

DIGITAL TRUST – LEGAL INNOVATION AND THE MANAGEMENT OF DIGITAL ASSETS

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ABSTRACT

This paper investigates the concept of digital trust within the broader context of public administration's ongoing digitization, which calls for a critical reassessment of traditional legal frameworks. It examines the legal implications of digital trust, particularly in relation to emerging digital assets such as cryptocurrencies, Non-Fungible Tokens (NFTs), and virtual properties. The study highlights the limitations and gaps in Romanian legislation, offering a comparative analysis with jurisdictions that have already implemented regulatory mechanisms for digital trusts.

Through this comparison, the paper identifies best practices and formulates proposals for the adoption of dedicated legal norms that would enable the responsible, secure, and lawful management of digital assets. These recommendations aim to ensure that Romania aligns with international standards and technological advancements. The author emphasizes the urgency of legislative reform, arguing that Romania must act swiftly to develop a modern legal framework capable of protecting its citizens in the digital age. The conclusion underscores the necessity of proactive governance to foster trust in digital systems and to safeguard rights and assets in an increasingly virtual environment. This approach is essential for maintaining legal certainty and public confidence in the face of rapid technological change.

Keywords: digital trust; digital assets; digital assets; digital government; legal regulation; blockchain.

INTRODUCTION

The digital transformation of public administration generates multiple legal challenges, requiring a reassessment of traditional instruments used to regulate patrimonial relationships. The digitization process is not limited to the modernization of institutional technical infrastructure, but involves a conceptual reformulation of how assets and rights are defined, managed, and transferred within the virtual space.

In this context, digital trust emerges as an innovative solution capable of meeting the requirements of legal security and flexibility imposed by the digital economy. By adapting the classical mechanism of trust, established in civil law as a relationship of entrustment and administration of assets for the benefit of a beneficiary, digital trust offers a viable framework for managing digital assets such as cryptocurrencies, non-fungible tokens (NFTs), or other intangible goods circulating in decentralized networks.

The issue addressed in this article concerns the absence of a specific legislative framework in Romania for the application of trust in the digital environment. Although the institution of trust is regulated by the Civil Code, its applicability to virtual goods remains uncertain, and the normative framework does not provide solutions adapted to