

## REVIEWS AND ANNOTATIONS

### Prague Law Working Papers Series No II/2025 – New issue of Charles University in Prague Faculty of Law Research Papers

The new issue of Prague Law Faculty's open-source electronic periodical offers a set of working papers on various topics. The following provides a general outline of their content. Their full versions can be downloaded free of charge from <<https://www.prf.cuni.cz/en/prague-law-working-papers-series/2025ii>>.

**Štěpán Pastorek** wrote a paper titled: **Selected Issues of Settlement of Foreign Investors in the Light of the Legal Regulation of the Residence of Foreigners on the Territory of the Czech Republic**. His article focuses on selected issues related to the migration of foreign workers to the Czech Republic and European Union in general. It deals with questions that are repeatedly encountered by foreign investors and builds on discussions that were held with partners from National Chengchi University from Taiwan within the Supply Chain Resilience Center project. The area of employment and residence of foreigners on the territory of the Czech Republic is in the paper examined mainly from the point of view of the European Union directives, which on the one hand allow states to limit the number of incoming foreigners on the basis of the possibility of introducing a quota system, but on the other hand also support labour migration and the possibility of performing work of settled foreigners in other EU Member States at the level of providing services by posted workers.

**Natalie Tůmová** called her contribution: **Instrumentalizing Privacy? Lessons from the Recent Apple ATT Case**. Her paper thus examines the recent decision of the French Competition Authority concerning Apple's App Tracking Transparency (ATT) framework from 31 March 2025, in which the authority imposed a fine on Apple for abuse of dominance. It focuses on the authority's reasoning, particularly how it assessed Apple's invocation of privacy objectives in light of its dominant position. The analysis explores whether, and to what extent, data protection goals can justify anti-competitive effects under Article 102 TFEU and considers the implications of the case for the evolving intersection between competition law and data privacy.

**Jakub Hlista** dedicated his paper to the issue of **Regional Autonomous Taxation -A Look Back at the CJEU's Case-Law Shaping the Criterion of Geographical Selectivity**. His article examines the evolution of the concept of geographical selectivity in EU State aid law, particularly in the context of taxation. It focuses on the development and application of the sufficient autonomy test as established by the CJEU in the landmark Azores judgment and further refined in the UGT-Rioja and Gibraltar cases. The article begins by outlining the challenges posed by regional tax measures that may confer selective advantages. The article then analyses how the three criteria of the sufficient autonomy test were applied in the Azores, UGT-Rioja and Gibraltar cases. The article concludes that while the sufficient autonomy test provides a structured approach to assessing geographical tax selectivity, it does not completely eliminate legal uncertainty. Ambiguities remain, especially in interpreting the autonomy criteria and their application in diverse constitutional contexts. Nonetheless, the test represents a pragmatic compromise between the EU's objective of preventing distortions of competition and the Member States' fiscal sovereignty.

**Barbora Havlíková** treated in her contribution **Human Dignity and the Human Genome: Do Genomic Interventions Undermine Human Dignity?** Biotechnological advancements raise, as she stresses, fundamental questions about the essence of the human being. Her article therefore examines the relationship between human dignity and the human genome, focusing on whether interventions in the human genome, in general, are incompatible with human dignity. International

and European instruments, such as the Oviedo Convention and the UNESCO Declaration on the Human Genome and Human Rights, place the genome under special protection, often invoking human dignity as justification. The article argues that while the genome plays a role in shaping individual identity, it is not a prerequisite for human dignity. The connection between the human genome and human dignity gives rise to an expanded notion of dignity - one that emphasizes respect, solidarity, and shared responsibility toward humanity and future generations. Human dignity may thus impose limits on certain genomic interventions. However, interventions in the human genome are not inherently contrary to human dignity.

Václav Šmejkal\*

---

\* Associate Professor, JUDr. Václav Šmejkal, Ph.D., Faculty of Law, Charles University, Prague, Czech Republic and Škoda Auto University Research Center, Czech Republic. ORCID: 0000-0003-1403-9494.