

LAW AND DIGITALIZATION: PROBLEMS OF INTERACTION

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Abstract: This article examines the problem of the interaction of law and digitalization, the ways of digital transformation of the legal system. The analysis of the process and the main directions of the "penetration" of digital technologies in law and, based on this, consideration of the new branch of law governing this process, "digital rights".

Keywords: law, digitalization, digital rights, prosecution authorities.

XXI century - the age of digital technology." This statement is accompanied by any large-scale event in the framework of scientific activity, which is associated with the rapid growth of information volumes, the intensive development of digital technologies and their widespread adoption in various spheres of public life. Indeed, in the modern world there is a tendency to digitalize all spheres of society, and this process has also affected the legal system. In the new reality, law is becoming not only a means, a tool that provides digitalization of the economy, but also the object of the impact of "digitalization", as a result of which it undergoes changes in its form, content, system, structure, mechanism of action.

We considered the state of modern law in the context of the spread of digital technology. Digitalization has a significant impact primarily on the sphere of legal regulation, being an important, but not the only (factor determining its dynamics. It involves new social relations that previously either did not exist or did not require legal regulation or could not be regulated by law at all.

In this regard, there is the question of new approaches to the legal regulation of public relations with the participation of robots, legal registration in the digital age of legal personality of both typical (individuals and legal entities, the state, etc.) and atypical (robots, as well as information intermediaries, such as providers, bloggers, etc.) participants in legal relations.

If there is a total digitalization process in all spheres of society, then the rights that regulate this process, the so-called "digital rights", appear. These are binding and other rights, the contents and conditions of the implementation of which are indicated in a special information system.

Federal Law of March 18, 2019 No. 34-FL "On Amendments to Part One and Two of Article 1124 of Part Three of the Civil Code of the Russian Federation" introduced Article 141 into the Civil Code of the Russian Federation, according to which the legislative obligations named as such are recognized as digital rights. other rights, the contents and conditions of the implementation of which are determined in accordance with the rules of the information system that meets the criteria established by laws. Implementation, disposal, including the transfer of digital law in other ways or limiting the disposal of digital law is possible only in the information system without contacting a third party.

Having familiarized with various sources covering this concept, we can conclude that the right to access the Internet, the right to protection from unwanted information, etc. can be called digital human rights. The main source of digital rights is the right to respect privacy, but digital technologies have had an impact on other fundamental rights. For example, freedom of expression that underlies the right to access the Internet.

Speaking about the specific legal structures that were affected by the digitalization process, I will cite as an example the supervisor of the Russian government - the procurator. In accordance with the decrees of the President, as well as by-laws, in the form of an order of the Government of the Russian Federation, in the framework of public policy, the prosecution authorities are actively implementing the law. It is worth noting that until 2012, in our country, in fact, there was no system for the objective recording of crimes, statements and reports of crimes. Corresponding records were formed by separate law enforcement agencies, which for the most part made it impossible to use automated means of searching and analyzing information. To ensure the reliability of statistical information, this function was transferred to prosecutors who are not

interested in distorting statistical data, but who have supervisory activities, have access to all criminal cases and materials from pre-investigative checks, except of digital transformation. The starting point of this reform was the introduction on February 7, 2011, at the initiative of the President of Russia, of amendments to Article 51 of the Federal Law “On the Prosecutor's Office of the Russian Federation” regarding the maintenance by the prosecution authorities of a unified state statistical record of crime data.

Today, any citizen of the country has the opportunity to use the data of state statistical accounting for personal (domestic, professional, scientific and other) purposes. Information from the legal statistics system on the state of crime, disclosure, and the results of investigative work can be used through the public portal of legal statistics operating on the Internet, which contains data on almost a hundred key indicators for individual regions and the state as a whole.

One of the forms of creating an environment of electronic interaction between citizens and the prosecution authorities of Russia is the realization of the possibility of citizens submitting appeals to the prosecution authorities through the federal state information system “Unified Portal of State and Municipal Services”. Using this service provides citizens with the opportunity to familiarize themselves with information directly affecting their rights and freedoms, in particular, on the progress of complaints. By entering the registration data, the applicant will be able even from mobile devices to find out who and in what time period makes a decision on his appeal.

In conclusion, we note that the new digital reality presents new requirements for legal science and legal practice, including the development of effective tools and models of legal regulation of various areas of public life. The task of lawyers is to give this reality a legal form.

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