

fed with biased data.[5]

By regulating the conditions for data sharing, the EU's Data Governance Act is meant to boost data-driven innovation for the benefit of union citizens and the economy, while bridging the digital divide.[6] However, exchange of data or interoperability of digital registers – including those managed or held by different administrative bodies – may be hampered by semantic[7] and technical challenges, but also legal requirements, such as data security and data protection within and between Member States.[8] Full interoperability may violate rights and interests, e.g. where data related to health and sexual preference become accessible across public administrations or even corporations as in the *Grindr scandal*.[9]

The uneven development of digitalisation, lack of access or monitoring can also be problematic. 'Digital citizenship', to be introduced in Hungary shortly, contains all licenses and identity cards of the citizen, allows for electronic signatures, communication with public authorities and even payments. However, since the technical pace of digitalisation of features pertaining to digital citizenship vary, citizens will be unable to access the full array of digital citizenship functions. As far as accessibility is concerned, citizens lacking digital literacy, equipment, or connectivity such as the older or poorer members of the population, or minority language speakers may encounter difficulties in exercising their right to administrative services in a transformed, digital administrative environment. This may lead to disenfranchisement by having to rely on others to manage their affairs digitally, or even discrimination, for example where digitally illiterate parents cannot communicate through digital school systems, with the result that typically children with a minority background must repeat their grade.[10] Finally, remote work of administrative personnel may be monitored, possibly causing a violation of a reasonable expectation of privacy (*cf. Copland v. UK, ECHR decision of 3 April 2007, No. 62617/00*).

[5] For another algorithm-related scandal in the Netherlands, see: Sarah de Heer: A Scandal on AI in Administration, Again. Fortifying Fundamental Rights in the Age of AI. *Verfassungsblog* (25 July 2023) <https://verfassungsblog.de/a-scandal-on-ai-in-administration-again/>.

[6] Recitals (2)-(3), Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724, OJ L 152, 3.6.2022, p. 1-44.

[7] Petra Lea Láncoš, 'Linguistic challenges of interoperable registers in the context of e-government services', forthcoming in: Láncoš-Gerencsér-Balogh (eds.), *Law and Language in the Human Machine Era*, Pázmány Press (2024).

[8] see eg. Hartmut Aden, 'Interoperability Between EU Policing and Migration Databases: Risks for Privacy', *European Public Law*, Volume 26, Issue 1 (2020) pp. 93-108.

[9] Aynne Kokas, 'Grindr and the Data Corpus: Theorizing Consent in Data Localization', *Proceedings of the 55th Hawaii International Conference on System Sciences* (2022), pp. 2801-2803.

[10] Agnieszka Agata Tomaszewicz, 'The impact of digital literacy on e-government development', *Online Journal of Applied Knowledge Management A Publication of the International Institute for Applied Knowledge Management* Volume 3, Issue 2 (2015) pp. 45-53.