

EDITORIAL

We are pleased to introduce Issue 38 of the *Revista Jurídica Portucalense*, a volume that closes the most intense and ambitious year in the history of this journal. Over the course of 2025, we received more than 300 manuscript submissions, expanded our international authorship base, and continued the consolidation of our bibliometric performance: we strengthened our position in Scopus/Scimago as a Q1 journal and registered a further rise in CiteScore. These achievements are not merely indicators of visibility; they represent the collective trust of a global academic community, the tireless labour of reviewers, and the commitment of authors who choose to publish through a fully open-access model anchored in public mission and institutional responsibility.

The Scientific Research section of this issue brings together twenty-seven articles, diverse in method, jurisdiction and scope, yet united by the conviction that legal scholarship must respond to the transformations of contemporary life. Some contributions address the disruptive role of technology in administrative and corporate structures, such as *Artificial Intelligence and Administrative Discretion in Disciplinary Procedures: Between Technological Efficiency and Legal Limits* by BÁRBARA MAGALHÃES, ROSANA COSTA, and FÁTIMA MATOS, which questions whether algorithmic involvement weakens constitutional safeguards, and *Artificial Intelligence systems and compliance with ESG factors: a company law perspective* by MARISA DINIS and FILIPE D. BERNARDINO, which reflects on the tension between automation, fiduciary duties, and corporate responsibility. Digital transformation within corporate governance is also revisited through *The use of ICT in general meetings of commercial companies. A review 20 years on* by GABRIELA TAVARES and MARIA JOÃO MACHADO, showing how legal uncertainty has hindered widespread adoption of ICT-enabled assemblies despite legislative openness.

Issues of taxation, economic structure and public policy emerge in *Classified Buildings and the problem of Municipal Property Tax exemptions* by MANUEL AUGUSTO CORREIA and ANA ARROMBA DINIS, which

demonstrates the persistent conflict between taxpayers and the tax authority in implementing IMI exemptions, and in *Corporate Governance of Charities in Scotland, a case study* by JOÃO DE SOUSA ASSIS, which proposes that Portugal may benefit from a stronger regulatory model inspired by the Scottish approach to charitable trust supervision. Questions of labour and economic rights are confronted in *Analysis of the criteria for establishing the existence of an employment relationship of platform workers under the Platform Work Directive – high expectations and limited outcome?* by ALJOŠA POLAJŽAR, revealing the political fragility of recent European legislation, and in *Is Insolvency Gendered? An analysis of personal debtors' profiles in Portugal, 2011–2020* by SUSANA SANTOS, MARA VICENTE, MARIANA FRANÇA GOUVEIA, JOÃO PEDRO PINTO-FERREIRA, which demonstrates empirically that insolvency disproportionately affects women due to structural inequalities that legal neutrality fails to correct.

Geopolitical and humanitarian realities also permeate the scientific contributions. *Theoretical and Legal Characteristics of Investing in post-war Reconstruction Projects in Ukraine* by VLADYSLAV TEREMETSKYI, VOLODYMYR USTYMYENKO, OLENA KUREPINA, KSENIIA TOKARIEVA, MARIANA MALCHYK, OLEKSII FAST, VIKTOR DOVHAN, illustrates how reconstruction requires international coordination, predictable guarantees and hybrid investment frameworks. The fragility of children trapped in war emerges in *The role of international humanitarian law in ensuring children's rights in conflict zones* by YURII BUT, IRYNA CHURIKOVA, OLEKSANDRA PTASHNYK, RUSLAN BESPALENKO, IVO SVOBODA, which contrasts the normative density of IHL with its alarming implementation gap. Security concerns at the European perimeter are addressed in *Security of the Eastern Border of the European Union. The Politico-Legal Aspects* by KRZYSZTOF KACZMAREK, MIROSŁAW KARPIUK, JAROSŁAW KOSTRUBIEC arguing that supranational coordination is indispensable to withstand hybrid external threats.

Technology remains central throughout multiple other contributions. *The Impact of Biometric Technologies on the Efficiency of Terrorist Crime Investigation* by YEVHEN BONDARENKO, IVO SVOBODA, IVAN TKACHOV,

OLEKSANDR KOZENKO, VOLODYMYR VISLOVUKH examines how biometric systems accelerate investigations while exposing inequalities between States; *Business Ethics in Working Time Management: Social and Environmental Impacts* by AMPARO SERENO and TÂNIA DE JESUS situates labour-time reform within ESG frameworks; “*I don’t know where I’m going, I know I’m (not) going that way*”: *Some notes about the opportunities, challenges, and limits of artificial intelligence in the scope of administrative law* by JOÃO VILAS BOAS PINTO articulates a philosophical and constitutional imperative to ensure that administrative law retains a human reserve in the face of algorithmic pressure; and *Workers under the aegis of Artificial Intelligence: New Risks and Challenges in the Light of Data Protection* by ELISABETE SANTOS reinforces that AI-driven workplace surveillance raises acute threats to dignity and autonomy if left unregulated.

Public integrity and democratic participation are explored in *The transparency obligations of political parties under Spanish law* by ÁLVARO GONZÁLEZ-JULIANA, which exposes the paradox of political entities being formally subject to transparency law yet practically shielded from public scrutiny. Constitutional personhood is defended in *Article 26: personal identity and the free formation of personality based on gender identity* by JOÃO FERREIRA DIAS, advancing gender identity as a constitutional right implied in human dignity. Transitional justice as a catalyst for reform is considered in *Transitional Justice as an opportunity for decriminalisation of sexual and gender minorities in The Gambia* by RUI GARRIDO, while *The Hate Speech in the Portuguese Legal Order* by DAVIDE ARGOLAS interrogates proportionality in the criminalisation of offensive expression. Cross-border labour protection is mapped in *Legal Mechanisms for Protecting Migrants’ Labour Rights in Host Countries* by VOLODYMYR ARTEMOV, OLENA SIMONENKO, VITALII ZHALUBAK, OLEKSANDR MYKHAILYK, NATALIIA BORSUK, revealing that legal guarantees without enforcement remain merely aspirational.

Questions of comparative private law and litigation doctrine enter the debate through *Dissociative Identity Disorder and the Law: A Comparative Analysis of Criminal Responsibility in England and Vietnam* by DUY THUYEN

TRINH, THI CAM HA DINH and THI NGOC KIM TRAN, which exposes the inadequacy of binary criminal capacity tests in cases involving DID and calls for differentiated forensic assessment. Civil procedural fairness is examined in *The justification of the loser-pays principle in civil litigation* by ANASTASIA DOUKA, which revisits the philosophical and legal rationale for the cost-shifting rule and tests its consistency with access-to-justice guarantees. Finally, the evolving digitalisation of personal life and private-family relations is analysed in *Protection of Family Rights: National and International Legal Aspects in the Context of Digital Transformation* by LILIYA RADCHENKO, ZHANNA VASYLIEVA-SHALAMOVA, OKSANA HRABOVSKA, OKSANA ZALIZKO and OLENA ZAKHAROVA, offering a comparative view of how digital justice tools reshape marriage, parental authority, and jurisdictional coordination.

Digital identity, a structural condition of modern citizenship, is analysed in *Administrative and Legal Regulation of the Electronic Identification of Citizens* by OLEH PREDMESTNIKOV, TETYANA KAGANOVSKA, IRYNA PAKHOMOVA, ANASTASIIA OREL, KATERYNA ROHOZINNIKOVA, which compares Ukraine's fragmented regime with EU eIDAS standards. Tax-law arbitration and legal certainty arise in *The Main Issues in the Application of RFAI: a perspective on recent arbitral decisions* by ANA FERNANDES, DANIEL TABORDA and ANTÓNIO MARTINS, showing that vagueness in statutory drafting directly produces litigation. Finally, constitutional-electoral capacity is examined in *Ineligibility to hold public office following an insolvency declaration – a materially unconstitutional measure?* by JOSÉ SILVA LOPES, which argues that blanket exclusion of insolvent individuals violates proportionality and civic equality.

The Jurisprudence section adds doctrinal refinement to this volume. *Legal interpretation in decisions of the Court of Justice of the European Union: a study of the judgment of 22 December 2022, Case C-61/21* by SUHAYLA KHALIL VIANA DE CASTRO demonstrates how the CJEU's teleological method reshapes national legal systems, while *Who speaks on our behalf? National identity and constitutional adjudication in the European Union* by FRANCISCO ARGA E LIMA and FRANCISCO PEREIRA COUTINHO raises essential

questions about who exercises voice in the definition of constitutional identity within multilevel governance.

Completing the issue, the Varia section opens interpretive space for doctrinal and conceptual essays. *Religious Communities and Ministers of Worship* by JORGE BACELAR GOUVEIA surveys the legal personality of religious organisations in Portugal and identifies asymmetries in autonomy and recognition that deserve legislative reconsideration, while *The Factoring Contract and Its Modalities* by SUSANA RODRIGUES ALDEIA offers a doctrinal synthesis of factoring, exposing regulatory gaps in private-law treatment of credit assignment and calling for harmonisation.

As we conclude this issue, we extend a gesture of gratitude – not merely as formula, but as acknowledgement of real labour. To the authors, for entrusting us with their research; to the reviewers, whose anonymous expertise sustains scholarly standards; and to our editorial team, for navigating complexity, time, and expectations with professionalism. We also recognise the contribution of partner institutions – including universities, research centres, funding bodies, and the wider academic community – in Portugal and beyond, whose collaboration enables the Revista Jurídica Portucalense to operate as a truly international scientific platform, drawing submissions, readership and citations from across Europe, Africa, Asia, and the Americas.

Looking ahead, we are mindful that legal academia today operates under pressure – scarcity of time, financial constraints, and accelerating technological change all compete with the capacity for deep research. Yet Issue 38 stands as evidence that rigorous legal scholarship – multilingual, socially situated, methodologically robust, and publicly accessible – remains indispensable. We enter the coming year with renewed ambition: to further strengthen our international indexation profile and visibility, deepen our global partnerships, and continue to serve as a journal that places law in dialogue with life.

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