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# THE IMPACT OF THE METAVERSE ON HUMAN RIGHTS: THEORETICAL AND LEGAL ISSUES OF JURISDICTION, LIABILITY, AND THE PROTECTION OF RIGHTS IN VIRTUAL WORLDS

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The article examines the legal challenges associated with the development of the metaverse as a new digital environment, which fundamentally changes the way people interact with information, space and law. In the context of the formation of digital space, which is now characterized by immersiveness and interactivity, there is an urgent need to rethink traditional legal doctrines and new regulatory approaches. The emphasis is placed on theoretical and legal aspects of jurisdiction, liability and enforcement of human rights in virtual worlds, in particular, with regard to the transformation of the concepts of corporeality, subjectivity and privacy. The metaverse, which integrates elements of augmented, virtual and mixed reality, creates new forms of legal relations that are not covered by traditional approaches to regulation. The paper examines the extent to which existing national and international legal mechanisms are able to ensure adequate protection of the rights and freedoms of users who participate in digital interactions, in particular through their avatars. The author substantiates the relevance of developing e-jurisdiction and the possibility of forming a model criminal code of the metaverse which would regulate the issue of liability for virtual offenses. The study is based on systemic-structural, comparative legal, formal legal and prognostic methods, which allowed us to reveal the problem both in the context of human rights and through the prism of digital public space. The dialectical method was used to analyze contradictions, system analysis was used to study the subject of research as a holistic structure, and forecasting was used to predict future challenges. It is concluded that without a clear understanding of the legal status of digital personalities, the principles of jurisdiction in the metaverse, and the mechanisms for exercising responsibility, it is impossible to effectively protect the rights of users. This work aims to contribute to the formation of a comprehensive understanding of the legal aspects of the metaverse and to serve as a basis for further research and development of regulations aimed at ensuring the stable and lawful functioning of virtual worlds with due regard for the protection of fundamental human rights. The author emphasizes the need to form an interdisciplinary approach to the regulation of the metaverse as a space of a new reality in which the main value - human beings and their dignity - is preserved.

Keywords: metaverse, cyberspace, human rights, e-court, digital dignity, digital personality, avatar, virtual offenses.

**Problem statement.** The metaverse – as a set of virtual worlds integrated through digital platforms using immersive technologies (XR, VR, AR) – is rapidly transforming from a conceptual techno-futuristic vision into a full-fledged environment of social, economic and professional interaction. In recent years, as a result of the development of Web 3.0, decentralized networks, NFTs, and digital identities, new forms of legal relations have emerged in the metaverse that affect fundamental human rights and freedoms, including the right to freedom of expression, digital dignity, privacy, security, and access to justice. At the same time, there is no unified approach to regulating these interactions at the level of national and international law, which creates legal uncertainty and multiple risks.

The problem of jurisdiction in virtual environments, where participants interact outside of classical geographical territories, is of particular importance. Virtual offenses, such as cyberbullying, unlawful interference with an avatar or digital identity, and manifestations of virtual violence (including sexual violence), often lack effective mechanisms for prosecution. The existing regulatory framework does not provide for the proper legal status of avatars, electronic humanoids, bots or artificial agents involved in such interactions, and the metaverse itself is outside the scope of traditional territorial jurisdiction.

This gives rise to a wide range of scientific and applied problems: how to ensure the protection of human rights in the virtual space? Can digital offenses be equated with real ones from a legal point of view? What should be the limits of liability within metaverse, and who bears it: the platform developer, the server owner, the user, or the algorithm? Is it possible to create a single electronic jurisdiction for the metaverse, and if so, what are its boundaries, structure, and mechanisms? In this context, the ideas of a model criminal code for the metaverse, the Great Digital Charter, or new supranational mechanisms for the protection of rights in cyberspace are becoming increasingly relevant.

Thus, the problem is not only the lack of effective legal regulation of relations in the meta-universe, but also the need to rethink the very essence of legal personality, autonomy, responsibility and legal reality in the new digital paradigm.

Analysis of the research problem. The issue of legal regulation of the meta-universe is being increasingly actively studied in scientific circles. In order to identify the conceptual foundations of the metaverse reality, the authors have studied the intellectual achievements of the following domestic and foreign researchers, mainly in the theoretical and legal and partly even in the theoretical and economic fields of knowledge, namely Artiomova T. I., Burov O. Y., Derman L. M., Zhuravlev D. V, Kyzymenko I. O., Kornivska V. O., Kostenko O. V., Krasilikova O. V., Miroshnychenko A., Radutnyi O. E., Savchenko I., Sverdlichenko V. P., Sverdlichenko V. P., Tkach H. L., Furasheva V. M., Yaremenko O.

In particular, T. I. Artiomova defines the basis of the metaverse as a hybrid space-time of human existence, and the form of the metaverse as a combination of intertwined elements of VR, AR and everyday reality [1, p. 27]. Kostenko O. V. proposes the creation of a comprehensive jurisdiction, formulated six postulates of the main directions of development of social relations using the metaverse, emphasizes the need to form a methodology of law and sources of law in the metaverse and the development of a categorical apparatus [2, p. 54, 72–74]. Interestingly, back in 2018, O. Radutnyi posed 13 questions regarding the prospects for further research in this area, the relevance of which is still undeniable. His current position is that users can feel a strong identification with their virtual bodies (avatars) in the metaverse and perceive virtual actions as real. This means that virtual attacks can be felt as physical, as virtual experience can affect consciousness and be part of a real mechanism of harm (threat to mental and physical integrity), and therefore emphasizes the need to adapt legal norms [3, p. 168; 9, p. 94].

Despite the existence of a number of relevant studies, the vast majority of them are of a narrow sectoral nature. There is a lack of a systematic theoretical and legal analysis of the impact of the metaverse on human rights, which would cover the issues of jurisdiction, legal personality, responsibility and ensuring human rights guarantees from an interdisciplinary perspective. This necessitates a study of this issue.

The purpose of the article is to provide a comprehensive theoretical and legal analysis of the impact of the metaverse on human rights, with a focus on jurisdictional challenges, specifics of legal liability in the virtual space, and mechanisms for ensuring and protecting fundamental rights in the digital environment. The authors aim at identifying key gaps in the current regulatory framework, characterizing current approaches to the regulation of digital legal relations, and formulating proposals for possible models of legal regulation of interactions in the metaverse, in particular in the context of the formation of electronic jurisdiction and adaptation of the human rights protection system to the new conditions of virtual interaction.

**Summary of the main material.** The global COVID-19 pandemic has become a catalyst for a massive transition to digital communication: education, work, cultural and business interaction have gone online. However, over time, it became apparent that traditional video communication platforms such as Zoom or Google Meet have functional limitations and are unable to provide a full-fledged effect of presence or emotional interaction. In response to the public demand for a deeper and more natural experience of digital interaction, platforms that use virtual and augmented reality technologies have begun to develop rapidly. It is in this context that the metaverse emerges as a new stage in the evolution of the digital environment – a multidimensional platform where users can not only communicate but also live, work, transact, create, and resolve conflicts.

The concept of a "metaverse" is not new. It was first introduced into cultural circulation by the American science fiction writer Neal Stephenson in his novel Snow Crash (1992), which describes an alternative digital reality in which individuals interact through avatars. Even earlier, in 1984, William Gibson proposed the concept of cyberspace as a digital plane of the future that exists outside the physical dimension in his novel Neuromancer. However, it is only in recent years, with the development of technologies such as XR, AI, IoT, blockchain, Web 3.0, and decentralized networks, that the idea of the metaverse has gained the potential for practical implementation [4; 5].

Despite the lack of a unified international legal definition, the scientific community has outlined key approaches to understanding the essence of this phenomenon. Thus, according to O. V. Kostenko, the metaverse is a specific post-reality environment with an unlimited number of users, within which the physical world is transformed into a virtual form, and a person realizes himself through a digital representation – an avatar [6]. The metaverse functions as a decentralized electronic eco-network based on a combination of technologies: artificial intelligence, blockchain, neural networks, holography, three-dimensional graphics, and machine learning. According to the researchers, the current structure of the metaverse should be viewed as a set of information technology domains or corporate meta-platforms that compete for attention, resources, content, and legal regulation.

The definition of the metaverse as a complex online network that creates digital reality using virtual environments and digital assets, where users can interact without physical presence, is also gaining popularity in the domestic legal discourse. Particular attention is drawn to the concept expressed by Sverdlichenko V. P. He calls the Metaverse a copy of the real world, but in a virtual space that combines modern technologies, virtual and augmented reality, three-dimensional graphics, artificial intelligence, social networks, and other advanced innovative technologies. According to the Metaverse concept, users will be able to perform various actions using their digital avatars. They are expected to be able to work, study, attend educational institutions, buy and sell digital objects, participate in virtual games, as well as visit museums, galleries, concerts, and even travel to other countries in a virtual environment. The essence of this concept is that the activities that people perform in the real world can potentially be transferred to the virtual reality of the Metaverse, providing new forms of interactive and social interaction [7, p. 223–224].

To summarize, the metaverse can be viewed as a new generation of virtual space formed by the integration of computer technology, artificial intelligence, blockchain, social networks, and the digital economy. It creates a special form of social and legal interaction within which unique challenges for legal science arise: issues of jurisdiction, legal personality, digital identity, liability for virtual actions, and

protection of human rights in the context of full immersion in the digital environment. Therefore, the issue of the legal status of the metaverse and its participants requires in-depth analysis and development of conceptually new approaches to the regulation of legal relations arising in it.

It should be noted that modern manifestations of the metaverse, although still in their infancy, are now having a significant impact on the legal consciousness of young people, behavioral patterns and formats of legal relations. Changing forms of social interaction – from physical contact to digital immersion – also changes the nature of legally significant actions. Acts that may have legal consequences but do not have a tangible medium or traditional form occur in the virtual environment: this applies, in particular, to consent, harm, information transfer, or even virtual violence. That is why there is a need to form a new regulatory paradigm that can cover the specifics of the digital environment without losing the fundamental principles of law – dignity, autonomy, responsibility, and the rule of law.

One of the key challenges in the legal understanding of the metaverse is the problem of jurisdiction. In the traditional legal order, jurisdiction is an instrument of territorial connection between the state and legal relations, which ensures the realization of the public interest and legal certainty. The metaverse is radically changing this approach. Digital platforms operate in a decentralized, often extra-territorial space where participants interact without physical localization, and actions are performed through avatars that have no direct geographical reference. This state of affairs calls into question the applicability of the traditional principles of lex loci delicti commissi or lex loci contractus, which require determining the place of commission of an offense or conclusion of a transaction.

Particular attention should be paid to the situation when persons controlled by different legal systems interact within the same platform, for example, a citizen of Ukraine registered in the metaverse enters into a contract with a user from Canada while on a server physically located in Ireland. What jurisdiction will the dispute between them belong to? Is it even possible to talk about the "place" of legal relations if the action itself is realized in a conditionally "intangible" space? These questions remain open not only in Ukraine but also in the global legal doctrine.

In response to this problem, the concept of e-jurisdiction is being developed in academic circles

a new model of legal regulation that is not tied to physical space, but is based on platform affiliation, digital identity, domain zone, actual control or mutual consent of the participants. This approach was proposed by Ukrainian researchers, in particular Kostenko O. V., Zhuravlev D. V. and others, who also justify the need to form a model code of electronic jurisdiction of the metaverse [8].

Within this paradigm, it is proposed to recognize the status of special digital legal orders for platforms or environments of the metaverse, which have their own set of rules – terms of use, which are supplemented by the norms of national or international law in the event of a conflict. Such a model is close to the concept of Lex digitalis, a set of supranational, universal digital rules that should apply regardless of state territory, similar to the way the law of international organizations or the law of the sea functions.

At the same time, the risks of this model cannot be ignored. The transfer of part of the legal regulation to the "private hands" of platforms or corporations that create the metaverse may lead to violations of fundamental human rights. There are no guarantees that the internal rules of the virtual space will not be discriminatory, non-transparent, or intentionally favoring only one party. The precedents of blocking accounts without a court decision, moderating content without legal justification, or arbitrarily "deleting" avatars from the metaverse already show the need to formalize such actions as legally significant.

In this regard, there are increasingly frequent proposals to create a single international mechanism for coordinating jurisdiction in the metaverse, which would combine the best practices of public international law, EU law in the field of digital services (in particular, the Digital Services Act) and private contractual regulation. One option would be to develop a Convention on the Recognition of Digital Legal Jurisdictions, similar to the Hague Conventions on Civil Procedure.

All of the above indicates that the jurisdictional issue in the metaverse goes far beyond the classical legal technique. In fact, it is about determining the limits of the legitimate force of law in a world that has no physical boundaries, but has values, identities, conflicts and consequences. In this context, it becomes clear

that the future of legal regulation cannot be based solely on territorial sovereignty; instead, it must be based on the principles of digital autonomy, transparency, accountability, and the universality of human rights, regardless of the form of human presence, whether physical or virtual. This opens the way to the formation of a new system of responsibility in the digital space, which will be the subject of further research.

The issue of liability in virtual worlds is one of the most complex and least regulated in legal science. The metaverse is not only a space of communication, but also a sphere where individuals can commit actions that, by their nature, meet the criteria of offenses. However, the specifics of such actions, in particular their intangible nature, lack of physical contact and virtual representation of a person through an avatar, casts doubt on the possibility of applying classical approaches to tort and criminal liability. Can virtual violence be considered an encroachment on a person's freedom? Can unlawful interference with a digital identity be considered a violation of its privacy? And most importantly, who is responsible: the user, the technical developer, the owner of the environment, or artificial intelligence that made the decision based on algorithms?

In this context, the concept of extended damage is gaining relevance, which is not limited to physical or material consequences but takes into account psychological, emotional, and identity violations. Interaction in the metaverse can be so immersive that the user perceives interference with their avatar as a personal attack. As O. Radutnyi notes, in the case of virtual sexual violence or humiliation in the metaverse, psychosomatic consequences can be quite real [9]. This requires a revision not only of the crime, but also of the entire approach to the categories of "victim" and "object of attack".

The issue of subjectivity in committing an offense requires special attention. Some actions in the metaverse are performed by automated systems, bots, or generative AI. In this case, it becomes difficult to determine whose actions caused the offense. If the responsibility lies with the user who activated the algorithm, is it possible to apply the principle of "direct intent"? If the developer is to blame, does he or she have control over a particular act in the digital environment? And if the action was the result of autonomous AI learning, can anyone be held legally responsible at all? These questions do not yet have a universal answer in either Ukrainian or international law.

In the scientific discourse, the idea of developing a model criminal code for the metaverse has been put forward, which would define the typology of virtual offenses, the characteristics of subjects, the limits of guilt and permissible actions in the digital environment. In other words, only a special legal structure adapted to the new reality can provide legal certainty in this area. In this context, offenses are divided not only by formal features (as in classical criminal law), but also by the degree of virtual influence, damage to digital dignity, undermining digital reputation, and interference with the user's algorithmic autonomy.

Most legal systems have archaic legal acts in force that were formulated without taking into account the possible emergence of social relations using electronic technologies of the metaverse. In some cases, these laws may regulate certain issues of information technology use, but the scope of their application is often either narrow or ambiguous, which creates a situation of legal uncertainty.

However, there are exceptions. In particular, the legislation of Dubai (UAE) already has special provisions relating to the metaverse [10]. Regulation is being actively developed in South Korea [11; 12]. In Japan, the government also recognizes the importance of promoting the development of Web3, including the use of NFTs and the creation of decentralized autonomous organizations, which are the main components of the meta-universe. Back in 2001, Taiwan recognized that virtual objects are property that can be alienated and/or transferred to anyone, and there is a "Draft Rules for the Development and Management of the Virtual Asset Service Industry" ("Draft Virtual Asset Service Act") [13].

It is also worth noting that in some countries, legal acts are already appearing that, although not directly regulating the metaverse, affect related phenomena. For example, the EU legislation on digital services (Digital Services Act (DSA) [14] and digital markets (Digital Markets Act (DMA) [15] emphasizes the responsibility of platforms for content moderation, transparency of algorithms, and protection of user rights. This can serve as a basis for the formation of approaches to secondary (indirect) liability of platforms – when they are not direct offenders, but create or allow conditions for offenses.

Ukraine is also actively bringing its legislation into line. Although the statuses of cryptocurrencies and the meta-universe have not yet been clearly defined, the Law of Ukraine "On Virtual Assets" [16] is in the process of coming into force, which should comprehensively regulate the issue of cryptocurrencies. Although this Law was adopted by the Verkhovna Rada of Ukraine and signed by the President in 2022, it will come into force on the date of entry into force of the Law of Ukraine on Amendments to the Tax Code of Ukraine on the Peculiarities of Taxation of Transactions with Virtual Assets. As of May 31, 2025, this tax law has not yet been fully adopted, which hinders the full implementation of the Law on Virtual Assets. Nevertheless, the Law on Virtual Assets already lays the groundwork for regulating the virtual assets market in Ukraine, defining the main terms, legal status of virtual assets, market participants and principles of state regulation. The Verkhovna Rada is also working on draft laws that are expected to formalize a number of concepts, protect intellectual property rights, and the relations of individuals and legal entities with virtual assets. This includes the Alternative Draft Law No. 10225-1 initiated by the Ministry of Digital Transformation, which adapts legislation to European standards (MiCA) and defines the legal status and rules for service providers.

Global organizations are also trying to focus their attention on regulating the meta-universe, in particular, the European Parliament has approved the Regulation on Crypto Asset Markets (MiCA) [17], which will create a pan-European framework for regulating certain types of crypto assets. But for the most part, the position of global organizations is limited to discussing the possibility of establishing common standards [18].

Thus, legal liability in the metaverse requires a new paradigm of understanding both in terms of the nature of harm and the limits of liability. This responsibility should take into account the multilayered nature of digital interaction, the technical mediation of actions, the autonomy of algorithms, and new forms of influence on a person. Without an appropriate regulatory framework, the virtual space risks turning into a legal vacuum, where the basic principles of justice and protection of human dignity will be replaced by private terms of use and "digital sanctions" that are currently applied without due process.

The metaverse, as a new dimension of digital interaction, poses a systemic challenge to the conventional concept of human rights. If earlier the realization and protection of human rights and freedoms depended on their physical presence in a certain social or legal context, the virtual space devalues this link. In the metaverse, a person can exercise self-realization, communication, creativity, work, and even enter into legally significant transactions without having either a bodily embodiment or direct contact with other participants in the interaction. This means that a human rights violation takes on a new meaning: it may not leave physical traces, but it will have real psycho-emotional, reputational, and even legal consequences.

Human rights in the virtual space require both a rethinking of classical rights and the introduction of new approaches to their understanding. For example, the right to privacy is no longer limited to the protection of personal data – it now includes the inviolability of digital behavior, protection against algorithmic tracking, tracking of avatar activity, and the creation of a profile without the user's consent. Freedom of expression is expanded to include visual self-representation – the avatar's appearance, speech, behavior, gestural communication, etc. A person's dignity can be violated not only by words, but also by a virtual act of humiliation, as a result of manipulating an avatar without consent or imitating violence against them.

The scientific discourse is currently discussing the need to recognize new legal categories that correspond to the essence of digital interaction. These include the right to digital bodily integrity (prohibition of interference with an avatar without consent), the right to authentic presence (independent formation of one's digital image), the right to algorithmic autonomy (protection from forced algorithmic influence), the right to be forgotten (removal of traces of digital behavior), and the right to refuse to interact in an environment that violates the boundaries of psychological comfort. These rights are not a whim of technological progress; they are a response to the changing environment in which people live.

Of particular concern is the lack of effective mechanisms of protection in case of violation of these rights. In the case of a real offense, a person has the opportunity to go to court, to law enforcement agencies, or to use alternative dispute resolution mechanisms. In the metaverse, this system is either not provided at all or depends on the internal rules of the platform. Often, such rules lack transparency, do not provide for the right to appeal, and the decisions of the administration are final. This creates a profound imbalance between the omnipotence of the technical regulator and the defenselessness of the user, which contradicts the basic principles of the rule of law.

In response to these challenges, proposals are emerging in the scientific community to create a single international document that would regulate the protection of human rights in virtual worlds. We are talking about something like a model of a Digital Charter or Convention on Human Rights in Digital Space, which would set minimum standards: the right to report the actions of the administration, the obligation to consent to interaction, the prohibition of digital discrimination, the principle of access to justice and independent complaint handling. This applies to various current initiatives: governments, international organizations, and civil society. In particular, Ukrainian researcher Sverdlichenko V. P. substantiates the need for such a document as a transnational legal act that would be binding on all participants in the global digital environment – states, platforms, developers and users [19]. The Council of Europe is actively working on the issues of children's rights in the digital environment and data protection, and is developing recommendations for member states.

In addition, there is a need to create special institutions to ensure the realization of such rights, such as digital ombudsmen, platform supervisory boards, online arbitration procedures, and independent mechanisms for verifying the actions of moderators. Without such tools, even the best declarations will remain only theoretical constructs. Instead, a meta-universe that grows without a system of guarantees and protection risks turning into a zone of legal impunity, where violations of human rights will be "built into" the logic of the platform.

Thus, the protection of human rights in the metaverse is not an optional option for the future, but an emphasized need of our time that requires a clear legal response, new normative boundaries, and a bold revision of the usual ideas about the boundaries of the personal, public, digital, and human.

**Conclusions.** The metaverse appears not only as a technological innovation, but also as a qualitatively new social and legal space within which a unique system of digital interactions is being formed. Its emergence poses a number of fundamental challenges to legal science and practice that require a rethinking of established legal categories such as space, subject, offense, jurisdiction, liability, and human rights.

The analyzed material allows us to draw several key conclusions. First of all, the lack of a clear legal status of the metaverse and its components – avatars, digital agents, platforms – creates a legal vacuum in which there are risks of impunity, abuse and violation of human rights. Secondly, existing jurisdictional approaches based on the principles of territoriality cannot be effectively applied in a decentralized, transnational virtual environment where interaction has no clear physical localization. This underscores the need for the formation of e-jurisdiction as a new legal model based on the principles of digital affiliation, consent and functional competence.

Thirdly, virtual offenses committed within the metaverse often have real consequences for individuals. In this context, the concept of a model criminal code for the metaverse, which would cover modern researched virtual forms of violence, interference with digital identity, and manipulation of behavior with the help of artificial intelligence, is of particular relevance. It is also advisable to establish the limits of responsibility in the context of digital autonomy.

Fourthly, the protection of human rights in the context of virtual presence requires updating not only the content of individual rights, but also the mechanisms for their implementation and control. It is not only about adapting classical rights (privacy, dignity, freedom of expression), but also about forming new ones, such as the right to digital corporeality, the right to algorithmic autonomy, and the right to authentic presence. These rights should be enshrined not only in the internal policies of the platforms, but also in an international legal act, such as the Digital Human Rights Charter.

Thus, only an interdisciplinary, comprehensive approach to regulating the metaverse - involving experts in law, IT, ethics, psychology, and international law – will allow for an effective model of legal order in the digital world. Such regulation should be based on the priority of human dignity, the rule of law, and the obligation of the state and platforms to guarantee the inviolability of basic human rights, regardless of whether they are exercised in the physical or virtual world.

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# **REFERENCES**

- 1. Artomova, T. I. (2024). *Metavsesvit yak hibrydnyi prostir osvitno-profesiinoi zhyttiediialnosti ta obiekt naukovoho doslidzhennia.* [Metaverse as a hybrid space of educational and professional life and an object of scientific research]. Retrieved from: https://ekmair.ukma.edu.ua/server/api/core/bitstreams/785417c6-e927-4cd7-a8ca-61c5c1fa 7545/content (Accessed: 02.06.2025) [In Ukrainian].
- 2. Kostenko O. V. *Elektronna yurysdyktsiia, metavsesvit, shtuchnyi intelekt, tsyfrova osobystist, tsyfrovyi avatar, neironni merezhi: teoriia, praktyka, perspektyvy.* [Electronic jurisdiction, metaverse, artificial intelligence, digital personality, digital avatar, neural networks: theory, practice, prospects]. *Naukovi innovatsii ta peredovi tekhnolohii.* (Seriia «Derzhavne upravlinnia», Seriia «Pravo», Seriia «Ekonomika», Seriia «Psykholohiia», Seriia «Pedahohika»). 2022. No 2(4). pp. 54-78. Retrieved from: http://perspectives.pp.ua/index.php/nauka/article/view/1038/1037 (Accessed: 02.06.2025) [In Ukrainian]. DOI: https://doi.org/10.52058/2786-5274 -2022-2(4)-54-78.
- 3. Radutnyi O. Ye. *Tsyfrova liudyna z tochky zoru zahalnoi ta informatsiinoi bezpeky: filosofskyi ta kryminalno-pravovyi aspekt.* [Digital Human from the Point of View of General and Information Security: Philosophical and Criminal Law Aspect]. *Informatsiia i pravo:* naukovyi zhurnal / redkol.: V. H. Pylypchuk ta in. K.: Naukovo-doslidnyi instytut informatyky i prava Natsionalnoi akademii pravovykh nauk Ukrainy, 2018. No 2(25). C.158-171. [In Ukrainian].
- 4. What is the metaverse? 2 media and information experts explain. (2021). The Conversation: web site. Retrieved from: https://theconversation.com/what-is-the-metaverse-2-media-and-information-expertsexplain-165731 (Accessed: 02.06.2025).
- 5. *Metavsesvit: shcho tse ta koly vin z'iavytsia* [Metaverse: What is it and when will it appear]? (2021). Ukrainskyi spektr: veb-sait. Retrieved from: https:// uaspectr.com/2021/11/09/metavsesvit-shho-tse/ (Accessed: 02.06.2025).
- 6. Kostenko, O. V., Zhuravlov, D. V., Dniprov, O. S., & Korotiuk, O. V. (2024). *Novi horyzonty prava: Vid elektronnoi yurysdyktsii do modelnoho kryminalnoho kodeksu metavsesvitu* [New horizons of law: From ejurisdiction to a model criminal code]. *Informatsiia i pravo*, 2(49), 43–61. [In Ukrainian].
- 1.7. Sverdlichenko, V. P. (2024). *Metavsesvit maibutnii prostir doslidzhennia dlia yurysprudentsii* [Metaverse is the future research space for law]. *Naukovyi Visnyk Uzhhorodskoho natsionalnoho universytetu*. Seriia PRAVO. Vypusk 81: chastyna 2, pp. 222-227. Retrieved from: http://visnyk-pravo.uzhnu.edu. ua/article/view/301448 (Accessed: 02.06.2025). [In Ukrainian].
- 7. Kostenko, O. V., Zhuravlov, D. V., Furashev, V. M., & Dniprov, O. S. (2024). *Henezys pravovoho rehuliuvannia Web ta model elektronnoi yurysdyktsii metavsesvitu* [The Genesis of Legal Regulation of the Web and the Model of Electronic Jurisdiction of the Metaverse]. *Informatsiia i pravo*, 1(48), 68–83. [In Ukrainian].
- 8. Radutnyi, O. Ye. (2024). *Virtualni kryminalni posiahannia na statevu svobodu abo nedotorkannist u prostori metavsesvitu* [Virtual criminal offenses against sexual freedom or inviolability in the space of the metaverse]. *Informatsiia i pravo*, 3(50), 82–98. [In Ukrainian].
- 9. Regulating Virtual Assets in the Emirate of Dubai. (2022). Law № (4). Retrieved from: https://dlp.dubai.gov.ae/Legislation%20Reference/2022/Law%20No.%20(4)%20of%202022%20Regulating%20Virt ual%20Assets.html (Accessed: 02.06.2025) [in UAE].
- 10. Act on the Protection of Virtual Asset Users. (2023). Law № 19563. Retrieved from: https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=252731#0000 (Accessed: 02.06.2025) [in Republic of Korea].
- 11. Metaverse Industry Promotion Act. (2024). Law No 20352. Retrieved from: https://www.law.go. kr/%EB%B2%95%EB%A0%B9/%EA%B0%80%EC%83%81%EC%9C%B5%ED%95%A9%EC%82%B0%EC%97%8 5%20%EC%A7%84%ED%9D%A5%EB%B2%95/(20352,20240227) (Accessed: 02.06.2025) [in Republic of Korea].

- 12. Virtual Asset Service Act. Draft. (2025). Retrieved from: https://www.chaincatcher.com/en/article/2174308 (Accessed: 02.06.2025) [in People's Republic of China].
- 13. Digital Services Act. Regulation (DSA) (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC. Retrieved from: https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng (Accessed: 02.06.2025) [in EU].
- 14. Digital Markets Act. Regulation (DMA) (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 Retrieved from: https://eur-lex.europa.eu/eli/reg/2022/1925/oj/eng (Accessed: 02.06.2025) [in EU].
- 15. Pro virtualni aktyvy: Zakon Ukrainy vid 15.11.2024. Dokument 2074-IX. *Vidomosti Verkhovnoi Rady Ukrainy*. 2023. № 15. St. 51. Retrieved from: https://zakon.rada.gov.ua/laws/show/2074-20#Text (data zvernennia: 02.06.2025) [In Ukrainian].
- 16. Markets in Crypto-assets Regulation (MiCA). Document 32023R1114. Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No. 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 Retrieved from: https://eurlex.europa.eu/eli/reg/2023/1114/oj/eng (Accessed: 02.06.2025) [in EU].
- 17. Savchenko, I. (2023, 19 zhovtnia). *Zakony maibutnoho: choho chekaty vid rehuliuvannia metavsesvitu* [Laws of the Future: What to Expect from Metaverse Regulation]? *Yurydychna hazeta*. Retrieved from: https://yurgazeta.com/publications/practice/informaciyne-pravo-telekomunikaciyi/zakoni-maybutnogo-chogo-chekati-vid-regulyuvannya-metavsesvitu-.html [In Ukrainian].
- 18. Sverdlichenko, V. P. (2024). *Problemy pravovoho rehuliuvannia vidnosyn v metavsesviti* [Problems of legal regulation of relations in the metaverse]. *Visnyk Kharkivskoho natsionalnoho universytetu imeni V. N. Karazina*. Seriia: Pravo, (38), 124–130. https://doi.org/10.26565/2075-1834-2024-38-13 [In Ukrainian].

# СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

- 1. Артьомова, Т. І. (2024). Метавсесвіт як гібридний простір освітньо-професійної життєдіяльності та об'єкт наукового дослідження. URL: https://ekmair.ukma.edu.ua/server/api/core/bitstreams/785417c6-e927-4cd7-a8ca-61c5c1fa7545/content (Дата звернення: 02.07.2025).
- 2. Костенко О. В. Електронна юрисдикція, метавсесвіт, штучний інтелект, цифрова особистість, цифровий аватар, нейронні мережі: теорія, практика, перспективи. *Наукові інновації та передові технології*. (Серія «Державне управління», Серія «Право», Серія «Економіка», Серія «Психологія», Серія «Педагогіка»). 2022. № 2(4). С. 54-78. URL: http://perspectives.pp.ua/index.php/nauka/article/view/1038/1037 (Дата звернення: 02.07.2025) DOI: https://doi.org/10.52058/2786-5274 -2022-2(4)-54-78.
- 3. Радутний О. Є. Цифрова людина з точки зору загальної та інформаційної безпеки: філософський та кримінально-правовий аспект. *Інформація і право:* науковий журнал / редкол.: В. Г. Пилипчук та ін. К.: Науково-дослідний інститут інформатики і права Національної академії правових наук України, 2018. № 2(25). С.158-171.
- 4. What is the metaverse? 2 media and information experts explain. (2021). *The Converstation*: web site. URL: https://theconversation.com/what-is-the-metaverse-2-media-and-information-expertsexplain-165731 (Дата звернення: 02.07.2025).
- 5. Метавсесвіт: що це та коли він з'явиться? (2021). *Український спектр:* веб-сайт. URL: https://uaspectr.com/2021/11/09/metavsesvit-shho-tse/ (Дата звернення: 02.07.2025).
- 6. Костенко, О. В., Журавльов, Д. В., Дніпров, О. С., & Коротюк, О. В. (2024). Нові горизонти права: Від електронної юрисдикції до модельного кримінального кодексу метавсесвіту. *Інформація і право*, 2(49), 43–61.
- 7. Свердліченко, В. П. (2024). Метавсесвіт майбутній простір дослідження для юриспруденції. *Науковий Вісник Ужгородського національного університету*. Серія ПРАВО. Випуск 81: частина 2 С. 222–227. URL: http://visnyk-pravo.uzhnu.edu.ua/article/view/301448 (Дата звернення: 02.07.2025).
- 8. Костенко, О. В., Журавльов, Д. В., Фурашев, В. М., & Дніпров, О. С. (2024). Генезис правового регулювання Web та модель електронної юрисдикції метавсесвіту. *Інформація і право*, 1(48), 68–83.
- 9. Радутний, О. €. (2024). Віртуальні кримінальні посягання на статеву свободу або недоторканність у просторі метавсесвіту. *Інформація і право*, 3(50), 82–98.
- 10. Regulating Virtual Assets in the Emirate of Dubai. (2022). Law № (4). URL: https://dlp.dubai. gov.ae/Legislation%20Reference/2022/Law%20No.%20(4)%20of%202022%20Regulating%20Virtual%20Assets.ht ml (Дата звернення: 02.07.2025).

- 11. Act on the Protection of Virtual Asset Users. (2023). Law № 19563. URL: https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=252731#0000 (Accessed: 02.07.2025).
- 12. Metaverse Industry Promotion Act. (2024). Law № 20352. URL: https://www.law.go.kr/%EB% B2%95%EB%A0%B9/%EA%B0%80%EC%83%81%EC%9C%B5%ED%95%A9%EC%82%B0%EC%97%85%20%E C%A7%84%ED%9D%A5%EB%B2%95/(20352,20240227) (Accessed: 02.07.2025)
- 13. Virtual Asset Service Act. Draft. (2025). URL: https://www.chaincatcher.com/en/article/2174308 (Accessed: 02.07.2025).
- 14. Digital Services Act. Regulation (DSA) (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC. URL: https://eurlex.europa.eu/eli/reg/2022/2065/oj/eng (Дата звернення: 02.07.2025).
- 15. Digital Markets Act. Regulation (DMA) (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 URL: https://eur-lex.europa.eu/eli/reg/2022/1925/oj/eng (Дата звернення:02.07.2025).
- 16. Про віртуальні активи: Закон України від 15.11.2024. Документ 2074-ІХ. *Відомості Верховної Ради України*. 2023. № 15. Ст. 51. URL: https://zakon.rada.gov.ua/laws/show/2074-20#Text (Дата звернення: 02.07.2025).
- 17. Markets in Crypto-assets Regulation (MiCA). Document 32023R1114. Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No. 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 URL: https://eurlex.europa.eu/eli/reg/2023/1114/oj/eng (Дата звернення: 02.07.2025).
- 18. Савченко, І. (2023, 19 жовтня). Закони майбутнього: чого чекати від регулювання метавсесвіту? *Юридична газета*. URL: https://yur-gazeta.com/publications/practice/informaciyne-pravo-telekomunikaciyi/zakonimaybutnogo-chogo-chekati-vid-regulyuvannya-metavsesvitu-.html.
- 19. Свердліченко, В. П. (2024). Проблеми правового регулювання відносин в метавсесвіті. *Вісник Харківського національного університету імені В. Н. Каразіна. Серія: Право*, (38), 124–130. https://doi.org/10. 26565/2075-1834-2024-38-13.

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# ВПЛИВ МЕТАВСЕСВІТУ НА ПРАВА ЛЮДИНИ: ТЕОРЕТИКО-ПРАВОВІ ПИТАННЯ ЮРИСДИКЦІЇ, ВІДПОВІДАЛЬНОСТІ ТА ЗАБЕЗПЕЧЕННЯ ПРАВ У ВІРТУАЛЬНИХ СВІТАХ

У статті досліджуються правові виклики, пов'язані з розвитком метавсесвіту як нового цифрового середовища, яке кардинально змінює способи взаємодії людини з інформацією, простором і правом. В умовах становлення цифрового простору, який нині характеризується іммерсивністю та інтерактивністю, виникає нагальна потреба у переосмисленні традиційних доктрин права, нових регуляторних підходів. Акцент зроблено на теоретико-правових аспектах юрисдикції, відповідальності та забезпечення прав людини у віртуальних світах, зокрема з огляду на

трансформацію уявлень про тілесність, суб'єктність і приватність. Метавсесвіт, що інтегрує елементи доповненої, віртуальної та змішаної реальності, створює нові форми правовідносин, які не охоплюються традиційними підходами до регулювання. У роботі з'ясовується, наскільки наявні національні та міжнародні правові механізми спроможні забезпечити належний захист прав і свобод користувачів, які стають учасниками цифрових взаємодій, зокрема через свої аватари. Обгрунтовано актуальність розробки електронної юрисдикції та можливість формування модельного кримінального кодексу метавсесвіту, що мав би врегулювати питання відповідальності за віртуальні правопорушення. Дослідження спирається на системно-структурний, порівняльноправовий, формально-юридичний і прогностичний методи, що дозволило розкрити проблему як у контексті прав людини, так і крізь призму цифрового публічного простору. Діалектичний метод використано для аналізу суперечностей, системний аналіз для вивчення предмета дослідження як цілісної структури, прогнозування – для передбачення майбутніх викликів. Зроблено висновок, що без чіткого розуміння правового статусу цифрових особистостей, принципів юрисдикції у метавсесвіті та механізмів реалізації відповідальності неможливо ефективно захистити права користувачів. Дана робота має на меті сприяти формуванню комплексного розуміння правових аспектів метавсесвіту та стати основою для подальших наукових досліджень і розробки нормативно-правових актів, спрямованих на забезпечення стабільного та правомірного функціонування віртуальних світів з урахуванням захисту фундаментальних прав людини. Наголошено на потребі формування міждисциплінарного підходу до регулювання метавсесвіту як простору нової реальності, у якому зберігається головна цінність – людина та її гідність.

Ключові слова: метавсесвіт, кіберпростір, права людини, електронний суд, цифрова гідність, цифрова особистість, аватар, віртуальні правопорушення.