

# The Impact of New Technologies on the Administrative Act

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## **Abstract**

*Generally speaking, the best-known administrative act issued by public authorities in all countries of the world is the identity card that accompanies the individual for life. The scope of the study is to document the impact of new technologies on the procedure of issuing administrative documents, taking into account the fact that the current global trend in administration is the digitalization of public services and the issuance of documents in electronic format. The reason for this analysis is a news in the media according to which, as of 20 March 2025, electronic ID cards will be issued to individuals in Cluj, as part of a pilot program. The research methodology of the topic is interdisciplinary, combining information from national and EU law, a case study being included at the end of the article. The proposed theme is highly topical, as our country is on the threshold of an historic moment and a paradigm shift in the field of acts in general, namely the transition from the old to the new, to the tools of the future. The results of the study show that the digitalization of public services has impacted the legal regime of administrative acts. Notwithstanding, there is a need for standardization and for a highly developed legal framework, with a focus on data security, which takes into account the protection of fundamental human rights in the digitalization process.*

**Keywords:** administrative act, electronic ID card, digitalization, public administration, data security.

**JEL Classification:** K20, K23

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## **1. Introduction**

Nowadays, the international scientific community is focusing on new technologies to understand how they work, how they can be integrated into existing work and whether there are vulnerabilities that can cause damage, as it is a flow of personal data. Today's unprecedented technological developments, which

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have the benefit of bringing a qualitative leap forward in human existence, imperatively call for the modernization of public administration. Also, "in our era (...) public administration (...) does not (and cannot) remain unchanged, cannot be independent of the trends of the world around it, and so it can be said that public administration is constantly evolving"<sup>2</sup>.

Two concepts are often talked about at European level: *the European digital identity wallet* which will enable EU citizens to access online services, without having to use private identification methods<sup>3</sup>, and also *digital identification*<sup>4</sup>. According to art. 8 of the Charter<sup>5</sup> of Fundamental Rights of the European Union "Everyone has the right to the protection of personal data concerning him or her".

The European digital identity (eID) is no longer just a concept but looks set to come to life in the near future. There are studies which state that "with the increasing levels of digital transformation, focus on digital identities of individuals is increasingly getting prominence"<sup>6</sup>. Thus, "the era of industrialization and industrial society is coming to an end"<sup>7</sup>. It is therefore interesting to find out how the situation in Romania looks like bearing in mind that "international factors cannot be disregarded in the current background, in which life of each human community is closely linked to the fate of humanity as a whole"<sup>8</sup>.

The paper addresses a topical issue of administrative documents in general and electronic ID cards in particular, in the context of digitalization. Actually,

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<sup>2</sup> Andras Bencsik (2024), „The opportunities of digitalization in public administration with a special focus on the use of artificial intelligence”, *Studia Iuridica Lublinensia* vol. 33, no. 2: 11-23, p.12, DOI: 10.17951/sil.2024.33.2.11-23.

<sup>3</sup> Government Resolution no. 832/2024 approving the National Strategy on Artificial Intelligence 2024-2027, Appendix 1, published in Official Journal no. 730 bis of 25 July 2024.

<sup>4</sup> Regarding the regulatory framework that makes up the digital identity, we note: Regulation (EU) 2024/1183 Regulation (EU) 2024/1183 of the European Parliament and of the Council of 11 April 2024 amending Regulation (EU) No. 910/2014 as regards establishing the European Digital Identity Framework, published in OJEU, L 30.4.2024. Furthermore, we note that Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, published in OJEU, L 257/73, 28.8.2014.

<sup>5</sup> Jaap W. de Zwaan (2021), „How to enforce the fundamental values of the European Union?”, *Bratislava Law Review* vol. 5, no.1: 9-24, p. 10, DOI: 10.46282/blr.2021.5.1.243 [“On 7 December 2000 the Union adopted its catalogue of fundamental rights and freedoms, the Charter of Fundamental Rights of the European Union“].

<sup>6</sup> Umar Bashir Mir, Arpan K. Kar, Yogesh K. Dviwedi, M. P. Gupta, R. S. Sharma (2020), „Realizing digital identity in government: Prioritizing design and implementation objectives for Aadhaar in India”, *Government Information Quarterly*, Volume 37, Issue 2, 101442, <https://doi.org/10.1016/j.giq.2019.101442>.

<sup>7</sup> Oleksii Kostenko, Vladimir Furashev, Dmytro Zhuravlov, & Oleksii Dniprov (2022), „Genesis of legal regulation web and the model of the electronic jurisdiction of the metaverse”, in *Bratislava Law Review*, volume 6, no. 2: 21-36, p. 33, DOI: 10.46282/blr.2022.6.2.316.

<sup>8</sup> Ioan Muraru (coord.), Andrei Muraru, Valentina Bărbăţeanu, Dumitru Big (2020), *Drept constituțional și instituții politice. Caiet de seminar (Constitutional law and political institutions. Seminar booklet)*, C. H. Beck Publishing House, Bucharest, p. 2.

"the most important activity of public administration entities of the adoption of administrative decisions that negative or positive consequences for natural or legal people<sup>9</sup>". The topic is of general importance to both the scientific community and individuals, "constant technological development changes all aspects of human life<sup>10</sup>". The research methodology combines specialized literature, legislation and administrative practice, the analysis being descriptive and analytical. The documentary sources accessed were in Romanian and English, selected according to relevance criteria.

The scope of the study is to assess the impact of new technologies on the procedure of issuing administrative acts. In order to achieve this research objective, the documentation of the electronic identity card was carried out by using research methods specific to law, such as the documentary, comparative and logical-deductive methods.

The sources used have been rigorously analysed and legally interpreted in order to reach a conclusion. The paper also proposes a case study in order to estimate the trends existing in several randomly selected countries with regard to this administrative act issued in electronic format. The research questions to be answered in the paper shall be: "*What is the regulatory framework for the electronic ID card?*", "*What is an electronic ID card?*", "*What are the elements contained by the electronic ID card?*".

## 2. The Administrative Act - Between Tradition and Modernity

A review of the literature shows that the administrative act takes an important place in administrative law courses<sup>11</sup>. Traditionally, it is analysed both as a means by which the public administration expresses itself and from the perspective of the conditions for direct action in administrative litigation. Moreover, "in any system of administrative law, the court reviews the factual and discretionary

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<sup>9</sup> Simona Bareikyte (2021), „Toolbox of the public administration entity. Intersection of the principle of legality and administrative discretion in exercising the revocation of an administrative decision: the case of Lithuania”, *Bratislava Law Review* volume 5, no. 2: 63-74, p. 65, DOI: 10.46282/blr.2021.5.2.255.

<sup>10</sup> Mariusz Novak (2024), „Electronic evidence in civil proceedings on the background of comparative law”, *Studia Iuridica Lublinensia*, volume 33 no. 2: 223-237, p. 223, DOI: 10.17951/sil.2024.33. 2.223-237.

<sup>11</sup> Antonie Iorgovan (2005), *Drept administrativ (Administrative Law)*, Vol. II, 4<sup>th</sup> edition, All Beck Publishing House, Bucharest, pp.20-100; Rodica Petrescu (2009), *Drept administrativ*, Hamangiu Publishing House, Bucharest, pp.305-357; Dana Apostol Tofan (2024), *Drept administrativ (Administrative Law)*, vol. II, C. H. Beck Publishing House, Bucharest, pp.1-101; Verginia Vedinaş (2023), *Drept administrativ (Administrative Law)*, edition XIV, revised and supplemented, Universul Juridic Publishing House, Bucharest, pp. 353-395; Emilia Lucia Cătană (2021), *Drept administrativ (Administrative Law)*, 2<sup>nd</sup> edition, C.H. Beck Publishing House, Bucharest, pp. 266-312; Marta Claudia Cliza (2012), *Drept administrativ (Administrative Law)*, Second Part, Universul Juridic Publishing House, Bucharest, pp. 14-62.

determinations made by the administration"<sup>12</sup>. In the inter-war period, a distinction was made between acts of authority and acts of management, a classification which is no longer relevant today. While "acts of authority were unilateral acts, the acts performed by the administration were patrimonial, contractual acts (...)"<sup>13</sup>.

According to Law no. 554/2004<sup>14</sup> of the contentious administrative, the administrative acts are typical and assimilated and the Constitutional Court, in its case law, has pointed out the following: "the qualification of a given act as an administrative act belongs exclusively to the courts, which are called upon to settle a dispute"<sup>15</sup>. Furthermore, public administration in our country is subject to the rule of law and the supremacy of the Constitution. Moreover, it is stated that "legality is the quality of being in accordance with the law"<sup>16</sup>.

In French administrative law courses, unilateral administrative acts, but also administrative contracts are analysed. For example, author Yves Gaudement develops unilateral administrative acts and administrative contracts<sup>17</sup>. Similarly, authors Jean Walline, Gabriel Eckert and Etienne Muller examine both the unilateral administrative act and the administrative contract<sup>18</sup>, as well as Jacques Petit and Pierre-Laurent Frier<sup>19</sup>. Furthermore, according to French doctrine, "administrative law has a particular feature: it is originally the work of the judge"<sup>20</sup>. German administrative law courses also deal with both administrative acts and contracts. For example, author Anne Jacques-Gauche<sup>21</sup> details the administrative act in the part dedicated to the administrative procedure, presenting the administrative act and then public law contracts<sup>22</sup>.

In its modern form, the electronic administrative act is regulated in na-

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<sup>12</sup> Paul Craig (2015), *UK, EU and Global Administrative Law. Foundations and Challenges*, Cambridge University Press, p. 477.

<sup>13</sup> Paul Negulescu (1934), *Tratat de drept administrativ. Principii generale (Administrative Law Treaty. General Principles)*, Vol. I, "E. Marvan" Institute of Graphic Arts, Bucharest, p.296.

<sup>14</sup> Published in Official Journal no. 1154 of 7 December 2004.

<sup>15</sup> Decision no. 477/2011 of the Constitutional Court, published in Official Journal no. 419 of 15 June 2011.

<sup>16</sup> Georges Vedel, Pierre Delvolve (1958), *Droit administratif*, Presses Universitaires de France, p. 373.

<sup>17</sup> Yves Gaudemet (2022), *Droit administratif*, 24<sup>e</sup> edition, LGDJ, Paris, pp. 329-401.

<sup>18</sup> Jean Walline, Gabriel Eckert, Etienne Muller (2023), *Droit administratif*, 29<sup>e</sup> edition, Lefebvre Dalloz, pp. 279-401.

<sup>19</sup> Jacques Petit, Pierre-Laurent Frier (2023), *Droit administratif*, 17<sup>e</sup> edition, LGDJ, Paris, pp. 379-572.

<sup>20</sup> Clemence Barry, Pierre-Xavier Boyer (2020), *Droit du contentieux administratif*, Gualino, Lex-tenso, p. 17.

<sup>21</sup> Anne Jacques-Gauche (2022), *Droit administratif allemand*, Presse Universitaire de France, Humensis, p. 154.

<sup>22</sup> Ibid, pp. 154-202.

tional legislation, such as art. 46 of the Code of Fiscal Procedure ["The tax administrative act is issued in writing, on hard copy or in electronic format", para. (1)]. The administrative act in electronic format is also available in the field of European funds ["Debt instruments issued in the implementation of projects financed by European funds (...), as well as other administrative acts issued by the managing authorities in the exercise of their public authority (...), shall be issued in electronic format, signed with a qualified electronic signature, in accordance with the legal provisions and shall be treated as authentic instruments" [GEO no. 65/2020 on some measures to digitize the system of coordination and management of European funds (...), art. 21]<sup>23</sup>.

### **3. Regulatory Framework for the Electronic Identity Card**

#### **3.1. Legislation Applicable to the Electronic Identity Card - Brief Considerations**

Regulation (EU) 2019/1157 of the European Parliament and of the Council of 20 June 2019 on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement<sup>24</sup> is adopted at EU level. This European act proposes a standardized electronic version of identity cards. The Preamble states as follows: "This Regulation does not provide a legal basis for setting up or maintaining databases at national level for the storage of biometric data in Member States, which is a matter of national law that needs to comply with Union law regarding data protection<sup>25</sup> (...)" (par 21). The regulation covers the security standards in art. 3 para. (1): "*Identity cards issued by Member States shall be produced in ID-1 format and shall contain a machine-readable zone*". In other words, such documents "shall be based on the specifications and minimum security standards set out in ICAO Document 9303"<sup>26</sup>.

At national level, the Code of Administrative Procedure is not adopted although "at European Union level, the Research Network on European Admin-

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<sup>23</sup> Published in the Official Journal no. 381 of 12 May 2020.

<sup>24</sup> Published in the Official Journal no. 188, 12.7.2019, <https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=CELEX:32019R1157>, visited on 16.04.2025.

<sup>25</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data (...), published in OJ L 119, 4.5.2016.

<sup>26</sup> It refers to ICAO Standards 9303 of September 2023, [https://www.icao.int/publications/Documents/9303\\_p3\\_cons\\_en.pdf](https://www.icao.int/publications/Documents/9303_p3_cons_en.pdf), visited on 13.04.2025.

istrative Law (RENEUAL) has developed (...), the Law of Administrative Procedure of the EU<sup>27</sup>". Acts of civil status have a mixed nature, both civil and administrative, but in this paper the analysis is carried out only from the perspective of administrative law. In the context of our country's international obligations, a succession of normative acts updated the legislation applicable to the electronic identity card. "National actors are especially important since they are mainly responsible for the everyday application of E.U. law"<sup>28</sup>.

The analysed normative acts are: Government Ordinance no. 69/2002 on the legal regime of the electronic identity card<sup>29</sup>; Government Resolution no. 1982/2004 on the approval of the Methodological Norms for the application of Government Ordinance no. 69/2002 on the legal regime of the electronic identity card (...) <sup>30</sup>; GEO no. 97/2005 on the registration, domicile, residence and identity documents of Romanian citizens<sup>31</sup>.

GEO no. 97/2005 provides the framework that regulates the registration, domicile, residence and identity documents of Romanian citizens, which ensures the achievement of legal relations between individuals, legal entities and the institutions of the rule of law. According to art. 2 para. (4) "the activity of registering Romanian citizens as well as the activity of issuing the identity documents of Romanian citizens is carried out in a unified manner and is coordinated by the Public General Directorate for Persons Records - D.G.E.P, at the central level and by the county public services for persons records, at county level". Furthermore, D.G.E.P. manages the National computerized system for persons records (S.N.I.E.P.).

### 3.1.1. What Is the Electronic Identity Card?

According to the provisions of art. 12 para. (3) of GEO no. 97/2005, *identity document* shall mean "identity card, ordinary identity card, *electronic identity card*, provisional identity card and national identity card, within their validity period". According to the normative act, the identity document is the proof of identity, Romanian citizenship and, where applicable, with domicile or residence in

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<sup>27</sup> Cătălin Silviu Săraru (2017), „Considerations on the sources of Romanian administrative law. The need to codify the rules of Romanian administrative law”, *Juridical Tribune*, Volume 7, Issue 2: 224-236, p. 234.

<sup>28</sup> Davor Petric (2023), „The Court of Justice of the E.U.: a Contextualist Court”, *University of Bologna Law Review*, volume 8, Issue 2: 11–52, p. 44, <https://doi.org/10.6092/issn.2531-6133/18492>.

<sup>29</sup> Published in the Official Journal no. 649 of 31 August 2002, republished in the Official Journal no. 844 of 15 September 2004.

<sup>30</sup> Published in the Official Journal no. 649 of 31 August 2002, republished in the Official Journal no. 844 of 15 September 2004.

<sup>31</sup> Published in the Official Journal no. 641 of 20 July 2005, republished in the Official Journal no. 719 of 12 October 2011.

Romania, within the validity period. Therefore, from the legal point of view, the electronic version of the identity card is a form of identity card that is distinguished by certain specific features. Moreover, "in a society based on democracy, it is essential that people be able to enjoy the rights and freedoms to which they are entitled<sup>32</sup>". It is therefore up to the applicant for an administrative act, when given the opportunity to choose, to opt in full knowledge of the facts for one category of administrative act or another.

As a general rule, here are the elements of the legal regime of the electronic identity card:

- "the period of validity represents a travel document in the Member States of the European Union and in third countries that recognize it as a travel document [art. 13 para. (2)].

- enables the holder to use an electronic signature, as well as the authentication in the computer systems of public institutions or of private legal persons [art.13 para. (4)].

- by creating the data set for authentication in the computer systems of public institutions or private legal persons, the holder of the electronic identity card is assigned an electronic identity, which is used for access to electronic public or private services by the verified user [art. 13 para. (16) ]

- as of the date of fulfilment of the technical conditions for issuing the electronic identity card, the application for issuing the electronic identity card shall be processed by any community public service of persons records, regardless of the place of domicile or residence of the natural person [art. 14 para. (1<sup>^</sup>1)]".

### **3.1.2. Contents of the Electronic Identity Card**

Government Resolution no. 1982/2004 approving the Methodological Norms for the application of Government Ordinance no. 69/2002 on the legal regime of the electronic identity card (...) details the necessary information that must be included in this administrative act. Regarding the form and content of the electronic identity card, according to the Methodological Norms, Appendix 2, we note the following:

- a) the front side of the electronic identity card contains: name of the country; serial number-2 letters and number-six digits; name of the document; personal numeric code; gender; surname, first name; place of birth; place of residence; holder's signature; holder's photo.

- b) the back side of the electronic identity card contains: date of issue,

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<sup>32</sup> Ruben Miranda Goncalves (2024), „Reflection on the Systemic Efficiency of Contemporary Democracy”, *Juridical Tribune – Review of Comparative al International Law*, volume 14, no. 3: 436-451, p. 439, <https://www.tribunajuridica.eu/arhiva/y14v3/6.pdf>.

expiry date, name of the issuer and other information complying with the European Union requirements.

At the same time, the shape of the electronic ID card is much smaller than the current ID cards, it resembles a bank card, its dimensions are 90 mm long and 55 mm wide. It is interesting to note the general normative specification on the form of the document, namely: "the electronic identity card is a plastic card on which the personal data of the holder are written and/or stored" (Appendix 2, item 1.1). In our opinion, all those involved in the whole chain of issuing the document and subsequently using it for identification purposes must strictly comply with data security rules which guarantee that the individual's fundamental rights are observed.

New features of the electronic identity card include in particular the following:

- a) the medium for electronic storage of the information on the back of the document contains the following: the data on the front of the document; the data necessary for exercising the right to vote of the holder of the electronic identity card; the holder's photo; the data related to the health insurance; the information on social insurance; the holder's residence; the biometric identification data of the holder (according to the international regulations to which Romania is a party); the codes or cryptographic keys for generating the digital signature and for access to other information systems;
- b) elements specific to the Romanian state;
- c) securing elements.

### **3.1.3. Deadline for Issuing Electronic ID Cards**

According to recent legislative changes (Government Resolution no. 231/2025 for establishing the date of the technical conditions set out in art. IV of Government Ordinance no. 12/2023 amending and supplementing certain normative acts containing provisions on persons records and electronic identity card<sup>33</sup>) the identity cards to be issued, whether simple or electronic, are governed by the following register of deadlines:

- a) "20 March 2025, for the issuance of the electronic identity card: valid for 5 years for persons aged between 14 and 18; valid for 10 years after the age of 18; with unlimited validity after the age of 70 (...)" [sole article, para. (1) letter a)];
- b) "2 June 2025, for the issuance of the electronic identity card: valid for 2 years for persons aged 0-2 years; valid for 4 years for persons aged 2-14 years" [sole article, para. (1) letter b)];
- c) "20 May 2025 for the issuance of simple identity cards valid for 5 years

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<sup>33</sup> Published in the Official Journal no. 225 of 13 March 2025.



for persons aged between 14 and 18; valid for 10 years after the age of 18; with unlimited validity after the age of 70 (...)" [sole article, para. (1) letter c)].

### 3.2. Case Study - Electronic ID Card, Pilot Project and Not Only

Digitalization of public administration on a global upward trend. In a specialized study it is emphasized that "in recent years, we saw a frenezy of regulatory and „self-regulatory” experiments to advance accountability in digital governance<sup>34</sup>". However, "digitalization brings with it new issues of responsibility, legal liability, limits and respect for citizens' rights and freedoms<sup>35</sup>". An interesting study that examines human rights, digitalization and security, claims that they are closely linked: "The new International Triangle can be brought together into one idea by recognising the interdependence and mutual influences between human rights, digitalization and security in the digital world, particularly in economic development<sup>36</sup>".

Researchers point out that "electronic identity documents are spreading worldwide and the digital identification procedures relying on them are increasingly important for national and international security<sup>37</sup>". Notwithstanding, "most ID documents in South America are chip less, which makes developing systems based on this technology difficult because it is usually either not enabled or the ID document in question is printed paper<sup>38</sup>".

For the first time, in Cluj, Romania, a pilot program for the issuance of electronic ID cards has been launched as of 20 March 2025<sup>39</sup> and this will be gradually implemented nationwide, according to a press release from the Ministry of Interior. The costs of the electronic ID card, from 20 March 2025 to June 2026,

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<sup>34</sup> Moritz Schramm (2025), „Curb your enthusiasm: why Europe's digital reforms may not become a global standard", *European Journal of Legal Studies*, volume 16, Special Issue on Law and Technology: 61-100, p. 63, DOI: 10.2924/EJLS.2025.LT.003.

<sup>35</sup> Elena Emilia Ștefan (2024), „Integrity and Transparency in the Work of Public Authorities. Aspects of Comparative Public Law", *Juridical Tribune – Review of Comparative and International Law*, volume 14, no. 4: 564-583. p. 565, DOI: 10.62768/TBJ/2024/14/4/03.

<sup>36</sup> Cristina Popa Tache (2024), „The new international triangle: human right-digitalization-security", *International Investment Law Journal*, Volume 4, Issue 1: 4-17, p. 4, <https://investmentlaw.adjuris.ro/articole/An4v1/1.%20Cristina%20Popa%20Tache.pdf>, visited on 12.04.2025.

<sup>37</sup> Luca Calderoni, Antonio Magnani (2022), „The impact on face image compression in future generation electronic identity documents", *Forensic Science International: Digital Investigation*, Volume 40, 301345, <https://doi.org/10.1016/j.fsidi.2022.301345>.

<sup>38</sup> Sebastian Gonzales, Juan E. Tapia (2025), „Forget presentation attack detection for ID cards on remote verification systems", *Pattern Recognition*, Volume 162, 111352, <https://doi.org/10.1016/j.patcog.2025.111352>.

<sup>39</sup> Public information available online <https://www.mai.gov.ro/noua-carte-electronica-de-identitate-devine-disponibila-in-romania-cei-se-va-emite-incepand-cu-20-martie-in-judetul-cluj-punerea-in-circulatie-la-nivel-national-se-va-realiza-gradual/>, visited on 07.04.2025.

are to be covered by external non-reimbursable funds through the National Recovery and Resilience Plan (NRRP)<sup>40</sup>.

The research into legislation in several countries shows that the Italian eID card (Carta d'identità Elettronica Italiana) started to roll out throughout Italy in 2016. "Rome, Milan, Naples, and Turin were the first cities to launch the project in July 2016"<sup>41</sup>. Luxemburg "has started to issue eID cards as of 2 August 2021"<sup>42</sup>. In Spain, the Spanish identity document is called Documento Nacional de Identidad - DNI and the first electronic DNI, named DNIE2.0, was issued in 2006<sup>43</sup>. According to specialized literature, "the first electronic DNI, named DNIE2.0 (...) incorporated an electronic chip and several physical security elements to prevent card forging"<sup>44</sup>. Furthermore, "(...) in 2015, the electronic DNI was improved by adding contactless capability into it. This revision was called DNIE3.0"<sup>45</sup>.

Instead, "Belgian citizens will be able to apply for a digital version of the national identity card from November 2026"<sup>46</sup>. At the same time, "the digital identity (e-ID) allows Swiss citizens and people with a Swiss residence permit to prove their identity online. The federal government will start issuing the e-ID in the swiyu wallet app in the third quarter of 2026 at the earliest"<sup>47</sup>.

The research also identified studies that highlighted the vulnerability of legislation on issuing electronic ID cards. A specialized study shows that in Mauritius, in 2013, a number of individuals challenged the regulatory framework of the biometric ID card and, following the case law of the Mauritian Supreme Court, in 2017, the legislation was amended to provide more secure protection for individuals, as the laws were considered to interfere with the constitutional right to privacy of Mauritian citizens<sup>48</sup>. From this perspective, it seems to us to be in line with what the doctrine has stated, namely that "throughout history, how

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<sup>40</sup> Idem.

<sup>41</sup> Public information available online <https://www.thalesgroup.com/en/markets/digital-identity-and-security/government/customer-cases/new-national-identity-card-for-italy>, visited on 11.04.2025.

<sup>42</sup> Public information available online <https://ctie.gouvernement.lu/en/dossiers/eID/eID.html#blo-ub-2>, visited on 13.04.2025.

<sup>43</sup> Public information available online <https://www.icao.int/Meetings/TRIP-Symposium-2017/Presentations/TABORADA%20RAMIREZ.pdf>, visited on 13.04.2025.

<sup>44</sup> Ricardo Julio Rodriguez, Juan Carlos Garcia-Escartin (2017), „Security assessment of the Spanish contactless identity card”, *IET Information Security*, Volume 11, Issue 6: 386-393, p. 387, <https://doi.org/10.1049/iet-ifs.2017.0299>.

<sup>45</sup> Ibid.

<sup>46</sup> Public information available online <https://www.biometricupdate.com/202503/belgians-can-apply-for-digital-national-id-cards-in-2026>, visited on 13.04.2025.

<sup>47</sup> Public information available online <https://www.eid.admin.ch/en>, visited on 13.04.2025.

<sup>48</sup> Sunilduth Baichoo, Maleika Heenaye-Mamode Khan, Pramod Bissessur, Narainsamy Pavaday, Nazmeen Boodoo-Jahangeer, Neel M. Purnah (2018), „Legal and ethical consideration of biometric identity card: Case for Mauritius”, *Computer Law & Security Review*, Volume 34, Issue 6, pp. 1333-1341, <https://doi.org/10.1016/j.clsr.2018.08.010>.

a nation is governed has consistently sparked lively disputes<sup>49</sup>.

#### 4. Conclusions

In the interest of scientific research, the present study assessed in a personal manner the impact of new technologies on the procedure of issuing administrative documents, focusing on the electronic identity card, at conceptual, theoretical and practical level. The results of the study show that a modern public administration is not a structure outside society but is anchored in everyday realities, taking into account global trends.

The paper has captured the regulatory framework applicable to the electronic ID card, detailing its form and content elements. The documentation shows that technology makes life easier, but it also comes with challenges, with the need for strict regulations that respect fundamental rights and freedoms at the forefront.

From a theoretical point of view "The main purpose of the digitisation is to make available to the general public as much content as possible (...) "<sup>50</sup>. Starting from the Romanian premiere of issuing the first electronic ID card in Cluj in March 2025, through the case study carried out, the paper presented the experience of other countries in order to find out whether there is an ideal legal framework. Based on our analysis, we consider that this administrative procedure appears to be vulnerable because it involves a flow of personal data. In any case, "in the digital age we are in, processing personal data has become inevitable<sup>51</sup>". But is the current legislation, including the General Data Protection Regulation (EU) 2016/679, sufficient to cope with the new technological challenges that are impacting public administration?

As long as the electronic ID card appears to be a "plastic card on which the holder's personal data are written and/or stored", we consider that the protection of such personal data must be a national security priority. In relation to this administrative act, the state should invest in infrastructure to digitize data collection and in cybersecurity. The final conclusion of the study shows that, in the light of digitalization, there is a need for standardization, for clear legal regulations to organize the administrative procedure in order to protect fundamental rights.

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<sup>49</sup> Cătălin Silviu Săraru (2023), „A cross - country examination: administrative litigation in China and Romania”, *Acces to Justice in Eastern Europe*, 6(3): 232-248, p. 233, 10.33327/AJEE-18-6.3-a000313.

<sup>50</sup> Marta Christina Suciu, Mina Fanea - Ivanovici (2018), „The European digital library (Europeana). Concerns related to intellectual property rights”, *Juridical Tribune*, Volume 8, Issue 1: 244-259, p. 255, [https://www.tribunajuridica.eu/arhiva/An8v1/19.%20SUCIU\\_FANEA\\_IVANOVICI.pdf](https://www.tribunajuridica.eu/arhiva/An8v1/19.%20SUCIU_FANEA_IVANOVICI.pdf), visited on 25.04.2025.

<sup>51</sup> Ayca Zorluoglu Yilmaz (2025), „Joint controllership under the GDPR- concept, responsibilities, and liability”, *Juridical Tribune – Review of Comparative and International Law* volume 15 no. 1: 93-107, p. 93, DOI: 10.62768/TBJ/2025/15/1/06.

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