

**Agentia Guvernare Electronica
Agenției Servicii Publice
Serviciului Tehnologia Informației și Securitate Cibernetică
Universitatea de Stat din Moldova
Camerei Notariale din Moldova**

**Conferința științifică națională cu participare
internățională
Digitalizarea actelor juridice
în contextul modernizării serviciilor publice**

**National Scientific conference with international
participation**

**'Digitalization of legal deeds in the context of the
modernization of public services'**

01.11.2022

Chisinau 2023



**Conferința științifică națională cu participare
internațională
Digitalizarea actelor juridice
în contextul modernizării serviciilor publice**

**National Scientific conference with international
participation**

**'Digitalization of legal deeds in the context of the
modernization of public services'**

01.11.2022

CZU 082=135.1=161.1

I-58

Conferința științifică națională cu participare internațională Digitalizarea actelor juridice în contextul modernizării serviciilor publice

Responsabil de ediție:

Aliona Cara-Rusnac, dr. în drept, conferențiar universitar, Departamentul Drept Privat,
Facultatea de Drept, Universitatea de Stat din Moldova, Coordonator Filiera Anglofonă

DESCRIEREA CIP A CAMEREI NAȚIONALE A CĂRȚII

”Digitalizarea actelor juridice în contextul modernizării serviciilor publice” (2022, Chișinău). Conferința științifică națională cu participare internațională, 01 noiembrie 2022/
comitetul științific: Sergiu Băieșu [et al.]; comitetul de organizare al conferinței: Tatiana Cazacu [et al.]. – Chișinău: CEP USM, 2022 - . – ISBN

Comitetul științific / Scientific Committee

1. **Sergiu Băieșu**, Departamentul Drept Privat, Facultatea de Drept, USM
2. **Tatiana Cazacu**, AGE
3. **Olesea Bobescu - Bereștean**, AGE
4. **Aliona Cara-Rusnac**, Departamentul Drept Privat, Facultatea de Drept, USM
5. **Liliana Chirtoacă**, Președintele Camerei Notariale din Moldova
6. **Rodica Ciobanu**, Șef Departamentul Drept Publica, Facultatea de Drept, USM
7. **Vitalie Pistriuga**, Departamentul Drept Privat, Facultatea de Drept, USM
8. **Sorin Dolea**, avocat, asistent universitar Departamentul drept Internațional și European, USM
9. **Vlad Bercu**, Departamentul Drept Privat, Facultatea de Drept, USM
10. **Natalia Chibac**, Departamentul Drept Privat, Facultatea de Drept, USM
11. **Elena Arapu**, Departamentul Drept Privat, Facultatea de Drept, USM
12. **Felicia Păscăluță**, Departamentul Drept Privat, Facultatea de Drept, USM
13. **Tatiana Mihailov**, Departamentul Drept Privat, Facultatea de Drept, USM
14. **Oksana Kyriac**, Department at the Yuriy Fedkovych Chernivtsi National University

Comitetul Organizatoric / Organizational committee

- 1. Tatiana Cazacu, AGE**
- 2. Olesia Bobescu - Bereştean, AGE**
- 3. Sergiu Băieşu, Departamentul Drept Privat, Facultatea de Drept, USM**
- 4. Aliona Cara-Rusnac, Departamentul Drept Privat, Facultatea de Drept, USM**
- 5. Liliana Chirtoacă, Preşedintele Camerei Notariale din Moldova**
- 6. Rodica Ciobanu, Şef Departamentul Drept Publica, Facultatea de Drept, USM**
- 7. Vitalie Pistriuga, Departamentul Drept Privat, Facultatea de Drept, USM**
- 8. Sorin Dolea, avocat, asistent universitar Departamentul drept Internaţional şi European, USM**
- 9. Vlad Bercu, Departamentul Drept Privat, Facultatea de Drept, USM**
- 10. Natalia Chibac, Departamentul Drept Privat, Facultatea de Drept, USM**
- 11. Elena Arapu, Departamentul Drept Privat, Facultatea de Drept, USM**
- 12. Felicia Păscăluţă, Departamentul Drept Privat, Facultatea de Drept, USM**
- 13. Tatiana Mihailov, Departamentul Drept Privat, Facultatea de Drept, USM**
- 14. Oksana Kyriac, Department at the Yuriy Fedkovych Chernivtsi National University**

Panel II Digitization of the legal deed. Electronic Legal Deed

RESHAPING DIGITALIZATION: TOWARDS IN-WAR UKRAINIAN ARCHITECTURE

PhD (in Law) **Oksana Kiriak**

Private Law Department

Yuriy Fedkovych Chernivtsi National University, Ukraine

o.kiriyak@chnu.edu.ua

Abstract: The main factor influencing world politics in the late twentieth and early twenty-first centuries is digitalization. Without considering its essence, causes, main forms and possible consequences for the world system, the analysis of modern world politics and security policy will be at least incomplete. The new quality of digitalization - globalization - consists not only in the fact that the level of interdependence and mutual vulnerability of states is increasing. In fact, the internal sovereignty of states is weakening in a growing range of political directions. Globalization limits the field of activity of the governments of individual countries in terms of the possibility of the sovereign formation of their societies, the isolated solution of problems affecting the national territory.

KEY WORDS: digitalization, digital technologies, private law, digital transformation.

In the conditions of martial law, there is an urgent need to develop effective security solutions in the economic sphere to restore economic activity, fight against poverty and unemployment, provide sufficient financial support for the army, overcome the migration crisis, etc. Analysing the experience of minimizing the consequences of the economic crisis caused by the COVID-19 pandemic, it is worth noting that despite all the losses from quarantine restrictions, in many ways the national economy of Ukraine has undergone a rapid transformation on the basis of distancing, digitalization, outsourcing and cervitization, and the developed infrastructure system, in particular, mail, mobile Internet, online banking - agreed that in today's conditions, in many respects, it allows maintaining economic activity and promptly responding to numerous challenges in the conditions of martial law. That is why, when considering the economic threats caused by war and martial law,

the high level of risk of activity, it is worth turning to recent experience and evaluating the mobility potential and extra budgetary reserves of the Ukrainian economy, as well as the possibilities of preventing and countering modern threats.

The situation inside the Ukrainian-russian war is one of the most important "gravity centres" of global politics. The configuration of the world in the coming century, as well as the position of Ukraine in Europe and in the world as a whole, depends on the unity of the transatlantic partners or a split between them. Partnership with both the US and the EU is extremely important for Ukraine and has its own long history and modern specifics. At the same time, Ukraine needs the progressive development of both complexes of relations without opposing one of them to the other.

The restrictions of both regimes - the state of emergency during the pandemic and the martial law - led to the emergence of similar threats and challenges to the economic security of the state, caused by the inability of employees to perform their duties due to objective reasons, such as a threat to life, an increase in budget costs and reduction of business activity. The threat to people's lives, brutal measures to preserve it, restrictions on rights and freedoms, business opportunities, general economic stagnation, falling incomes, reduced access to education and retraining are common threats to the economic security of the state during wartime and during a pandemic. However, unlike a pandemic, in a state of war these problems are exacerbated by the possibility of real destruction of assets, the need for logistical restructuring of business taking into account the limitations caused by hostilities. Given the presence of common threats, it is worth paying attention to the experience and reserves that were discovered during the pandemic in order to minimize new threats in wartime conditions.

Digitization processes gradually began to be implemented in the world with the second wave of powerful informational changes in the 70s and 80s of the 20th century. In the 90s of the 20th century, scientists began to develop the idea that machines and people will introduce a new form of interaction and communication with the help of various technical devices. The pace of technological innovation in

the last decades of the 21st century is impressive, and their consequences are inevitable part of modern society. The intensive use of information and computer technologies has acquired a global character at the current stage of social development. A powerful wave of computerization influenced the emergence of new goods and services, connected systems structurally entered education, governance, business, technology, created new jobs, fundamentally changed human behaviour, social norms, etc. The transformation of the world into a single information space, the constant increase and updating of information presented in various forms, give reason to consider the learning process in general as a process based on the search for information, its comprehension and processing.

Since 2019, Ukraine has been actively digitalizing at the official state level with the introduction of the "state in a smartphone" program, the main task of which was and remains the receipt of services in electronic form, the modernization of the processes of obtaining information services provided by state authorities and local self-government bodies to broad segments of the population in the so-called one-click method.

The Ministry and the Digital Transformation Committee have developed and implemented many effective initiatives, including: E-notary, E-property, E-permit, E-school, E-social protection, etc.

In the conditions of martial law, the Ministry of Digital, executive and local self-government bodies continue to improve, implement and restore digital projects. A particularly important event was Ukraine's acquisition of the status of a candidate for EU membership and joining the "Digital Europe" program, within which Ukraine will be able to submit applications for financing digitization projects and their scaling. According to the Minister of Digital Transformation of Ukraine, M. Fedorov, Ukraine in the conditions of war continues to wage a successful struggle on the physical and digital fronts (for example, such initiatives as the IT army, crypto fund, digital blockade, Starlink, etc.)

Along with this, the IT sector is developing and continues to function successfully in Ukraine, which fulfils contracts, exports its own services, provides

foreign exchange earnings, and also supports the Ukrainian economy (only in the first quarter of 2022, the IT sector provided a record quarterly revenue of 2 billion dollars for all years of its existence export)

According to the joint analytical report of the World Bank, the Government of Ukraine and the European Commission dated 09/09/2022 "The Rapid Damage and Need Assessments (RDNA)", the cost of direct damage in Ukraine as of June 1 in according to the report is 97 billion dollars. USA. Ukraine needs 349 billion dollars. USA for the restoration and development of infrastructure, production and social sector, which is 1.5 times higher than the GDP of Ukraine in 2021. Over the next 36 months, Ukraine needs about 105 billion dollars. USA to restore the systems of education, health care, infrastructure and prepare for winter

As of August 23, during the six months of the Russian Federation's full-scale invasion of Ukraine, according to IOM, the number of internally displaced persons (IDPs) has increased again to 6.9 million. The Ministry of Digital Transformation has developed new state services for IDPs on a single portal. Among them, services for registering internally displaced persons, receiving payments for IDPs, finding a job, starting your own business, obtaining the status of a candidate for adoption, starting a family, having a child, increasing the level of digital literacy through educational miniseries and many others.

In contrast to a pandemic, the economic consequences of martial law are much larger, so the decline in GDP in 2022, according to various estimates, may range from 20% to 45%, which indicates the need to attract much larger reserves than those used during 2020-2021. Therefore, it may take decades to restore the lost economy, infrastructure, and investment attractiveness.

With each subsequent month of the war, the threat of unemployment increases due to the physical destruction of enterprises and entire industries, a decrease in the volume of foreign trade activity, the unfolding of a spiral of poverty due to a decrease in purchasing power, demand, access to investment resources, the attractiveness of entrepreneurial activity, its possibility and availability etc. Separately, it is worth noting that due to the military operations on the territory of Ukraine and the

temporary occupation of certain territories, the industries that provided the highest indicators of Ukraine's exports, namely: the agricultural sector and metallurgy, are experiencing the greatest losses. This is due to the temporary occupation of parts of Luhansk, Donetsk and a number of other regions of our country, burdened by the remoteness of logistics and infrastructure, which in general threatens a global humanitarian crisis.

Under such conditions, the field of information technologies is the most stable and promising from the point of view of ensuring the economic security of the state. But with an increase in the number of people willing to join it, a decrease in wages, a decrease in business activity in Ukraine, state support for the IT industry must be ensured, taking into account the growth of digital crime in the conditions of information warfare.

Thus, the products and approaches of the digital state are gradually adapting and transforming to the new challenges and realities of martial law at the local, national, and international levels. Ukraine in the conditions of war continues to fight for independence on the physical and digital fronts. Changes are taking place in the sphere of providing administrative services, in the spheres of politics, economy, education, and culture etc. Such changes and processes require taking into account many factors, including economic, demographic, psychological, educational, cultural.