

Міністерство освіти
і науки України

Чернівецький національний університет
імені Юрія Федьковича
Юридичний факультет
Кафедра приватного права

Білостоцький державний університет
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(м. Одеса, Україна)



ПРАВОВІ ВИКЛИКИ СУЧАСНОСТІ: ЗАХИСТ ПРАВ ЛЮДИНИ В ЦИФРОВУ ЕРУ

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МАТЕРІАЛИ
V Міжнародної науково-практичної конференції

13 листопада 2024 року
м. Чернівці

Міністерство освіти і науки України

**ЧЕРНІВЕЦЬКИЙ НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ ІМЕНІ ЮРІЯ
ФЕДЬКОВИЧА ЮРИДИЧНИЙ ФАКУЛЬТЕТ
КАФЕДРА ПРИВАТНОГО ПРАВА
(М. ЧЕРНІВЦІ, УКРАЇНА)**

**БІЛОСТОЦЬКИЙ ДЕРЖАВНИЙ УНІВЕРСИТЕТ
(М. БІЛОСТОК, РЕСПУБЛІКА ПОЛЬЩА)**

**ВІДДІЛЕННЯ БІЛОСТОЦЬКОГО УНІВЕРСИТЕТУ У М. ВІЛЬНЮС
(ЛИТВА)**

**НАЦІОНАЛЬНИЙ ЮРИДИЧНИЙ УНІВЕРСИТЕТ ІМЕНІ ЯРОСЛАВА МУДРОГО
(М. ХАРКІВ, УКРАЇНА)**

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(СЛОВАКІЯ)**

**УНІВЕРСИТЕТ «OVIDIUS» В М. КОНСТАНЦА
UNIVERSITY IN CONSTANTA
(РУМУНІЯ)**

**ЛЮБЛІНСЬКИЙ КАТОЛИЦЬКИЙ УНІВЕРСИТЕТ ІОАНА ПАВЛА ІІ
(РЕСПУБЛІКА ПОЛЬЩА)**

**НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ «ОДЕСЬКА ЮРИДИЧНА АКАДЕМІЯ»
КАФЕДРА ТРУДОВОГО ПРАВА ТА ПРАВА СОЦІАЛЬНОГО ЗАБЕЗПЕЧЕННЯ
(ОДЕСА, УКРАЇНА)**

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13 листопада 2024 року
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Чернівці
Чернівецький національний університет
імені Юрія Федьковича
2025

Jan-Urban Sandal,

Prof. h. c. mult. Doctor h. c. mult. Fil. Dr. Jan-Urban Sandal,
Founder and owner of Fil. Dr. Jan-U. Sandal Institute (Norway),
Professor Chair Chernivtsi Schumpeter Centre for Economic Research,
Yuriy Fedkovych Chernivtsi National University, (Ukraine),
Patron of Harvard University Archives, (USA),
Honorary Professor Chernihiv Polytechnic National University (Ukraine),
Honorary Senior Fellow Science Technology and Training OMEGA Institute (Vietnam),
Doctor honoris causa Alytaus Kolegija University of Applied Sciences (Lithuania).

2024-11-13

Prof. h. c. mult. Doctor h. c. mult. Prof. Fil. Dr. Jan-Urban Sandal
Founder and owner of Fil. Dr. Jan-U. Sandal Institute (Norway),

jan-u.sandal@janusandal.no www.janusandal.no

ORCID: <http://orcid.org/0000-0001-8072-0822>

HUMAN RIGHTS IN THE DIGITAL ERA

We have seen a rapid development of law and technology that has focused on human rights in the digital era and raised questions about the protection of fundamental freedoms, privacy, freedom of expression, access, assembly and dignity [6]. At the same time, the digital era gives people opportunities to exercise their human rights in new and different ways, although the new technology also creates new risks and challenges in human rights protection [3]. In the digital era, internet access is a common good belonging to the whole of humanity. The Universal Declaration of Human Rights from the United Nations when applied to the online world is a guarantee of access to the Internet to avoid the so-called digital divide [1]. Digital divide is inequality in access to the Internet and ICT that causes global imbalance between states, regions, people and multiple setbacks. The global number of Internet users as in July 2024 was 5,45 billion which is 67,1% of the global population [7] up from 1,023 billion in 2005 [5]. Age distribution of internet users worldwide in 2023, count individuals over 25 years of age shows the imbalances: Europe 90%, Americas 86%, Commonwealth 88%, Arab States 66%, World 65%, Asia-Pacific 63%, Africa 33% [4]. Individuals between 15 and 24 count 79% globally, with regional differences mostly like the older group of citizens [4]. The main effects of the digital divide are many; social isolation and lack of communication, digital divides in education, social differences in access to jobs and job inequalities, gender discrimination affecting women more than men, and gap development in net worth growth globally and between poor and wealthy individuals and social classes. A particular negative effect of digital divide is the limitation of relevant information on innovation, entrepreneurship, social entrepreneurship, and relevant education on new issues of development and democratic expansion worldwide [9]. In 2018, the United Nations presented a Road map for Digital Cooperation as a first response to the latest technological developments with a continuation of solutions to the problems based on input from Member States, the private sector, civil society, the technical community and other stake holder groups based on three actions; connect, respect, protect [8]. To enhance the global digital cooperation, the UN recommends some concrete actions in multiple areas: achieving universal, affordable connectivity by 2030, promoting digital public goods to create a more equitable world, ensuring digital inclusion for all, including the most vulnerable, strengthening digital capacity building, ensuring the protection of human rights in the digital era, supporting global cooperation on Artificial Intelligence, promoting digital trust and security, and building a more effective architecture for digital cooperation [8]. In the process of strengthening and developing democracy around the world, it is obvious that information and the protection of human rights must be in the forefront of technological development. Innovation is defined as the new combinations of the two factors of production, land and labor, which bring about changes in technological, social and economic development both at the micro and macro level [10]. Successful entrepreneurship carries an entrepreneurial profit, which belongs to the entrepreneur. The profit is not a motivating factor for the

entrepreneur to achieve his goal; it serves as proof that an innovation has taken place. Unlimited information and truthful education are essential for market development and the creation of innovations. Entrepreneurial profit is crucial to individual net wealth creation. A High-Net-Worth Individual (HNWI) is a person who possesses liquid assets valued at \$1 million or more, included money held in bank or brokerage accounts, excluding assets like a primary residence, collectibles or durable goods. High-Net-Worth Individuals are not equally distributed throughout the world, regions or within a nation. Individual wealth distribution 2023 includes North America: 7,9 million, Asia-Pacific: 7,4 million, Europe: 5,8 million, Latin America: 600.000, Middle East: 900.000, Africa: 200.000 [2]. High net worth globally consists of accumulated old profit as well as entrepreneurial profits. Successful entrepreneurs are among the High-Net-Worth Individuals in the world. The successful entrepreneur is a single private person, not a company or a group of people, a board of directors or any other entity. The innovation is a result of the entrepreneur's scientific, literary or artistic production based on his ability to see the solution of the new combinations of the two production factors long before it has even happened [10]. The entrepreneur has the right to protection for his innovation and the right to receive the profits that are rooted in the successful entrepreneurship. Entrepreneurial profit is a net income that flows to a specific category of individuals, the entrepreneurs. They can consume the entrepreneurial profit exclusive of impairing their economic positions. The entrepreneur is not a risk taker, and there are no financial risks to bear on the entrepreneur's shoulders in the process of carrying out successful innovations [10]. In some cases, the entrepreneur must take a loan from the bank to finance the new combinations. The bank will give him the loan, without any security, but based on his good name and reputation. In these cases, the entrepreneur is not the risk taker because the bank is taking the risk of losing its money. The entrepreneur is in his right to protection against any interference with his privacy, family, home, and correspondence as well as attacks upon his honor and reputation. Human rights in the digital era must protect the increase of knowledge about innovation and entrepreneurship. The entire global population will serve as a recruiting base for innovation and successful entrepreneurship. Successful entrepreneurship is a driving factor for democracy development around the world, and we cannot allow this important societal function not to be taken very seriously.

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Наукове видання

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*13 листопада 2024 року
м. Чернівці*

Комп'ютерна верстка

Магрічук Н. М.

Контакти:

*Кафедра приватного права
Чернівецький національний університет імені Юрія Федьковича Адреса: 58000,
м. Чернівці, вул. Університетська, 19
Тел. +38 (0372) 58-47-58
Електронна адреса: privatelawdep@chnu.edu.ua*

Підписано до друку 24.01.2025. Формат 60x84/16.
Електронне видання. Умов.-друк. арк. 19,6.
Обл.-вид. арк. 21,1. Зам. 3-001.

Видавництво Чернівецького національного університету.
58012, Чернівці, вул. Коцюбинського, 2.
Тел. (0372) 58-48-30
e-mail: ruta@chnu.edu.ua

Свідоцтво суб'єкта видавничої справи ДК № 891 від 08.04.2002.



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