

Regulation of the International Labor Division F in the Cyberspace and Digital Economy



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ABSTRACT: This article analyzes the understanding of the importance of the international division of labor in cyberspace and the digital economy. The author made an attempt to determine the meaning and regulation of the international division of labor in modern digital realities. The author comes to the conclusion that the digital economy has become part of the international division of labor and it is necessary to digitize and consolidate the market, as well as prepare a sufficient legal framework.

KEYWORDS: cyberspace, digital economy, international division of labor, labor relations, international trade.

I. INTRODUCTION

Today, one should clearly understand the criteria for a new environment, the challenges and problems that are caused by the general trends of innovative development¹, in particular, the presence of cyberspace and the development of the digital economy. There is no single definition of the digital economy and cyberspace in the scientific literature and legislation.

Cyberspace is a new habitat for modern man. Regardless of the will and consciousness, each individual is a part of this environment, since most social interactions in the modern world occur through information and communication technologies, the product of which is this all-encompassing digital reality. Cyberspace can be considered along with physical and social space, revealing features of the first and second. In this new environment, a global system of social production is being created, which makes it possible to use natural and intellectual resources in a new way. Being extremely mobile and flexible, the environment of cyberspace not only creates an endless number of new opportunities, but also creates new risks that humanity has never faced before.²

Cyberspace is a social space because there are numerous social interactions between real people who can represent themselves in the same way as they are in real life, or create their own new image through the use of all kinds of avatars. We are talking here about the construction of a network identity, characterized by flexibility, fragmentation and multiplicity. As Voiskunsky points out, behavior in cyberspace is determined by the following features: anonymity, transfer (from reality to the Internet space and vice versa), reputation pumping, mobility, immersion, distribution³.

II. DISCUSSIONS

All spheres of life of the modern "virtualized" society⁴ function through virtual communications, namely through the transmission of images, symbols and texts. Social institutions in the new conditions acquire a virtual form, without ceasing to remain part of social reality⁵.

At the same time, in literature, there is a substitution of the concepts of cyberspace and virtual reality. Virtual reality is understood as a set of individual sensations generated by the use of various technical and electronic devices that are able to imitate the functions of objects in the real world (sight, hearing, touch). Virtual reality creates an artificial environment. With the help of virtual reality, individuals are immersed in cyberspace.

¹Vertakova Yu., Plotnikov V. Innovative and industrial development: specifics of interrelation // Economic Chasos-XXI. 2016. V. 156. No. 1-2. pp. 37-40.

² Добринская Д.Е. Киберпространство: территория современной жизни. Вестн. Моск. Ун-та. Сер. 18. Социология и политология. 2018. Т. 24. № 1 DOI: 10.24290/1029-3736-2018-24-1-52-70

³ Войскунский А.Е. Поведение в киберпространстве: психологические принципы // Человек. 2016. № 1. С. 36–49

⁴ Иванов Д.В. Виртуализация общества. СПб., 2000.

⁵ Игнатъев В.И., Степанова А.Н. Виртуальное социальное действие и трансформация повседневных практик // Вестник Московского университета. Серия 18. Социология и политология. 2010. № 3. С. 93.

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Also among the researchers, I. Rustambekov in his work emphasized the emergence of a new, virtual or cyberspace, which should be regulated by a new intersectoral law - "Cyber Law"¹.

But unlike virtual reality, cyberspace is not based on sensory simulations to create the illusion of reality. In cyberspace, there is predominantly text communication, which is correlated with objective reality.²

In this way, cyberspace, or in other words, the digital environment, is the space for the functioning of information and communication technology products that allow you to create extremely complex systems of agent interactions in order to obtain information, exchange and manage it, as well as communicate in a variety of different networks.

It can be said that a digital economy is emerging in cyberspace. The World Bank notes that "the digital economy is a system of economic, social and cultural relations based on the use of digital information and communication technologies"³.

The digital economy is a fundamentally new format for the relationship between an employee and an employer. Computer technologies and the Internet are actively developing, there are more and more new areas of activity on the market. An employee can be involved in different enterprises, and not be tied to only one organization. He also has the right to independently determine for himself the volume of tasks and workload and set the cost for the work performed. The employer, in turn, by attracting such employees, minimizes costs in several directions at once: reducing real jobs, attracting sufficient labor at a certain point in the organization's workload, and channeling the released funds to other areas of development.

Currently, the term "digital economy" is used to describe the functioning of the economy, which is associated with information and communication technologies.⁴

We can say that the digital economy is a new socio-economic model that is developing during the transformation of complex socio-economic systems under the influence of digital technologies.

The digital economy is an economy in which economic activity, business transactions and professional interactions are based on a global network of digital and computing technologies. This activity is driving the growth of business, economy, social, cultural, etc. based on artificial intelligence, Internet of things, robotics, virtual reality, mobile devices, 3D printing, smart sensors, big data/analytics, augmented reality, data visualization, cognitive computing, location, customer profiling, blockchain, quantum computing and cloud computing⁵.

As part of this phenomenon, business has expanded significantly and goes beyond the borders of the state. Technology has restructured products and services, created a new form of business, increased utility opportunities, and fostered a new management culture.⁶ It can be seen that both national researchers and scientists pay special attention to the issues of legal regulation of the digital economy in Uzbekistan⁷.

The digital economy can be viewed as a modern factor in the reorganization of labor in production, capable of reducing costs and promoting the division of labor.⁸

However, the digital economy does not bring a positive effect for every company, and in some cases creates additional difficulties, and in general, if we consider the international division of labor, the digital economy as a fairly new non-standard employment model has been developed in a few countries⁹.

The following features of an open labor market can be distinguished:

- the employer finds employees to work more easily thanks to online technologies;
- the employer has an extensive database of information about free labor resources, outside the location of the Organization;
- the employer increases the competitiveness of his organization by attracting employees who work around the world with different companies, in some cases of different levels and focus.

¹ Рустамбеков И.П. Интернет тармоғида фуқаролик-хуқуқий муносабатларни тартибга солиниши. Ю.ф.д. ... дисс. Т., 2017. Рустамбеков И.П. Интернет тармоғида фуқаролик-хуқуқий муносабатларни тартибга солиниши. Монография. Т., 2017.

²Holmes D. Communication theory: media, technology, society. L., 2005. P. 44-45.

³Digital economy for development. // World Bank. [Electronic resource] URL: <https://live.worldbank.org/digital-economy-for-development>

⁴ L'Hoest, Raphael. "The European Dimension of The Digital Economy". Intereconomics, vol 36, no. 1, 2001, pp. 44-50. Springer Science and Business Media LLC, <https://doi.org/10.1007/bf02927909>.

⁵ Negroponte, Nicholas. Being digital. Vintage Books, 2000, p. 243.

⁶ Wilson, Crystal. "The Evolution Of The New Economy: The Digital Economy". MSU Extension, 2017, https://www.canr.msu.edu/news/the_evolution_of_the_new_economy.

⁷ Gulyamov Said. "Regulatory legal framework for the regulation of the digital economy." National Association of Scientists 58-1(58) (2020): 33-35. <https://cyberleninka.ru/article/n/regulatory-legal-framework-for-the-regulation-of-the-digital-economy>

⁸ Суринов Н. Н. Новые стратегии управления человеческими ресурсами в разрезе развития гиг - экономики как новой социально - экономической модели // Научные исследования как основа инновационного развития общества: сборник статей Международной научно-практической конференции, Самара, 11 июня 2019 года. – Самара: Общество с ограниченной ответственностью "ОМЕГА САЙНС", – С. 222-227.

⁹ Гаммершмидт А. А. Недостатки гиг-экономики в условиях глобализации Молодой ученый. – № 26 (316). – С. 98-99. – URL: <https://moluch.ru/archive/316/72097>

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The digital economy can act as a factor in the development of the international division of labor, bringing a positive effect in those countries where information technologies are primarily developed, support from the state is certainly important.

To improve the digital economy and the international division of labor in it, proposals for improving the legislative framework should be identified and changes should be made to the Labor Code of the Republic of Uzbekistan.

Such changes and additions to the labor code should take into account the characteristic features of cyberspace, its cross-border nature and the emergence of relations complicated by a foreign element.

In particular, as B. Musaev correctly notes¹, conflict labor issues, including regulation, in particular conflict regulation of labor relations in a virtual environment (on the Internet), when the employee is in one part of the planet, the employer in another, and the work is carried out remotely, requires separate legal norms and structures. Also, I. Rustambekov in his work notes that private law relations (obligations, property, contracts, services, e-commerce, intellectual property) on the Internet should be regulated by separate legal structures².

Thus, on the basis of the analysis carried out and agreeing with the opinion of the above authors, we consider it appropriate to adopt separate chapters in the codes of the Republic of Uzbekistan, in particular, a separate chapter in the Labor Code - "Regulation of virtual international private labor relations" and a separate chapter in the Civil Code - "Applicable law in cyberspace". This will serve to regulate emerging new relations, protect the rights of the parties to such relations and prevent possible conflicts of regulation, which are also directly related to the international division of labor within the framework of international trade and economic relations.

III. CONCLUSION

In general, we can summarize that the digital economy is one of the largest and most promising areas of the international division of labor, but it is also the most unregulated area of the economy. Despite this, according to PwC research forecasts, by 2025, freelancers' revenue will increase to \$13.84 trillion.

As for the countries where the digital economy acts as part of the international division of labor, here we can single out the countries of Europe and the USA. Today, the United States is a leader in the development of the digital economy, this is evidenced by the number of freelancers - 56.7 million people, while in Europe according to Fortune's calculations - 24 million people. In the US and Europe, the government is trying to solve digital economy issues at the legislative level, since it has become part of their economy as a whole.

Based on all of the above, we can conclude that in our country there are all prospects for the digital economy to act as part of the international division of labor. However, for this it is necessary to apply world experience, namely, to digitize and consolidate the market, as well as to prepare a sufficient legislative framework.

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² Рустамбеков И. Интернет тармоғида фуқаролик-ҳуқуқий муносабатларни тартибга солиниши. Ю.ф.д. ... дисс. Т., 2017.

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