Artificial Intelligence and Human Rights in the Context of Globalization. Challenges and European Regulations

The expansion of the use of artificial intelligence in public administration, education and other sensitive areas raises essential questions about fairness, transparency and the protection of fundamental rights. At the heart of this article is a simple but urgent question: how can AI be regulated in a way that respects human dignity and leaves no one behind? Starting from the European framework, with a focus on the AI Act and the principle of "human-centric artificial intelligence", the article provides a critical analysis of how these directions are reflected in national realities. The case study on Romania highlights the gaps between ambitious strategies and concrete implementation: from digital justice and public administration to the education system where algorithms are present without a real public debate. Issues such as the lack of ethical audit mechanisms, low citizen involvement and systemic risks for vulnerable groups are discussed from an interdisciplinary and applied perspective. The article proposes several solutions to strengthen the democratic framework of AI: establishing real forms of public participation, developing tailored control and monitoring tools, and recognizing the role of universities in promoting an ethical culture of digitalization. Through its critical but constructive tone, the article not only assesses existing regulations, but also provides a direction for the future – one in which technology is put to work for people, not the other way around.

Keywords: *artificial intelligence; human rights; globalization; comparative regulation; AI Act; algorithmic discrimination; data protection*

Introduction – On Dignity and Decisions Made by Machines

Technology has entered our lives step by step. Some changes were made quickly, without much explanation. Others came more slowly, but with effects that are still felt to-day. Behind digital applications or platforms, algorithms have begun to play an increasingly important role.

This begs a simple and legitimate question: how do we defend our dignity, when many decisions are taken over by automated systems?

Artificial intelligence is no longer a topic for the future. It is already used in key areas – from the distribution of cases in court, to the granting of scholarships or social aid. In theory, these systems should be objective and effective. In practice, things are more com-plicated.

There are situations in which algorithms bring real benefits: they reduce waiting time, remove part of the bureaucracy, put things in order. But in the absence of clear boundaries and public control, errors, inequities or even subtle forms of exclusion can occur.

To respond to these challenges, the European Union has proposed a set of rules – known as the AI Act. The document seeks to strike a balance between innovation and respect for fundamental rights.

Because, ultimately, no matter how precise an algorithm is, if it does not have the human being at the centre - with their needs, fears, and rights - we risk that progress will become a path without a compass.

In legal terms, human dignity is both a foundational principle and a binding norm. Within the European Union, Article 1 of the Charter of Fundamental Rights affirms that "Human dignity is inviolable. It must be respected and protected." This formulation has been interpreted by the Court of Justice of the European Union (CJEU) as encompassing both negative and positive obligations for the state: not only to refrain from violating dignity, but to actively safeguard it in contexts such as health, welfare, justice, and digital governance.

At the level of the European Convention on Human Rights, while dignity is not explicitly listed, it has been recognized by the European Court of Human Rights (ECtHR) as an underlying value informing Articles 3 (prohibition of torture), 8 (right to private life), and 14 (non-discrimination). In cases such as Pretty v. the United Kingdom (2002) and Christine Goodwin v. the United Kingdom (2002), the Court acknowledged that human dignity is at the heart of a democratic society.

In the context of artificial intelligence, human dignity is challenged not only by the misuse of personal data or opaque algorithmic decisions, but also by the dehumanization effects of systems that reduce individuals to statistical profiles or behavioural patterns. As McCrudden[1] notes, dignity in legal discourse functions as a bridge between moral claims and enforceable rights—a function increasingly tested by digital systems with decision-making power.

In the recent literature[2] artificial intelligence is described not merely as a technological advancement, but as a substantial legal challenge that necessitates a rethinking of the relationship between innovation and the protection of fundamental rights. It is not merely a matter of new rules, but of how we choose to maintain the balance between efficiency and respect for the individual.

This article seeks to explore how the newly adopted EU Artificial Intelligence Act (Regulation (EU) 2024/1689) addresses—or fails to address—these dignity-related concerns, particularly in the case of Romania. While the Act introduces a risk-based classification and bans certain harmful applications, its effectiveness in protecting dignity de-pends largely on national transposition, institutional safeguards, and ethical oversight mechanisms, which this paper aims to analyse in depth.

[1](McCrudden, 2008).
[2](Igwe, 2024).

Human dignity in the face of algorithms – between principle and real guarantee

If we had to choose one value that underpins the entire architecture of human rights, it would undoubtedly be dignity. Not only because it is mentioned in all the major inter-national texts – from the Universal Declaration of 1948 to the European Charter – but because it represents, in a profound sense, the recognition that every person matters. Everyone has a value that cannot be measured, sold, ignored.

Although it seems natural to talk about dignity as something that is self-evident, it becomes a vulnerable notion in the face of the cold logic of digital systems. We can rightly ask ourselves what is left of the idea of dignity when decisions concerning the life of a student, a patient or a litigant are silently taken over by a computer program. Can we talk about respecting this principle when the person concerned does not understand how he was assessed or why a certain label was applied to him? This is not an abstract issue. When a decision becomes opaque and the individual no longer understands how they were assessed, a real disconnect emerges between technology and human dignity. As demonstrated in a recent analysis of automated decision-making mechanisms, the risk lies not only in error but also in the loss of human control over processes that directly influence an individual's life[3].

In many of the new regulations – including the AI Act – dignity is frequently invoked. It appears in preambles, in lists of principles and in carefully drafted legal formulas. But, as Smuha[4] also observed, without concrete protection mechanisms, dignity risks remaining just an honourable intention, not an effective guarantee.

Some authors propose a return to the essence of the concept. Floridi and Cowls[5], for example, insist that AI must be developed not only for performance, but for the common good – an AI for Social Good. More precisely, that technology should help us without turning us into simple lines of code in a cold, automated system. In contemporary literature, dignity is closely associated with concepts such as valid consent, personal autonomy, and the right not to be reduced to a purely algorithmic social function[6]. This issue becomes particularly relevant in domains like education, justice, and healthcare, where algorithms not only support human decisions but increasingly shape or constrain them.

Moreover, dignity is deeply intertwined with the notion of moral agency—the individual's ability to act freely and consciously. AI technologies operating without transparency or meaningful contestability threaten this moral agency. As Cath et al.[7] warn, a system that prescribes behaviour based on automated profiling no longer respects individual autonomy, but turns freedom into a programmable illusion.

[3](Sarra, 2025).
[4](Smuha, 2021)
[5](Floridi & Cowls, 2022)
[6](Mantelero, 2021)
[7](Cath et al., 2020)

In the Romanian context, where many public institutions adopt digital solutions without embedded ethical governance, the risks to dignity are not merely theoretical but already manifest in citizen-state interactions. Without ethical audits and without a functioning sanctioning framework, the inviolability of dignity remains a declarative ideal rather than an enforceable safeguard.

The risks are not theoretical. In justice, education, health or social care, AI systems are already being tested or used. If we are not careful, we can quickly end up in situations where important decisions about people are made without their participation. Without them being able to ask: "Why?", "Who decided this?", "How can I challenge it?".

That's why dignity must be understood today as a barrier. As a limit that forces us to ask ourselves, before implementing a system, if it respects the person, not just their data. It's a red line that separates progress from abuse. And, ultimately, technology from humanity.

European Framework. AI Regulation and the Protection of Human Dignity

In the context of the accelerated advance of artificial intelligence technologies, the European Union felt the need for a firm regulatory intervention, which would draw clear boundaries and protect fundamental rights. It is no longer just about technological innovation, but about values: about what kind of society we want to build in a digital age. That is why, in 2024, Regulation (EU) 2024/1689 – known as the AI Act – was adopted – the first legal instrument of its kind directly applicable in all Member States.

One of the keys to reading the AI Act is the classification of AI systems according to their potential impact on essential values: personal safety, privacy, prevention of discrimination and respect for human dignity. Some applications – such as biometric surveillance, automated social assessment or predictive tools in justice – are prohibited precisely because the risks they pose cannot be reasonably justified.

In this regard, the AI Act should not be viewed merely as a technical tool, but as an effort to place technological development within a framework of accountability. The literature emphasizes that this regulation marks a paradigm shift: from a reactive approach to a preventive one, centred on risk assessment and the effective protection of fundamental rights[8].

In addition to this classification, the regulation defines strict obligations for systems considered to be "high risk". These include systems used in education, healthcare, law enforcement or justice – that is, precisely those areas where decisions have a direct and profound impact on people's lives. For these situations, the law imposes precise rules: people must be able to understand how the system works, be informed if a decision is automated and there must always be the possibility of human intervention, especially when fundamental rights may be affected.

[8](Boura, 2024).

The AI Act is not just a collection of technical rules, but expresses, in essence, a political and moral commitment: to put technology at the service of the values that define the European project. It is a declaration that digital progress cannot remain outside democratic control.

A fundamental part of this system is the need for real collaboration between member states — not as a suggestion, but as a key element for the new control and enforcement structures to really work. The AI Office will be established — a central structure at Euro-pean level — but each member state will have the responsibility to designate competent authorities at national level. Their role will be not only to supervise and sanction, but also to educate and advise public and private actors that use or develop AI.

Overall, the digitalization of public administration in Romania seems rather like an unfinished road — with well-paved sections, but also with areas left behind, where steps are either hesitant or completely missing. The idea from which this whole endeavour starts is simple and firm: human dignity is not negotiable, and no technological progress — no matter how spectacular — can justify violating this limit.

Digitalization of Justice: What We Gain and What We Risk When Algorithms Decide

In recent years, the Romanian judiciary, like other fields, has been influenced by technological dynamics, gradually entering a digitalization process that continues to raise essential questions about balance, access and transparency. Although justice is, by its nature, an institution of prudence and tradition, the pressure for efficiency, the need for transparency and the context of the COVID-19 pandemic have accelerated the digitalization of courts. More courts in Romania are now using digital solutions – from scheduling cases and sending documents online, to organizing court hearings on virtual platforms. However, effective access to these platforms is, in practice, uneven and sometimes difficult. But beyond these administrative advances, a more complex horizon is looming, in which algorithms become not just assistants, but silent actors in judicial decision-making.

A first form of automation is that of random allocation of files, regulated in Romania by art. 11 of Law no. 304/2004 on judicial organization. Although the ECRIS (Electronic Court Register Information System) information system is designed to reduce the risk of subjective allocation, the lack of real transparency regarding the code, the allocation logic and the applicable exceptions raise justified suspicions. Naturally, this development raises serious questions about the compatibility of automated decision-making with traditional safeguards of due process. Recent analyses show that, in the absence of effective oversight and transparency mechanisms, the use of artificial intelligence in the justice system can undermine the balance between efficiency and impartiality[9]. The European

[9](Sarra, 2025).

Court of Human Rights has repeatedly shown that, in the absence of a transparent and controllable mechanism for distributing cases, the impartiality of justice can be called into question, which weakens citizens' trust in the judicial act. When there are no independent audits and a clear regulation of how the allocation algorithm works, the principle of the judge ap-pointed according to the law becomes vulnerable and loses its practical consistency.

Moreover, there is an increasingly clear trend towards the use of digital tools for drafting decisions or for predictive analysis of case law. In France, the use of data on the rate of admission of appeals filed against a particular magistrate was prohibited by law (art. 33 of Law no. 2019-222), precisely to prevent a "gamification" of the act of justice. On the other hand, in Romania, the aggregation of case law was largely left to private initiatives – projects that compensated, as best they could, for the absence of a centralized public system. In the absence of ethical and legal filters, the risk that predictive algorithms will become a substitute for judicial reasoning is no longer purely hypothetical.

An obstacle not at all negligible remain inequality in regarding access to resources technology functioning justice digitized starts from a hypothesis idealistic: that all actors involved — from judges to litigants — have accession equal in technology, stable internet and to skills Digital appropriate. In practice, the situation is far from being uniform. The Report published by the CSM in 2023 shows that may more than a quarter from Romanian courts are facing with technical problems then when organize meetings in online format.

At the same time, it should be noted that neither magistrates nor clerks have benefited from systematic training in the field of judicial digitalization and artificial intelligence to date. The curriculum of the National Institute of Magistracy (INM) only recently includes modules dedicated to technology, but these are optional and often underfunded. When algorithmic mechanisms are not properly understood, technology risks being used formally, without effective oversight of how it influences courtroom decisions. As Binns[10] notes, if actors in the justice system do not understand how the technology they use works, real risks arise in terms of how they can evaluate, control or even challenge the results generated by it.

From a fundamental rights perspective, the biggest challenge remains the lack of an ex ante impact assessment. Although the AI Act provides for the obligation of testing and auditing for high-risk systems, these requirements are not yet transposed into Romanian legislation. In the case of already implemented applications (for example, the case management system or the tools for sorting repetitive requests), there is no public documentation on the impact testing on the principle of equality, privacy or effective access to a court. Thus, automation risks becoming opaque, and opacity – an obstacle to trust. Romania has started to walk the path of digital justice. It is just that the path is neither complete nor coherent, and the connection with the fundamental values of the rule of law sometimes seems too tenuous. If there are no clear rules and well-established control mechanisms, algorithms risk shifting the centre of gravity of justice – from thinking and judgment to simple automated execution. And when the

[10](Binns, 2022)

decision can no longer be under-stood or contested, we are no longer talking about justice, but about a simulacrum of it.

According to the classification introduced by the AI Act (Regulation (EU) 2024/1689), any AI system used in the administration of justice, including tools that support judicial decision-making or influence case allocation, falls under the "high-risk" category. This implies the necessity for transparency, human oversight, data quality control, and post-deployment monitoring. However, in Romania, the current ECRIS system—although not an autonomous AI—is opaque in both its architecture and operational logic, making it difficult to assess compliance with these requirements.

Compared to countries like Estonia or Austria, where pilot systems have been introduced with clear public documentation, Romania's digital justice infrastructure lacks ex-ternal audit mechanisms and real-time accountability standards. For instance, while the principle of random allocation is constitutionally enshrined, there is no independent verification of whether the algorithmic engine used in ECRIS adheres to genuine randomness or is vulnerable to manipulation.

Moreover, the absence of explainability and appealability in algorithmic decisions creates systemic risks, especially in small or under-resourced courts where a single change in allocation can influence outcomes. Without integrating AI-specific safe-guards—such as traceability logs, ethical reviews, and human override capacity—the Romanian judiciary remains exposed to silent structural biases embedded in digital tools.

Ensuring that ECRIS 5.0, currently under development, meets the AI Act's obligations for high-risk systems, should be treated as a legal and ethical priority, not just a technical upgrade. Transparency reports, stakeholder consultations, and judicial user training should accompany any implementation that touches upon fundamental rights.

Artificial Intelligence and Digitalization of Public Administration in Romania

When we talk about the digitization of the administration in Romania, the image of a modern state often comes to mind, where everything is solved quickly, online – without unnecessary roads, without queues, without lost papers. It is a beautiful image, often found in official strategies and plans. But if we descend from the pages of these documents into everyday life, things get complicated. Citizens encounter a much more varied reality: with well-intentioned but unevenly implemented initiatives, with old obstacles and solutions that do not reach everywhere.

An example often invoked is the Ghișeul.ro platform. Launched in 2011, it came as a promise of modernization – to be able to pay taxes without standing in line. And yes, in some cities it was an important step forward. It has cut red tape and made life easier for many people. But in other places, especially in communes and small towns, people still knock on the doors of institutions for a

simple certificate. Even if more people use the platform, we are far from the moment when digitization will become a natural reality, valid for everyone.

According to a recent report by the European Commission, in 2023, less than a third of public institutions in Romania had managed to provide citizens with a fully functional digital system (EC, 2023). This means that most citizens still depend on direct interactions, with physical forms, paper signatures and unnecessary scans — a circuit that preserves the bureaucratic logic of the past, only with more modern means.

Romania has no shortage of digital projects. On the contrary, it has a few initiatives, many of them supported by European funds, that show that the will to modernize exists. But profound transformation is delayed. And the obstacles are largely the same: norms that do not match each other, platforms that do not communicate and an institutional culture that is sometimes afraid of the new. As the specialized literature also notes, digitalization cannot advance in the absence of a coherent framework and a real administrative reform[11].

Digitalization does not just mean servers and applications. It also means people who know how to use them. Only 15% of local government employees have attended training courses in this field in the last three years (INS, 2023). And when we discuss integrating artificial intelligence into public services — whether for sorting requests or for automated responses — the lack of this preparation becomes a serious vulnerability.

The differences between regions are hard to ignore. In big cities, things are moving: people are getting notifications on their phones, making online payments, checking the status of their documents. In rural areas, however, "digital access" often comes down to an old computer, a weak connection, and a lot of patience. For an elderly person in a village or someone with disabilities, digitalization is still an abstract concept, not a real experience.

This imbalance generates inequalities. And if the state does not actively intervene to correct them, we risk creating a digital administration that excludes precisely the most vulnerable. As recent research in the field shows, digital inequality is rapidly becoming a fundamental rights issue[12].

There are also positive steps. One of them is the Public Services Hub project, launched through the PNRR. The goal is ambitious: to unify platforms, introduce AI, provide proactive services. If it succeeds, it could change the way people interact with the state. But for this change to be real, technology is not enough. Empathy, adaptation, and learning are needed — in short, people who understand that, behind every algorithm, there is a human destiny.

According to the 2024 edition of the Digital Economy and Society Index (DESI), Romania ranks among the last in the EU in terms of digital public services, scoring below the EU average in categories such as user-centricity, open data, and interoperability. While platforms like Ghiseul.ro or the Integrated Information System offer some degree of digitized interaction, the absence of system-wide interoperability and AI governance frameworks hinders both efficiency and trust in public administration.

[11](Matei & Săvulescu, 2022; Gil-Garcia et al., 2020).

[12](Margetts & Dorobantu, 2022; Janssen et al., 2020).

From a normative standpoint, digital governance refers not only to the use of information technologies in public institutions, but also to the legal and ethical structures that ensure transparency, accountability, and inclusion in these processes. When AI is deployed in administrative decision-making—such as in automated tax scoring, citizen profiling, or social benefit eligibility—the AI Act classifies these as high-risk uses, requiring mechanisms for contestability, explainability, and non-discrimination. From this perspective, the challenge is not merely technical, but one of governance. Regulating artificial intelligence becomes a balancing act between the need for modernization and the obligation to protect citizens from unintended or unfair consequences[13].

In Romania, however, there is no centralized register of AI-based systems used in public administration, and citizens are rarely informed about the presence or role of algorithms in administrative interactions. This creates a structural asymmetry: the state acts upon individuals via digital tools, but individuals have no legal tools to understand or oppose algorithmic decisions.

Compared to France, where the law mandates algorithmic transparency in administrative procedures (Law no. 2016-1321), or Estonia, which maintains an Algorithmic Registry, Romania remains normatively underprepared. This legal vacuum amplifies risks of digital exclusion, especially for marginalized groups lacking digital skills, access, or procedural literacy.

Addressing these challenges requires not only technical investment but also normative harmonization with the AI Act, through national legislation that guarantees auditability, citizen awareness, and avenues for legal redress. Without this, digital governance may unintentionally erode dignity rather than enhance public service.

Artificial Intelligence in Education: between Potential and Caution

Education, this "place" where the future is written daily with chalk on the black board of hope, has not remained immune to the wave of transformations brought by digitalization and, more recently, artificial intelligence. In Romania, the debate about introducing AI into the educational process is still at the beginning of its journey, oscillating between technological enthusiasm and pedagogical caution. And if the pandemic suddenly accelerated the transition to online education, the reality after returning to the banks reminded us how fragile the infrastructure is, how unequal access is and how necessary discernment is.

A first aspect worth discussing is how Romanian schools have adapted – or, more accurately, have been forced to adapt – to new digital tools. In 2020, with the physical closure of educational institutions, millions of students and teachers found themselves facing unfamiliar platforms, in a completely virtualized educational landscape. For some, it was an opportunity to quickly learn how Google Classroom or Zoom work. For others, especially in rural or disadvantaged areas, it was the beginning of a long silence. The so-called "online

[13](Igwe, 2024).

school" existed in theory at the national level, but in practice, thousands of students had no connection, no equipment, no support. A UNICEF study (2021) showed that approximately 1 in 4 students in Romania did not consistently participate in online lessons, citing a lack of devices, signal, or even learning space.

In this tense context, initiatives to introduce AI-based applications to support teachers have begun to emerge timidly: automatic test correction, facial expression recognition to assess student attention, generation of personalized homework. For example, in a pilot project carried out in 2021–2022 by a high school unit in Bucharest, an experimental pro-gram was used that analysed the responses of students in the final grades and proposed, in real time, remedial homework or exercises adapted to everyone's level. Although the preliminary results were encouraging (increasing performance in baccalaureate simulations by over 10% in just a few months), the project was not expanded at the national level, in part due to the lack of a coherent infrastructure and a rigorous assessment of data confidentiality.

Deeper than the technology issue, however, is the question: what kind of education do we want to build with the help of AI? If we view AI only as a tool for efficiency – less paper, fewer hours to correct – we risk losing sight of the human stakes of education: the formation of critical thinking, the cultivation of empathy, the development of creativity. However, these dimensions cannot be taught by algorithms. Can AI be an ally in learning? Of course. But it must remain an ally, not a substitute.

Another sensitive aspect is that of access inequalities. In 2023, a report by the Ministry of Education confirmed that only 37% of schools in Romania have staff with digital skills above the basic level, and 48% of students do not have constant access to an individual work device. The introduction of AI in these conditions risks deepening the discrepancies, creating a "two-speed" school: an urban, high-performance one, where smart applications support the educational process, and a rural one, where the lack of resources condemns students to a "copy from the blackboard" type system.

On the other hand, it is necessary to recognize that Romanian teachers were not pre-pared for this transition. Many of them learned to use digital platforms "on the fly", without a coherent national training strategy. Digital skills courses organized through European funds or PNRR remain, most of the time, optional and without immediate practical applicability. Without real support, AI becomes an unequal tool, from which some can benefit, while others do not even understand it.

Finally, an essential question concerns the protection of student and teacher data. Many edtech applications – including those that integrate AI – collect sensitive data, such as student activity, cognitive preferences or even emotional reactions. In the absence of clear regulations and a specialized supervisory authority in the educational area, this in-formation can be stored or used without consent, with risks that are difficult to anticipate. Romania does not currently have a legal framework adapted to the use of AI in education, and this regulatory vacuum leaves room for abuses

Overall, AI in education can bring real progress – personalization of learning, ad-ministrative efficiency, prediction of learning difficulties. But for these benefits not to turn into new forms of exclusion, we need four fundamental conditions: (1) continuous training of teachers, (2) investment in rural digital infrastructure, (3) clear regulations on data protection and (4) involvement of students and parents in decisions on digitalization.

Education is not a testing ground for technologies. It is, above all, a space of the human. Artificial intelligence can help the school, but it must not redefine it. And the lesson of the pandemic has shown us clearly: without equity, without dialogue and without respect for the role of the teacher, no platform, no matter how "smart" it may be, will succeed in educating a society.

While Romania has witnessed a surge in digital education tools during the COVID-19 pandemic, the integration of AI-powered systems remains fragmented and largely unregulated. Tools such as automated grading platforms, chatbots for administrative support, and adaptive learning environments are occasionally introduced, but with-out clear normative frameworks or consistent ethical oversight.

According to the AI Act, educational applications that significantly affect the learning process, student evaluation, or access to academic services fall under the high-risk cate-gory (Annex III, point 3). As such, any algorithm that personalizes content, assesses student behaviour, or recommends curricular paths must comply with strict requirements on data quality, human oversight, and non-discrimination.

In Romania, however, the use of such tools is left to the discretion of schools or private providers. Students and parents are rarely informed about how their data is used, how decisions are made, or whether human intervention is possible. This raises funda-mental concerns about informed consent, equal treatment, and the dignity of learners, especially in rural areas or among digitally vulnerable groups.

By contrast, countries like Italy have initiated national debates and policy papers on AI in education, emphasizing ethical safeguards and legal compliance.

Romania lacks both a strategic vision and an institutional framework to assess the impact of AI on learning. Without this, digital education may deepen existing inequalities and reduce students to behavioural data points—eroding their autonomy and right to holistic education.

The discussion on the regulation of artificial intelligence in Romania is no longer just a theoretical exercise, but a practical urgency. Although the European framework (including the AI Act) provides clear directions, transposing these guidelines into a national context is not a mechanical operation. It involves a deep understanding of institutional realities, structural vulnerabilities and, above all, administrative limits.

Romania is today in a paradoxical position: on the one hand, it is a member of a European bloc that regulates among the most advanced technological fields; on the other hand, many of the domestic institutions are still caught up in bureaucratic dynamics, with slow procedures and often without real technical capacity. That is precisely why, normative proposals on AI must start from a

simple but essential principle: regulation is not about technology, but about people.

A first necessary direction aims at creating an independent national structure for monitoring artificial intelligence systems. This institution should have supervisory, advisory and intervention powers in cases of systemic risk – like the existing models for data protection (ANSPDCP) or for competition (Competition Council). Unlike these, how-ever, the authority for AI would have a transdisciplinary profile, including specialists in law, ethics, technology, but also representatives of civil society.

Secondly, regulation should consider the gradual and adaptive nature of technological development. Proposing rigid, universalist legislation, with provisions that are difficult to update, risks quickly becoming outdated. Therefore, a viable solution would be to adopt flexible framework legislation, accompanied by good practice guides developed periodically, with the participation of the actors involved (public institutions, academia, NGOs, private sector). In this way, regulation could evolve in step with reality, without remaining stuck in fixed definitions or technocratic metaphors.

A concrete example of this would be the introduction of minimum obligations for all public authorities using AI systems: the obligation to publish the description of the algorithm used (where possible without infringing intellectual property rights), to carry out impact assessments on fundamental rights and to ensure human intervention in all automated decisions that adversely affect a person. These requirements – inspired by the AI Act – could be detailed through ministerial orders or government decisions, without the need for major legislative amendments.

Another proposal, this time of an educational and ethical nature, aims to introduce a mandatory component of digital and algorithmic literacy in professional training pro-grams in administration, justice, education and health. Recent studies show that only 15% of employees in local public administration have attended relevant courses in recent years[14]. Without a minimum basis of understanding how algorithms work, the risks of discrimination, decisional opacity or systemic error increase exponentially. Technological literacy should be complemented by training in the field of AI ethics, with a focus on respecting human dignity, protecting minorities and avoiding automatic stereotypes.

Regarding the protection of vulnerable categories, special attention is needed in the regulation of AI applications used in sensitive areas such as education, social assistance or employment. For example, any algorithm that decides or influences the granting of a social benefit should be subject to a double assessment: technical (regarding its accuracy and robustness) and social (regarding the possible reproduction of pre-existing inequalities). This avoids technology becoming just a “cold mirror” of already existing discriminations.

In the medium term, Romania could adopt a “regulatory sandbox” model for re-sponsible innovation. This mechanism – already tested in other European countries – al-lows for the controlled testing of AI solutions in a flexible but supervised legal framework. The advantage is twofold: innovation is not blocked

[14](INS, 2023)

by rigid regulations, and the state actively learns about risks and good practices. Such a sandbox could operate under the aegis of an ARACIS-type institution for digital education or in partnership with academia and technology incubators.

Finally, it is essential that AI regulation in Romania includes clear mechanisms for transparency and public participation. The experience of recent years – in which many digital policies were adopted in the absence of a real dialogue with civil society – shows how easily citizens can lose trust in technological solutions. Therefore, any draft regulatory act on AI should be subject to a genuine public debate, accompanied by impact analyses and intersectoral consultations. Not only experts must have a say, but also those directly affected by these technologies: teachers, students, civil servants, beneficiaries of public services, people with disabilities.

In conclusion, the regulation of artificial intelligence in Romania should not be a purely technological approach, nor a simple formal alignment with EU standards. It is, rather, an opportunity to redefine the social contract in a digital age. If AI is the mirror of a society, then the quality of its regulation will reflect not only the technological maturity of the state, but also its democratic maturity. And Romania has, precisely here, the chance to become not just a beneficiary, but a regional model of ethical, responsible and inclusive regulation of new technologies. Inevitably, the regulation of AI in Romania must be viewed in the context of an administrative culture of responsibility and prudence. It is not enough to import European mechanisms; they must be calibrated, internalized and adapted. Therefore, a national strategy on AI and human dignity is needed, developed with the active participation of all relevant actors. This should contain: clear objectives, evaluation indicators, sectoral plans (education, justice, health, administration), a realistic implementation calendar and sanction mechanisms in case of non-compliance with the rules.

An important lesson comes from the recent health crisis, when the lack of transparency in automated decisions generated distrust, protests and errors that are difficult to correct. That is precisely why the precautionary principle must guide any national initiative regarding AI. In its absence, an imbalance is created between technological efficiency and the protection of fundamental values.

In conclusion, Romania is not starting from scratch. There are isolated experiences, academic expertise, civic initiatives and positive pressure from the EU. But for AI regulation to not remain just a conference topic, institutional courage, democratic responsibility and a human-centred vision are needed. Technology is a means, human dignity must remain the goal.

Transposition of the AI Act in Romania – challenges and solutions

The adoption of the AI Act by the European Union has brought to the forefront a topic that until recently seemed strictly reserved for the sphere of technology: the regulation of algorithms in the name of human dignity. For Romania, this stage is not just a bureaucratic obligation, but an invitation to reflection – about how we want the state to function, about what kind of trust we

still have in institutions and, finally, about how to build a culture of digital responsibility.

Although, in theory, the AI Act applies directly to all member states, practice shows us that each country has its own path to follow. For Romania, the challenge is not only about the legal framework, but also about the capacity of the administrative system to understand, assimilate and apply the new rules. More precisely, to transform them from abstract provisions into coherent public policies and functional institutional mechanisms[15].

In this regard, it becomes urgent to establish a national authority competent in the field of AI – an independent body, with supervisory, advisory and sanctioning powers, in constant dialogue with the European AI Committee. For now, Romania is in an area of ambiguity, where powers are still being discussed between institutions, and real public consultations are delayed.

Another essential requirement provided for by the AI Act is the identification and registration of AI systems in use, especially those classified as high-risk. However, in Ro-mania, there is still no public record or transparent registry of AI applications used in sensitive sectors – education, health, justice, law enforcement.

This opacity can generate serious consequences. In the absence of clear reporting standards and an authority capable of verifying implementation, there is a risk of using insufficiently tested systems, with discriminatory or arbitrary effects[16].

In fact, even the European Commission warned that effective oversight requires real administrative capacity and a solid procedural framework[17].

The effective transposition of the AI Act in Romania will depend not only on political will, but also on the institutional readiness and legislative alignment of key public authorities. As of September 2025, Romania has not designated a national supervisory authority under Article 59 of the AI Act, nor has it established a centralized registry for high-risk systems, as required by Article 60.

The lack of inter-institutional coordination between ministries, the absence of a permanent AI ethics committee, and the limited awareness within the judiciary and public administration pose significant barriers to compliance. While countries like Germany or Denmark have already appointed dedicated AI regulatory bodies, Romania relies on fragmented initiatives, often pilot-based and underfunded.

Furthermore, Romanian legislation does not yet contain explicit provisions on AI conformity assessment, human oversight protocols, or risk categorization, which are central to Articles 6–10 of the AI Act. This legislative vacuum creates the risk of de facto non-implementation or overreliance on private actors for compliance management.

In light of these challenges, Romania should adopt an AI Implementation Roadmap, including:

[15](Veale & Borgesius, 2021)
[16](AlgorithmWatch, 2022).
[17](European Commission, 2021).

- the legal designation of a national AI supervisory authority;
- the creation of an interdisciplinary task force including technologists, legal scholars, and civil society;
- integration of ex-ante conformity assessment mechanisms in public procurement and digital strategy documents;
- mandatory training modules for judges, civil servants, and education administrators regarding high-risk AI usage.

Transposition should not be treated as a mere bureaucratic step but as a democratic obligation to align technological governance with fundamental rights. Failure to operationalize the AI Act could undermine both the rule of law and public trust in digital institutions.

Beyond legal harmonization, the success of the AI Act's implementation in Romania also depends on embedding participatory ethics into the regulatory process. This involves more than public consultations or post-facto reporting. It requires creating inclusive mechanisms through which stakeholders—academics, civil society organizations, judges, educators, and marginalized communities—can shape both the interpretation and enforcement of AI rules. Ethical oversight should not be limited to technical audits or legal reviews, but should include democratic deliberation on what kinds of AI are acceptable in public life and under what conditions.

Participatory ethics offers a way to reconnect legal transposition with social legitimacy. It helps bridge the gap between formal compliance and actual public trust. In countries like Finland or the Netherlands, institutionalized models of participatory governance in AI policy have improved transparency, ensured value alignment, and minimized top-down technocratic impositions. Romania could adopt similar approaches by establishing local and national AI ethics panels, ensuring that transposition is not just administratively efficient, but normatively grounded and publicly accountable.

From digital literacy to audit Algorithms

Perhaps the biggest challenge is a silent one: the lack of training. The AI Act requires a minimum level of technological literacy not only among developers, but also among the institutions that will apply the law – civil servants, lawyers, auditors, magistrates. Now, Romania does not have a network of trainers in the field of applied AI and there is not even a unified curriculum in this regard.

In parallel, it is necessary to develop a market of independent auditors, capable of assessing the compliance of systems with the AI Act. This requires interdisciplinary collaborations between technical and legal universities, but also recognizing the need to learn together: technology without law becomes opaque, and law without technology risks be-coming ineffective[18].

[18](Wachter, Mittelstadt & Russell, 2021).

Lessons from the pandemic and the need for an adapted model

A relevant experience for Romania is provided by the pandemic period, when some school inspectorates implemented – with mixed results – semi-automated homework assessment systems or online tests. Although it was not AI in the sense regulated by the AI Act, the reactions generated – from enthusiasm to distrust – revealed an essential fact: technology cannot be imposed in a social vacuum. Any implementation must be preceded by dialogue, testing, explanation and, above all, assumption.

This lesson should be systematically applied in the transposition of the AI Act as well. There is no single recipe, but there is a clear direction: regulation must be anchored in the local context, consider the real needs of citizens and existing institutional capacities.

Strategic directions and concrete steps

To ensure that transposition does not remain a formal exercise, Romania should adopt several concrete measures:

- Urgently establish an independent national authority for AI oversight;
- Create a national register of AI systems used in administration and essential sectors;
- Develop clear guidelines for the classification and compliance of high-risk systems;
- Introduce mandatory AI training for relevant staff in administration, education, health, and justice;
- Launch pilot projects, in partnership with universities, for ethical testing and auditing of algorithmic systems.

All these measures require not only resources, but also political will and an institutional culture that values transparency, accountability and the protection of fundamental rights.

Romania now has a rare chance: to build, from the ground up, a model of algorithmic governance in which technology serves dignity, not obscures it. The transposition of the AI Act is not about the future of technology, but about the present of responsibility. And in a world where algorithms make decisions that concern us all, what matters most is not the speed with which we regulate, but the wisdom with which we do it.

Vulnerable groups and systemic risks

Digitalization is neither good nor bad. It all depends on the context, the implementation, and, above all, the people who design or apply it. But what sometimes goes unnoticed — perhaps because it happens on the fringes of public attention — is the fact that this technological transition does not affect us all in

the same way. For those who are already socially advantaged, AI can be a resource; for the vulnerable, it can become an unfair filter, a source of exclusion.

A lucid analysis of the impact of artificial intelligence must start precisely from this asymmetry. A child with locomotor disabilities who lives in the village will not benefit from the same technological advantages as an urban student connected to the digital infrastructure. Likewise, an elderly person who does not use the internet can be practically excluded from automated administrative procedures.

Virginia Eubanks[19], in her landmark work Automating Inequality, talks about what she calls the "coding of inequality": the way in which automated systems—be they selection, assessment, or monitoring algorithms—take on and amplify already existing social imbalances. What seems like a neutral tool is, in fact, a reflection of structural biases in society.

Take, for example, systems that automatically analyse applications for social assistance or school scholarships. While the intention may be to streamline the process, algorithms trained on historical data tend to reproduce discriminatory patterns: families from disadvantaged backgrounds are more often marked as "at risk" not because their situation has changed, but because the system has repeatedly labelled them as such. This type of "digital profiling" can lead to automatic exclusions, without any real mechanism for contesting.

AI has remarkable potential in areas such as justice or health, but precisely where the human stakes are the highest, it must be applied with the utmost caution. Recent studies[20] draw attention to systemic risks: the lack of transparency of algorithmic decisions, the inability of citizens to understand or challenge automated assessments, the lack of mechanisms adapted for people with special needs.

A concrete example, which occurred during the pandemic, is the use of online education platforms without adaptations for students with visual or hearing impairments. Although some platforms allowed the insertion of subtitles or the voice conversion of texts, these functions were not activated or explained to teachers. The result: hundreds of children were practically excluded from the educational process. Interventions by NGOs were needed to partially remedy these deficiencies.

This case is symptomatic. Digital inequalities are not just a matter of connectivity or endowments, but of inclusive thinking. When AI systems are designed in offices isolated from social reality, they tend to serve those who created them rather than those who need them most. That is why any discussion about regulation must start from the premise of fairness.

The European Union recognizes these challenges in the AI Act, which imposes additional obligations on systems used in education, justice or the allocation of social benefits (art. 5 and 6). These are classified as "high-risk systems" precisely because they affect fundamental rights. Therefore, member states must establish ethical assessment, independent audit and public consultation procedures before introducing such technological solutions.

[19](Eubanks, 2018)

[20](Eubanks, 2018; Barocas et al., 2019)

However, transposing these rules in a country like Romania involves more than legislative changes. It involves a change in mentality: from the logic of efficiency to the logic of inclusion. It is not just about having transparent algorithms, but constantly asking our-selves: "Who will be left out?". Without this question, AI risks becoming a tool of the powerful, not a lever for social justice.

Monitoring tools and ethical auditing: who watches over the algorithms?

When technology begins to play an increasingly visible role in the life of the citizen — from the digital medical record to the automated evaluation of requests in the administration — the question naturally arises: who is watching? Who is watching? Who is making sure that algorithms do not become, from helping tools, blind mechanisms that forget the human being?

European experience shows us that it is not enough for a system to be "technically correct". In real life, an apparently neutral decision can produce profound injustices, especially when it ignores the nuances — the context, the vulnerabilities, the exceptions that do not fit into a formula. That is why more voices are speaking about the need for constant supervision, not only at the beginning of the process, but throughout the life of a digital system.

This "ethical vigilance", as Floridi and his collaborators[21] call it, requires an interdisciplinary approach, in which engineers, lawyers, sociologists and citizens work together. It is not about putting a brake on innovation, but about accompanying it with a simple but essential question: who benefits from this technology?

A relevant example comes from the initiatives of the AlgorithmWatch organization, which proposes participatory public audit models for algorithmic systems used in administration. Such assessments — made not only by technical specialists, but also by communities directly affected — offer a more complete picture of the real impact of the technology[22]. In fact, the European AI Act provides, in articles 61–68, clear obligations for the audit of high-risk systems, but emphasizes transparency and the involvement of social actors.

In Romania, such mechanisms are still in their infancy. We have norms, we have institutions with general responsibilities, but the framework that allows them to have a real dialogue with the citizen is often missing. Models such as "Ethics Review Boards" — in-dependent committees, made up of specialists from several fields — could be adapted to us, especially for the evaluation of AI systems used in education, health or justice[23].

Finally, public trust is not earned only by respecting standards. It is built over time, through transparency, honesty and the ability to correct mistakes. And this means that monitoring AI cannot be the task of a single actor. It is a shared responsibility — of institutions, research, the press and, above all, civil society.

[21](Floridi, et.alli, 2018)
[22](AlgorithmWatch, 2023).
[23](Cowls & Floridi, 2022).

The role of universities and research in shaping an ethical culture in AI

In an era where algorithms increasingly shape reality, universities are becoming, perhaps without explicitly proposing to do so, points of balance between technological enthusiasm and the need for ethical discernment. It's not just about departments, but about communities that think critically, build character, and ask questions before providing answers.

On the one hand, universities have the obvious responsibility of training specialists in the field of artificial intelligence — engineers, programmers, analysts. But their mission does not stop there. Beyond technical training, the university is — or should be — a space for reflection on consequences. What does it mean to design a system that decides who gets a loan, who gets into university, or who is more closely monitored in a smart city?

This is where the need to form a transdisciplinary ethical culture comes in. A culture that is not limited to modules of "technology ethics" checked off in study programs, but becomes a living practice, integrated into the way of thinking and working of future professionals. This objective requires collaboration between faculties of computer science, philosophy, law, sociology or political science. Only in this way can we hope that the future will be designed not only by competent people, but also by conscious people.

Moreover, universities can play a key role in developing and testing ethical standards. Projects such as AI4People[24] or proposals for multidisciplinary ethics committees[25] show that academia has not only ideas but also structures of thought that can directly contribute to algorithmic governance.

Universities also have a "democratic watchdog" function. Through research, they can bring to light issues ignored by industry or policymakers. For example, research pro-jects on the impact of AI on automated discrimination[26] or on unequal access to technology in education[27] not only document realities, but also give ethical meaning to data.

There is another essential, though often overlooked, role: that of a space in which young voices can express themselves freely, without fear of sanction or ridicule. The university is perhaps the last place where the question "should we do this?" takes precedence over the question "can we do this?" And this nuance is crucial in a field where the technological "possible" advances at a speed that often outpaces ethical reflection.

In conclusion, whether AI will become a liberating or constraining force depends largely on what happens today in seminar rooms, research projects, or student clubs. Where not only professionals, but also citizens are being trained.

[24](Floridi et al., 2018)
[25](Cowls & Floridi, 2022)
[26](Stahl, 2021)
[27](Eubanks, 2018)

Ethics of dialogue: how to build trust in digital governance

In a landscape marked by the speed of innovation and the increasingly pronounced impact of emerging technologies on everyday life, the idea of "participatory ethics" be-comes not only an attractive theoretical formula, but a practical necessity. Artificial intelligence does not develop in a technological vacuum, but amid our societies, influencing choices, behaviour patterns and decision-making processes. In this context, the exclusion of citizens from the process of ethical reflection and decision is equivalent to a subtle form of democratic alienation.

Participatory ethics involves more than symbolic consultations or online questionnaires. It is a real deliberative process, in which citizens' voices – with their anxieties, aspirations and intuitions – become part of the regulatory framework and moral architecture that governs technology. This model of participation is rooted in the deliberative philosophy of democracy[28], but also in recent initiatives linking technological governance to public co-creation processes[29]

The European Union, through its approaches to the AI Act, implicitly recognizes the role of civic participation, promoting the "human-centric AI" principle and encouraging stakeholder involvement in the testing, validation, and monitoring stages of algorithmic systems[30]. However, the effective involvement of citizens remains, for the time being, limited to some spaces for consultation or national piloting. In Romania, for example, until 2024, there was no broad public consultation on the use of AI in public administration or education – areas where algorithms are already present.

When decisions that influence people's lives—such as who gets welfare, which students get scholarships, or how school materials are chosen—are made by systems that no one understands well, and without asking those directly affected, mistrust arises. We are no longer just talking about rules or efficiency, but about how fair everything is and the need to be heard. Several studies show what many already feel: without clear control by citizens, artificial intelligence no longer seems like a technology that helps, but one that controls, from the shadows, in a cold and unfair way[31].

Participatory ethics is not just about being informed. It means having places where people can speak openly, platforms to have their say, and real collaborations between those who create the systems, authorities and vulnerable communities. Finland offers us a good example: through the AuroraAI project, citizens have been actively involved, through workshops and open consultations, in the development of public services based on artificial intelligence[32]. Such initiatives can also be put into practice in Romania, especially in large digitization projects financed by the PNRR.

[28](Habermas, 1996)
[29](Cath, 2018; Fiorino, 1990).
[30](Floridi et al., 2018).
[31](Zuboff, 2019; Aït-Bouziad et al., 2023).
[32](Pihlajamaa et al., 2020).

At the same time, it is essential that participatory ethics are supported by a coherent institutional infrastructure. It is not enough for civil society to be "invited" to the table; Her voice needs to matter. This involves, on the one hand, the formation of multidisciplinary advisory committees and, on the other hand, the development of performance indicators that reflect not only technological efficiency, but also the satisfaction and ethical perception of beneficiaries.

Finally, we cannot talk about a fair regulation of artificial intelligence without an ethical process anchored in social reality. Participatory ethics is not a "normative luxury", but a condition of democratic sustainability. In an age where algorithms can decide who gets social housing or a merit grant, the voices of those affected cannot be treated as back-ground noise. On the contrary, they must be transformed into benchmarks for building responsible and inclusive governance.

Dignity – the line that must not be crossed

There are concepts that no technology, no matter how sophisticated, should question. Human dignity is one of them. It is not just a solemn formulation in European treaties or an abstract principle of constitutional law. It is that compass that helps us distinguish between what is technologically possible and what is humanly acceptable.

The development of artificial intelligence has forced us to reopen essential questions: What does it mean to be human in a world where decisions can be automated? Where does efficiency end and invasion begin? How far can we go without losing sight of the person behind the data, the citizen behind the interface, the student behind the algorithm?

In this context, dignity becomes the ultimate validation criterion. Not technical performance, not speed of execution, not cost reduction. If an AI system humiliates, excludes, discriminates or transforms a human into a simple processing object, it violates a principle that is not negotiable.

In European philosophy, dignity is, moreover, the cornerstone of fundamental rights[33]. It is not granted or earned, but is recognized as a given – to everyone, regardless of status, training or context. That is precisely why the Charter of Fundamental Rights of the European Union places it at its centre, as the foundation of freedom, equality and solidarity.

But it is precisely this centrality that makes dignity a difficult notion to integrate into AI architecture. Because dignity requires interpretation, empathy, context – that is, exactly what algorithms often lack. How do we assess, for example, whether an automated decision affects a person's dignity? How do we ensure that AI "sees" not only patterns, but also people?

The European Union has tried to answer these questions through the AI Act, introducing risk criteria and guiding principles[34]. But the law, no matter how

[33](Habermas, 1996; Beyleveld & Brownsword, 2001).
[34](Veale & Zuiderveen Borgesius, 2021).

well formulated, cannot replace moral responsibility. And this responsibility lies primarily with those who design, implement and decide on the use of AI.

In Romania, the theme of dignity in relation to AI is still at the beginning of its journey. Public discussions focus mainly on efficiency, digitalization and funds. But between an online form and an algorithm that decides whether a child is entitled to a scholarship, there is a difference of nature, not just of degree. Any use of AI that can influence a person's life must be subjected to a test of dignity: does it respect the person or reduce them to a score?

The solutions are not simple, but they are possible. We can introduce ethical assessments before the launch of AI systems, with the direct involvement of those targeted. We can impose the obligation of independent auditing for high-risk systems[35].We can demand real transparency, not only through documents, but also through accessible and easy-to-understand interfaces. And, above all, we can learn from the mistakes of others – from cases where AI has perpetuated discrimination, amplified inequalities or silently crossed the red line.

We may never be able to define exhaustively what it means to respect human dignity in the age of algorithms. But it is precisely this uncertainty that compels us to be cautious. We cannot let this line be drawn exclusively by engineers, lawyers or bureaucrats. It must be drawn together, with lucidity, empathy and a deep understanding of the fact that every regulation, every decision and every omitted question leaves a mark on reality.

Ultimately, perhaps this is the real stake of AI regulation: not just to prevent abuses or protect the market, but to preserve what makes us human – the ability to see each other not as variables, but as beings worthy of respect, obedience and care.

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[35](Wachter et al., 2021).

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