

The essence of the digital economy and the problems of its formation and development

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Abstract. Digitalization of national economies is a complex process that occurs differently around the world but influences all areas of life in any society (politics and law, culture, etc.). The transition to a post-industrial stage of development that began in the 21st century, occurring in parallel with the information revolution, has contributed to the formation of a qualitatively different approach to understanding the role of public administration as a significant systemic social phenomenon. This stage of development is characterized by profound changes in the socio-economic sphere. Today, the digital economy involves the search and development of new models of economic and investment activities, the transformation of the state and its institutions, the application of innovative ideas in the social sphere, as well as the activities of citizens in a particular territory. The object of study is the digital transformation of the national economy, public administration, and the state of the digital environment. The aim of the article is to identify the essence, patterns, and problems of digital economic development. The study identified the problems that states face when implementing information technologies. However, the authors of the article analyzed not only the experience of the Russian Federation but also the experience of other countries actively developing a digital economy (UK, China, etc.). It is emphasized that creating a legal framework for the digital economy will contribute to strengthening issues of security and data protection. It is noted that it is advisable to study and apply various forms of international cooperation between countries that are striving to develop their digital industries.

1 Introduction

Today, despite the lack of a universal and legal definition, the digital economy is defined as economic activity based on the application of digital and innovative technologies. According to I. I. Yakubova, the digital economy is based on the global expansion of the Internet and possesses characteristics of free interactions, broad professional support, and the growing significance of intellectual and technological resources [1]. Jim Yong Kim, President of the World Bank Group, points out that 'human society is currently experiencing a true information and communication revolution. At the same time, the number of the poorest

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households using mobile communication and the Internet is significantly higher than those having access to the achievements of civilization, educational and medical services, or drinking water' [2]. A. V. Spirin notes that with such the development of cross-cutting technologies, 'the digital economy implies the translation of the production and sale of goods and services into a digital internet environment' [3].

V. A. Utkin emphasizes that 'at the new stage of development of digital technologies, one of the main risks becomes the powerful growth in the quantity, quality, and diversity of interconnections between companies, socio-economic systems, social platforms, and individuals, as well as the generation of a gigantic amount of information' [4]. Indeed, it is advisable to consider the consequences of the rapid involvement of humanity in the information environment, as it is important to ensure its competent integration under the new conditions of economic development. In the context of globalization processes, the most relevant and strategic directions for the development of the national digital economy in Russia are cybersecurity and digital sovereignty. To achieve the digital sovereignty of the Russian Federation, a comprehensive approach should be applied, including not only technical measures but also, above all, political and economic measures. 1. Technical measures: the development of domestic technologies and infrastructure for data processing and storage (for example, within the framework of the 'Digital Economy' program, about 1 billion rubles from the federal budget was allocated in 2023 for the development of mass-produced software, automated state management systems, and hardware-software complexes); the creation of own digital platforms for information exchange and service provision (since 2014, a policy of import substitution has been actively pursued, which was updated in 2022). 2. Legal measures: the development of legislation regulating data processing and storage in the country. This will allow for the establishment of rules for all market participants and ensure the protection of national interests, as well as the creation of a national digital development strategy that will consider the interests and needs of the country in the digital sphere (it is necessary to update the existing digital development strategy in light of current threats). 3. Economic measures: support for domestic companies in the field of digital technologies and developments; attracting investments for the development of the domestic digital economy, and the enhancement of digital competencies among the population. The goal of the study is to identify the essence, patterns, and problems of digital economy development.

2 Materials and methods

To ensure the validity and reliability of the results obtained and to achieve the set goal, the authors based their research on methodological approaches from both domestic and international scholars, using general scientific and specialized scientific methods of knowledge. These included the dialectical method, content analysis of regulatory legal acts, legal comparative studies, as well as historical, systemic, structural-functional, logical, and other methods.

3 Results and discussion

Digitalization has significantly contributed to the development of new trends in all aspects of the relationship between state power and society. Thanks to the modernization of digital technologies, there have been a number of changes in the range of opportunities available to citizens for exercising their rights. Primarily, these positive modifications have affected the political and socio-economic spectrum of rights, which are primarily protected by the Constitution of the Russian Federation [5].

Examining the procedures and regulations governing citizens' access to expressions of will in digital form is one of the key necessities. Although digital technologies are currently used in almost every area of citizens' activities, monitoring this innovation at the state level is essential, as it generates new measures and methodologies for legal regulation, rapid development of democratic principles, and the state mechanism as a whole. Comprehensive control and constant monitoring of this gradually emerging system will help identify legal differentiations and promptly address issues in the digitalization of the economy. It is within this paradigm that the relationships between citizens and state structures should be viewed, using information and communication technologies (ICT), namely:

- Regulation of electronic document management;
- Implementation of citizens' right to appeal through electronic communication means.

The relationships highlighted above, which are directly or indirectly protected by Chapter 2 of the Constitution of the Russian Federation, are most susceptible to digitalization processes. Their legislative regulation requires increased attention, as the norms enshrined in the Constitution of the Russian Federation and federal legislation are not fully capable of encompassing these concepts in the context of their new application format. Regulatory acts that governed these areas before the onset of digital transformation covered only the traditional aspects of these relationships and regulated them accordingly. However, in the "new reality," there is a need for additional regulation in the field of information technology.

1. Methods and Trends in Regulating Electronic Document Management within the Framework of Information Security

The introduction of the capability to create, provide, and verify documents in digital format has become one of the factors contributing to the full realization of one of the constitutional principles of the Russian Federation, enshrined in Article 34 of the Constitution. The ability to use and develop ICT will simplify the process of registering legal entities and create a verified system for confirming their activities through services such as the Unified State Register of Legal Entities (EGRUL), the Unified State Register of Individual Entrepreneurs (EGRIIP), and others. Furthermore, the process of internal and external document management in legal activities, within the framework of digitalization, has become more streamlined and faster, allowing entrepreneurs to allocate their working resources more effectively and achieve higher performance indicators. At the same time, their activities have become more accessible for reporting and various levels of control.

Public authorities and society face the need to acquire new skills and competencies in the digital environment. It is also important to pay attention to the institutional aspects of the development of the digital economy. Insufficient scientific attention to these aspects could slow down progress and result in inadequate preparation of governmental and societal institutions for the challenges of digital transformation. Small and medium-sized businesses in the new conditions must be able to transform, adapt, and acquire the necessary competencies. This and other factors are important to explore to determine the prospects for the development of society based on the results of the assessment of the current state.

3.1 Study of indicators characterizing the state of the digital environment

The complex modern conditions, associated with political and economic contexts, such as sanctions pressure, add even more challenges to adapting to the digital age. All entities involved with digital technologies need to develop strategies that will allow them to use digital technologies as effectively as possible in these conditions.

According to experts, the spread of digital technologies shows a significant gap between those who actively use information technologies and those who remain outside the digital environment. Addressing this issue requires extensive educational and informational efforts aimed at including all segments of society in the digital revolution.

M. M. Skibitsky notes that "the main factor contributing to this polarization of human society is the 'global digital divide'" [6]. Thus, society can be divided into groups: those who have access to the internet and use it actively, and those who do not.

In the 21st century, significant changes have occurred due to the transition to a post-industrial society, where information and everything related to it have become key in both the production of goods and services and communications. The effect is evident, as costs have decreased, access to information has increased, and new channels for communication and information transfer have been created. At the same time, the question of the role of state regulation of the information society, control over business activities, and protection of internal information from external threats has become acute.

In his work "Internet Money: A Collection of Lectures," A. M. Antonopoulos pointed out: "a significant reduction in information asymmetry, which directly affects the speed and volume of transactions between economic agents. The quality of the global network and internet technologies is directly related to the creation of network goods" [7].

According to V. A. Efimushkin, "digital economy refers to the methods and mechanisms of economic activity based on end-to-end digital technologies, electronic business, and trade, which allow for the production and sale of goods and services in the cyber environment" [8].

With regard to Russia, it should be noted that as of January 2024, the total population of Russia was 146.2 million people [9], and the number of internet users in Russia reached 130.4 million people (89.2% of the total population of the country). By 2024, Russia will take first place in Europe in terms of the number of Internet users - 85% of the country's residents are over 12 years old or 103 million people. 100% of socially significant objects are connected to the Internet, 86.4% of households are connected to broadband Internet (URL: www.interfax-russia.ru (accessed: 23.04.2024)).

According to Rosstat, Russians most often communicate on the Internet in social networks. The second most popular activity is reading the news. In third place are banking services. About half of Russians buy or sell certain goods online (Table 1).

Table 1. Using the Internet to order goods and/or services, by type of settlement and gender, in the Russian Federation (URL: www.interfax-russia.ru (accessed: 23.04.2024)) (2022)

	The number of people aged 15-74 years who used the Internet to order goods and/or services, thousand people	Proportion of the population aged 15 years and older who used the Internet to order goods and/or services, percentage	
		of the total population aged 15-74 years	of the total population aged 15-74 years who used the Internet during last 12 months
A	1	2	3
Total	60 042.9	53.7	58.3
Men	25 955.7	49.7	53.6
Women	34 087.2	57.2	62.4
City	48 884.6	58.0	62.0
Men	21 002.1	54.4	57.6
Women	27 882.5	61.1	65.9
Village	11 158.2	40.4	46.1
Men	4 953.6	36.4	41.4
Women	6 204.6	44.3	50.6

The leaders in using the Internet to order goods and/or services are the UK and the USA. The level of population activity is shown in Figure 1 (URL: <https://journal.tinkoff.ru/e-commerce-stat/> (accessed: 13.05.2024)).



Fig.1. Online shopping activity of the population according to e-Marketer Statistics, International Trade Administration, Rosstat

The digital economy is often viewed in both narrow and broad senses. In a broad interpretation, as provided by B. Zh. Tagarov, "the digital economy is the creation of a networked, systematically organized spatial structure of economic relations, which includes clusters for creating and using information, digital technologies and products, telecommunications services, electronic business, trade (online trade) and markets, remote mechanisms for concluding transactions, services, education, and several other components" [10].

According to S. A. Grachev, manufacturing and trading companies, service enterprises, non-governmental organizations (NGOs), and government institutions must survive in cyberspace and adapt to the digital environment [11]. This requires developing new business models and digital platforms, entering digital markets, or creating them. All of this contributes to the creation of innovations, attracting investments, and ultimately leads to technological progress [12].

On May 8, 2024, Russian President V. Putin, speaking at the anniversary session of the Supreme Eurasian Economic Council, noted that digitalization is one of the priorities of the Eurasian Economic Union (EAEU) integration agenda. According to him, "electronic goods accompanying documents and other digital solutions are being widely implemented."

Klaus Schwab argues that "the 'on-demand economy' is radically changing our relationships with work and the social structure in which it is embedded. Employers are increasingly using the 'human cloud' to solve problems" [13]. For people in the "cloud," the main advantages are freedom (to work or not) and unprecedented mobility, as they become part of a global virtual network [14]. Today, professional activities are broken down into specific tasks and projects, which are then distributed to the virtual cloud of available performers located anywhere in the world.

3.2 Study of the legal regulation system for digital transformation of the economy

To enhance the effectiveness of state policy and better align with the population, it is crucial, in the context of digital economic development, to ensure legal regulation of the relationships between the state, society, and individuals.

As one of the key national development goals of the Russian Federation, President V. Putin highlighted the digital transformation of state and municipal management, the economy, and the social sphere. He outlined target indicators and tasks, including the "creation of an effective system for combating crimes committed using information and

telecommunication technologies and reducing the damage caused by such crimes," and "ensuring network sovereignty and information security in the information and telecommunication network 'Internet,'" among others [15].

Despite the apparent innovation in the digital sphere for conducting economic activities, its structure is quite regulated and currently does not require adjustment or the issuance of additional normative legal acts. However, in the field of electronic document management in the Russian Federation, regular legislative development is underway. One of the new provisions in the current legislation includes amendments made in 2023 to the Federal Law "On Electronic Signature" dated April 6, 2011, No. 63-FZ. These amendments have tightened the certification of electronic signatures for confirming the authority of individuals and legal entities, which reduces the risk of document forgery, a significant concern given the level of Internet access available to users.

The implementation and use of electronic documentation simplify access to a wide range of state services for individuals. Most of these innovations have become widespread through the Unified Portal of State and Municipal Services. Currently, one of the potential milestones in the field of civil use of documentation through digital technologies is the implementation of the Decree of the President of the Russian Federation dated September 18, 2023, No. 695 "On the Provision of Information Contained in Documents Certifying the Identity of a Citizen of the Russian Federation Using Information Technologies." The next stage in the development of citizen verification as a possible form of identity documentation could be biometric data. Existing legislation on this narrow issue currently applies only to accredited organizations, primarily in the public sector. However, based on trends in technological identification of individuals, it is likely that this model will become a permanent feature in everyday life and future legislation. Despite the apparent convenience and simplification for citizens, digitalization carries risks related to personal data leakage, which are also regulated by current legislation. This risk may lead to an increase in cybercrime, creating additional complexities at all levels of government organization.

The implementation of citizens' rights to appeal through electronic communication channels [16] represents more of a simplification and modernization of the existing mechanism rather than a novel approach to defining specific capabilities. At present, the level of information technology development has reached a stage that allows citizens to directly contact any government agency remotely. The most structured platform for this is the Unified Portal of State Services, while the most specific option for contact is the website of a particular government agency. The development of rights in this format also accelerates and simplifies the process of filing applications, determines internal distribution among departments, guarantees equal access for all citizens, and establishes the need for electronic document management, creating a common state-legal digital space of the 21st century.

The digitalization of the state management system is being highlighted by several key factors. First, the digitalization of administrative processes is a promising tool for optimizing the work of government agencies and increasing the efficiency of service delivery to citizens and businesses, as well as ensuring a more open and transparent management process. Second, with the development of digital technologies, new opportunities arise for involving citizens in decision-making processes and participation in governance. Thus, the digitalization of the administrative sphere contributes to strengthening democratic principles. However, this process also brings certain problems and serious challenges, such as issues of cybersecurity, citizens' information literacy, data privacy compliance, and many others. Addressing these problems requires thorough analysis and research, which will serve as an important step towards developing more sustainable and effective models of public administration in the digital age [17].

Problems also arise in matters of legal protection for the handling and processing of personal data [18] and digital profiles on the Internet, protection of rights in the sphere of digital rights and digital currency [14].

In the context of digitalization of public administration, new challenges arise that require solutions. Law and digital economy are interconnected and mutually influence each other, leading to the emergence of a "new complex branch of Russian legislation" [19].

What steps are necessary under these conditions, and how should the dynamically developing digitalization of society be regulated? According to several experts, there are only two paths: either create fundamentally new legislation that has not existed before or amend existing laws. Opinions among experts on this issue are divided. Preference is given to the development of civil legislation. As noted by A. Yu. Yakovleva-Chernycheva and A. V. Druzhinina, "one of the key aspects of adapting civil law to the realities of digitalization is the inclusion of the concept of 'digital rights' as an object of civil rights in the Civil Code of the Russian Federation" [20].

Indeed, the introduction of the term "digital rights" into legislation and its interpretation are subjects of debate among researchers and legal scholars. Some believe this term signifies a new way of recording civil rights, while others view it as a form of implementing civil rights in a digital environment.

International conventions play a significant role in the digital economy. For example, the UN Convention on the Use of Electronic Communications in International Contracts (2005) aims to standardize and simplify all processes related to information exchange. This approach enhances the efficiency of such bodies as the Federal Tax Service and the Federal Antimonopoly Service.

The analysis of international legislation reveals that there are currently no specialized international conventions or agreements specifically addressing issues related to the digital economy. As technology evolves, the nature of economic relationships both within countries and on the international stage changes, creating a need for the protection of interests. Previously adopted documents are no longer adequate to meet contemporary challenges and require serious reevaluation and revision.

Effective forms of international cooperation include: information exchange, expert exchanges, and the organization of scientific and practical events. Joint training of specialists in digital technologies and the implementation of international educational programs are also crucial. These measures will help develop harmonized methodological materials, standards, regulations, and analyze existing legal frameworks. Such forms of interaction will aid in preventing cyber threats.

Another effective form of cooperation is the joint development of innovative technologies to enhance cybersecurity. However, this process is currently progressing slowly. On one hand, this is due to the varying levels of technological development among countries, and on the other hand, there is some mistrust towards the activities of partners [21].

The process of changing national legislation and integrating digital economy issues has already begun in several countries, including the Russian Federation. However, each country has its own experience and understanding of security, which is a significant factor hindering cooperation.

For example, the UK's efforts in cybersecurity are impressive. The adoption of the Digital Economy Act in 2017 and the implementation of national cybersecurity strategies reflect a serious commitment to protecting information systems and data, both in public institutions and private companies.

In the UK, cybersecurity efforts are interagency in nature. The UK government plays a key coordinating role in internal security matters. Additionally, the country has established several institutions: The National Cyber Security Centre, the National Data Protection Office, and the UK's National Technical Authority for Counter-Eavesdropping. Alongside these

organizations, there are committees and departments working in both cybersecurity and related fields.

The UK government places significant emphasis on training specialists in this field and on scientific research related to security. Considerable resources from the federal budget are allocated for research and innovation in this area.

The People's Republic of China also places high importance on various aspects of cybersecurity. This field is a priority for China as the government is concerned about the protection of digital data and economic espionage by foreign companies. China has enacted the Cybersecurity Law, which outlines strategic principles in this area and issues related to the interaction with network product and service providers. This law imposes restrictions on internet services, which include limitations and control over internet applications, transactions, and information-broadcasting services. Although today there is some indication of a relaxation of strict restrictions and a gradual opening of the information space in China [22].

In the structure of the Chinese government, there are two Councils responsible for cybersecurity issues: the Military Commission of the Central Committee of the Communist Party of China (CPC) and the Military Commission under the State Council of the People's Republic of China [23]. Additionally, China operates a state office dedicated to internet information, known as the National Office of Cybersecurity [24].

When analyzing the situation in China, it is crucial to consider the country's ideology, which involves centralization of power and decision-making across all sectors, including cybersecurity. This centralization can somewhat hinder international cooperation.

As previously noted, different countries have developed their own approaches to regulating digital technologies, including in the legal and regulatory fields [14].

Germany, like other countries, also shows keen interest and activity in cybersecurity cooperation. According to the German government, the most effective way to combat cybercrime can be achieved through the creation of a global cyberspace. This requires developing an action plan, signing interests in international organizations such as the United Nations, the Council of Europe, and others, and establishing security standards.

4 Conclusion

The conducted research has revealed that, to date, there is no unified international framework for ensuring information security. Although some regulations have been established, certain aspects have been agreed upon, and there is an understanding of the importance of international cooperation in the field of information security, unresolved issues outnumber the resolved ones. Overall, many countries are actively developing their digital economies, taking various measures to stimulate innovation, protect data, and strengthen digital security, while also creating their own legislation in the field of digital economy.

Thus, the analysis of theoretical aspects of the digital economy, particularly the clarification of the concept and legal nature of the digital economy, has identified that the digitalization of society and the resulting transformations necessitate the formation of an up-to-date regulatory framework for regulating the digital economy. Currently, the legal framework for the digital economy is insufficiently developed, especially concerning digital currency and digital rights. This inadequacy may lead to the use of these assets in the shadow economy.

Analyzing the main trends and directions in the digitalization of the administrative sphere, particularly in terms of changes in public administration driven by digital technologies, highlights several promising areas. For instance, improving accessibility and convenience for citizens through the implementation of online portals and mobile applications allows real-time access to government services and information, thus minimizing bureaucratic barriers

and queues. Another promising direction is the development of public consultations through innovative means, which enable citizens to more actively participate in decision-making processes and influence all areas of life. This, in turn, underscores the need for widespread implementation and enhancement of electronic identification systems that allow citizens and businesses to authenticate their identity and sign documents online, simplifying many procedures and increasing security.

Digitalization extends beyond process automation, also impacting the ways in which the state and citizens interact, ensuring greater efficiency. However, it also raises issues related to data privacy [25], security, and ethics, which require special attention and thorough consideration.

Addressing these issues becomes interdisciplinary, involving economics, law, sociology, political science, and is crucial for ensuring the effectiveness of government functions.

At the current stage, further research into the adaptation of legal systems to the challenges of the digital economy and enhancing the significance of international cooperation in this area is advisable. As digitalization grows across various spheres of life, it is clear that the existing legal framework requires significant revision and enhancement.

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