

## Prague Law Working Papers Series No 1/2024 – 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/2024i>

**Heorhi Kolas** contributed a paper titled: **Cross-Border Conversions In Accordance With the Directive (EU) 2019/2121 and the Current Rules of Law of the Czech Republic**. The article deals with the regulation of cross-border conversion and seat transfers in Directive (EU) 2019/2121 of the European Parliament and of the Council of 27 November 2019 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions. It pursues two objectives: firstly, to examine the changes introduced by this directive concerning cross-border conversion and seat transfers (note that cross-border mergers and divisions will not be explored). Secondly, it aims to analyse the current state of legislation in the Czech Republic on this matter and provide a general overview of the rules and procedures governing cross-border conversion and seat transfers, whether from the Czech Republic to a foreign state or vice versa.

**Jana Soukupová** wrote a topical text called: **Virtual Property, Digital Assets, Data, Digital Content and Others – an Analysis of the Fragmented Terminology**. Her paper focuses on the terminology surrounding all what is digital and intangible and aims to clarify the meaning and similarities and differences among the selected notions. In the past decades, many similar notions describing the essentially same phenomenon appeared – virtual property, digital content, digital assets or data. However, most of these terms are not codified legal notions and as a result, their understanding in the literature differs. Various bodies, including UNIDROIT, ELI, and the UK Law Commission, have recently addressed digital assets and private law and provided their definitions of the notion. Moreover, with the upcoming EU digital legal framework, we may see attempts to codify notions such as data, digital content or cryptoassets. The goal of the paper is to analyse the understanding of the notions of digital assets, data and digital content and put them into a broader context and identify how they overlap. The main argument is that the difference between the notions is unclear which puts the legislator into a tough position when it is difficult to avoid overlapping regulation.

**Jakub Hamel** treated in his contribution **The Evolving Nature of the Vulnerability Concept in European Union Asylum Law**. He claims that vulnerability has been a cognisable concept in the Common European Asylum System since the first generation of legislative instruments were adopted but has always been surrounded by definitional uncertainties and ambiguity. This is particularly noticeable in the recast CEAS instruments, which significantly expanded the use of the term in asylum procedures. With the proposed changes to CEAS under the European Commission's New Pact on Migration and Asylum almost being finalised, his article studies the use of the term in the new legislative proposals and asks whether the issues in the use of the concept in the recast CEAS instruments have been adequately addressed. Ultimately, his article is critical of the proposed changes, which it perceives as an attempt to curb migration rather than addressing specific protection needs and vulnerability.

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