RESEARCH ON LEGAL ASPECTS OF DIGITAL RIGHTS, PRIVACY, AND ETHICAL ISSUES IN THE ONLINE ENVIRONMENT

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Abstract: As scientific advancements continue, the emergence of new computer programs and smartphones has led to the establishment of digital states on a global scale. A crucial imperative, necessitating meticulous consideration and legal codification, is the preservation of digital rights and privacy. Individual private rights must remain inviolate, necessitating the refinement of legislative activities in each state. This condition holds significant relevance and urgency, demanding careful consideration by legislators and effective implementation at the state level. The primary aim of this article is to undertake a comprehensive analysis and theoretical legal exploration of the legal facets concerning digital rights privacy and ethical dilemmas within the online environment. A theoretical examination of the legal dimensions surrounding digital rights privacy, coupled with an in-depth investigation into ethical considerations within the online environment, enables the identification of lacunae in rulemaking processes and facilitates the proposition of remedial measures. Through an exhaustive analysis of the national and international legal and theoretical foundations, the author advocates for continued exploration and knowledge exchange among legislators regarding the regulation of digital rights privacy and the formulation of strategies to address ethical challenges. Within the course of this study, the author discerned and endorsed the proposal to implement a digital code. This realm of investigation necessitates ongoing scrutiny, modernization, and the practical implementation of favorable aspects, thereby offering resolutions to problematic issues. A proposition is set forth to enhance legal consciousness and awareness through the incorporation of ethics courses within the online environment, targeting the workforce, young individuals, and students by integrating such courses into the curriculum. The rationale behind this proposal lies in the belief that such an initiative would contribute to resolving issues related to integrity and ethical conduct in online communication. In recognition of the dynamic nature of science and technological advancements, lawmakers must evolve legal norms that account for all associated risks and gaps in the regulatory landscape.

Keywords: computerization, digitalization, digital rights, ethical issues, online environment, privacy, scientific progress, theoretical and legal research, digital thing.

1 Introduction

Contemporary developments in Internet technologies, computerization, and digitalization are in a phase of active expansion, emphasizing the significance of the emerging concept of digitalization. Concurrently, governmental agencies must extend effective legal influence and control over the Internet environment, ensuring compliance with human rights as delineated in international and national documents.

To gain insight into and devise solutions for problematic facets, it is crucial to undertake a comprehensive analysis of theoretical and legal materials concerning the protection of rights in the digital realm, with particular attention to ethical considerations. In practical terms, instances of transgressions against legal and moral norms within the online environment are observed. The state bears the responsibility of implementing all requisite measures to redress problematic aspects and prevent infringements upon human rights.

2 Literature review

The study and analysis draw upon the theoretical and legal source base of both Ukraine and foreign countries, specifically exploring the legal dimensions of digital rights privacy and ethical issues within the online environment. The international legal framework is considered, encompassing key documents such as the Universal Declaration of Human Rights (UDHR, 1948), the European Convention (1950), and the Constitution of Ukraine (1996), which collectively regulate fundamental human rights.

M. V. Kostytskyi (2022), V. M. Beschastnyi (2022), and N. V. Kushakova-Kostytska (2022) have conducted research in the field of digital constitutionalism. Additionally, N.V. Bocharova has actively engaged with and expressed interest in this subject matter (2022). Among notable foreign scholars, it is pertinent to highlight E. Celeste (2022) and G. De. Gregorio (2022), who have contributed to the discourse on digital constitutionalism through their monographs.

Furthermore, J. Rosen (2013) and F. Vibert (2018) have delved into the examination of the Internet environment and associated legal norms. T. I. Aldoseman addresses the ethical compliance of the online educational process (2020), while M. Chikarkova analyzes the ethical norms within distance learning (2021). Silkova O. V. advocates for the integration of informatics within the medical domain and undertakes an exploration of telemedicine (2021). The field of online medicine has been subject to scrutiny in the works of several scientists, including S. Buletsa (2020), H. A. Oksak (2019), N. V. Korobtsova (2023), T. Kyrychenko (2022).The contributions M.S. Mishchenko (2023) and N. A. Bondar (2023) is also considered. O. Dufeniuk (2021) and V. V. Gutnik (2021) have delineated human rights in wartime. In his research, S. Tuchkov advocates for the development of an electronic medicines program (2020).

In the examination of the legal dimensions surrounding digital rights privacy and ethical issues within the online environment, the author employs a combination of general scientific and specialized scientific methods, with a particular emphasis on legal methodologies. The historical method features prominently in the analysis of scientific achievements, specifically in the exploration of the evolution of the information environment and the establishment of digital states.

Scientific research incorporates the systematic method, alongside methods such as analysis, description, evaluation, generalization, and the statistical method. The heuristic method is applied to a partial extent. Comparison is extensively utilized to juxtapose provisions within the Constitutions of foreign countries concerning digital rights. Furthermore, forecasting is employed to identify potential solutions for current challenges within the realm of ethical rights.

3 Results

Theoretical scrutiny of the legal dimensions surrounding digital rights privacy, coupled with an in-depth exploration of ethical issues within the online environment, offers the opportunity to discern gaps in the regulatory landscape and formulate strategies to address them.

Following an examination of the international and national legal source base, the author advocates for additional research and the exchange of experiences among lawmakers. This collaborative process is crucial for enhancing the security and oversight of digital rights privacy and identifying resolutions to contemporary ethical challenges.

Throughout the analysis of scientific materials, we have identified and endorsed the concept, proposed by our predecessors, to implement a code of ethics. We posit that this initiative holds the potential to address a myriad of problematic aspects and effectively regulate rulemaking activities within the online environment. The articulation of clearly defined norms is imperative, with adherence to international law and constitutional principles, ensuring the protection of individuals' rights and freedoms. This issue necessitates ongoing scrutiny and analysis by legal professionals, lawmakers, and scholars, with a commitment to implementing positive solutions in practical contexts. It would be apt to develop a draft comprising fundamental provisions, taking into consideration all associated

risks and drawing insights from foreign experiences. Collaborative analysis with both domestic and international experts would further contribute to the refinement of the proposed framework.

A judicious suggestion has been advanced to enhance the legal awareness and consciousness of individuals through the introduction of ethics courses within the online environment. This initiative envisions approved and meticulously analyzed curricula and programs. Such an intervention is anticipated to contribute to the elevation of moral standards, fostering integrity and ethical communication within the online sphere. However, the practical implementation of this proposal necessitates further research, particularly for schoolchildren, youth, and employees of state-owned enterprises, institutions, and organizations. It is deemed worthwhile to extend the coverage to the private sphere, ensuring a broad dissemination of knowledge regarding technology, and advancements in science, communication. The introduction of online voting is posited as a realization of democratic principles.

The article furnishes information regarding electronic voting and election practices within specific electronic applications in certain foreign countries. It is emphasized that in the future, it is advisable to refine these practices, considering associated gaps and risks, and legislate on this matter at both international and national levels.

The proposal posits the need to accentuate fundamental principles governing privacy within the ethics of communication on the Internet and digital rights. It is judicious to categorize overarching principles such as democracy, user and state responsibility, legality, equality, judicial protection of rights and freedoms, and security guarantees into a distinct category.

The observation is made that in Ukraine, owing to Russia's armed aggression, a considerable enhancement in the safety and efficiency of state-level services can be achieved through online implementation. However, lawmakers are urged to consider the exigencies of martial law while formulating regulations and addressing problematic issues in alignment with the Constitution of Ukraine.

It is asserted that medical consultations, when deemed necessary, should be conducted online, yet with a caveat that digital rights and privacy must not be compromised. This consideration is of paramount importance, particularly as access to medical services is impeded for certain individuals due to hostilities, and online services have the potential to be lifesaving in such circumstances.

The trajectory of scientific progress will persist in its evolution and improvement, necessitating a concomitant evolution in legal frameworks that must be attuned to contemporary realities. Such adjustments should be made with a comprehensive consideration of all potential risks and prospects.

4 Discussion

The examination of legal dimensions of digital rights privacy and ethical considerations within the online environment constitutes a pivotal stage in the evolution of rulemaking, aligning with the ongoing advancements in science and technology.

M. V. Kostytskyi aptly observes the swift development of the information field, highlighting the concurrent evolution of legislation. This rapid progress manifests in the emergence of codes of ethics, charters delineating freedom in the electronic domain, constitutions presented in digital formats, and the adherence to legal norms with judicial resolutions of pertinent cases (Kostytskyi, 2022). The introduction of a code of ethics in Ukraine would be a fitting proposition, holding the potential to address numerous ethical issues prevalent in contemporary society. This matter warrants future exploration and analysis by legal professionals, lawmakers, and scientists, with a

commitment to implementing practical solutions. Developing a draft outlining the key provisions of the code of ethics, incorporating considerations of potential risks and drawing insights from foreign experiences, is advisable. Collaborative analysis with both domestic and international experts would further enhance the robustness of the proposed framework.

V. M. Beschastnyi asserts that regulations governing the digital sphere and ethical norms on the Internet should align with foundational laws. The scientist underscores the significance of examining digital rights with due attention to psychological, organizational, technical, and legal components, which are intricately intertwined with constitutional norms (Beschastnyi, 2022). This proposal holds substantial importance and warrants special consideration.

Scientific and technological progress continues its dynamic global evolution. Therefore, it is judicious to assert that rulemaking should undergo continuous refinement, considering all circumstances, ethical standards, risks, and prevailing conditions.

N. V. Kushakova-Kostytska delves into the examination of Europe's experience concerning constitutional provisions within the realm of digital technologies. The scientist contends that, from a legal standpoint, constitutional norms regulate the digital sphere, encompassing information rights, electronic litigation, and the protection of private information for each individual (Kushakova-Kostytska, 2022).

In the contemporary landscape, information rights are gradually giving way to digital rights. Initiatives such as the "state in a smartphone" and "digital person" projects have materialized, ushering in new avenues for research, refinement, and the codification of norms within the constitutional frameworks of states to address pivotal and contemporary concerns (Kushakova-Kostytska, 2022). Undoubtedly, technological progress allows for numerous online transactions to be conducted conveniently, even via smartphones, from the comfort of one's home. However, it is imperative for the state to legislatively regulate and ensure the protection of private digital rights and confidential information.

Beschastnyi V. M. underscores that with the transition from information technologies to digital technologies, there is a potential for violations of moral and ethical norms. Furthermore, the introduction of artificial intellectual activity cannot be equated with human values in a general sense. The advent of robots poses challenges to discussions about humanity and morality; however, it is noteworthy that scientists are the creators of these entities and imbue them with specific characteristics and capabilities (Beschastnyi, 2022).

N. V. Kushakova-Kostytska asserts that there is a need for continuous improvement and development of constitutional norms within the digital domain. The analysis of problematic aspects stemming from digitalization is deemed crucial in the present context. Additionally, the law may potentially advance in a promising direction by aligning with the utilization of digital technologies (Kushakova-Kostytska, 2022).

In their scholarly monographs, E. Celeste and G. De. Gregorio aptly highlight the evolution of digital technological progress and the emergence of digital rights (Gregorio, 2022). These rights, as asserted by Celeste (Celeste, 2022), demand active enhancement and development to align with the technological landscape of our time. Indeed, the transformative changes in science exert a positive influence on state development, necessitating oversight by state authorities, who are tasked with establishing an appropriate legal framework.

Bocharova N. V. (2022) contends that alongside the evolution of modern technologies, digital constitutionalism is advancing, leading to the establishment of a digital society and a digital state. The foundational principles serve as the bedrock for the evolution of rulemaking, with the potential for new principles to

emerge in tandem with digital technology development. Bocharova emphasizes that internet users possess the right to freedom of expression in online resources (Bocharova, 2022).

We assert that, in the progression of digital states, the regulation of digital processes within the legal framework is imperative. However, any new regulations should align with the Universal Declaration of Human Rights (UDHR, 1948), particularly for countries that have ratified this document, as well as other norms within the realms of international and national law.

The proposal entails a theoretical synthesis of fundamental principles concerning digital rights privacy and the ethics of communication within an orphanage. This perspective has been formulated by the author through an analysis of scientific materials, representing a novel viewpoint necessitating subsequent exploration, analysis, and generalization.

It is deemed appropriate to underscore the overarching authorial principles, specifically emphasizing legality, equality, democracy, user and state responsibility, and judicial protection of individual rights. Additionally, freedoms and security guarantees are identified as distinctive elements warranting attention within this conceptual framework.

In her analysis, V. Bocharova (Bocharova, 2022) scrutinizes the experiences of foreign countries concerning Internet rights as articulated in the Constitutions of Greece (Greece's Constitution, 1975) and Portugal (Portugal's Constitution, 1976). Bocharova underscores that the right to access the Internet is explicitly recognized as a constitutional right (Bocharova, 2022). This examination of the primary legal frameworks of foreign nations serves as an enriching exercise, expanding our understanding of people's rights within the online environment. Within the online environment, ethical issues arise, exemplified by violations of moral values. In practical terms, breaches of integrity conditions are prevalent, largely due to the challenge of consistent verification in many instances.

Presently in Ukraine, due to Russia's military invasion, numerous institutions and enterprises have transitioned to online operations. While instances of employees inadequately fulfilling their duties are encountered in practice, it is justifiable to underscore that the onus is on the state and employers to establish conducive conditions and formulate methodological guidelines to enhance the efficiency and proficiency of modern employee capabilities and technologies. In navigating the contemporary reality shaped by the ongoing military actions in Ukraine, lawmakers are urged to consider all pertinent conditions and adverse circumstances. Furthermore, proactive measures should be taken to advance scientific research technologies in conjunction with effective rulemaking. It is noteworthy that legal norms find quicker implementation in practice and are subject to rigorous oversight by government agencies.

M. Chikarkova asserts that the implementation of distance learning encounters challenges related to integrity. The scientist contends that the primary resolution for these challenges lies in the adoption of a code of ethics. Additionally, Chikarkova suggests the introduction of a distinct course focusing on fundamental educational principles (Chikarkova, 2021). The remote completion of assignments and course studies renders it impossible to adequately monitor the integrity of students and learners. We contend that institutions' primary responsibility is to impart moral values to all individuals, aiming to proactively prevent ethical issues.

The proposition advocates for the implementation of such courses, extending beyond the youth demographic, to encompass government officials and employees of institutions and private organizations. This strategic approach aims to broaden the legal awareness of the population, fostering improved professional efficiency. The anticipated outcome includes a positive impact on the modernization of the economy, advancements in science, and, in a broader sense, the development of the state.

In his research, J. Rosen underscores the pressing need to modernize and amend constitutional provisions to align with contemporary technologies (Rosen, 2013). We contend that these changes and regulatory measures should be initiated at the international level, subsequently being implemented universally across all countries in adherence to shared standards.

F. Vibert examines the perspectives of foreign lawyers regarding the evolution of Internet technologies and brain scanning. The scientist contends that private control has the potential to infringe upon the provisions outlined in legal documents about human security, transgressing the "boundaries of personal" life, and impinging upon freedom of thought and speech. The forecast suggests that by 2030, Internet technologies and information rights will experience significant development (Vibert, 2018). In the realm of rulemaking for the Internet environment, it is imperative to ensure that such regulations do not encroach upon private rights and freedoms.

The implementation of online voting signifies the realization of the democratic principle. In contemporary times, online voting has become a commonplace practice, particularly evident in supporting petitions within the realm of legal activities. This grants everyone the right to vote for specific legal proposals. Upon scrutinizing foreign literature and legislation, it is justifiable to assert that certain countries are initiating elections through dedicated electronic applications. This not only saves citizens' time but also eliminates queues and streamlines the process of vote counting.

In Ukraine, discussions regarding the issue of elections have been initiated, with an analysis revealing that such innovations may potentially compromise the accessibility principle. For instance, elderly individuals may not always possess smartphones or specific applications, presenting a vulnerability to potential election fraud. It is conceivable that in the future, this matter will be subject to legislative measures at both international and national levels. O. V. Silkova explores the domain of telemedicine, underscoring the significance of introducing the subject of "Medical Informatics" for students (Silkova, 2021).

In the realm of modern technologies, consultations can be conducted online; however, it is imperative to safeguard the privacy of digital rights. Specialized medical programs, examination results, and tests ought to be treated with utmost confidentiality. Presently, due to ongoing military operations, accessing medical care in Ukraine poses challenges for individuals, given certain restrictions and dangers. Under such circumstances, private online consultations have the potential to enhance health outcomes and save lives. The conviction is that every individual possesses the right to medical care, education, and other fundamental rights. Therefore, the country, represented by state authorities, bears the responsibility for ensuring the safety of its citizens and must create all necessary conditions to actualize human rights.

It is pertinent to consider that, in Ukraine, as a consequence of Russia's armed aggression, the provision of most public services online would be apt. However, lawmakers must conscientiously factor in the conditions imposed by martial law and address problematic issues in a manner that upholds human rights.

By prevailing international and national legislation, individuals maintain the right to seek judicial recourse for the protection of their private rights in the event of violations. Crimes such as piracy attacks, infiltration into banking systems, and online fraud necessitate thorough investigation and subsequent punishment. The state bears the responsibility to ensure comprehensive security for all individuals concerning the privacy of their digital data.

In the pursuit of national lawmaking endeavors, we posit that it would be judicious and crucial for the advancement of lawmakers to foster the exchange of experiences among experts from foreign countries. Such collaboration would enable the

incorporation of a comprehensive understanding of contemporary risks and issues, facilitating the promotion of positive and efficacious practical changes. Acknowledging and implementing constructive foreign experiences becomes imperative to address a multitude of domestic challenges. This approach ensures due consideration and foresight into the circumstances of the country's development, encompassing all factors influencing current events and mitigating negative risks.

5 Conclusions

The scientific analysis and synthesis of the legal dimensions of digital rights privacy, coupled with a meticulous examination of ethical issues within the online environment, facilitate the identification of challenges in the regulatory landscape governing digital relations. This comprehensive approach allows for the exploration of potential solutions to these challenges.

Upon delving into international and national legal literature, the author advocates for ongoing engagement, urging scholars and lawmakers to further acquaint themselves with and exchange experiences. This collaborative process is vital for securing and overseeing the privacy of digital rights, as well as identifying effective strategies for addressing ethical concerns.

The author advocates for the formulation and adoption of a code of ethics, positing that such a framework would aid in the identification and resolution of a multitude of problematic issues while also regulating rulemaking activities in the online environment. The author underscores the importance of well-defined rules that align with international law and the Constitution, ensuring they do not infringe upon the rights and freedoms of society.

Furthermore, the author substantiates and explores the theory of enhancing societal legal awareness and consciousness by proposing the introduction of ethics courses in the online environment. This entails the development of clearly approved and analyzed curricula and programs. Such an initiative is anticipated to contribute to the refinement of moral standards, fostering integrity and ethical communication in the online sphere. This proposition necessitates further research and practical implementation, targeting schoolchildren, youth, as well as employees of state-owned enterprises, institutions, and organizations.

The contention is posited that the adoption of Internet voting practices can be perceived as an embodiment of the democratic principle. The document furnishes insights into electronic voting and the election procedures conducted through specific electronic applications in certain foreign countries. Emphasis is placed on the need to refine these practices, considering gaps and risks, and subsequently codify these processes at both the international and national levels in the future. A proposal is presented to accentuate the author's original contributions to the foundational principles governing privacy within the ethics of online communication and digital rights. This proposition aims to facilitate a comprehensive analysis of the fundamental tenets underpinning rulemaking activities within the online environment.

Consideration should be given to the categorization of overarching principles, encompassing elements such as democracy, the responsibilities of both the user and the state, legality, equality, and judicial protection of rights, with a distinct separation of freedoms and security guarantees. In light of Russia's armed aggression leading to a shift towards online services at the state level in Ukraine, lawmakers must factor in the constraints imposed by martial law when formulating regulations. This requires the regulation of problematic issues in alignment with the Constitution of Ukraine to ensure the safety and efficiency of such online services.

While scientific progress continues its global evolution and improvement, it becomes crucial to synchronize the legal development of the state with contemporary realities,

considering all inherent risks. This ensures that legal frameworks remain adaptable and relevant in addressing the challenges posed by advancing technologies and evolving societal needs.

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