NEW PERSPECTIVES IN CONTEMPORARY LAW

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Abstract :-

Purpose and Objectives: Law, over time, has faced all the changes in society, both political, economic and social, but also technological, the latter being a decisive factor of our days. It has permanently adapted itself through legislative changes at all levels, so that the very development of society is not hampered.

Proposals and Methodology: At present, decisive changes are taking place, due to the involvement of artificial intelligence, but also due to the fact that we are in the midst of a digital era, constantly promoted by the development of technology.

Results and Implications: The main issue that arises is the fact that it has not yet been established whether the legal norms, both national and international, can easily adapt to digitalization, so whether AI can use the norms as such in obtaining similar results to the judgments handed down by the courts .

Keywords - Law, Legislation, Artificial Intelligence, Privacy, GDPR

I. INTRODUCTION

Currently, artificial intelligence (AI) is used in more and more fields, both in the private and public sectors, affecting everyday life. It has even been suggested that AI would represent the end of human control over machines. On another, more positive note, this technology is believed to help humanity meet some of the most pressing challenges it faces.

Related to legal reason, penetrating the depths of artificial intelligence is a great challenge both for the legal system itself and for the legislature. Although there are a multitude of similar tasks in the artificial intelligence system, with those of people, that the system can solve, the difference is essential, compared to human intelligence, as a foundation. Thus, we can discuss the consciousness of free will, which cannot be picked up by an artificial intelligence algorithm, to try it.

Artificial intelligence also has problems with respecting the fundamental rights and freedoms of people, a fact that resides in the exercise of the supervision process of people or when court decisions are pronounced, a fact that is reflected in the respect or non-respect of the right to private life or the right to a fair trial, depending on the field tackled by artificial intelligence.

So, it remains to answer the essential question for human existence, related to the rights and freedoms that will or will not be respected by applying the rules of artificial intelligence, and to what extent the mentioned rights will be violated.

II. ASPECTS OF THE RIGHT TO PRIVACY IN THE DIGITAL AGE

There is a European model that places respect for private life among other individual rights and freedoms by constantly reporting to the limits of the exercise of all the rights and freedoms of other people.

This individual right to private life is based, from this perspective, on the weighted equivalence between individual interests and general interests. This fact is, among others, the primary idea that we find in the judgments of the Strasbourg Court pronounced in the motivated cases based on the provisions of art. 8 of the Convention.

The phrase "private life" does not have a defined definition in the legal provisions, although we find it in the fundamental law of the country as well as in special laws. This situation is found in most legal systems and international provisions are no exception.

In fact, the right to respect for private life refers to the freedom that people have to live their lives according to their own wishes, without anyone else being able to interfere in this area protected by law.

This meaning of the phrase actually signifies private life in the true sense of the words, including family life, that lived in the family home, the physical and mental integrity of the person, his moral integrity, the right to honor, the right to reputation, to be presented in a real light, to the non-disclosure of intimate, even embarrassing facts, unnecessary for public

knowledge, to the non-publication of private photographic images, without prior authorization, the right to real protection against acts of espionage or indiscretions of any kind, both with regard to those without justification as well as those inadmissible, in principle, to the abusive use of private communications, of any kind, to the protection of information from communications of any kind between two or more people, in particular.

At the national level, there are legal provisions specifically intended to protect private life, such as art. 71 Civil Code, att. 26 of the Constitution, art. 156 of the Criminal Procedure Code, etc. Which are supplemented by the provisions in the international field.

Article 71 of the Civil Code, generically named: Respect for private life and the dignity of the human person, includes the fact that regardless of the quality of the person, he has the opportunity to request respect for the right to his private life, not being subject to any interference in his intimate life, his own or his family's , nor in his domicile, residence or correspondence, without requesting his consent or without observing limits such as those existing in article 75 of the Civil Code. Paragraph 3 of Article 71 of the Civil Code also requires the use in bad faith, in any way, of correspondence, personal writings or other personal documents, as well as information from the person's private life, without their consent or with non-compliance with the limits established in Article 75 of the Civil Code.

The limits provided for in Article 75 are clear: it does not constitute a violation of the rights that are allowed by the law or by the international conventions and pacts regarding human rights to which Romania is a party. At the same time, the exercise of constitutional rights and freedoms in good faith and with the signing of international pacts and conventions to which Romania is a party does not constitute a violation of the rights provided for in this section.

Another law that provides for the right to intimate, family and private life is the fundamental law, the Constitution of Romania, which, in Chapter II - Fundamental Rights and Freedoms, in Article 26, talks about the fact that "public authorities respect and protect intimate, family and private life. The natural person has the right to dispose of himself, if he does not violate the rights and freedoms of others, public order or good morals."
Another legal text from the national level that regulates issues regarding private life is article 156 of the Code of Criminal Procedure which, in paragraph 2, provides for limits on home, body, IT or vehicle searches, in the sense that this can be implemented with respect for dignity, without constituting disproportionate interference in private life.

Internationally, the Charter of Fundamental Rights of the EU, Convention 108 of the Council of Europe, the European Convention for the Protection of Human Rights and Fundamental Freedoms, Directive 95/46/EC of October 24, 1995, Framework Decision 2008/977/JHA of Council of November 27, 2008, European Data Protection Authority, etc.

Articles 7 and 8 of the EU Charter of Fundamental Rights recognize that respect for private life and the protection of personal data are closely related but separate fundamental rights. The Charter is integrated into the Treaty of Lisbon and has binding legal force on the institutions and bodies of the European Union, as well as on the Member States when they implement EU law.

Convention 108 of the Council of Europe for the protection of individuals with regard to automated processing of personal data of January 28, 1981 is the first international instrument with binding legal force adopted in the field of data protection. Its purpose is "to guarantee [...] to each natural person [...] the respect of his fundamental rights and freedoms and, in particular, the right to private life, with regard to the automated processing of personal data concerning him".
In recent years, however, due to technological development, in the case of the emergence of artificial intelligence, despite the previously mentioned regulations, the respect for the right to private life can still be affected by the intrusion that certain biometric systems such as facial recognition achieve. This will make the individual always feel controlled and watched, which will cause him to behave in a certain way, a certain submission to his own person, which must correspond to the surveillance created.

One of the main goals of man is to succeed in being happy in the privacy of our life. Artificial intelligence comes precisely to eliminate this state of tranquility that the privacy of our home creates.
The solution would be some limits on the level of surveillance and visibility created by AI. It is also possible for the AI to be, in one form or another, permanently connected to a person, learning details about it at every moment.

The question we can ask would be: did the person in question give his consent to be thus tracked at every moment or even only at the moment of interaction with the AI? Was she aware of the magnitude of the situation? Did he give his consent to have his pulse taken or to know details about his illnesses, treatments or daily schedule or emotional state, where he was, what conversations he had and with whom? Or did he only agree to have his health monitored or just his work schedule? How can the data that an AI can know about us be protected? How intimate, how

deep can it be right to allow an AI to "verify" us? If, for example, the AI discloses the personal data to someone else, or to another AI, which takes them for purposes other than those known to the person concerned?

III. PROTECTION OF PERSONAL DATA IN RESPECT OF PRIVACY

Personal data have a special regime after the adoption of European and international regulations. Convention 108, Article 8 ECHR, combines the classical aspect of the problem with the modern international character. The right to private life was and is an existential right of the person, regardless of the nuances adopted, throughout time.

This fundamental personal right has at least two regulations at the European level: on the one hand in the Council of Europe but also in the European Union as an organization of Member States, of which Romania is also a part. Thus after May 2018, when Regulation (EU) 679/2016 entered into force on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, which repealed Directive 95/46/CE from the same field, known as the General Data Protection Regulation (RGPD/GDPR), a Regulation that has become mandatory for the signatory Member States.

In confronting artificial intelligence with personal data, the privacy of individuals and their protection must be particularly taken into account. These data include information specific to individuals, respectively those regarding personal, public, professional life, information that delimits the physical or physiological identity, the physical address of the person or his digital address, which can be found on websites, in medical data, information that can be only in relation to digital access codes.

That is why it is necessary to define the retrieval, processing of personal data, notions that involve and any operation that is done with them, by another person. This data is at the fingertips of artificial intelligence, which, in a relatively short period of time, can discern the most private things that a person possesses. These can refer to medical data such as blood pressure, bolilichronics that he has or the composition of his blood, physical or digital addresses can be obtained, where he traveled and with whom, what the private discussions had consisted of, including the accounts his banking.

All these aspects were taken into account when establishing the GDPR, which includes in art. 22 automated decision making. This provision refers to a right, which is not the same as the right to object to the taking of these decisions, but also the fact that this is generally allowed, if there is no opposition from the person concerned. In the best case, a ban is established for those who operate, in the sense that automated decisions do not have the right to affect the persons to whom they are given, of course if it is not part of the exceptions expressly provided in art. 22 paragraph 2.

Regarding the application of the indicated prohibition, it would seem that four conditions are sufficient: thus, a decision must be taken, then it must be based only on automatic processing, it must include profiling, and last but not least, it must to have a statutory or, at worst, significant effect.

The initial condition involves establishing an attitude towards a certain person but also maintaining this option in the long term.

The second condition establishes that the persons have no actual involvement in obtaining the expected result through the decision-making process, even when the final decision is given, or officially conferred on a person. The condition, however, is not fulfilled if the system is used only as a decision support tool for the people who are responsible for this decision, determine the merits of each case and deliberate individually whether or not to take the system's indications into account.

The following condition set out involves automated and decision-making processing to include profiling processing. This different interpretation was suggested by a comma placed between the word processing and the phrase including profiling from the provisions of article 22 para. 1, from which it follows with certain doubts that profiling can be considered an optional part of the type of prohibited automated decisions, with principle value.

The fourth condition imperatively suggests that this decision be productive of legal effects regarding the targeted person, or, in the same way, involve him negatively.

Regarding the list of artificial intelligence systems inapplicable according to the law, the recently voted Regulation on artificial intelligence basically limits the types of artificial intelligence under its empire, compared to the GDPR provisions analyzed previously, which include a stop from general application for software that compiles decisions only through automatic processing and that brings important touches to the analyzed person.

IV. REGULATION OF ARTIFICIAL INTELLIGENCE IN EUROPE AND ROMANIA

Defining artificial intelligence, we cannot fail to recognize that it belongs entirely to computer science, which has created systems that can successfully

replace human intelligence in performing certain tasks.

The tasks it performs are multiple and aim at the study of language, its interpretation, notions of visual perception, identifying discussions, solving a wide range of problems and of course, an important role in making decisions. The only approach that surpasses artificial intelligence at this moment is the manifestation of legal will, that is, the creation, modification or extinguishment of legal relations in order to produce legal effects.

One of the difficult problems in the political-economic field is to give an orientation to the growth of artificial intelligence towards noble goals from a social and moral point of view, which is realized in maintaining the standard of living, respect for fundamental human rights, for his creative independence, for the protection of private and family life, efficiency in human support, democratic presence, equity and respect for diversity, prudence, responsible knowledge and sustainable development.

For the development of civil society's trust in artificial intelligence, a deep knowledge of its mechanisms as well as of the new challenges it constantly promotes is required. In other words, it is necessary to build an artificial intelligence around and for the benefit of the person, responsible but also comprehensive, in order to eliminate or reduce the risks that appear in society when using these new technologies.

The rise of digital accountability raises ethical issues that grow exponentially with the implementation of AI-enforced techniques. By virtue of the above, in order for the impact of artificial intelligence on current users and beneficiaries to be positive, referring here to users from public services, litigants, clients, patients or other types of consumers, it is necessary to develop algorithm legislation that to form the basis of a new branch of interoperable law, to guarantee the legality of the application of artificial intelligence.

In other words, in order to create a norm that directs the activity of artificial intelligence and that is predictable and predictable, ensuring society's control over algorithms, a legal regulation is required in the normative process, and everything must be done through the lens of compliance with international norms, fundamental rights, namely precisely those that can be affected by the application of artificial intelligence, i.e. the right to private life, to the protection of one's personal data, to non-discrimination or to human dignity, the right to equality, the right to a fair trial, the presumption of innocence, the right to privacy, etc., because fundamental human rights cannot be waived under any condition. Finding the middle ground makes artificial intelligence a major impact factor and paves the way for a new branch of law.

In the last period, the European Union through its institutions together with the Council of Europe have attempted an assessment on the effects of artificial intelligence in several areas of interest, co-opting a considerable number of experts in the field and laying the foundations for the operation of an impressive number of commissions in order to create reports, legislative proposals, studies and recommendations.

Only in 2018, in order to respect the rights in the Charter, the European Commission created a Group of experts in the field, at the highest level, to develop ethical norms for artificial intelligence, so that it can be used without violating the rights of individuals. Thus, the experts established a definition of AI ethics, from the point of view of implementing the application and use of Artificial Intelligence. The question of an applied ethics that relates to real life and not to utopian life has been raised. The group of experts also outlined the principles of this ethics, such as respecting the person from the point of view of their autonomy, not causing damage resulting from AI activity, a wide degree of explainability, which does not exclude equity in the activity.

Thus, on 19.02.2020, the European Commission came up with a White Paper related to AI activity, based on excellence, but also on trust, which starts from the ethical guidelines established ab initio for trust-based AI, identified at the level by High-Level Appointed Expert Group. The commission took over the major points presented by the expert group related to: man as a person and his control; technical validity and safety; privacy and data mastery; clarity; multilateralism, non-discrimination and fidelity; social and ecological prosperity; liability.

In the same period, under the patronage of the Council of Europe, more precisely in December 2018, the European Commission for the Efficiency of Justice (CEPEJ) created the European Ethics Charter for the use of artificial intelligence in the judicial systems but also in their working environment, in order to set a limit of unsurpassed for all participants, i.e. people with quality in design, decision-makers in legislation, magistrates, social and economic participants - at the time of the development and dissemination of advanced technology in the area of justice, i.e. the area where fundamental rights are discerned.

The charter is intended to be a guiding tool for the entire public policy, as the authors themselves discuss at the beginning of the paper, showing the utility of a continuously monitored and evaluated application. The principles shown - but which do not have the

force of law - should be considered as a strong start to the use of artificial intelligence in justice, the term "use" covering the entire chain from production and design to the evaluation module of the implementation of AI in everyday activity.

The charter establishes five principles that must be protected in the area of AI and justice, and which use European values of law:

- The principle of respecting fundamental rights by ensuring the situation in which the design and use of AI concepts and services are in resonance with fundamental rights;
- The principle of non-discrimination through the use of specific tools in the fight against discrimination, its increase or amplification between persons or groups of persons;
- The principle of quality and security, which relates to obtaining decisions but also judicial data, using recognized sources and types created multidisciplinary, with an approved technology;
- The principle of transparency, impartiality and correctness by maintaining in good conditions the possibility of access and the penetration of data transformation methods, the authorization of external quality checks;
- The principle of "user control" by removing prescriptive approaches and ensuring that users are knowledgeable in the field and can verify their choices.

On the way to the adoption of the world's first normative act on artificial intelligence, we recall the recent interim agreement between the European Parliament and the Council of the European Union, concluded after intense negotiations on December 8, 2023.

The main objective of the draft regulation was to ensure security and respect for fundamental rights when implementing AI systems on the European market. By adopting a risk-based approach, the rules proposed in the AI Bill will become more stringent as the risks associated with a particular AI system increase. The proposal is a landmark global initiative that has the potential to set standards for the regulation of artificial intelligence, similar to GDPR's impact on data protection.

Key elements of the interim agreement:

- It is proposed to create a revised management system, with implementation powers at the level of the European Union;
- The agreement expands the list of prohibitions, including the use of remote biometric identification in public spaces, subject to detailed regulations;
- Entities deploying high-risk AI systems will be required to carry out a fundamental rights impact assessment before launching the AI system.

The agreement provides for large fines for violations of the AI Act, setting fines as a percentage of global annual turnover or fixed amounts, whichever is greater. These sanctions include prohibited uses of AI, violations of the obligations set out in the AI Law and providing false information.

V. PROHIBITED PRACTICES ACCORDING TO THE NEW LEGISLATIVE PROPOSAL

An example of a practice prohibited by the AI Act is marketing, operating or using an artificial intelligence system that uses subliminal techniques, without the knowledge of humans, to significantly distort a person's behavior in a way that causes or is likely to cause physical or mental harm to the person or another person.

For example, cognitive-behavioral manipulation, storage of randomly obtained facial images, and emotion recognition are not permitted in workplace and educational settings. These prohibitions are in place to prevent unacceptable risks associated with certain practices.

Example no. 1:
Consider an artificial intelligence system used in a corporate environment to analyze employee performance. This system uses subliminal techniques through emotion recognition tools. During job interviews or daily work activities, the system collects information about employees' facial expressions, tone of voice and other non-verbal signals without their knowledge of the process.

Subliminal practices may include manipulating this data to influence management decisions or create a tense work environment. For example, the system may incorrectly assess the emotional state of employees and suggest actions or feedback that negatively affect their mental well-being, leading to stress, anxiety or other psychological harm.

Example no. 2:
Let's consider another scenario where a company uses an artificial intelligence system in the employee recruitment process. This system is based on advanced algorithms for analyzing behavior during job interviews, including recognizing emotions and interpreting candidates' facial expressions. During video interviews or online interactions, the system collects and analyzes candidates' non-verbal data to

assess their cultural compatibility and potentialteam performance.

However, this practice raises serious ethical and legal questions. The widespread use of emotion recognition technology in the recruitment process can lead to discrimination or incorrect evaluations, and the incorrect interpretation of facial expressions can affect the fairness and objectivity of the recruitment process.

Under the current legislative proposals, this inappropriate use of artificial intelligence in the context of employment would violate these legal provisions, threatening the fundamental rights of candidates and the integrity of the recruitment process.

Example no. 3:
Let's say that in the education sector there is an artificial intelligence system used to assess students. This system relies on advanced facial and voice recognition techniques to analyze student reactions during classes or exams, automatically recording facial expressions, voice tone and other non-verbal characteristics. Practices prohibited by the proposed new legislation include using this system in a way that affects student behavior or performance, which may result in physical or psychological harm.

Likewise, the use of artificial intelligence systems for real-time biometric identification of natural persons in publicly accessible spaces is prohibited for the purpose of ensuring compliance with the law, as they are considered to be particularly intrusive for the rights and freedoms of individuals. anxious.

This practice can affect the privacy of large sections of the population, creating a sense of constant surveillance and indirectly discouraging the free exercise of fundamental rights such as freedom of assembly and other civil rights.

However, there are some exceptions to this, namely, under very specific and strict conditions, such systems can be used, especially where not using such a tool is likely to cause more harm than risk and however, it must ensure the protection of individuals. rights and freedoms. Three situations that allow such a scenario are:

 searching for missing persons, victims of kidnapping and persons who have become victims of human trafficking or sexual exploitation;

 preventing a significant and imminent threat to life or a foreseeable terrorist attack; Or
 identification of suspects in cases of serious crimes (for example, murder, rape, armed robbery, drug and illegal arms trafficking, organized crime and environmental crimes, etc.).

While the rationale for these detailed regulations is understandable, some might argue that the mere existence and development of these systems may still pose too much risk.

This legislative proposal was reflected in the adoption by the European Parliament on 13 March 2024 of the first law on artificial intelligence.

Its aim is, as mentioned earlier, to protect fundamental rights, democracy, the rule of law and the sustainability of the high-risk AI environment, while stimulating innovation and ensuring Europe's leadership in this field.

The regulation sets AI obligations depending on the potential risk and level of impact.

Given that we already mentioned earlier that AI systems are unacceptably risky, we are going to mention that AI systems present a lot of risks, "which can be used, according to the provisions of the Regulation, only after meeting very specific and strict requirements.

This category includes systems and applications that must adopt and implement multiple security measures, perform compliance checks, and obtain separate authorizations, evaluated on a case-by-case basis, prior to implementation.

As a general rule, an artificial intelligence system will be considered a serious threat if it profiles people, i.e. the automated processing of personal data to assess various aspects of a person's life, such as professional performance, economic status, health, interests, preferences, reliability, personality, location or travel.

The critical difference between high and unacceptable risk lies in the ability of the system to use and independently use this type of information.

Regarding the limited risk allowance, the law imposes certain transparency requirements to ensure adequate knowledge at the time of benefiting from AI systems. Developers must also ensure that such AI-generated content, such as text, images or animations, is clearly audio-video, is clearly aware of this (the use of AI must be clearly indicated).

With reference to the last category, which is the most common, the lowest risk AI systems are allowed without an important message. Thiste systems include applications such as AI entertainment applications, video games and AI-enabled spam filters. Currently, most AI systems used in the EU fall into this category.

The AI Regulation entered into force 20 days after its publication in the EU Official Journal, but most regulations will apply more than 24 months after entry into force. The 24-month period will be a "grace period" during which AI developers and users and other parties will have to comply with the new European regulations or risk fines of up to 6% of turnover.

VI. NATIONAL REGULATION OF ARTIFICIAL INTELLIGENCE

Regarding the regulation by law of artificial intelligence, at the national level, its premise is the establishment of regulations corresponding to the developed programming language and the results generated by the programming language.

The rule is not about the actual content that an AI programming language can produce, but about the limits within which it can create content. Clearly, these restrictions are and must be constitutional restrictions.
In other words, the political challenge is that the programming language must be programmed to respect, for example, the constitutional right to appeal, the physical and mental integrity of the person (art. 22 of the Constitution). Also, that language should be positioned so as not to provide, in any way, remedies for undermining the constitutional order.
The issue of exceptions to the rule will obviously arise, or in this case they must be strictly determined and of strict interpretation and application, to be used for reasons such as protecting national security, public order or national defense (so and for the purpose of protecting the constitutional order) or for the purpose of education and research, carried out in a controlled environment.
With this strict regulatory framework, the individual will be able to make the decision to access and use artificial intelligence in a considered and fully informed way.

Also, given that in the current legal system only one person has rights and responsibilities, the language of artificial intelligence must be reprogrammed so that its content does not produce legal effects independent of anyone's will.

Nationally, on March 19, the AI bill was registered for debate in the Senate. Although the Romanian legislator wants to provide additional clarifications and introduce specific concepts suitable for the Romanian technology market, the draft law is at an early stage and we expect it to undergo many changes before promulgation.

The adoption of the AI Regulation is a milestone and a major achievement in establishing a far-reaching legal framework to oversee the development and use of artificial intelligence systems in this phase of the digital age, second laws and directives will need to be introduced in 2019. Guidance materials , such as the European Commission's Guidelines on Trusted AI, have already started to be published. For now, the EU has taken a very important first step towards regulating this rapid wave of technology.

VII. PRACTICES OF IMPLEMENTING NEW TECHNOLOGIES IN PUBLIC ADMINISTRATION AND THE LEGAL FIELD IN ROMANIA

The need to integrate technology based on artificial intelligence in the Romanian legal world was noted with the establishment of the pandemic isolation in March 2020.

The usual court functions of subpoenaing, hearing witnesses or parties or convening local deliberative public bodies have been moved to the online work arena. With this forced digitization of much of the legal world, it has been possible to find the need to turn to certain applications and software to simplify the work of lawyers and government officials.

For example, in the practice of lawyers, a well-defined AI program can access current laws from the official publication source and can even find solutions or at least highlight similar cases that would work to create "a procedural document necessary for legal promotion", at an action in favor of the client.
Digitization has taken the place of classic processes, including in the service of judges, who are offered a series of programs that allow them access to jurisprudence. There are several such programs dedicated to legal professionals, such as ECRIS, EMAP or Legis.

For example, ECRIS is an application that contributes to each court or prosecutor's office benefiting from a database that includes relevant information and complete court files and judgments (as opposed to the public portal, portal.just.ro, where the solutions are published in summary). Judges, as well as defendants or their representatives in directly related cases and in certain circumstances, must send this.

It is worth noting that these very advanced software programs can take over certain human tasks (for example: entering data into databases, reporting on them and generating answers or relevant items for use in problem solving or discussions) and "can to perform within normal limits even more efficiently than human intelligence".
Therefore, many areas of practice in the legal field can benefit from the introduction of artificial intelligence in the manipulation of information and its succession. We find as an example the practice of

other states whose IT systems are performing in various fields of activity (procurement of administration services, public health and transport, effective communication windows between management and the governed, etc.) has facilitated more lives of people in those countries .
In essence, the main role of public authorities is to satisfy public demand by improving people's living standards, and digitalization plays an important role in this process.

For example, in the case of violations, over time, citizens have often contested that violation sanctions would not be used by investigative agencies, and the absence of indisputable evidence made the task of the courts even more difficult.

An artificial intelligence system that will greatly facilitate the work of police bodies and reduce the number of command complaints and the detection of violations on public roads requires the implementation of software with a video traffic monitoring system is effective. Such a system could recognize both the vehicle's license plate number and the driver's identity, which would serve as evidence that can be challenged in court.

As far as the public sector is concerned, the regulatory authorities have recognized the dire need for a flexible management system that meets the contemporary demands we live in. Thus, the first digitization initiatives of public institutions in Romania are already producing results.

For example, the National Tax Administration under the Ministry of Finance has launched an online chat service through which taxpayer assistance charges as they benefit from the services available on the institution's portal. Another approach adopted is the SAF-T (Standard Audit File for Tax) system, which is designed to facilitate the electronic exchange of information from the land public to the tax authority.

The major goal of this new technology is to ensure transparency and increase trust in public institutions by creating a governance mechanism easily accessible to taxpayers.

At the top of the list of priorities for those in charge of public finances is the creation of a system that "there is effective international cooperation between ANAF and the assembly halls, which will facilitate the efforts of the country man to receive documents from government agencies". Such an arrangement is commendable and shows the inclination of the rulers towards the current needs of the society. An example in this sense is the possibility that Romanian citizens can now access the tax file without having to physically present themselves at the ANAF unit count letter. Another project highly requested by citizens, which was recently accepted, is the development of an electronic invoice system (E-invoice). In the first phase, the project will work exclusively on interactions between economic operators and the state, to be expanded later and incorporate interactions between two economic entities (which include economic activities such as: provision of services, provision of products, cataloging of products and provision of services) .

VIII. CONCLUSIONS

Technological innovations have become a constant of the present age. New technologies are ready to conquer the world and change the reality we have known until now. From cryptocurrencies, block-chain technology, virtual reality, "quantum" computers to artificial intelligence, they all have implications in various aspects of life, especially in the legal field, giving different rights and responsibilities to legal subjects.

Although a field in its infancy, the digitization phenomenon has gained considerable momentum in recent years. How soon we will be able to talk specifically about digital rights and a new branch of law will emerge – cyber law. From a constitutional law perspective, technological progress and the evolution of artificial intelligence represent both an opportunity and a challenge for the legal system as a whole.

There is no doubt that technology can help improve efficiency and increase access to legal services. In recent years, in Romania there has been a real effervescence of legislative regulations in the field of new technologies, whichcreated new legal challenges in the context of constitutional law. It is a matter of time and acceptance that new rights and fundamental freedoms of access to new technologies will emerge.

However, the exponential role of the Constitutional Court in this equation must be emphasized, namely, as the guarantor of the supremacy of the Constitution, it has the task of organizing and mobilizing visible and integrated social relations around the concept of technology in a coherent legal framework. and compatible with the existing reality, without affecting or distorting the existence and content of other fundamental rights and freedoms.

As mentioned, contemporary technological developments determine the conditioning of new objects, relations and processes by creating new rights, while allowing their use to be restricted for various reasons, such as public health, national security or national security. Therefore, in the context of the unprecedented development of new information and communication technologies, the fourth generation of rights is rapidly emerging, which

would include the right to the protection of personal data and the right to the protection of online privacy or the right to use artificial intelligence, etc. The emergence of new technologies imposed their regulation also in the context of Romanian laws.

In this context, it must be emphasized that the use of these technologies cannot be left outside the regulatory frameworks of the law, therefore this new type of right must be grounded in legal terms and subject to predetermined parameters.

Also, in order to avoid creating a systemic risk regarding fundamental rights and freedoms or national security, the authority of laws to use, in exceptional circumstances, art. 53 of the Constitution to control access and use of these technologies.

The value of treating, from a contemporary perspective, the subsequent proliferation of new technologies, implicitly the creation of correlative subjective rights over them, determines "a constant change in terms of social relations.

"These social relations must be regulated, on the one hand, by the legal order, and on the other hand, be verified" from the point of view of their impact on other pre-existing fundamental rights and obligations.

As mentioned in the article, the legal field as a whole is affected by this digitization phenomenon, as artificial intelligence has the potential to transform many aspects of the legal profession, helping to streamline processes, improve access to justice and provide new tools and capabilities. and legal professionals.

However, AI is a tool, not a substitute, for the value judgments inherent in human consciousness and the rational cognition it supports in any legal action.

Therefore, although artificial intelligence can help improve the efficiency and effectiveness of the legal profession, it cannot replace the fundamental role of human beings in interpreting laws, assessing rights and freedoms, and qualitative-qualitative assessment.

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