscation, an observed structural limitation in Romania's asset recovery framework relates to the underutilisation of money laundering investigations and prosecutions, particularly stand-alone and third-party money-laundering cases. This affects the overall effectiveness of asset recovery efforts as it reduces opportunities to identify and confiscate high-value laundered assets and contributes to the continued integration of illicit proceeds into the legitimate economy.

Investigative and enforcement efforts appear to remain largely focused on predicate offences committed within Romania. Money laundering linked to predicate offences committed abroad may not be identified or pursued. As a result, stand-alone money laundering cases are infrequently initiated and, even more rarely, result in prosecutions and convictions. This pattern was consistently raised during stakeholder interviews and is corroborated by the 2023 MONEYVAL Report.

Evolving money laundering methods, including "money laundering as a service", appear to remain largely unaddressed in investigative practice. Observations made during the on-site visit suggest that further capacity building may be required to ensure a proactive response to evolving laundering methods.

The reasons for the underutilisation of stand-alone money laundering investigations are not fully documented, and the absence of comprehensive statistical data limits the ability to draw definitive conclusions. However, information gathered during interviews suggests several contributing factors, including a lack of strategic prioritisation of such cases, the inherent complexity of money laundering investigations, limited practical guidance, and limited training for police, prosecutors and judges. These factors are further influenced by shortages of specialised financial investigators capable of supporting complex money laundering cases.

Institutional and jurisdictional constraints may also influence the use of money laundering investigations. Specialised prosecution services such as DNA and DIICOT are generally only able to investigate money laundering when the predicate offence falls within their respective mandates. Consequently, strong money laundering cases that involve unidentifiable predicate offences, or predicate offences that occur outside their mandates, are not always actively pursued.

Differences in legal interpretation may also affect the use of stand-alone money laundering charges. Stakeholders report that courts may, in certain cases, emphasise the need for a clear demonstration of the predicate offence, particularly where financial transactions are complex or transnational. While this reflects judicial attention to due process and evidentiary robustness, it may also contribute to observed variations in the practical application of stand-alone money laundering provisions.

Limited use of cross-border intelligence and evidence for asset tracing

Romania's use of cross-border intelligence and evidence-gathering mechanisms in asset recovery remains limited. This was consistently noted during stakeholder interviews and reflected in the 2023 MONEYVAL Report and affects the abilities of relevant authorities to identify, trace, and secure assets that are concealed abroad.

In particular, intelligence-sharing mechanisms available through the ARO network, including CARIN, appear to be used less extensively than in other comparable jurisdictions. Between 2016 and 2024, ANABI received 1,938 incoming requests from foreign authorities but issued only 925 outgoing requests on behalf of Romanian authorities.[124]

While the number of outgoing requests is not directly correlated with the number of incoming requests at the national level, available international data suggest a broader systemic trend in which Asset Recovery Inter-Agency Networks (ARINs) members

[124] ANABI, *2024 Activity report.*

generally send more requests than they receive. An analysis of available data on requests exchanged within ARINs supports this observation. In particular, data presented by the FATF covering the period 2014–2020, show a consistent tendency for outgoing requests to outnumber incoming requests among ARIN members.[125] Similarly, the CARIN Annual Report 2023 indicates that EU members of the CARIN network sent 1,027 requests while receiving 734 requests during that year.[126]

Taken together, these data suggest that, while imbalances between outgoing and incoming requests are a feature of ARIN cooperation, Romania's comparatively low volume of outgoing requests may indicate that ARO channels are not yet being used to their full potential to identify and pursue assets located abroad.

Interviews further indicated that, although prosecutors and investigators recognise the importance of international cooperation, cross-border asset tracing is not systematically pursued in all domestic cases. The *Methodology for Conducting Financial Investigations* provides limited practical guidance on identifying and tracing assets abroad. Stakeholders also noted additional constraints, including uncertainty about the jurisdictions in which assets may be located and difficulties associated with non-cooperative or high-risk jurisdictions.

A structural limitation also lies in the distinction between intelligence and admissible evidence. Information received through ANABI or other intelligence channels, including FIU-to-FIU exchanges, cannot generally be used directly as evidence in criminal proceedings. In Romania, prevailing interpretations of domestic admissibility rules mean that intelligence alone cannot justify freezing orders. As a result, Romanian authorities must typically follow up with MLA requests or EIOs to obtain admissible evidence before freezing measures can be sought. This additional procedural step delays action, with potential implications for the timely preservation of assets.

Comprehensive statistical data on the number of cross-border evidence-gathering requests issued by Romanian authorities and the proportion of such requests resulting in freezing or confiscation orders is not available. On-site interviews nonetheless indicate that the ratio between the number of cross border requests issued to gather evidence and subsequent cross border freezing requests is potentially disproportionate.[127]

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[125] FATF, *Recovering the International Proceeds of Crime through Inter-Agency Networks* (November 2023), Box 5.1, https://www.fatf-gafi.org/content/dam/fatf-gafi/reports/Recovering-Proceeds-Crime-Inter-Agency-Networks.pdf.
[126] Camden Asset Recovery Inter-Agency Network (CARIN), *CARIN Annual Report 2023* (2024), https://agrasc.gouv.fr/sites/default/files/2024-06/annual-report_v1-2023_carin.PDF.
[127] Some available data may indicate this trend. According to DIICOT's 2024 Activity Report, 256 outgoing European Investigation Orders (EIOs) and eight requests for asset restraint were recorded. In the same year, DNA's Activity Report records 21 outgoing EIOs, with no asset restraint requests reported.

While many of these challenges are common to cross-border asset recovery, the findings suggest scope for a more systematic and proactive approach to tracing assets abroad, integrated into financial investigations from an early stage.

The transposition of Directive (EU) 2024/1260 offers an opportunity to address some of these constraints. Article 9(4) allows intelligence received from EU AROs to be used as evidence before competent national authorities, subject to compliance with domestic admissibility rules and the CFR. If implemented with appropriate safeguards, this framework could enable more timely judicial action, including the issuance of freezing orders, without systematically relying on time-consuming formal cooperation procedures.

To ensure legal certainty and mitigate the risk of subsequent procedural challenges, consideration could be given to establishing clear criteria governing the admissibility and use of ARO information. This could be supported by an expedited judicial or prosecutorial assessment mechanism to determine the evidentiary value of such intelligence, thereby balancing efficiency with due process guarantees.

The challenges identified in relation to cross-border cooperation reinforce the findings regarding the limited use of financial investigations and the underutilisation of money-laundering prosecutions.

Taken together, these elements suggest systemic constraints in Romania's asset recovery framework, where financial investigations are not consistently embedded in practice, money-laundering enforcement could be strengthened, and assets concealed abroad may, in practice, remain beyond the reach of domestic proceedings. Addressing these issues in isolation is unlikely to yield sustainable results. Instead, they call for a coherent and coordinated approach that integrates systematic financial investigations, proactive money-laundering enforcement, and the effective use of cross-border intelligence, evidence-gathering and freezing mechanisms as mutually reinforcing components of a comprehensive asset recovery strategy.

4.1.2 Recommendations

Recommendation 1: The utilisation of financial investigations should be established as a strategic priority of the Romanian Government and competent judicial and law enforcement authorities.

[Responsible authorities: Romanian Government; PICCJ; Judiciary; MAI; FIU; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Introducing a legal provision establishing asset tracing investigations as a standard component of investigations into offences likely to generate substantial proceeds of crime, while ensuring proportionality and respect for prosecutorial autonomy.

b) Conducting an assessment of human and technical resources required by each relevant authority to conduct effective financial investigations, including technological needs (such as the acquisition of analytical software for tracing financial flows, cryptocurrency analysis, and the ability to access interconnected databases).

c) Addressing any needs identified in the assessment conducted under (b) and ensuring that:

    i. Any human resource deficiencies are addressed through increasing the number of specialised financial investigators at both central and local levels within relevant authorities to ensure sufficient capacity for systematic deployment in all relevant cases.
    ii. Relevant authorities have the required access to databases, financial records, as well as any analytical tools necessary for effective asset tracing.

d) Exploring the establishment of specialised joint investigation teams composed of prosecutors, law enforcement, financial analysts, FIU analysts, ANABI experts, IT specialists, ANAF staff, and other relevant personnel to conduct financial investigations in parallel with criminal investigations. These teams would focus on the early identification, monitoring, and freezing of assets, including assets transferred to third parties or located abroad.

e) Prioritising the investigation of money laundering offences, including stand-alone and third-party cases, covering both domestic and foreign predicate offences, including non-financial crimes such as human trafficking and drug trafficking.

f) Developing operational guidelines to support the initiation and conduct of stand-alone money laundering investigations, including cross-border cases, and clarifying triggers for investigations based on information obtained through EIOs and MLA requests.

g) Developing internal case-allocation criteria within the Public Ministry to prioritise high-value, complex, or transnational cases and to enhance coordination between specialised and non-specialised prosecution offices.

h) Establishing multi-agency working groups to monitor emerging money laundering typologies, benchmark international practices, and develop proactive investigative strategies.

i) Establishing inter-institutional coordination mechanisms to monitor the implementation of the Anti-Money Laundering Strategy and the forthcoming Asset Recovery Strategy, with a particular focus on the interaction between money laundering investigations, financial investigations and asset freezing.

j) Monitoring the implementation and outcomes of the *Methodology for Conducting Parallel Financial Investigations*, using key indicators such the proportion of cases in which financial investigations are initiated, the timeliness of asset-tracing measures, and judicial outcomes. The Methodology could be updated where warranted by operational experience, legislative developments, binding case law, or other relevant factors.

Recommendation 2: Capacities relating to the conduct of cross-border asset tracing should be strengthened.

[Responsible authorities: PICCJ; Judiciary; MAI, ANABI, FIU]

To achieve this, the Romanian Government and relevant authorities should consider the following measures:

a) Developing operational guidelines clearly setting out available intelligence-gathering and immediate action tools and channels, procedures for engagement, appropriate use cases, and designated contact points, with particular emphasis on asset recovery and confiscation proceedings.

b) Strengthening the national network of international cooperation contact points by ensuring that, within each Court of Appeal jurisdiction, at least one designated contact point is specialised in cross-border asset recovery and available to support prosecutors and judges at local level.

c) Improving data collection and monitoring on cross-border asset tracing and freezing, including outgoing requests, freezing measures obtained, and confiscation outcomes, in order to assess effectiveness, identify bottlenecks, and inform evidence-based policy and operational adjustments.

4.2 Freezing and seizure phase

Early tracing and freezing of assets are widely recognised as critical to the effectiveness of asset recovery systems.

The FATF Asset Recovery Guidance and Best Practices, for example, emphasise that assets not provisionally secured at an early stage are rarely confiscated and that prompt action is a decisive factor in successful asset recovery outcomes.[128]

In this context, stakeholder interviews suggest that the current framework for immediate and administrative freezing measures in Romania may not support the timely preservation of assets at risk of dissipation.

Additionally, precautionary measures are often applied to secure a value equivalent to the amount subject to special or extended confiscation, or compensation, rather than targeting identifiable assets. This practice may affect the effective enforcement and realisation of confiscation orders.

4.2.1 Key findings

Limited immediate action measures

Under the existing AML framework, suspicious transactions may be suspended for 48 hours, extendable once by the PICCJ for up to 72 hours. Interviews revealed that in practice, this timeframe is frequently insufficient for prosecutors to gather the evidence required to apply precautionary measures. As a result, assets are often released and, in some cases, subsequently become difficult or impossible to trace.

In parallel, ANABI, as an administrative body and acting in its ARO capacity, does not currently possess immediate action powers to preserve assets prior to the issuance of precautionary measures. This limits the range of tools available to authorities when there is an immediate risk of asset dissipation, including in cross-border cases.

The transposition of recent EU instruments provides an opportunity to address these structural limitations. Directive (EU) 2024/1640, Article 24(1), for example, allows FIUs to suspend transactions for up to ten working days. Extending the current suspension period could facilitate cooperation between the FIU and prosecution services and provide prosecutors with a more realistic timeframe to apply precautionary measures.

In addition, Directive (EU) 2024/1260, Article 11(3), requires that AROs be granted immediate action powers to preserve assets for up to seven working days in cases of

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[128] Financial Action Task Force (FATF), *Asset Recovery Guidance and Best Practices* (November 2025), https://www.fatf-gafi.org/content/dam/fatf-gafi/reports/Asset-Recovery-Guidance-Best-Practices.pdf.

immediate risk of dissipation. The Directive also allows Member States to confer similar powers on other competent authorities, such as prosecutors or judges, without being subject to the same temporal or risk-related constraints.

Operationalising this provision will require careful consideration of constitutional and procedural safeguards. Extending immediate action powers to administrative bodies such as ANABI may raise legal concerns, given the absence of judicial authority. One possible approach could involve a mandatory confirmation mechanism by a competent judicial authority, a prosecutor or a judge, within a clearly defined timeframe.

In parallel, conferring prosecutors and judges immediate action powers, accompanied by extended deadlines could offer a solution, ensuring that traced assets are preserved while applications for precautionary measures are being prepared.

Precautionary measures target mostly value, not specific assets

The 2013 Report identified challenges in the application of precautionary measures. Authorities tended to focus on freezing a value corresponding to estimated damages caused by the criminal activity rather than identifying specific assets linked to the offence. In parallel, instances were reported in which precautionary measures were extended to all assets held by the alleged offender, irrespective of their lawful or unlawful origin. These practices were linked to limitations in the scope and depth of financial investigations, affecting the ability to distinguish between licit and illicit assets.

Findings from the on-site visit suggest that aspects of this approach persist and may affect the effectiveness of asset recovery. Precautionary measures are frequently applied to secure a value equivalent to the amount subject to special or extended confiscation, or compensation, rather than targeting specific assets. However, practices are not uniform. In some cases, measures are applied directly to identified assets, in line with Directive 2014/42/EU and Directive (EU) 2024/1260. These Directives prioritise the freezing and confiscation of instrumentalities, proceeds, and property, with-value measures envisaged as a subsidiary or alternative option.

Interviews further indicated that, even when assets belonging to suspects or third parties are identified, establishing a sufficiently robust evidentiary link to the offence is in some instances challenging. Where such a link cannot be adequately substantiated, precautionary measures may be lifted. This observation could not be corroborated with comprehensive statistical data.

Stakeholders also highlighted differences in practice concerning joint ownership and existing encumbrances, such as mortgages. In some cases, these factors are not fully reflected when freezing an entire asset, while in others they are taken into consideration and precautionary measures are limited to the relevant share. Inconsistent consideration of co-ownership and liens may increase the risk of overestimating the amounts or assets ultimately available for confiscation.

The issues discussed in this section are closely linked to the broader challenges identified in financial investigations, money laundering prosecutions, and cross-border asset tracing. Inconsistent application of precautionary measures can amplify the impact of limited financial investigation capacity, underutilisation of money laundering cases, and weak use of cross-border intelligence and evidence-gathering mechanisms.

Consequently, a gap may arise between the total value targeted by precautionary measures and confiscation orders, and the assets that are ultimately seized and confiscated.

Addressing these challenges calls for a more systematic approach to asset recovery, combining improved investigative capacity, clearer judicial and prosecutorial guidance, enhanced international cooperation, and the timely application of freezing and precautionary measures. Coordinated action across these areas would support the effectiveness of Romania's asset recovery framework and support the successful confiscation of illicit assets.

Unclear legal framework governing the periodic review of precautionary measures

Under Article 250² of the CPC, precautionary measures are subject to mandatory periodic review: every six months during the investigation phase and once every twelve months during the trial phase. However, the CPC does not regulate the time limit for the review of such measures during the preliminary chamber stage, i.e. the period following the filing of the indictment but prior to the commencement of the trial. The law is equally silent on the legal consequences arising from a failure to conduct the required review within the prescribed deadlines.

On-site interviews with prosecutors, judges, and a representative of the Romanian Bar highlighted several practical challenges associated with the current framework. Practitioners reported that the review process is resource-intensive, involving multiple verifications and the reassessment of asset-related documentation, particularly during the six-month review cycle in the investigation phase. While this reflects standard judicial practice and safeguards proportionality, authorities noted scope to streamline the process without lowering legal standards.

In this respect, while the statutory framework does not expressly provide for automatic termination of precautionary measures, the absence of an explicit provision addressing the effects of missed review deadlines has resulted in uncertainty and uneven application. Although judicial practice and stakeholder accounts suggest that review deadlines are generally treated as recommendatory, rather than extinction grounds, this position is not expressly codified. Practitioners also revealed divergent interpretations regarding the legal consequences of a failure to conduct a periodic review. Some practitioners indicated that such a failure could be construed as leading to the automatic cessation of the precautionary measure. By contrast, the prevailing interpretation in judicial practice is that precautionary measures, unlike preventive measures applicable to natural persons, do not lapse automatically and generally remain in force until formally revoked by a judge.

The legal framework nevertheless allows affected persons to request the lifting of precautionary measures at any stage of the proceedings. However, these safeguards do not fully address the lack of clarity regarding the consequences of non-compliance with review deadlines.

Divergent interpretations of the legal framework contribute to legal uncertainty and risks inconsistent application across cases. While the review mechanism safeguards proportionality, particularly where measures remain in force for extended periods, the non-unitary practice described above reveals a need for greater legal clarity. To ensure the consistency of the precautionary measures' regime, and to reduce unnecessary procedural burdens, the establishment of more precise provisions governing the review process of these measures could be considered.

4.2.2 Recommendations

Recommendation 3: The legislative framework and operational practices relating to immediate action powers and precautionary measures should be enhanced in line with EU standards.

[Responsible authorities: Romanian Government; PICCJ; Judiciary; MAI; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Extending the FIU's transaction suspension period, allowing sufficient time for financial analysis and the adoption of precautionary measures (this could be done when transposing Article 24(1) of Directive (EU) 2024/1640).

b) When transposing Article 11(3) of Directive (EU) 2024/1260, conferring immediate action powers on:
   i. ANABI, subject to appropriate procedural safeguards. Safeguards could include a judicial confirmation mechanism to ensure legal certainty and compliance with due process requirements.
   ii. Prosecutors and judges, in accordance with their respective competences.

c) Amending Article 250^{2} of the CPC to establish more precise provisions governing the review process. In particular, such amendments could:

   i. Clarify and harmonise the procedural framework governing the periodic review of precautionary measures, including the applicable review timelines and, where appropriate, consideration of a single annual review deadline; and

   ii. Clarify the legal consequences of non-compliance with the review obligations.

d) Prioritising the identification of specific assets for confiscation, domestically or abroad, whether directly linked to the offence or subject to equivalent-value confiscation, across special, extended, non-conviction-based, and unexplained wealth confiscation regimes covered by Directive (EU) 2024/1260.

e) Providing clear and standardised guidance on asset identification and valuation, including joint ownership, encumbrances, and evidentiary requirements.

f) Introducing uniform procedures for determining beneficial ownership and documenting encumbrances in order to reduce inconsistencies and support enforceable confiscation orders.

g) Establishing a monitoring and reporting framework to track assets identified, frozen, and confiscated, assess effectiveness, and support evidence-based policy adjustments. Procedures should be reviewed regularly to incorporate lessons learned, emerging risks, and evolving legal or operational requirements.

4.3 Asset Management

The 2013 Report identified serious deficiencies in the management of seized assets, including unclear institutional responsibilities, insufficient planning and delays in asset realisation. Recommendations at the time included issuing management guidelines, revising legislation, creating a dedicated asset management office, establishing a centralised database and developing procedures for timely asset realisation.

Since then, Romania has made substantial progress. The establishment of ANABI, along with the creation of the ROARMIS database, has significantly strengthened the institutional and operational framework. Responsibilities for the management of seized assets are established by law, supported by internal procedures and guidance, specific regulations, and administrative orders applicable to ANABI, prosecution offices, courts, and MAI structures.

While these reforms have provided a solid foundation, continued attention is required to ensure consistent application of procedures across all authorities, complete and accurate data entry into ROARMIS, effective coordination across institutions and improvement of interlocutory sales. Building on the progress achieved, recommendations in this report aim to address remaining gaps, enhance operational efficiency, and align national practices with Directive (EU) 2024/1260 and international best practices.

4.3.1 Key findings

Limited operational consistency in asset management

While institutional responsibilities for asset management are defined in the legal framework, the current arrangements may result in limited centralised visibility over how seized assets are managed across different authorities. Under the dual system (where certain assets are managed by ANABI while others remain under the responsibility of prosecutors, police, or courts) differences in operational standards and registration practices may result in fragmented asset management, particularly if registration is incomplete or inconsistent.

Although all seized assets are in principle registered in ROARMIS regardless of the managing authority, the on-site visit revealed uncertainty regarding the completeness and accuracy of such records. Questions remain regarding which assets are recorded, their evidentiary value, storage methods, physical condition, valuation procedures, and the consistency of asset management practices within police units, prosecution offices, and courts. Stakeholders, including MAI officers, judges, prosecutors, and ANABI representatives further highlighted challenges in providing insurance for stored assets and limitations in storage capacity, affecting all managing authorities.

While a dual management system is permitted under Directive (EU) 2024/1260 and offers operational advantages, such as central management of high-value or complex assets, this fragmentation may carry operational risks if not accompanied by strong coordination, consistent standards, and reliable centralised information. These risks include inconsistent valuation and storage practices, and the potential dissipation or depreciation of seized property.

Limited use of interlocutory sales

The CPC permits the pre-confiscation sale of seized assets to safeguard their value, reduce management costs, and mitigate risks associated with long-term storage. Article 252¹ of the CPC grants broad discretion to order interlocutory sales at the request of, or with the consent of, the owner. By contrast, sales carried out *without* the owner's consent are treated as exceptional and may only occur under the specific circumstances provided in Article 252¹.

In practice, interlocutory sales are used relatively infrequently. According to ANABI data, most sales occur at the owner's request, while applications submitted under the other legal provisions are frequently rejected by courts. This pattern reflects the restrictive framing of the measure as exceptional and the cautious approach adopted in judicial practice.

The underutilization of interlocutory sales may limit the effective preservation of asset value and increase long-term management costs.[129]

The transposition of Directive (EU) 2024/1260 presents an opportunity to address these shortcomings and align national law and practice with EU requirements. The Directive establishes efficiency in the management of seized and confiscated assets as a general mandatory principle. Article 21, read together with Recital 43, positions interlocutory sales as a standard asset-management measure where frozen property is perishable, rapidly depreciating, costly to maintain, difficult to administer, or easily replaceable. The Directive thus positions interlocutory sales as the standard mechanism for protecting asset value pending confiscation, requiring a shift not only in legislation but also in operational practice. The FATF *Guidance and Best Practices on Asset Recovery* also identifies pre-confiscation sales as a strategic measure to preserve value and ensure the future availability of proceeds, rather than a punitive measure against the person from whom the asset was seized.

Effective implementation will require both legal and operational adjustments. Legislative amendments could clarify the conditions under which interlocutory sales without the owner's consent may be applied as a standard measure, in support of alignment with Directive (EU) 2024/1260 and the preservation of asset value. Legal reform could also consider mechanisms to mitigate depreciation risks, introduce flexible criteria for assessing depreciation or risk, and provide safeguards for irreplaceable or high-evidentiary-value assets. Operational adjustments, including standardised valuation procedures, periodic reassessments of asset conditions, and systematic recording of relevant information in ROARMIS could also be considered under any reforms.

In addition, considerations related to the efficiency of asset management could include exploring the possibility of allowing the temporary use of seized movable and immovable assets by public authorities, subject to appropriate legal safeguards and in line with international best practices. Such use could support public needs while preserving asset value pending confiscation, provided that clear eligibility criteria, oversight mechanisms, and safeguards are in place to protect the rights of affected persons and prevent conflicts of interest.

[129] Section 3.3.1.1 outlines current limitations in the storage capacity for seized assets, including constraints on available space and storage conditions. In this context, the limited use of interlocutory sales may increase the risk of asset depreciation and lead to higher management and storage costs.

4.3.2 Recommendations:

Recommendation 4: Assets currently under management should be reviewed to determine whether actions can be taken to better preserve their value.

[Responsible authorities: PICCJ; Judiciary; MAI; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Conducting a systematic review to quantify and assess all assets currently managed by prosecution offices, police, and courts, and storage facilities. The review could cover location, physical condition, estimated value, evidentiary status, and potential eligibility for interlocutory sale.

b) Developing and implementing a coordinated action plan to enhance the preservation and management of assets, based on the findings of the review in (a) above. Measures may include submitting eligible assets for interlocutory sale, returning assets where appropriate, or applying alternative measures. This process could leverage existing support mechanisms, including assistance provided by ANABI, to encourage custodial authorities to actively manage inventories, valuations, and proposals for interim sale, while ensuring functional linkage between asset records, storage facilities, and asset disposal processes.

Recommendation 5: Processes and practices relating to seized asset management should be enhanced.

[Responsible authorities: Romanian Government; PICCJ; Judiciary; MAI; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Strengthening the consistent application of existing legal and operational procedures governing asset categorisation, registration, valuation, documentation, and evidentiary assessment, including criteria for determining suitability for interlocutory sale. This could focus on ensuring consistent application across all relevant authorities and accurate recording of data in ROARMIS. Periodic assessments of assets and practices, supported by ANABI specialists, can further enhance operational consistency, facilitate informed decision-making on interim sales, and support all custodial and prosecutorial authorities in applying the legal framework effectively.

b) Assessing and addressing gaps in storage capacity, security arrangements, and insurance coverage across prosecution services, courts, police and ANABI to ensure that all seized assets are adequately safeguarded.

c) Strengthening inter-agency coordination by tasking the ANABI Coordination Council, or a dedicated inter-institutional working group as the primary governance mechanism for asset management oversight. The Council could facilitate information exchange and monitor compliance with agreed operational procedures, identify systemic issues, while also promoting shared ownership of decisions among all authorities involved in asset recovery. Actions in this context should take into account the human and operational resource capacities of participating institutions, with ANABI contributing technical support and coordination in accordance with its existing operational mandate.

d) Leveraging technological interoperability, using the forthcoming integration between ROARMIS 2 and ECRIS 5, to automate cross-checks, improve data accuracy, and ensure seized assets are consistently recorded, tracked, and updated throughout proceedings.

Recommendation 6: Interlocutory sales should be established as a standard asset management measure.

[**Responsible authorities:** Romanian Government; PICCJ, Judiciary; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Reviewing and amending the legal framework governing interlocutory sales without the owner's consent to establish them as a standard asset-management measure rather than an exceptional one. This could include introducing a flexible, evidence-based assessment of deterioration risk, management costs, or potential loss of value; Clarifying the legal basis for interlocutory sales where asset management requires specialised conditions or expertise; And providing adequate procedural safeguards for affected persons, including prior notification and the opportunity to be heard, with enhanced protections for assets of evidentiary value or of an irreplaceable nature.

b) Subject to appropriate legal safeguards and judicial oversight, assessing whether the temporary use of certain seized movable and immovable assets by public authorities may be feasible, in line with international best practices and without prejudice to ownership rights or final confiscation outcomes.

c) Introducing standardised valuation methodologies and requiring updated valuations at defined intervals, contingent upon strengthening institutional capacity, in particular through the reinforcement of human resources, given the current level of understaffing.

d) Conducting early assessments of depreciation risks and establishing internal triggers for initiating interlocutory sales to guide custodians in proposing interlocutory sales of seized assets.

e) Developing national guidance defining criteria such as perishability, rapid depreciation, disproportionate storage or management costs, and other conditions justifying interlocutory sales.

f) Strengthening operational cooperation between ANABI, prosecution offices, law enforcement, and courts in the submission, assessment, authorisation, and execution of interlocutory sales.

4.4 Confiscation and disposal phase

The asset recovery process continues well past the achievement of a conviction and also relates to efforts to enforce confiscation orders and dispose of any recovered assets in accordance with accepted practices.

While Romania's pre-conviction investigation powers are substantial, there are some notable challenges in the context of efforts to trace and recover assets related to confiscation orders issued by courts post-conviction.

With regards to disposal processes, Romania has established a comparatively advanced framework for the social reuse of confiscated assets, encompassing both indirect reuse through the National Mechanism for Crime Prevention Support (the Mechanism) and direct reuse through the allocation of confiscated immovable property for public and community purposes. These arrangements go beyond the minimum requirements set out in Directive (EU) 2024/1260 and are generally aligned with international best practices in asset recovery, victim support, and crime prevention.[130] However, some challenges have been observed that may affect the full realisation of the intended social and preventive impact of confiscation measures. These factors indicate opportunities to clarify procedures, strengthen inter-institutional coordination and improve operational capacity.

[130] One area requiring further development concerns the use of confiscated assets to support mechanisms for third countries affected by situations giving rise to Union restrictive measures, in particular cases of war of aggression. Introduced by Article 19 (2) of Directive (EU) 2024/1260, this new legal provision will require specific national implementation measures, potentially guided by forthcoming European Commission guidance.

4.4.1 Findings

Limitations in post-conviction asset tracing and recovery

ANAF is primarily responsible for executing confiscation orders and selling confiscated assets, including those previously managed by ANABI in the pre-confiscation stage.[131] ANABI does not have authority to manage confiscated assets but may facilitate the tracing of assets at the post-conviction stage to support the enforcement of equivalent-value confiscation orders.[132]

ANAF possesses powers to trace assets to satisfy confiscation orders, particularly equivalent-value orders; however, structural limitations can undermine the effectiveness of this framework. For example, precautionary measures and confiscation orders are often based on estimated damages rather than identified assets, which may result in confiscation amounts exceeding the values of identified assets.[133]

Implementing value-based orders requires ANAF to identify assets using administrative tools, which provide a subset of the investigative powers available in criminal proceedings, especially for assets located abroad. Establishing beneficial ownership further complicates enforcement, and administrative measures can be subject to judicial challenge.

These factors may constrain ANAF's ability to trace assets to realise equivalent-value confiscation orders and contribute to the previously identified significant gap between the amounts ordered in confiscation judgments and the actual values recovered.

To improve enforcement, confiscation orders could focus on identified assets, with the option to adjust the order if additional assets are traced post-judgment. This approach separates the total benefit obtained from the offence from the amount that is actually recoverable, ensuring that orders are enforceable and realistic while preserving legal mechanisms to pursue newly discovered assets.

Moreover, Directive (EU) 2024/1260 provides a framework to improve post-conviction asset tracing for all forms of confiscation. Article 17 requires Member States to enable the tracing of property for freezing or confiscation, even after a final conviction or following non-conviction-based proceedings (Articles 15-16). Under this Directive, Member States must provide competent authorities with investigative powers equivalent to those available during pre-conviction stages, including ARO information-exchange channels and access to relevant databases, as provided for in Articles 5 and 9.

While the Directive does not explicitly state this, its reference to tracing tools comparable to those used in pre-trial investigations implies that authorities may employ the investigative

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[131] ANAF's role in asset recovery is explained in more detail in Section 3.3.4.
[132] ANABI's role is explained in more detail in Section 3.3.1.1.
[133] This issue is highlighted in multiple sections of this report, including Section 3.3.4.

powers and safeguards available in criminal proceedings for post-confiscation asset tracing. Tracing proceeds, instrumentalities, and other property within the criminal proceedings framework, rather than through administrative processes, would enable the application of criminal precautionary measures, including the issuance of freezing orders under Regulation (EU) 2018/1805 and MLA for asset freezing, while ensuring appropriate criminal law safeguards. While tracing criminal assets during the investigative stage should remain the priority, enabling authorities to conduct financial investigations post-trial using similar tools would better support the effective enforcement of confiscation orders.

Funds generated from the enforcement of equivalent-value confiscation have not yet been transferred to the National Mechanism for Crime Prevention Support

The Mechanism is an institutional and financial instrument designed to support victims of crime and to strengthen legal education and crime prevention efforts.[134]

A key implementation challenge has emerged following the on-site visit. According to ANABI's 2024 Activity Report, funds recovered through equivalent-value confiscation orders have not yet been transferred to the Mechanism since it became operational in January 2023. Data submitted by ANAF to ANABI indicate that these amounts were recorded as part of general budgetary claims, grouped together with fines, damages, and legal costs, without disaggregation. As a result, the legally mandated allocation of funds generated from the enforcement of equivalent-value confiscation was not fully realised, limiting its ability to achieve its objectives.

Available information suggests that this outcome is influenced by a combination of operational and systemic factors. The Romanian Court of Auditors' 2025 audit of ANAF identified the absence of standardised procedures for recording debts and accounting budgetary claims arising from criminal judgments, as well as incomplete functionality of the IT system intended to centralise data on debts. During the validation of findings visit, ANAF reported ongoing efforts to address these limitations, including improvements to IT systems and procedures for tracking budgetary claims.

Despite these constraints, ongoing assessments suggest that the Mechanism has delivered relevant operational impact. An interim evaluation covering the period 2023–2025 indicates that the Mechanism has been implemented across several beneficiary institutions, supporting activities in areas including crime prevention, victim support, education, and institutional capacity building.[135] In 2025, ANABI initiated legislative steps to transform the existing framework into a national programme, extending the Mechanism's duration, broadening its community reach, and supporting sustainable

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[134] The legal and operational framework of the Mechanism is outlined in sections 3.1.5 and 3.3.1.1.
[135] A more detailed assessment of the Mechanism's impact is set out in section 3.3.1.1.

initiatives in victim support and crime prevention. Its continued effectiveness, however, depends on timely fund transfers and strong inter-institutional coordination.

The current legal framework assigns ANAF responsibility for enforcing confiscation orders while ANABI is tasked with allocating recovered assets. This division of responsibilities creates a fragmented system that introduces complexity in the timely transfer of amounts to the Mechanism. Strengthening inter-institutional coordination between ANAF and ANABI is critical to ensuring the effective monitoring, planning and execution of enforcement and allocation processes.

Consideration could be given to potential reforms to the management and disposal of confiscated assets, including the possible transfer of certain responsibilities to ANABI, drawing on its existing infrastructure, auction platform, and valuation tools. Subject to appropriate safeguards, such an approach could support more streamlined disposal and allocation processes, facilitate the timely transfer of funds to the Mechanism, enhance reporting and monitoring, and allow ANAF to focus its human and technical resources on other enforcement priorities within its mandate.

This approach would also represent an important step toward aligning Romania's legal and institutional framework with Directive (EU) 2024/1260, which requires AMOs to assume responsibility for the management of confiscated property.

Prior to any transfer of responsibilities, a comprehensive assessment of ANABI's operational capacity should be undertaken, including staffing levels, technical resources, IT systems, and institutional support, in order to ensure any reform is sustainable and does not create operational bottlenecks or risks to effective enforcement.[136] This assessment could consider whether ANABI is best placed to assume responsibility for the management and disposal of assets already under its administration or, alternatively, for all confiscated assets. Where immediate full transfer is not feasible, an incremental approach could be adopted, whereby ANABI is initially granted authority to manage and sell assets already under its administration, with its mandate progressively extended to all confiscated assets once sufficient capacity is progressively strengthened.

In this context, consideration could also be given to the reallocation or secondment of ANAF staff currently responsible for the realisation of confiscated assets, in order to preserve institutional expertise and ensure continuity of operational know-how. Such an approach could facilitate a smooth transition, mitigate capacity gaps and promote efficiency, while maintaining respect for the mandates and institutional roles of both authorities.

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[136] ANABI is currently operating below its legally established staffing capacity, as noted in section 3.3.1.1.

Irrespective of the institutional model adopted, effective coordination between ANABI and ANAF remains essential, given ANAF's responsibility for enforcing other claims arising from criminal proceedings, including fines and compensation. Clear coordination and information mechanisms would support coherent enforcement, reduce the risk of fragmentation and enhance the overall effectiveness of asset recovery.

Potential to further strengthen the reuse of confiscated property

ANABI facilitates the social reuse of confiscated assets, including the transfer of properties to local authorities for community purposes.[137]

Monitoring, evaluation, and benchmarking remain essential to ensuring accountability, transparency, and continuous improvement in this context. Publicly available evaluations can strengthen the credibility of such processes, support stakeholder engagement, and facilitate the exchange of lessons learned with other jurisdictions.

Stakeholder consultations indicate that, in practice, the effectiveness of repurposing projects may be influenced by structural and resource related factors. In particular, coordination arrangements, oversight mechanisms, and access to financial resources could be further strengthened to support consistent implementation. Local authorities could benefit from additional guidance and support to effectively utilise confiscated assets and financial resources are insufficient for repairing and adapting properties for functional use. Enhanced partnerships between civil society, local authorities, and central institutions could be further developed to enhance the effectiveness of social reuse.

To maximise the social impact of confiscated assets, reuse strategies should be aligned with identified community needs and structural vulnerabilities linked to crime. Romania could consider incorporating lessons from established international best practices to further strengthen programme design and implementation.[138]

Support measures, including training, project management guidance, and capacity-building, could be provided to local authorities and CSOs to to strengthen coordination and enable the effective planning and execution of reuse projects. External funding, through government grants or EU programmes, could help address operational costs, particularly for non-profit recipients, thereby reinforcing existing mechanisms and expanding opportunities for sustainable reuse.

Direct social reuse of hard-to-sell assets, both movable and immovable, could complement these mechanisms by providing a practical disposal option for properties with market limitations. All initiatives should be accompanied by robust legal safeguards and eligibility

[137] The legal and operational framework for the reuse of confiscated property is described in sections 3.1.5 and 3.3.1.1.
[138] Council of Europe and European Union, *Guidelines for the Management of Seized Assets* (February 2023), https://rm.coe.int/prems-015223-gbr-2204-guidelines-for-the-management-of-seized-assets-w/1680ad3f1a.

criteria to prevent assets from being reacquired by former owners or individuals associated with criminal activity.

4.4.2 Recommendations

Recommendation 7: Processes and practices for the enforcement of confiscation orders should be strengthened in line with Directive (EU) 2024/1260.

[**Responsible authorities:** Romanian Government; PICCJ; Judiciary; MAI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Prioritising identified assets in confiscation orders, while maintaining flexibility to adjust the order if additional assets are traced post-judgment.

b) In cases where Directive requirements cannot be fully implemented within existing procedural frameworks, introducing a special procedure for confiscating assets that were not traced or identified during the criminal process. This approach would aim to complement, rather than modify, final confiscation orders, thereby preserving the principle of *res judicata*.

Recommendation 8: Post-conviction tracing powers and practices should be aligned with pre-conviction tracing powers and practices.

[**Responsible authorities:** Romanian Government; PICCJ; Judiciary; MAI; ANABI]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Clarifying the legal framework to enable competent authorities, including ANABI, law enforcement, prosecutors and judges to access investigative tools post-conviction, equivalent to those available during the investigative stage, including access to financial records, databases, and analytical tools.

b) Developing guidance for consistent procedures for post-conviction tracing, aligned with pre-conviction standards, evidentiary requirements and cross border cooperation mechanisms.

c) Conducting a thorough assessment of operational capacity, before integrating post-conviction asset tracing into criminal proceedings. This assessment should evaluate human, technical, and institutional resources to ensure that post-conviction tracing is sustainable and capable of achieving intended confiscation outcomes.

<u>Recommendation 9</u>: Institutional capacity to manage and dispose of confiscated assets should be enhanced.

[Responsible authorities: Romanian Government; ANABI; ANAF]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Developing clear and uniform procedures for ANAF to record confiscated assets and other budgetary claims, to ensure accuracy, transparency, and traceability.

b) Enhancing coordination between ANAF and ANABI through existing information-exchange mechanisms and protocols. Where operational capacity and available human resources allow, the possibility of implementing automated and real-time data exchange mechanisms should be explored, including through the development of ROARMIS, in order to improve reporting efficiency, reduce errors, and strengthen feedback mechanisms.

c) Evaluating the potential for ANABI to manage and dispose of confiscated assets, and enforce equivalent-value confiscation orders, in a manner that preserves operational continuity and leverages the Agency's expertise. If this avenue is considered feasible, the staffing, technical capacity, and institutional support of ANABI should be assessed to ensure that they are sufficient for purpose and to prevent operational bottlenecks. As part of this assessment, options for strengthening ANABI's operational capacity, including the potential temporary or permanent redeployment of specialised personnel from other authorities, such as ANAF, may be considered. Any such measures should be explored in consultation with relevant stakeholders and implemented in alignment with national legal frameworks and institutional mandates

d) Consolidating mandates and clarifying responsibilities between ANAF and ANABI to reduce redundancy and strengthen coordination. A hybrid or phased approach may be considered, whereby ANABI assumes responsibility primarily for assets already under its administration, extending its mandate progressively as operational capacity is reinforced. Implementation should require consultation with all relevant authorities.

<u>Recommendation 10</u>: Processes allowing for the direct reuse of confiscated assets should be enhanced.

[Responsible authorities: Romanian Government; ANABI; CSOs]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Bolstering ANABI's strategic oversight and operational capacity to prioritise, manage, and monitor repurposing projects.

b) Evaluating the feasibility of extending direct reuse to additional categories of confiscated assets, including hard to sell movable and immovable property.

c) Implementing robust legal safeguards and strict eligibility criteria to prevent confiscated assets from being reacquired by former owners or individuals associated with criminal activity.

d) Developing SOPs for asset transfer, adaptation, and maintenance, ensuring consistency and transparency across local authorities and institutions.

e) Defining roles and responsibilities for all stakeholders, including local authorities and CSOs, to improve coordination and accountability.

f) Exploring funding mechanisms, including government grants and EU programme support, to cover operational costs for asset adaptation, maintenance, and project execution.

g) Providing additional support for non-profit recipients to ensure full utilisation of assets for community benefit.

h) Conducting a capacity assessment to ensure that ANABI and partner institutions have sufficient resources, personnel, and technical expertise to manage and support reuse projects.

i) Developing monitoring and evaluation systems to track the social and economic impact of reuse programmes, ensuring accountability, transparency, and continuous improvement.

j) Reviewing international best practices regularly to identify lessons and approaches that could further strengthen Romania's reuse strategies.

4.5 Multi-phase issue: Digital infrastructure

The 2013 Report identified significant shortcomings in Romania's access to databases and the quality of statistical information, which hindered the tracing, seizure, and confiscation of criminal assets. The report recommended a systematic assessment of essential databases, prioritizing updates, and clarifying access rights.

Since then, Romania has made important progress in strengthening its digital infrastructure for asset recovery, particularly through improvements in database access, case management, and statistical reporting. The launch of ROARMIS has allowed the gathering of centralized data on the whole asset recovery process. In the future, the integration of ROARMIS 2 with ECRIS 5 will represent a further structural development and enable a more comprehensive monitoring of asset recovery processes, improving institutional oversight and decision making.

Despite these advances, the on-site visit revealed that Romania's digital infrastructure for asset recovery remains fragmented, limiting its operational effectiveness.

4.5.1 Findings

Fragmented access to databases

Law enforcement, prosecution services, ANAF, the FIU and ANABI currently have direct access to key registries, including company, vehicle, and land registers. However, these systems remain siloed, requiring users to access each database separately. This fragmented approach is operationally inefficient and slows asset tracing, complicates cross-agency coordination, and increases the risk of delays in freezing, confiscation, and enforcement procedures.

Directive (EU) 2024/1260, notably Article 6, standardises the categories of information to which AROs must have direct or on-request access, while allowing Member States discretion as to whether information is stored in centralised or interconnected systems. Regardless of the technical model adopted, Member States are required to ensure that relevant information can be obtained swiftly, in a standardised manner, and without undue procedural obstacles. The current fragmentation limits Romania's ability to fully meet this objective.

To align with EU standards and improve Romania's asset recovery framework, authorities could assess technical solutions to enhance the interconnection of existing databases across ANABI, law enforcement, prosecution services, ANAF, the FIU and courts. Such solutions, whether through integrated portals, real-time data sharing, or interoperable platforms, would enhance analytical capacity, streamline post-conviction tracing, and strengthen inter-agency coordination, ultimately improving the speed and effectiveness of asset recovery.

Critical juncture for improving case management and digital system interoperability

The introduction of ROARMIS has enabled the end-to-end monitoring of asset recovery cases, from tracing and freezing to the enforcement of court decisions. Efforts have also been made to retroactively register court decisions on precautionary measures and seized assets, improving data completeness.

However, limitations persist in the population of data in ROARMIS. For example, updates such as the lifting or modification of precautionary measures are not always systematically notified or recorded in the system, affecting the completeness and timeliness of the data. As a result, ROARMIS does not yet provide a fully reliable real-time picture of the status of seized and confiscated assets. Connecting all relevant authorities to ROARMIS and ensuring consistent data entry will allow for the direct input of information, ensuring a more complete reporting and comprehensive data coverage.

Romania remains in a transitional phase in which multiple systems must be integrated to ensure full data coverage, avoid duplication, and maintain data integrity. ROARMIS 2 is expected to integrate with the forthcoming ECRIS 5 system, which will include a dedicated module for international cooperation and aims to consolidate judicial activities within a single digital environment. The effective implementation of EU-level digital judicial cooperation initiatives, such as e-CODEX and the JIT platform, requires their full integration with existing national information systems to ensure coherence, interoperability, and operational efficiency.

Comprehensive, accurate, and consistent data collection is essential for evaluating the effectiveness of Romania's asset recovery framework. Article 28 of Directive (EU) 2024/1260 requires Member States to maintain detailed statistics on freezing and confiscation, including the execution of orders, the value of confiscated property relative to its value at the time of freezing, and the breakdown of confiscation types.

At present, limitations in system interoperability and inconsistent data entry practices constrain Romania's ability to produce complete and reliable statistics. These gaps also affect performance monitoring, policy evaluation, and Romania's capacity to demonstrate effectiveness in the context of international assessments, including FATF mutual evaluations, particularly with respect to money laundering investigations and confiscation outcomes.

Strengthening data governance – through standardised data entry, clear institutional responsibilities, and interoperable systems – is therefore critical not only for operational efficiency, but also for accountability, transparency, and compliance with EU and international standards.

4.5.2 Recommendations

Recommendation 11: Database integration should be improved.

[Responsible authorities: Romanian Government; CSM; PICCJ; MAI; ANABI; ANAF; FIU]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Conducting a comprehensive assessment to identify the most effective technical solutions for interconnecting databases that are used across ANABI, law enforcement, prosecution services, ANAF, FIU and courts.

b) Undertaking efforts to ensure that database integration supports the smooth, secure, and timely exchange of information, including real-time or near real-time access where operationally justified, taking into account that effective implementation depends on the complete and accurate population of databases, including historical data, and is contingent on the availability of adequate human resources across the relevant institutions.

Recommendation 12: System interoperability, case management and reporting practices should be enhanced.

[Responsible authorities: Romanian Government; CSM; PICCJ; MAI; ANABI; ANAF, FIU]

To achieve this, the Romanian Government and relevant authorities could consider the following measures:

a) Ensuring that all relevant authorities have appropriate access to ROARMIS and populate it with the relevant data.

b) Completing and operationalising interoperability between national tools, such as ROARMIS 2, ECRIS 5, e-Cooperare, and EU tools, such as e-CODEX, and the JIT platform to enable end-to-end digital case management, avoid duplication of work and ensure coherence between national and EU-level systems.

c) Collecting comprehensive statistics and data in line with the requirements of Directive (EU) 2024/1260, FATF and other international relevant standards.

d) Establishing clear protocols for timely and complete data entry, including updates, such as the lifting or modification of precautionary measures.

4.6 Multi-phase issue: Capacity and training

The findings discussed in previous sections, along with the corresponding recommendations, highlight the need to strengthen Romania's asset recovery framework. Training and capacity-building are a critical component in addressing these gaps, ensuring that judicial, law enforcement, and administrative authorities have the skills and knowledge required to implement procedures consistently and apply legal reforms effectively.

This section outlines key priorities for developing and delivering targeted training across the asset recovery chain, if possible, in cooperation with international partners (e.g. European Judicial Training Network (EJTN), European Law Academy (ERA), foreign law enforcement agencies). In this context, Romanian authorities could consider providing training and capacitation in the following areas:

<u>Recommendation 13</u>: Targeted training should be delivered to authorities across the asset recovery process to enhance capacity.

[**Responsible authorities:** CSM; PICCJ; ANABI; MAI; FIU; CSOs]

Specifically, this training could cover issues such as:

a) Legal and case law developments, including:
   - Implementation of Directive (EU) 2024/1260 and other related EU instruments.
   - Updates on recent domestic and international legislative developments affecting asset recovery, confiscation, and AML frameworks.
   - Impact of binding domestic and international case law, including adjustments required in operational practice and decision-making.

b) Financial investigations and money laundering, including:
   - Asset tracing for domestic and cross-border cases, non-conviction based and unexplained wealth confiscation, including on the application of the *Methodology to Conduct Parallel Financial Investigations*.
   - Cryptocurrency and digital asset investigations.
   - Complex money laundering typologies, standalone money laundering, third-party confiscation, and evidentiary standards.
   - Informal intelligence-sharing channels (CARIN, Egmont Group, SIENA) and formal tools (MLA, EIOs, freezing orders).
   - Domestic and cross-border post-conviction tracing and freezing, with emphasis on consistent procedures, compliance with evidentiary and legal requirements, and alignment with pre-conviction investigative standards.

c) Freezing measures, including:

- Immediate action measures, provisional measures, including their interactions with AML suspensions and cross-border mechanisms.
- Asset identification and valuation, including co-ownership arrangements and encumbrances.

d) Management of seized and confiscated assets, including:
- Interlocutory sale requirements.
- Valuation techniques, asset management rules and asset preservation practices.
- Reuse initiatives, including project management guidance.

e) Digital tools and data management, including:
- ROARMIS 2, ECRIS 5, e-CODEX, and related tools, with focus on consistent use, data security and interoperability.

4.7 Concluding remarks: Coordination is key

The 2013 Report identified deficiencies in inter-agency coordination, information sharing, and operational oversight, which limited the effectiveness of asset recovery. Key recommendations included the development of a national asset recovery strategy, establishment of multi-agency task forces, creation of feedback mechanisms, and implementation of centralized data systems.

As noted throughout this report, Romania has made notable structural improvements in this context since then, addressing previously identified challenges in interagency coordination and information sharing. These reforms include the introduction of the ROARMIS system, ANABI's Coordination Council and the National Asset Recovery Strategy 2021–2025, which all improved the centralized monitoring and strategic oversight abilities for Romania's asset recovery processes. These measures are aligned with international standards, including Directive (EU) 2024/1260, which mandates comprehensive and coordinated asset recovery frameworks, and FATF Recommendations requiring effective cooperation among financial, law enforcement, and prosecutorial authorities. Taken together, these reforms indicate that several of the structural deficiencies identified in 2013 have been progressively addressed at legislative, institutional, and operational levels.

Nonetheless, while these reforms establish an appropriate structural framework, their consistent and effective application remains dependent on operational capacity and implementation practices. As highlighted in other sections of this report, operational challenges persist and improvements can still be made to further enhance coordination amongst authorities tasked with asset recovery responsibilities – and targeted recommendations have been proposed in this report to further address these issues (see for example, Recommendations 1(g)-(i) and Recommendation 5(c)).

Asset recovery is not the responsibility of a single agency. It is a process that includes multiple phases, and requires multiple government authorities to work together efficiently before it can be achieved. In view of this, effective coordination amongst all relevant authorities is critical to the functioning of the process as a whole and efforts to improve coordination processes should always remain at the forefront of any future efforts to improve Romania's asset recovery system itself.

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Annex 1: 2013 Report Recommendations

This Annex includes a summary of key findings and recommendations of the 2013 Report "Enhancing the investigation capacities of the Romanian authorities to confiscate and recover proceeds of crime".

1. Insufficient mechanisms for the co-ordination, co-operation, communication and sharing of information

Findings:

- The asset recovery institutions in Romania largely operate as stand-alone units, with minimal proactive cooperation or communication. Each institution strictly adheres to its defined duties and does not actively support the functions of other agencies.
- This lack of inter-institutional coordination limits the efficiency of asset recovery both at strategic and operational levels.
- Institutions currently lack reliable mechanisms for feedback on the quality of information shared, hindering evaluation and improvement of processes.

Recommendations:

- Effective asset recovery requires multi-agency collaboration across intelligence collection, investigation, seizure, prosecution, adjudication, and realisation of proceeds of crime.
- Establish a system-wide asset recovery policy involving all relevant stakeholders to define roles and responsibilities.
- Create multi-agency task teams for specific cases based on objective criteria (e.g., monetary thresholds or case type) to determine coordinated courses of action.
- Implement feedback mechanisms for institutions to evaluate and improve the quality of information exchanged.

2. Insufficient recording of key statistics

Findings:

- Most institutions fail to record critical statistical data on asset recovery. Where some data is collected, key categories are often missing, preventing a complete view of institutional effectiveness.
- Without accurate statistics, it is difficult to monitor the progress of specific assets through the recovery process, identify trends or patterns, and prioritise operational actions.

Recommendations:

- Standardise data collection across institutions, including comprehensive tracking of assets, investigations, and outcomes.
- Use collected data to monitor efficiency, identify bottlenecks, and improve strategic decision-making.

3. Insufficient knowledge of financial investigation techniques

Findings:

- Staff in key asset recovery institutions often lack expertise in financial investigations, financial profiling, and tracing complex financial networks.
- Judicial police have limited capacity to conduct in-depth financial analyses; their role is mainly to gather basic financial evidence.
- The Financial Guard can support tax-related financial investigations but cannot cover all financial crimes, leaving gaps in capability for embezzlement, corruption, and non-tax-related money laundering.
- Seizure practices focus primarily on assets registered in the perpetrator's name, neglecting assets held by associates or co-conspirators, and emphasizing damage assessment rather than asset tracing.

Recommendations:

- Provide targeted and ongoing training in financial investigation techniques to judicial police and prosecutors.
- Establish dedicated financial investigation teams to work alongside criminal investigators, ensuring a comprehensive view of unlawful assets.
- Improve seizure practices to include third-party or associated assets and focus on tracing all unlawful proceeds of crime.

4. Mechanism for the management of seized assets is inadequate and largely unclear

Findings:

- Responsibilities for managing seized assets are not clearly defined. Authorities often lack clarity on which institution is responsible at various stages of the asset recovery process.
- Absence of a unified database for seized assets complicates tracking, leads to storage inefficiencies, asset depreciation, and hinders realization at maximum value.

Recommendations:

- Establish clear guidelines and a policy for the management of seized assets, including responsibilities for storage, preservation, and realization.
- Create a centralised seized assets database containing details on asset type, value, seizing authority, linked proceedings, and underlying offences.
- Consider appointing an asset manager at the outset of cases to support financial and criminal investigation teams in determining which assets to seize and ensuring cost-effective management.
- Conduct cost-benefit assessments prior to seizure to ensure resources are efficiently allocated.

5. Incomplete or lacking databases

Findings:

- Critical databases, particularly property records, remain partially in paper format and are often incomplete due to historical registration inconsistencies.
- The current state of these databases delays information verification, hinders timely asset tracing, and increases bureaucratic burden.

Recommendations:

- Assess the status and reliability of key databases and prioritise updates and digitalisation.
- Enable direct access for local authorities to key databases through the ARO as a short-term one-stop solution.
- In the medium- to long-term, review information management policies and clearance levels to facilitate broader access while ensuring security.

6. Mechanisms for MLA are largely unclear

Findings:

- Romania has two central authorities for MLA (PICCJ and MJ), creating ambiguity over responsibilities for incoming and outgoing requests.
- Limited experience exists in using MLA for seizure and confiscation of assets, leading to delays in international cooperation.

Recommendations:

- Provide specialised training for staff in both central authorities on international requirements for asset seizure and confiscation.
- Enhance understanding of national legal requirements to ensure precise guidance for foreign authorities.

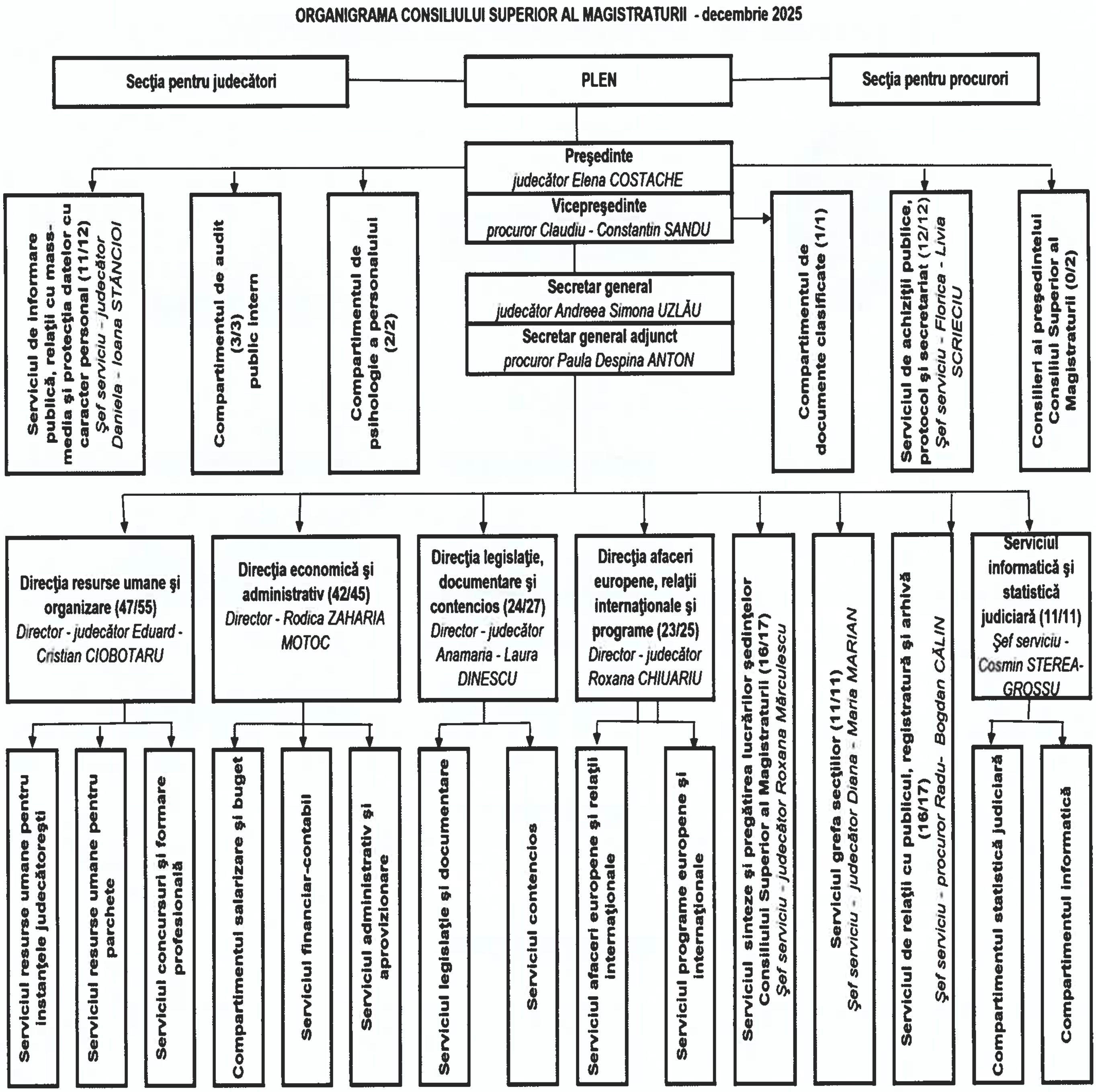
- Establish a formal communication mechanism between the two central authorities to expedite MLA requests and resolve misdirected submissions efficiently.

Annex 2 Organisational charts

1. National Agency for the Management of Seized Assets (ANABI)[139]

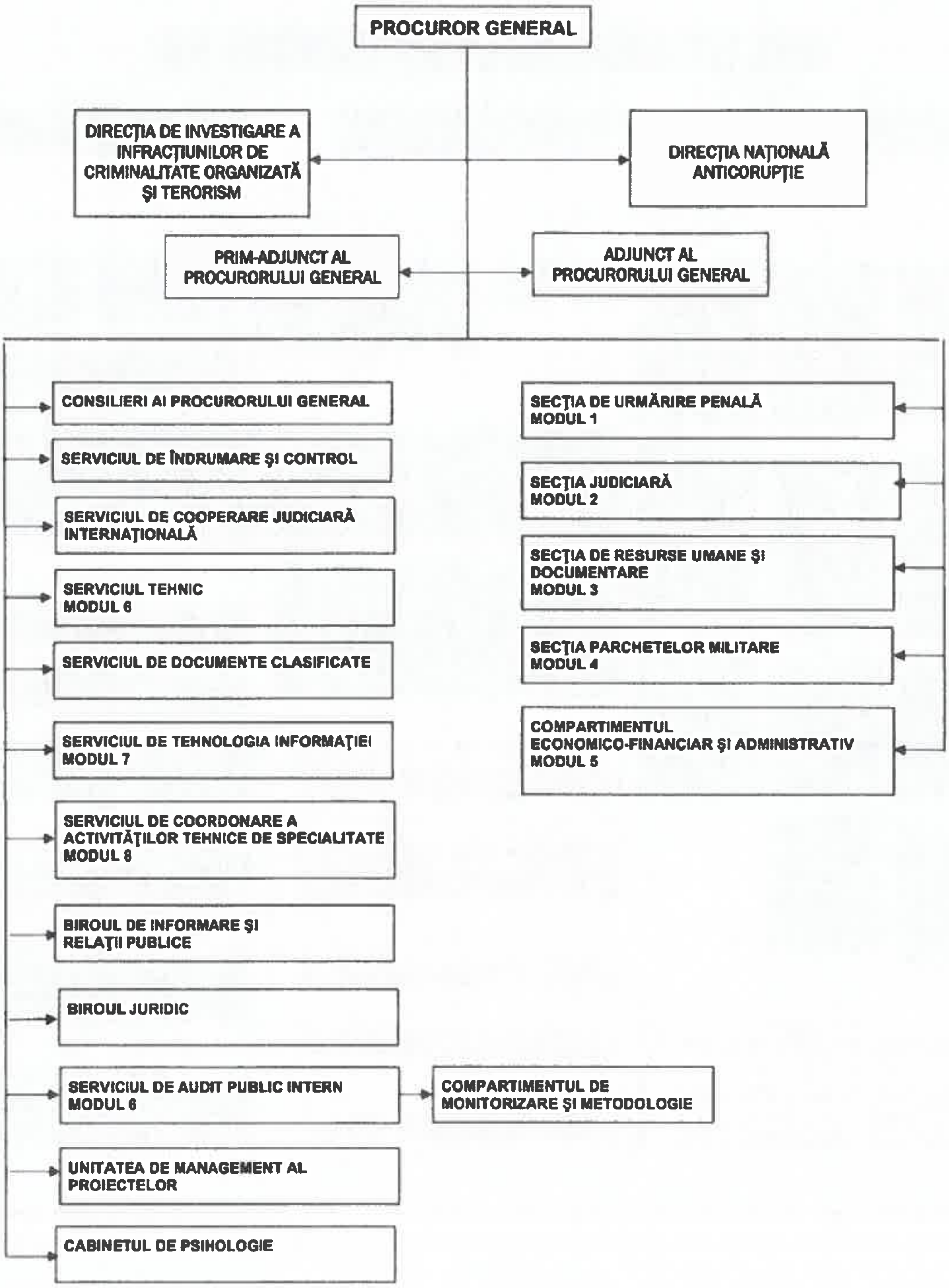
[139] ANABI, *Organigramă*, https://anabi.just.ro/despre-noi/organigrama.

2. Superior Council of Magistracy (CSM)[140]



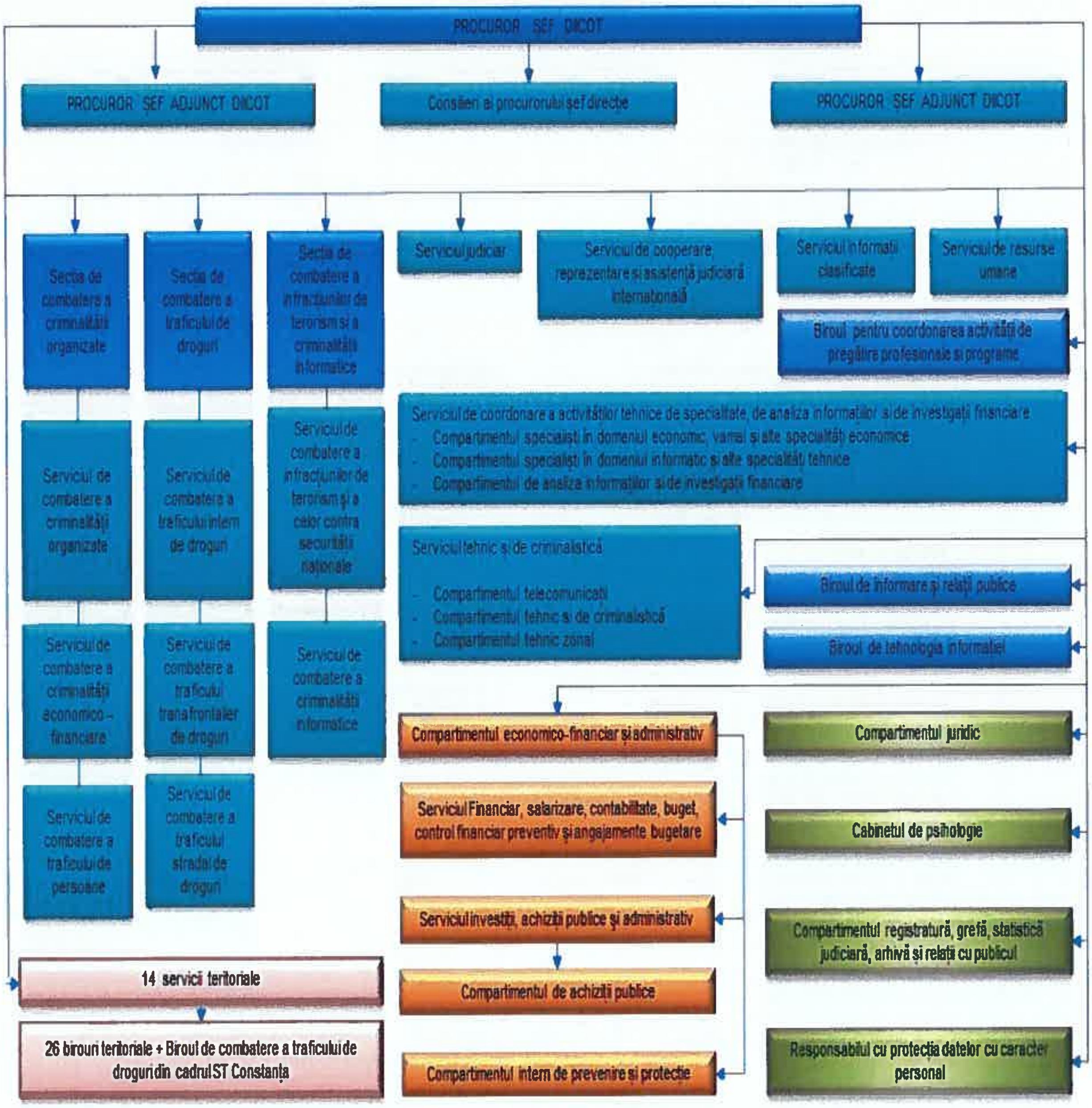
[140]Superior Council of Magistracy (CSM), *Organigramă*, https://www.csm1909.ro/Pages.aspx?PageId=269&PageTitle=Organigrama.

3. Prosecutor's Office attached to the High Court of Cassation and Justice (PICCJ)[141]



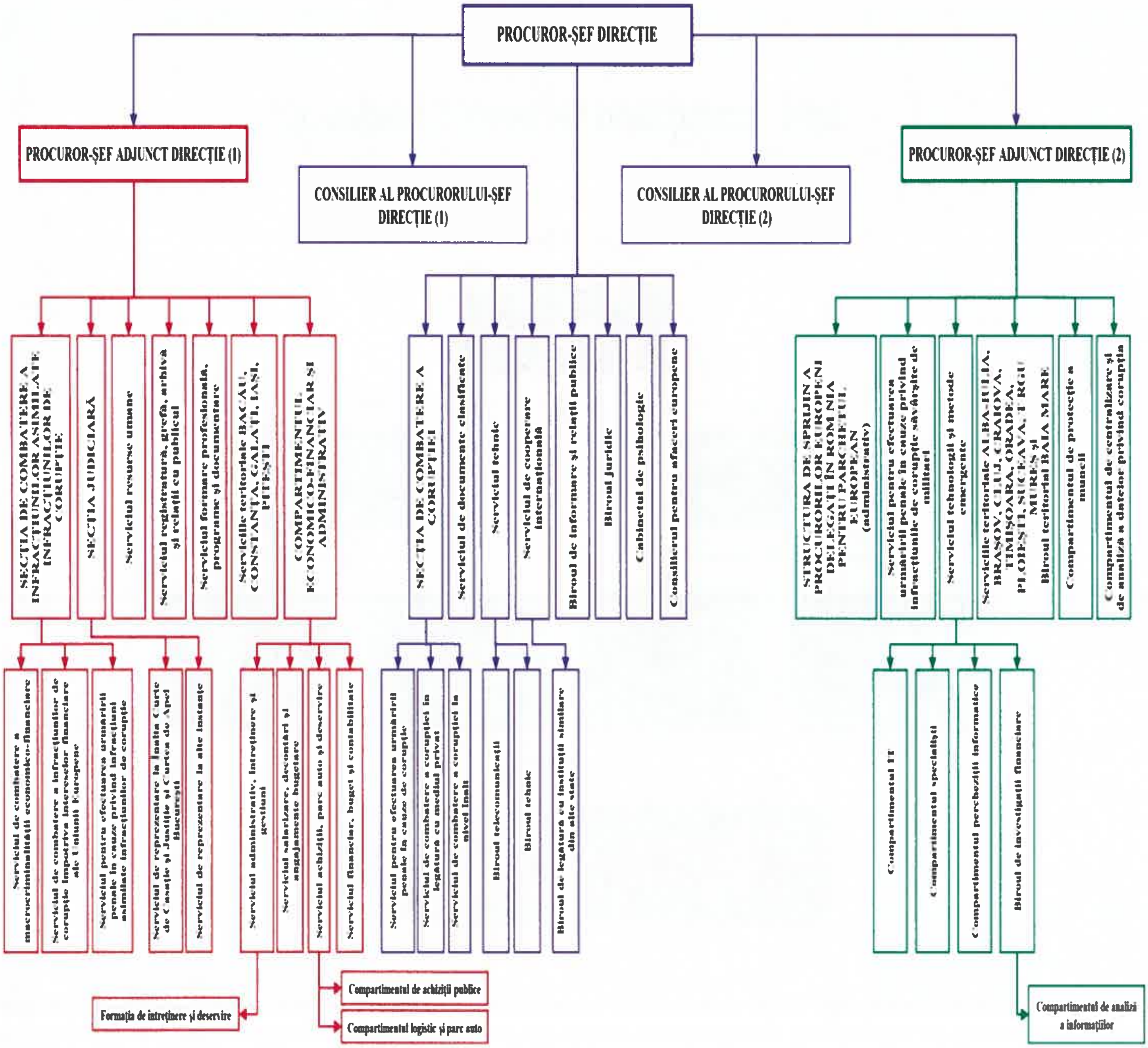
[141] Prosecutor's Office attached to the High Court of Cassation and Justice (PICCJ), *Organigramă*, https://www.mpublic.ro/sites/default/files/PDF/organigrama_2025.pdf.

4. Directorate for Investigating Organised Crime and Terrorism (DIICOT)[142]



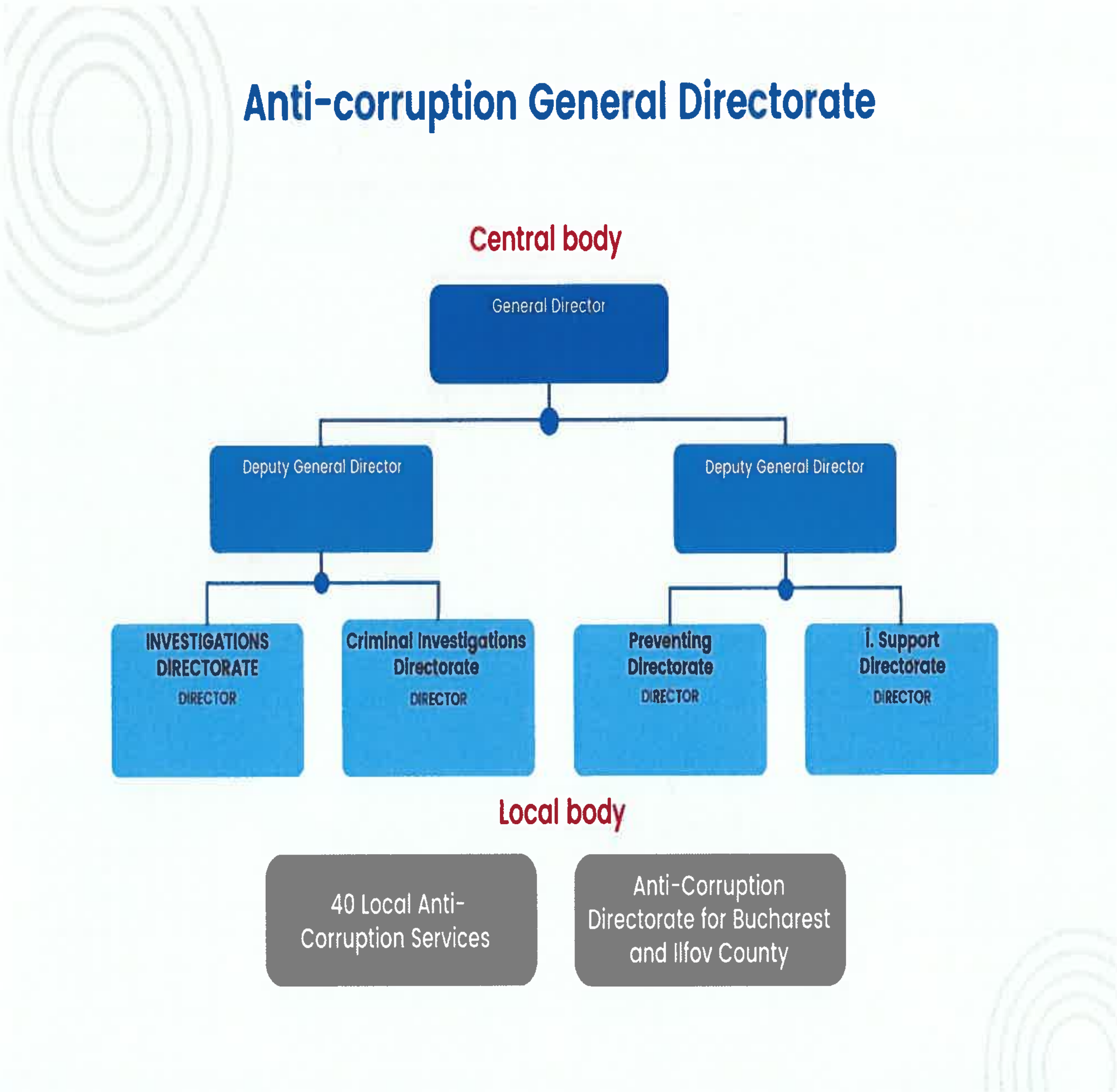
[142] Directorate for Investigating Organised Crime and Terrorism (DIICOT), *Organigramă*, https://www.diicot.ro/prezentare/organigrama.

5. National Anti-Corruption Directorate (DNA)[143]



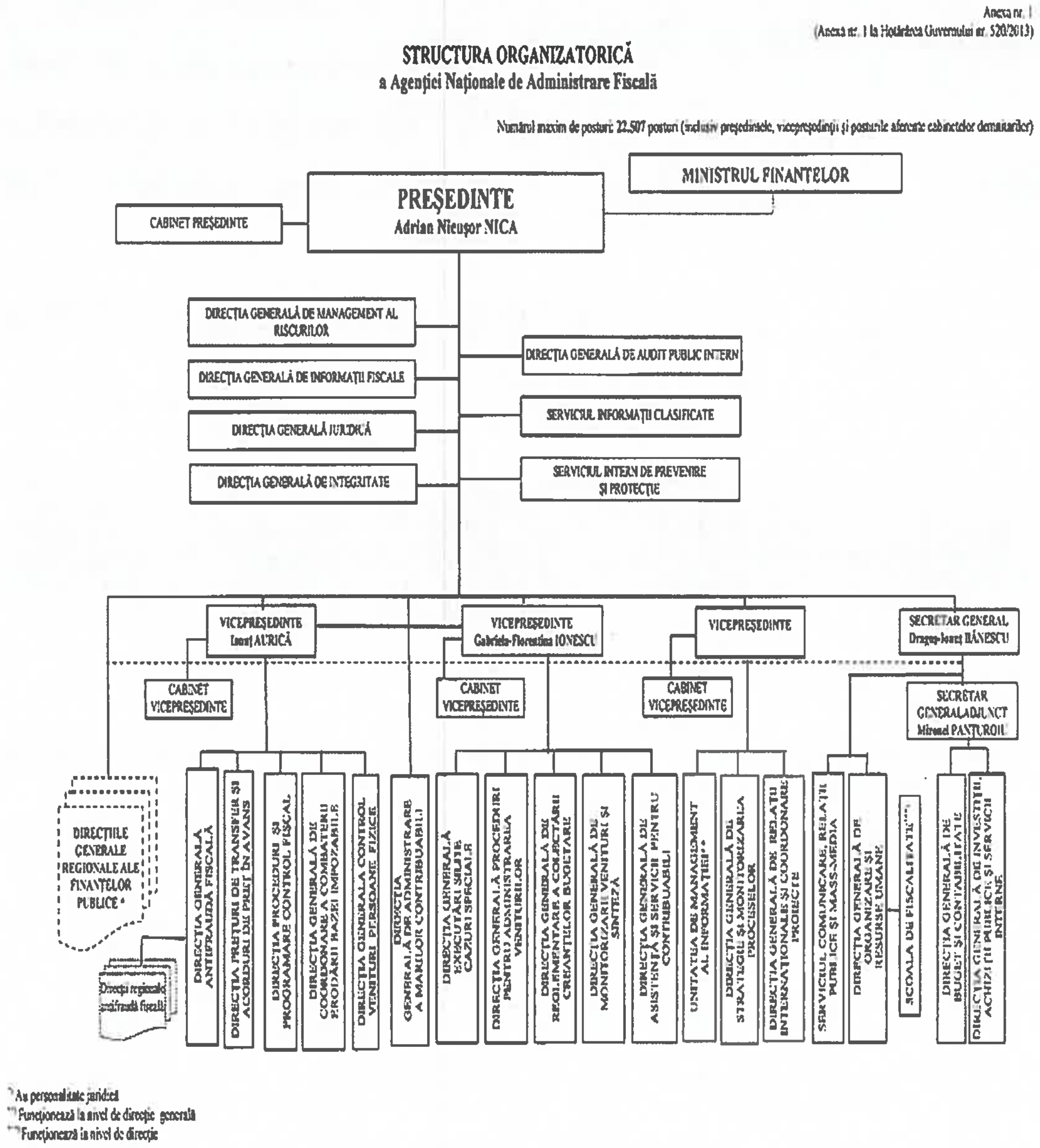
[143] National Anti-Corruption Directorate (DNA), *Organigramă*, https://www.dna.ro/obiect2.jsp?id=686.

6. Anti-Corruption General Directorate (DGA)[144]



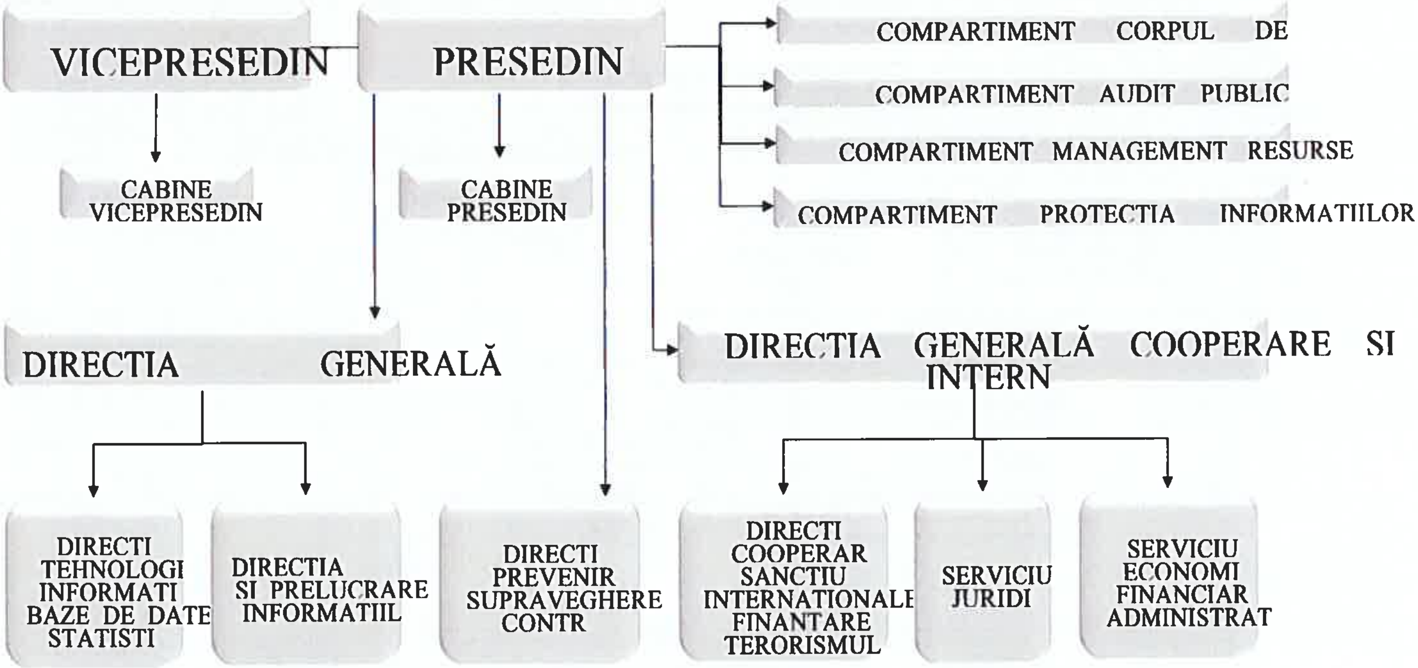
[144] Anti-Corruption General Directorate (DGA), *Organigramă*, https://www.mai-dga.ro/eng/storage/2023/10/Organigrama-noua_en-scaled.jpg.

7. National Agency for Fiscal Administration (ANAF)[145]



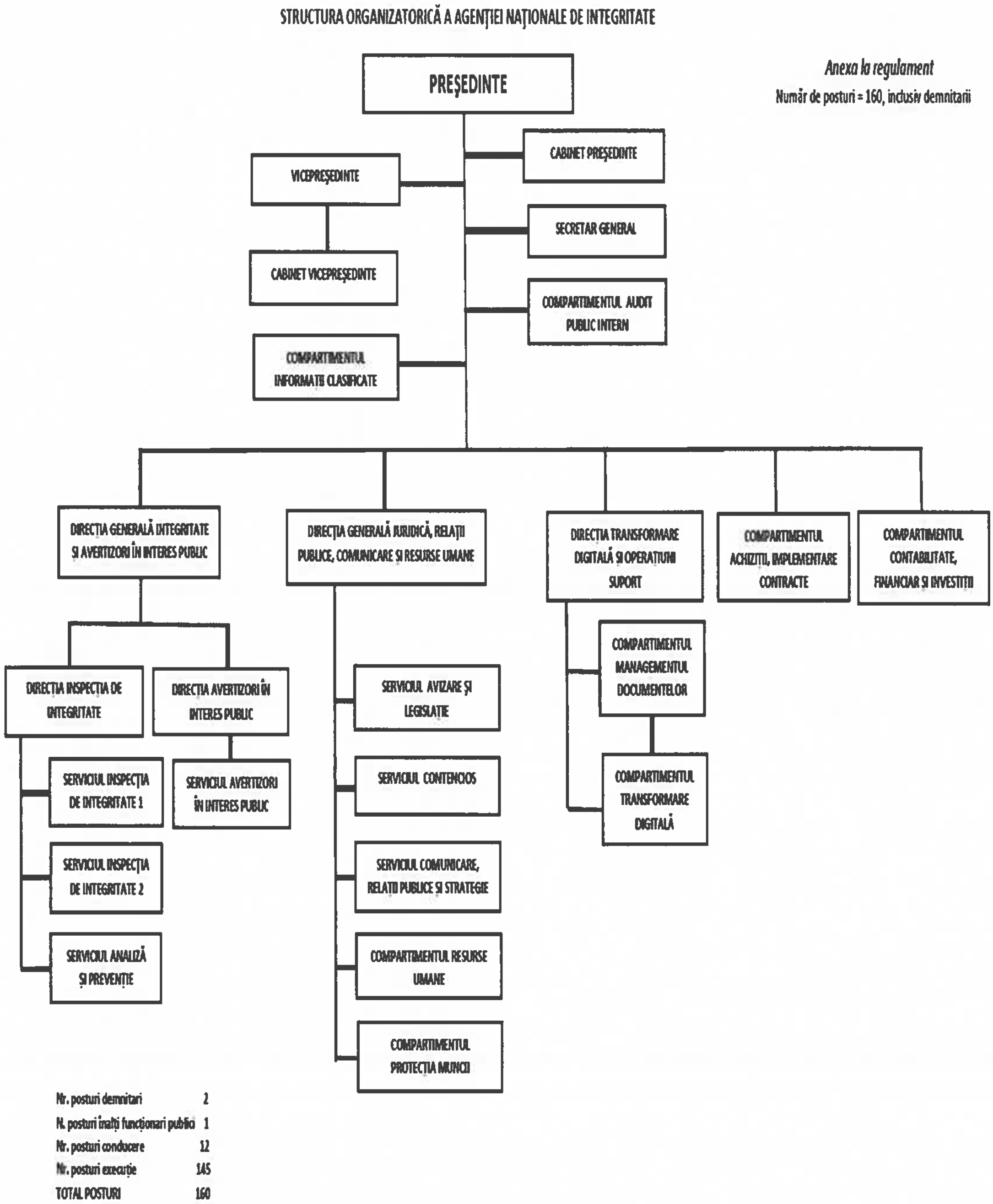
[145] National Agency for Fiscal Administration (ANAF), *Organigramă*, https://www.anaf.ro/anaf/internet/ANAF/despre_anaf/organizare/organigrama/.

8. National Office for Prevention and Control of Money Laundering (ONPCSB)[146]



[146] National Office for Prevention and Control of Money Laundering (ONPCSB), *Organigramă*, https://www.onpcsb.ro/uploads/articole/attachments/668be82a73b39021615302.pdf.

9. National Integrity Agency (ANI)[147]



[147] National Integrity Agency (ANI), *Organigramă*, https://integritate.eu/a-n-i/organizare/.

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