

## CHARTING THE COURSE TOWARDS A NEW LEGAL FRAMEWORK FOR SMART CITIES

Faculty of Law, Charles University Prague, 11<sup>th</sup> October 2024

The formation of «smart municipalities» or «smart cities» has recently triggered the attention of administrative law scholars in Europe. The term «smart cities» is polysemic. One may understand it as a city of knowledge, a digital city, a cyber city, or an eco-city aimed at the future. A «smart city» constantly monitors the most important infrastructure facilities to allocate resources and guarantee optimal safety.<sup>1</sup>

Establishing a legal framework that will enable the smooth deployment of «smart cities» represents a considerable challenge in various European jurisdictions. That is why a round table on the topic «Charting the course towards a new legal framework for smart cities» was organised as part of the European University Alliance 4 EU+.<sup>2</sup>

The purpose of the round table was to discuss the main directions for planning a new legal framework for smart cities and the features of digitalisation in European cities.

**Professor Jakub Handrlica** (Charles University in Prague), the principal investigator of this 4 EU+ project, opened the round table with an introductory speech in which he briefly discussed the course of the round table, which will reveal the main trends and legal issues in the field of smart cities.

The first panel, entitled *Actual legal challenges for deployment of smart cities* was opened by **Professor Julio Ponce Solé** (University of Barcelona) by his presentation entitled *Artificial Intelligence, Urban Planning and the Right to Housing in Smart Cities*. This speech was devoted to the advantages and risks of AI. In particular, he drew attention to the possible large-scale consequences of AI in the planning of smart cities and discrimination in the rental market. In addition, he continued the lively discussion about the legal limitations of AI in smart cities through the use of «humanity reserve».

The topic *Energy Communities for Smart Cities: a Challenge for the EU Administrative Law (the Czech perspective)* was opened by **Lucie Vosečková** (Charles University in Prague). Lucie paid attention to the legal regulation of Energy Communities for Smart Cities in the Czech Republic. She emphasised the importance of renewable energy communities, their primary forms and their proximity to energy projects.

The following speakers were **Alessia Monica and Leonardo Scuto** (University of Milan), who dedicated their lecture *Energy Communities for smart cities: A Challenge to EU Administrative Law (Italian perspective)* to (a) information about the Energy Communities in the legal framework of the EU as the driving force of the energy transition and also highlighted the ways to combat the extreme climate situation, (b) the legal regulation of renewable energy communities in Italy and administrative cooperation in the EU and member states.

*The presentation of the Venice Network on Smart Cities and Digital Administration* was given by **Professor Gherardo Carullo** (University of Milan). The professor revealed the need to introduce networks into the public life of the city, digitise public administration and update the method of data collection to a digital format. In addition, he concluded by focusing on digitalisation as an opportunity, emphasises society's readiness for change and considers AI as one of the best ways to work with data.

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<sup>1</sup> SCHWAB, K. Shaping the Fourth Industrial Revolution. World Economic Forum. 2018. at p. 274.

<sup>2</sup> <https://4euplus.eu/4eu-1.html>

The final speech of the first panel was a presentation by **Professor Richard Pomahač** (Charles University in Prague), who reported on *Privacy in Smart Cities*. He shared his experience on the «Singapore case» for the introduction of a smart city and raised the important question of how to establish trust between people and smart cities.

The second panel of the round table was devoted to *Smart cities in Europe today and tomorrow*. **Marc-Olivier Busslinger** (University of Geneva) introduced this panel with his lecture on *Smart cities in Switzerland: a new field of tension between the central state and local autonomy created by digitisation*. In his speech, Marc-Olivier paid special attention to the classification of smart city projects in Switzerland, the problem of online identification, and automated decision-making in local government legislation.

The round table continued with a speech entitled “*Smart Cities in Sweden*,” presented by **Professor Henrik Wenander** (Lund University). He drew the attention of those present to the definition of a smart city and its development at the local and regional levels. He shared the successes of electronic government in Sweden. The professor also focused on the limitation of automation in municipal councils and the issue of administrative policy.

Later, **Corso Tozzi Martelli** (University of Milan) discussed about *Smart cities and digitalisation in Italy*. He reported on the role of digitisation in public administration, the path of smart communities to smart cities and the example of the municipality of Trento. Furthermore, he emphasised the importance of a balance between digital innovation and citizens’ rights.

**Liliia Serhiichuk** (Charles University in Prague) revealed the topic of *Smart City Kyiv*. She briefly outlined the city’s development during the war and online services that help citizens manage their data and receive government services easily and quickly in these conditions by using the «Diia» and «Kyiv Digital» applications. She also drew attention to the main challenges currently facing the state during the digitisation of its services.

**Christopher De La Cruz** (Charles University in Prague) spoke about Smart City Prague. He presented the central concept of Smart City Prague 2030, 6 critical directions for the city’s future development, and projects that the citizens are currently using.

The panel ended with the report presented by **Alice Nováková** (Charles University in Prague). In her presentation, *Smart City Thessaloniki*, she briefly explained the features of the city, revealed the essence of the Horizon Europe (EU Mission: Climate Neutral and Smart Cities) and Tilos projects, shared the main consequences of digitalisation that the residents currently enjoy and the challenges the city currently faces in this area.

The round table clearly demonstrated that new technologies are a fruitful direction for research in administrative law. Therefore, scientists from all participating universities believe that this topic warrants further research and even deeper study at the following round tables and conferences.

Having said this, the research team based at the Faculty of Law wants to express thanks to Charles University for its support of the project *charting the course towards a new legal framework for smart cities* through the European University Alliance.

Written versions of the presentations will be published in CERIDAP – the journal published by the *Centro di Ricerca Interdisciplinare sul Diritto delle Amministrazioni Pubbliche* at the University of Milan.

Liliia Serhiichuk\*

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\* Liliia Serhiichuk, Ph.D. candidate, Department of Administrative Law and Administrative Science, Faculty of Law, Charles University in Prague. ORCID: 0009-0004-9446-6705.