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DIGITAL HUMAN RIGHTS. WHAT ARE THE MAIN HUMAN RIGHTS IN THE DIGITAL ENVIRONMENT?

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ABSTRACT

The article discusses the theoretical aspects of digital human rights. The article provides recommendations on the implementation of the digital human rights system in the legislation of the Republic of Uzbekistan. The main types of digital rights are discussed. Moreover, international acts in the field of human rights protection in the digital environment were analyzed.

KEYWORDS

Digital human rights, Internet, digital human risk, human rights.

INTRODUCTION

Human rights must be respected online just as they are in the physical world. Digital technologies provide new opportunities for the realization of human rights, but they are too often used to violate those rights as well. Of particular concern are issues of data protection and privacy, digital identity, the use of surveillance technologies, and online violence and harassment.

For decades, human rights have been protected by the International Bill of Human Rights, a set of five human rights treaties developed by the United Nations to advance fundamental freedoms. Two of these treaties,

The Universal Declaration of Human Rights (1948) and The Covenants on Human Rights (1966), shaped a system of universal values and made the person a subject of the law. It is worth remembering that they were adopted after two world wars and were a belated decision in defining and legalizing these universal values.

The study by M. S. Burianov introduced the term "global digital human rights", which include the right to access information, the right to access information and communication tools and technologies, the right

to access the Internet, the right to protection of privacy and personal data (personal and biometric), the right to respect for personal data, rights related to the protection of genetic information, property rights in the digital property turnover, the possibility of realizing personal, social, economic, political and cultural rights on the basis of artificial intelligence.

Updating human rights for the challenges of our era is the key to building a better, fairer and more resilient world. As Klaus Schwab, founder of the World Economic Forum, said: "We need a new social contract centred on human dignity, social justice and where societal progress does not fall behind economic development".

Research shows that, as of 2021, 124 countries around the world have laws and 8 countries have national decrees or regulations that grant individuals a general right of access to information held by public bodies and impose an obligation on public bodies to provide this information and actively disclose key types of information.

One of the most important elements of the right to access to information is the human right to the free use of open data. The transition of public services to a digital environment, the creation of various mechanisms of digital interaction between government agencies and citizens (through chatbots, feedback forms, accounts in social networks and messengers, etc.) has significantly simplified and accelerated the receipt of information, as well as increased the volume of open data.

Digitalization significantly affects almost all social relations, which requires a rethinking of many basic legal concepts. One of them is human rights. Today, it is increasingly being argued that technological

innovations entail the emergence of new digital human rights, which are fundamentally different from traditional rights and form a new generation of human rights.

According to sociologist Thomas Humphrey Marshall, digital technologies lower the barriers to participation as a citizen in the activities of society. That is, digital citizenship is not a parallel reality, but an expansion of the interaction between the individual and the state on the Internet.

Digital rights include the following rights:

The right to information:

- The right to access the internet;
- the right to seek, receive and impart information;
- Right to privacy:
- The right to protection of personal data;
- the right to anonymity;
- Right to electronic participation:
- The right to receive services electronically;
- the right to electronic voting;

One of the main challenges in the digitalization of social relations is to identify the best models of mechanisms to manage digital platforms and use these environments as resources for political, social and cultural transformation. to manage digital platforms and use these environments as resources for political, social and cultural transformation.

At the APC Europe Workshop on Internet Rights held in Prague in February 2001 - the Charter on Internet Rights was established. The Charter builds on the People's Charter for Communications and develops seven themes: 1) Internet access for all; 2) freedom of expression and association; 3) access to knowledge, collaborative learning and creativity - free and open

source software and technology development; 4) privacy, surveillance and encryption; 5) Internet governance; awareness, protection and realization of rights.

The Charter states that "the ability to share information and communicate freely using the Internet is vital to the realization of the human rights enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights." Again, there is no specific information on what sanctions will be imposed in case of violation of rights and use of the Internet for profit. Several countries have adopted laws requiring the state to work to ensure broad access to the Internet or to prevent the state from unreasonably restricting access to information and the Internet. Moreover, European Union law has a fundamental document in this area - the GDPR regulation. In addition, the Council of Europe has developed advisory documents on data protection applicable to specific technologies or industries.

In addition, in the context of respect for human rights, a special place is occupied by the corpus of norms and recommendations concerning vulnerable groups. This includes children, the elderly, and people with disabilities, who may require increased protection or additional conditions.

The Committee of Ministers of the Council of Europe issued Guidelines on the Protection of the Rights of the Child in the Digital Environment. As key recommendations to States, the Committee of Ministers noted: - Ensuring the child's access to the digital environment: 1) Access to the digital environment is essential for the child to realize his or her rights, including the right to education, and to maintain social connections;

2) freedom of expression and the right to access information:

- Children are both creators and consumers of information;

- States should promote the creation of accessible and quality content and digital services for children, including educational content;

- children should be provided with information on how to make a complaint or receive support;

3) Privacy and data protection:

- States should inform children about the right to privacy and the issues of protecting Personal Data in the digital world;

- children and parents should be informed about how to withdraw consent to the processing of a child's data;

4) the right to education:

- States should take measures to ensure that children are digitally literate, including through special programs in educational institutions;

According to above, it is clear that all these measures should be reflected in the regulatory and institutional policies of states, as well as in the interaction between the state, business, media and civil society. Digital human rights are a new area of law that needs further development.

REFERENCES

1. Варламова Наталия Владимировна Цифровые права - новое поколение прав человека? // Труды Института государства и права РАН. 2019. №4. URL:



- <https://cyberleninka.ru/article/n/tsifrovye-prava-novoe-pokolenie-prav-cheloveka> (дата обращения: 21.08.2023).
2. Nikola Luchki - "Access to online services and protection of constitutional rights: Recognition of the important role of Internet access for freedom of expression" – Rochester, USA – 2011, p. 206.
 3. <https://medium.com/@ckreutz/introduction-to-digital-human-rights-cbc4da42748>
 4. Coccoli J. The Challenges of New Technologies in the Implementation of Human Rights: An Analysis of Some Critical Issues in the Digital Era // Peace Human Rights. Governance. 2017. Vol. 1. Iss. 2. P. 223–250. DOI: 10.14658/pupj-phrg-2017-2-4
 5. Колин Вудард, Christian Science Monitor, 1 июля 2003. Г. В книге – "Эстония, где право на проводную связь – это право человека"
 6. Gavxerjan Yuldasheva, Gulnara Djumaniyazova. THE ROLE OF INTELLECTUAL PROPERTY AND INNOVATIVE DEVELOPMENT OF UZBEKISTAN. Journal of Law Research. 2020, special issue 2, pp. 123-131
 7. Miruktamova, Feruza, and Anna Tarasova. "International legal standards of justice for children: their formation and content." The American Journal of Political Science Law and Criminology 4.02 (2022): 19-26.
 8. Ugli, Khujayev Shokhjakhon Akmaljon. "Legal Regulation Of Social Networks: Necessity And Prospects (On The Example Of The Republic Of Uzbekistan)." Turkish Journal of Computer and Mathematics Education 12.4 (2021): 1090-1094.
 9. Хужаев, Ш. (2022). Тенденции цифровой трансформации юридического образования и науки. Современные тенденции развития цифровизации в сфере юстиции, 1(1), 56–60.
 10. <https://doi.org/10.47689/978-9943-7818-1-8-MTDDFJ-2021-pp56-60>
ТИЛЛАБОЕВ Ш.М. Особенности нарушений авторских прав на онлайн платформах // Юрист ахборотномаси– Вестник юриста – Lawyer herald. № 3 (2023) С. 39-44. DOI <http://dx.doi.org/10.26739/2181-9416-2023-3-4>
 11. ТИЛЛАБОЕВ, Ш. (2022). ИМПЛЕМЕНТАЦИЯ ОПЫТА ВЕЛИКОБРИТАНИИ И ЕВРОПЕЙСКОГО СОЮЗА В СФЕРЕ ЗАЩИТЫ ПЕРСОНАЛЬНЫХ ДАННЫХ В ЗАКОНОДАТЕЛЬСТВО РЕСПУБЛИКИ УЗБЕКИСТАН. ЮРИСТ АХБОРОТНОМАСИ, 2(3), 125-130.
 12. Tillaboev, S. (2023). ROLE OF IP RIGHTS IN THE ASSESSMENT OF PUBLIC INTERESTS. SUSTAINABILITY OF EDUCATION, SOCIO-ECONOMIC SCIENCE THEORY, 1(5), 131-135.
 13. Umidzhonovich, N. F. (2022). The Perspectives of the Establishment of Multi-Door Courthouse Centers in the Republic of Uzbekistan and Online Dispute Resolution is Another Step on the Way to Justice. European Multidisciplinary Journal of Modern Science, 6, 469-473.
 14. Valijonov, Daler. "LEGAL ISSUES OF ANTICORRUPTION AUTHORITIES OF THE REPUBLIC OF UZBEKISTAN OVER THE IMPLEMENTATION OF LEGISLATION ON LEGAL ASSISTANCE." International Journal Of Law And Criminology 3.08 (2023): 25-29.
 15. Umidzhonovich, Nurullaev Farrukh. "PROBLEMS OF IMPROVING CONTRACTUAL RELATIONS IN THE REPUBLIC OF UZBEKISTAN." E Conference Zone. 2022.
 16. Jaloliddin, Rahmonov. "THE PROTECTION OF INVESTOR RIGHTS IN THE DIGITAL AGE: EMERGING CHALLENGES AND LEGAL RESPONSES THE PROTECTION OF INVESTOR RIGHTS IN THE DIGITAL AGE: EMERGING

CHALLENGES AND LEGAL RESPONSES." INNOVATIVE DEVELOPMENTS AND RESEARCH IN EDUCATION 2.15 (2023): 226-228.

17. Jaloliddin, Rahmonov. "Digitalization in Global Trade: Opportunities and Challenges for Investment [pre-publication]." Global Trade and Customs Journal 18.10 [pre-publication] (2023).
18. Rakhimova, Ulzana. "Cybercrime subject and limits of proof." TSUL Legal Report International electronic scientific journal 1.1 (2020).



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