



# V. CIPA - CONTEMPORARY ISSUES OF PUBLIC ADMINISTRATION

5<sup>th</sup> Edition

Administrative law without borders

The Public Law Institute of the University of Szeged Faculty of Law and Political Sciences kindly invites you to join us on 03 February 2025, Monday at 14:00 by clicking on the following link:

<https://join.skype.com/l2gvnKXIAPQv>

No registration is required.



03 February 2025

14:00



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# Program

14:00 Opening

## **CONTEMPORARY ISSUES OF ADMINISTRATION AND EU LAW**

Moderator: Dr. habil. Erzsébet CSATLÓS (University of Szeged)

*The Impact of EU law on Practising Professions - Polish Perspective*

by Maria KARCZ – KACZMAREK, PhD (University of Łódź)

*Europe's Golden Doors - or the Revival of the Genuine Link Requirement?*

by Imola SCHIFFNER, PhD (University of Szeged)

*Artificial Intelligence System – Essence, Definition, Problems and Challenges*

by Dr. habil. Krystyna NIZIOŁ (University of Szczecin)

*Entering the Digital Age by EU Style? Automated Decision-Making in Hungary*

by Dr. habil. Erzsébet CSATLÓS (University of Szeged)

## **CONTEMPORARY ISSUES OF THE CLASSICS OF ADMINISTRATIVE LAW**

Moderator: Dr. Judit SIKET, PhD (University of Szeged)

*The Constitutional Court of Romania and the President of Romania. Powers and Possible Controversies*

by Oana ŞARAMET (Transilvania University of Braşov, Faculty of Law, Department of Law)

*Lessons to be Learned for Romanian Public Authorities after 2024 Presidential Elections*

by Andrea KAJCSA (George Emil Palade University of Medicine, Pharmacy, Science, and Technology of Targu Mures)

*The Validation of the Criteria of Dignity for Office in the Hungarian Public Administration*

by Zsófia HOLECSKA PhD Student (University of Szeged)

*A Vulnerability in Legal Protection: The Case of Local Government Byelaws*

by Dr. Judit SIKET, PhD (University of Szeged)

## Abstracts

Maria KARCZ – KACZMAREK, PhD, associate professor  
University of Łódź, Faculty of Law and Administration, Department of Administrative Law and  
Administration Science

### *The Impact of EU law on Practising Professions - Polish Perspective*

The accession of the Republic of Poland to the European Union made it possible for Polish citizens to exercise freedom of movement of persons, services and capital guaranteed in the accession treaty. In order to guarantee such freedoms, a number of legislative changes had to be introduced to ensure the compliance of the Polish legislation with the EU legal system. The process adjusting the Polish legislation to the EU standards concerned, among others, principles for rationing access to the so-called professions of public confidence. The aim of the steps taken by the Polish legislator is to systematically eliminate barriers, existing even fairly recently, to the broadly understood free movement in the EU and the unjustified difference in the legal status between Polish citizens and citizens of other EU Member States.

Imola SCHIFFNER, PhD, senior lecturer  
University of Szeged, Faculty of Law and Political Sciences, Department of International and  
European Law

### *Europe's Golden Doors - or the Revival of the Genuine Link Requirement?*

On October 4, 2024, Advocate General Collins delivered an Opinion in the case European Commission v. Republic of Malta (Case C-181/23), which focuses on the legality of Malta's Citizenship by Investment (CBI) programme under EU law. The European Commission (Commission) brought an action against Malta, asserting that its CBI programme infringes on obligations under EU law, specifically Article 20 TFEU (EU citizenship) and Article 4(3) TEU (principle of sincere cooperation). As Malta's programme does not require non-EU citizens to have a "genuine link" to Malta, it compromises the integrity of EU citizenship. According to the Commission citizenship should represent a meaningful connection between the individual and the Member State. Conversely, Malta argues that, as nationality falls under Member State competence, it retains the right to establish its own criteria for granting citizenship, provided these do not undermine EU law's overarching values. Does EU law require Member States to limit the award of nationality to persons with a genuine connection to their country and citizens?

dr habil. Krystyna NIZIOŁ, professor of University of Szczecin  
University of Szczecin, Faculty of Law and Administration

### *Artificial Intelligence System – Essence, Definition, Problems and Challenges*

In the Artificial Intelligence Act, the European legislator has defined an artificial intelligence system. This is the first attempt to define this concept on normative grounds, as well as to adapt legal regulations to the challenges of using artificial intelligence systems. Therefore, it is necessary to analyze this concept, as well as to identify problems and challenges of a normative nature related to the use of artificial

intelligence systems. Among others, algorithmic discrimination or violation of the right to privacy can be mentioned.

dr. habil. Erzsébet CSATLÓS, associate professor  
University of Szeged, Faculty of Law and Political Sciences, Public Law Institute

### *Entering the Digital Age by EU Style? Automated Decision-Making in Hungary*

As a hallmark of the Fourth Industrial Revolution, public administrative procedures are increasingly automated, with the EU prioritizing digitization and automated decision-making. My research examined recent cases from the Administrative Tribunal of Szeged, analysing automated authority decisions, the resulting legal challenges, and the tribunal's responses. Automated systems often function as "black boxes," leaving affected individuals unable to understand or challenge decisions effectively. In Hungary, this lack of transparency undermines the right to legal remedies, as clients face significant information gaps. Tribunals, similarly, struggle to assess the legality of these decisions, making judicial review ineffective. Automated decisions frequently result in unfair procedures that fail to meet the standards of a transparent and just administrative process.

Oana ŞARAMET, Dr. senior lecturer  
Transilvania University of Braşov, Faculty of Law, Department of Law

### *The Constitutional Court of Romania and the President of Romania. Powers and Possible Controversies*

The Constitutional Court of Romania (CCR) is a political-jurisdictional, autonomous and independent authority. Its powers include, according to Art. 146 of the Constitution, several matters concerning the head of state or involving him, such as: giving an advisory opinion in the event of his political liability, solving objections of unconstitutionality raised by him within the framework of the prior constitutional review of laws, or guarding the observance of the procedure for his election and confirming the results of the suffrage. In exercising this last attribution at the end of 2024, by deciding to cancel the presidential elections and resume the entire electoral process, the CCR provoked a series of debates. This is, in essence, the context in which we propose to make some assessments about the two authorities and the powers in the exercise of which they meet.

Andrea KAJCSA, Dr., lecturer  
George Emil Palade University of Medicine, Pharmacy, Science, and Technology of Targu Mures

### *Lessons to be Learned for Romanian Public Authorities after 2024 Presidential Elections*

Through a twist of events that can seem out of a blockbuster movie production, 2024 presidential elections in Romania have become the source of world-wide headlines. Public authorities involved in the election process have had to deal with unique situations. Speedy decisions were required and, as new information came to light, most public authorities seemed uncoordinated, "taken by surprise" and slow to respond.

There are still many uncertainties revolving around the 2024 presidential election process in Romania, and we may very well never know the whole truth, but some realities are clearer than ever: in present times, dominated by social media and increasingly powerful artificial intelligence, public authorities seem unprepared and slow. Deficient communication between authorities and late institutional responses lead to the outcome of last-minute annulment of presidential elections in Romania. These issues are certainly not new, and Romania isn't singular in this situation. "Are they fixable?" seems like a rhetorical question.

Zsófia HOLECSKA, Dr., PhD Student  
University of Szeged, Faculty of Law and Political Sciences, Public Law Institute

### *The Validation of the Criteria of Dignity for Office in the Hungarian Public Administration*

The dignity of the actors of public administration as an element determining the legal status applies differently in the case of persons who fulfill different functions, but still perform tasks in the public administration. However, this should be interpreted in the same way, due to the literal meaning of the term and on the basis of the public trust nature of the positions. Despite this, the legislator did not declare the legal institution of indignity based on the criteria set out in this presentation. Firstly, the presentation studies the legislative environment of actors of public administration and its historical line, as well as the wishes formulated by certain international organizations that promote democratic functioning. Then, it examines the practice of law, analyzing the judgments of Hungarian judges and European standards. From these analyzes and comparisons, we try to formulate general principles and conclusions.

Judit SIKET, PhD senior lecturer  
University of Szeged, Faculty of Law and Political Sciences, Public Law Institute

### *A Vulnerability in Legal Protection: The Case of Local Government Byelaws*

Normative acts of local self-government may affect the rights and legitimate interests of the municipalities' citizens. After the adoption of the Hungarian Fundamental Law (FL), a lack of legal remedy procedure may be identified concerning the judicial review of local self-government normative acts and the means of legal protection available to those affected: the *locus standi* is the cause of the identified problem. The main question is, how comprehensive the available legal tools system is, how the Hungarian Litigation Code deals with the normative acts of local self-governments, and whether the principle of absolute legal protection and the effective legal remedy apply. The discussion of the topic includes the practice of judicial review, based on data of the Curia to the Parliament for the period 2012-2024.