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ARTÍCULO DE INVESTIGACIÓN

El concepto de derechos humanos digitales en la era de la globalización y el desarrollo tecnológico: desafíos, oportunidades y caminos de desarrollo

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Resumen. El objetivo del artículo es articular un marco de derechos humanos digitales que responda a la dinámica de la globalización y el cambio tecnológico, identificando desafíos, oportunidades y vías clave para la protección. Los objetivos del estudio incluyen: 1) analizar los debates filosóficos sobre la naturaleza fundamental de los derechos humanos digitales en el contexto de la revolución digital; 2) identificar desafíos y oportunidades para los derechos digitales en un panorama globalizado e impulsado por la tecnología; y 3) explorar marcos para proteger los derechos digitales y civiles en estas condiciones. El análisis incluye una revisión de los estándares jurídicos internacionales y nacionales que rigen los derechos digitales, comparando diferentes enfoques para su protección. Explora el papel de las organizaciones gubernamentales y no gubernamentales en el desarrollo de políticas de derechos digitales y evalúa el potencial de las nuevas tecnologías para aumentar la transparencia y el acceso a la información. También se hace hincapié en los aspectos sociales, como la concienciación pública de sus derechos digitales y las medidas de protección disponibles. Se presentan las tendencias futuras y los posibles escenarios para el desarrollo de los derechos hu-

manos digitales, destacando los factores que pueden afectar su implementación. Los resultados de la investigación serán valiosos para académicos, activistas de derechos humanos, formuladores de políticas y aquellos interesados en los derechos digitales en una era de rápido cambio tecnológico, ofreciendo perspectivas que resaltan la importancia de los derechos digitales en un mundo globalmente interconectado.

Palabras clave: aspectos sociales, derechos digitales, globalización, progreso tecnológico, desafíos.

The concept of digital human rights in the age of globalization and technological advancement: challenges, opportunities, and developmental pathways

Abstract. The article's objective is to formulate a digital human rights framework that aligns with the dynamics of globalization and technological change, identifying the core challenges, opportunities, and avenues for protection. The study's goals include: 1) analyzing philosophical discussions on the fundamental nature of digital human rights amid the digital revolution; 2) identifying challenges and opportunities for digital rights within the globalized, tech-driven landscape; and 3) examining frameworks for safeguarding digital and civil rights under these conditions. The analysis includes a review of international and national legal standards governing digital rights, contrasting various approaches to their protection. It explores the roles of governmental and non-governmental organizations in digital rights policy-making and assesses the potential of emerging technologies to enhance transparency and information access. Emphasis is also placed on social dimensions, such as the public's awareness of their digital rights and available protection measures. Future trends and possible scenarios for the evolution of digital human rights are presented, highlighting factors that may influence their realization. The study's findings will be valuable for academics, human rights advocates, policymakers, and those interested in digital rights in an era of rapid technological change, offering insights that underscore the significance of digital rights in a globally interconnected world.

Keywords: social aspects, digital rights, globalisation, technological progress, challenges.

INTRODUCTION

The relevance of the study of digital human rights, which are being formed in the context of globalisation and technological progress, is a new concept put forward in the digital twenty-first century to protect individual rights. As more and more people are immersed in the digital space, the need to respect human rights is growing, which has practical implications and is becoming an increasingly relevant topic. The COVID-19 pandemic has exacerbated the problem of the right to access the Internet, as it has become virtually the only channel for receiving information from around the world. The focus of rights on digital rights in the digital age and post-covid development is crucial because data collection is happening on a large scale. More and more aspects of our lives are tracked, stored, used (and abused) digitally. Digital rights are an integral part of human rights in today's digital society. This topic is becoming increasingly relevant in light of the rapid develop-

ment of technology, which requires analysing opportunities and threats, as well as creating effective strategies to protect digital rights at all levels. They ensure legal and social protection of users in the context of technological development, promote the democratisation of information and support the principles of an open Internet. That is why the relevance of digital human rights in the context of globalisation and technological progress, with the identification of challenges, opportunities and prospects, is growing in the context of the digital transformation of social relations in Ukraine (Kivliuk et al., 2023; Hubanova et al., 2021; Lytvyn et al., 2022).

ANALYSIS OF RECENT RESEARCH AND PUBLICATIONS

The analysis of the literature on digital human rights in the context of globalisation and technological progress reveals the main challenges, opportunities and prospects for the protection of digital rights. The research of Voronkova V.G., Nikitenko V.O., Oleksenko R.I. covers aspects of confidentiality, protection of personal data, access to information, freedom of expression, as well as issues of equality and non-discrimination in the digital space. The authors argue that the proliferation of digital technologies poses risks to privacy, as the collection, storage and processing of personal data is growing significantly. The literature emphasises that legislation in many countries, including the European General Data Protection Regulation (GDPR), aims to establish a framework for privacy protection, but compliance remains a challenge.

In the context of globalisation, many governments are imposing restrictions on information disseminated on the Internet, citing national security concerns. This restricts freedom of expression and creates potential abuses of freedom of speech. The literature has widely studied inequality of access to digital technologies, which arises due to socio-economic, geographical and other barriers. The digital divide between countries and regions, as well as between different social groups within countries, limits the opportunities for the full realisation of digital rights.

An important aspect is the efforts of international organisations such as the UN, UNESCO, and the OECD, which create a normative and ethical framework for the protection of digital human rights. This includes the Declaration of Human Rights in the Digital Sphere, recommendations on artificial intelligence and human rights protection.

In the works of N. Verlos and N. Kolomoyets, the benefits of modern technologies are often noted, and an important opportunity is the development of digital literacy among the population, which allows people to better understand their rights and means of protecting them. Educational initiatives aimed at raising awareness of online rights and cybersecurity help users to better protect their data and privacy. Experts predict further development of the legal framework for the protection of human rights in the digital environment. It is about legislation that adapts to the challenges of new technologies, including artificial intelligence, which will ensure fairness and security in the online space.

The research analyses the ethical use of artificial intelligence and machine learning that may affect human rights. It emphasises the importance of developing ethical standards and principles to minimise the risks associated with decision-making automation and big data. Increasing the importance of digital rights requires global cooperation, in particular in cybersecurity, where the exchange of information between countries and international organisations contributes to the protection of the rights of Internet users at the global level. The literature analysis shows that

digital human rights face numerous challenges, but the development of international standards and technologies opens up new opportunities for their protection. Prospects for the development of digital human rights include improving the legal framework, increasing digital literacy, ensuring the ethical use of new technologies, and deepening international cooperation to achieve a common level of security and respect for rights on the Internet. The authors published an article 'Digital Human Rights as an Expression of Digital Attributes: A Socio-Philosophical Rationale', which shows that philosophers cannot pass by this important topic. We believe that this is not only a topic for lawyers, but also for philosophers and economists, which has an interdisciplinary connection and is a relevant topic in the modern academic world.

MATERIALS AND METHODS

The following methods and approaches are used to research the topic. First of all, we study scientific works, analytical reports, international standards and documents on digital human rights. This will ensure an understanding of key theoretical approaches and concepts, as well as the identification of gaps and problems related to the protection of digital rights. Comparative analysis is used to compare different international and national approaches to digital rights protection. For example, the European data protection framework (GDPR) can be compared with other models, such as American or Asian standards, to analyse the effectiveness and diversity of approaches. Legal analysis helped to explore the legal framework for digital human rights, including laws, international treaties, regulations and guidelines governing privacy, access to information and other digital rights; identify gaps in legal regulation and draw conclusions on the need to improve legislation. Content analysis of digital platforms, social networks and online media allows us to study how digital human rights are discussed, what issues are most often covered, and identify the main threats to digital rights. Using this method will help to understand public opinion and general trends on the topic. The use of specific cases or case studies allows you to analyse real-life examples of digital rights violations and consider how different countries or organisations address digital rights protection. For example, a case study based on the Cambridge Analytica case helped to identify vulnerabilities in privacy protection. The foresight analysis method will allow us to predict possible scenarios for the development of digital human rights based on the collected data and trends; assess how legislative regulation and technological impact on human rights will change in the future. Applying a comprehensive approach to research methods will allow us to gain a comprehensive understanding of the problem, identify weaknesses in the protection of digital rights and find the best ways to strengthen them.

The purpose of the article is to develop the concept of digital human rights in the context of globalisation and technological progress in the context of challenges, opportunities and areas of protection. Objectives of the study: 1) to analyse the philosophical debate on fundamental digital human rights in the era of the digital revolution; 2) to identify the challenges and opportunities of digital rights in the context of globalisation and technological progress; 3) to consider the areas of protection of digital human and civil rights in the context of globalisation and technological progress.

RESULTS AND DISCUSSIONS

1. Philosophical discussions on fundamental digital human rights in the digital age

Digital technologies bring many benefits, but the digital revolution in the context of globalisation and technological progress is emerging as a serious global challenge to the protection of human rights. The undeniable benefits of the digital revolution do not eliminate its obvious risks. Humanity considers cyberspace and artificial intelligence to be black holes in the field of human rights. Most human rights scholars focus on freedom of speech online, on the one hand, and on the other hand, on the problems of incitement to hatred and violence. Online harassment, trolling, and intimidation have polluted the Internet and pose a very real threat to humanity. Undoubtedly, there have already been many discussions and debates in academic life on this new, complex and relevant topic. The first debate that took place in the academic world regarding the discussion of 'digital human rights' raises the question of the change in human rights from generation to generation. The second debate focuses on 'digital human rights' and reflections on the arguments around human rights and its digital attributes. 'Digital human rights' are a phenomenon of generalisation of human rights, but their essence is the alienation of human rights. Regarding the concept of 'digital human rights', the first issue to deal with is the two different discursive approaches to the problem of digital human rights (Klopov et al., 2023). The first discursive approach is the demonstration by the academic community of 'digital human rights' as a new phenomenon of the digital age, to which every person has a relation, being in the information space. The second discursive approach, put forward by the UN High Commissioner for Human Rights, is about the threats to human rights posed by digital technologies and this phenomenon is essentially the alienation of human rights. The third discursive approach, that digital human rights are the 'fourth generation of human rights', is based on the unprecedented challenges that the digital society poses to human rights. It should be noted that the debate on whether 'digital human rights' are new human rights or traditional human rights assumes that 'digital human rights are a kind of human rights', which is what the debate is about. The basic digital rights include (Table 1).

These expanded rights reflect the growing challenges of today's digital society, where technology is increasingly influencing personal life and privacy. Each of the rights helps to protect citizens from excessive surveillance, supports equality of access and equal treatment of users regardless of personal characteristics or social status (Kolomoets et al., 2024).

2. Digital rights: challenges and opportunities in the context of globalisation and technological progress

In the context of globalisation and technological progress, the modern digital society is characterised by rapid technological development, and therefore its study is of particular importance. Digital rights covers the relationship between users' rights in the digital environment and technological challenges that pose new threats, as well as opportunities for protecting these rights; analysis of challenges to users' personal rights, including the right to privacy, freedom of expression, access to information and protection from digital threats; various technological threats, such as cybercrime, user surveillance, discriminatory algorithms and the effects of mass data collection, which may threaten digital rights.

TABLE 1. Fundamental digital human rights as a type of human rights

The right to privacy and protection of personal data	Ensures that users' personal information is collected, stored and processed lawfully, transparently and with an appropriate level of security. This also includes the right to control one's data, such as the right to be forgotten (right to erasure).
The right of access to information	Ensures equal and free access to the Internet and digital resources, including open access to information, which is particularly important for education, science, media and civic participation.
The right to freedom of speech and media expression on the Internet	Guarantees the ability to express one's views on the Internet without censorship or harassment. This right has its limits, which are determined by law, in particular to prevent hate speech or disinformation.
The right to cybersecurity and protection against cyber threats	It includes measures to protect users from cybercrime, fraud, hacking and other malicious activities. This right requires states and companies to create secure digital platforms and systems.
The right to digital education	Provides an opportunity for all citizens to receive education in digital skills and knowledge to use technology responsibly and protect their rights on the Internet.
Intellectual property rights in the digital environment	This includes protection of copyrights and patents for digital content, as well as the free exchange of information in compliance with intellectual property rights.
The right to equal access to digital services and technologies	Guarantees non-discrimination in access to technology, in particular for groups with low mobility, people with disabilities and other vulnerable categories of the population.
The right to transparency of algorithms and data processing	Includes users' right to know how their data is processed by automated systems, including artificial intelligence algorithms, and how these systems affect decisions that affect them (for example, in advertising or financial services).
The right to electronic participation (e-participation)	Provides an opportunity for citizens to participate in public and political life through digital platforms, which contributes to the development of e-government and democracy.
The right to net neutrality	Guarantees equal access to all Internet content regardless of service provider, meaning that Internet providers do not restrict access or prioritize certain content or platforms.
The right to a secure digital identity	Covers the protection of personally identifiable information in the digital space and the ability of users to control its use, including the right to delete or limit access to their digital identity.
The right to protection from digital discrimination	Ensures that technologies, algorithms, and artificial intelligence operate fairly, without bias, and do not discriminate against users based on age, gender, race, or other characteristics.
The right to digital health	Guarantees the protection of the psychological and physical health of users from the negative impact of technology, including the fight against technology addiction, as well as protection from harmful content and cyberbullying.
The right to digital heritage	Covers the ability to control your digital assets and data even after death. This right determines how the user's data is stored, deleted or transferred to relatives or trustees.
The right to participate in the formation of digital security policies and legislation	Enables users to be heard in policy-making processes that affect their digital rights. This includes public discussion of digital security and data protection laws.
The right to be protected from digital surveillance and mass surveillance	Guarantees protection against illegal data collection by public and private entities, as well as the right to be aware of all forms of collection and use of personal information.

Compiled by the authors).

TABLE 2. Challenges and opportunities for the realisation of human rights

Challenges to human rights implementation	Opportunities for implementing human rights protection
They cover legal and ethical issues related to cybersecurity, privacy, personal data protection, cybercrime, tracking and controlling user behaviour on the Internet, and the possible misuse of artificial intelligence (AI) and algorithms.	New digital technologies can contribute to the protection of digital rights by creating tools to protect personal data, make government processes more transparent, reduce manipulation and disinformation, and increase cyber literacy among the population. These issues are linked to the need for a clear legal framework that strikes a balance between the use of technology and the protection of users' rights.
Threats to data privacy and security, including the massive collection of personal data for commercial purposes; increased risks of leaks and cybercrime; lack of transparency in the use of data by companies and organisations	Development of data protection technologies, including the introduction of advanced encryption and data management methods, such as differential privacy, multi-factor authentication, anonymisation; development of technologies that allow users to control their personal data. Overcoming users' lack of understanding of their digital rights, such as the right to privacy or the right to be forgotten; skills to protect their own security and personal information.
AI algorithmic discrimination and bias, which is based on the risk of biased decisions automatically made on the basis of big data; lack of transparency of algorithms that may increase discrimination.	Transparency and accountability of algorithms, the use of explainable AI, which allows us to understand how algorithms make decisions; establishing mechanisms that allow us to challenge automated decisions that affect the rights or freedom of the user.
Censorship and restrictions on freedom of speech, as algorithms can overly restrict content by blocking legitimate expression; the state or corporations can use technology to control online speech	Education and digital literacy, based on the development of educational programmes that teach safe behaviour on the Internet, the basics of cybersecurity and data management; creation of accessible resources and tools for self-study in digital literacy.
Cybercrime and low cyberliteracy, with the expansion of online services increasing the risk of cybercrime, such as phishing, fraud and account hacking; low user awareness of safe online behaviour.	Implementation of ethical standards and approaches to AI aimed at forming ethical principles of AI use, including the prohibition of discrimination and implementation of the principles of transparency and fairness; creation of ethical committees that assess the possible consequences of the introduction of new technologies.
Lack of global standards and regulation, including technological threats that transcend national boundaries, while there is no unified international approach to regulation; difficulty in coordinating efforts globally due to different legal systems and standards.	International cooperation and coordination, based on the development of common standards for cybersecurity and user rights protection through international organisations and joint initiatives; joint creation of protocols and procedures that allow for a rapid response to global cyber threats and coordination in the fight against cybercrime. Implementation of laws, such as the GDPR in the EU, that increase the responsibility of companies for data protection. Developing national and international regulations that protect freedom of speech, privacy and other digital rights.

Compiled by the authors.

Digital rights and technological threats are not only a technical or legal issue, but also an ethical one. In the digital environment, data is one of the most valuable resources, but the collection and processing of large amounts of information about users poses serious threats to their privacy. Tools for restricting access to data and new encryption protocols can improve the protection of personal data, but new risks arise in the form of security breaches, misuse and information leaks. The fight against fake news and malicious content often requires restricting certain forms of expression. This creates a dilemma between ensuring a safe information space and freedom of speech. Automated moderation algorithms are often criticised for excessive censorship, which can limit access to truthful information and even undermine democracy (Kolomoets, Verlos, et al., 2024). AI and algorithms are increasingly making decisions that can have a significant impact on users' lives. For example, decisions made by automated systems may contain biases or discriminatory elements. This raises the need for ethically responsible use of AI, ensuring transparency of algorithms and the ability of users to control how AI affects their lives. The proliferation of digital services increases the vulnerability to cybercrime, including phishing, hacking and identity theft. The protection of digital rights requires continuous improvement of cybersecurity methods, development of resilient infrastructures and cyber literacy programmes to help users protect themselves in the online environment.

The balance between innovation and user rights protection requires a comprehensive approach that includes legal regulation, technological security measures, ethical responsibility and a high level of user awareness. Understanding these aspects allows us to create a more sustainable and secure digital society, where technology will be a tool for progress rather than a source of new threats. In response to new technological risks, the concept of digital rights is emerging to protect users in the digital space. These include the right to privacy, the right to know how their data is processed, the right to data erasure (the right to be forgotten), and the right to be free from discrimination by algorithms and AI.

To effectively use digital rights and opportunities, it is necessary to increase the level of digital literacy. This will help users better understand how to protect themselves online, what data they can provide and to whom, and how to avoid technological threats. As technological threats recognise no borders, international cooperation becomes important to coordinate efforts to combat cybercrime, develop common security standards, and support user rights at the global level. Initiatives such as the General Data Protection Regulation (GDPR) in the European Union can serve as models for other countries.

Realising opportunities to protect digital rights requires not only technological development, but also the active participation of civil society, states and international organisations. Only under these conditions can we ensure a safe and secure digital space for all users (Metelenko et al., 2023).

3. Areas of protection of digital human and civil rights in the context of globalisation and technological progress

Digitalisation, which has taken over the twenty-first century, threatens human security. The misuse of digital infrastructure can contribute to human rights violations, including the unconscious collection and use of confidential and personal data, the use of surveillance technologies and software by countries, and the use of discrimination against women and people with disabilities. For example, UNESCO calls on countries to put human rights at the heart of regulatory frameworks and legislation for the openness and use of artificial intelligence; the Institute of Electrical and Electronics Engineers has issued an 'Artificial Intelligence Design Code of Ethics' to ensure that human

rights are met with artificial intelligence; the European Union is developing an Artificial Intelligence Law and many other measures (Marienko, 2023).

Overreaction by regulators to restrict speech and use of online spaces is an important human rights issue (Human rights in the digital age: challenges, threats and prospects, 2021). Dozens of countries restrict people's access to content and suppress freedom of speech and political activity, often under the pretext of fighting hatred or extremism. Short-term internet shutdowns are becoming a common tool to suppress legitimate debate, dissent and protest. Digital surveillance tools are used to track and harass human rights defenders and others. 'Rights as a basis' reflects the value orientation of the state authorities, and digital technologies underpin the legal framework and legislation.

TABLE 3. Areas of protection of digital human and civil rights

Direction of protection	Content and characteristics
Strengthening global regulation and creating common standards and harmonising legislation	There is a trend towards the development of global laws and standards, in particular on data protection and privacy. This will facilitate the harmonisation of approaches to the protection of digital rights in different countries. Unification of legislation at the international level will create uniform mechanisms for the protection of rights in the digital space, in particular for Internet users.
Developing technologies to protect user rights	The active use of technologies that will explain how algorithms make decisions, as well as providing access to procedures for appealing automated decisions, is expected. Expanding the possibilities of control over personal data and tools that will allow users to independently manage their data, delete or change information on platforms and services. With the development of encryption and new methods of anonymisation, users will receive additional tools to protect their privacy and confidentiality.
Ethical use of artificial intelligence	The introduction of ethical norms and standards will become an important aspect of the use of artificial intelligence. Ethical principles will become part of the development and implementation of algorithms to ensure fair use of data and prevent discrimination. Supervisory bodies and committees may be established to analyse new technologies and their impact on user rights, including compliance with the principles of transparency and security.
Increasing the digital literacy of the population	In the future, it is expected that digital literacy education programmes will become more accessible and reach a wider population. This will contribute to raising awareness of rights in the digital space. Dissemination of cybersecurity education resources, in particular among young people and the older generation, will help reduce the number of cases of cybercrime.

TABLE 3. Continuación

Direction of protection	Content and characteristics
Implementation of new data protection tools	New methods of encryption and pseudonymisation: These technologies will evolve and become more accessible to the general public, which will reduce the risks associated with data leakage.The introduction of blockchain technologies and decentralised systems will ensure that digital rights are preserved through transparent and secure platforms.
The growing role of civil society and activism in protecting rights	Digital activism, which is based on civil society organisations and activists strengthening their role in ensuring transparency and accountability of states and corporations, especially in the context of digital rights violations. Civil society organisations and users will be able to actively monitor the implementation of public policies related to digital rights and hold governments and corporations accountable for violations.
Stimulating innovative development in the field of rights protection	The development of research aimed at protecting digital rights will become a priority in government and corporate programmes. This will include research into cybersecurity, new data protection technologies and the ethical use of AI.
Legal regulation and laws on the protection of digital rights	Creating and enforcing specific laws, such as the EU’s General Data Protection Regulation (GDPR), that protect the rights of users in the digital environment.Expanding laws to regulate the collection, processing and storage of personal data by companies and government agencies. Giving users the ability to control access to their data and protect it from abuse.
Technological innovations for data security	Use of modern encryption technologies to ensure privacy and protect communications. Multi-factor authentication: The creation of a multi-level access system that allows for additional protection of users’ personal data. Anonymisation and pseudonymisation: The use of methods that make it impossible to identify users in common data sets, increasing the level of protection.
Transparency and accountability of algorithms	Develop algorithms that explain how decisions are made to avoid discriminatory or biased decisions. Regular independent audits to check for bias and risks to user rights. Ensure the right to appeal decisions made on the basis of algorithms or AI that affect user rights.

Compiled by the authors.

Thus, there are key opportunities for the protection of digital human and civil rights that can provide effective and sustainable protection in the modern digital environment, which provide a framework for the active protection of digital rights and allow citizens to better control their personal data and security in the digital environment (Nikitenko, Voronkova, Kaganov, 2024).

CONCLUSION

Therefore, the protection of human rights in the digital age is a complex, cross-cutting and disciplinary social issue. The academic discourse of 'digital human rights' is developing in the context of 'human rights in digital format'. Scholars use discursive materials such as 'digital humanity', 'digital rights', 'digital form' to transform digital resources into constituent elements of human rights. We have concluded that 'digital attributes of people should be the result of the extension of social attributes of people'. 'Digital rights' are still a controversial issue that lawyers, philosophers, and economists should work on. The prospects for the protection of digital human and civil rights are of profound importance in the context of growing digitalisation. Modern technological developments provide new opportunities for strengthening the protection of users' rights in the digital space, but at the same time require constant improvement of approaches and tools.

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