===================== **НАУЧНЫЕ СООБЩЕНИЯ** =====================

ON DIGITAL IDENTIFICATION OF ACTIONS PERSONALITY

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Abstract. The article deals with the problem of digital identification of personal actions. It draws attention to the fact that the use of virtual space creates an alternative social reality in which the functioning of personality takes place. Three main components characterizing the digital identification of personal actions as a phenomenon are singled out: digital profile, digital image and digital trace. It is assumed that further comprehension of the idea of digital identification of personal actions can be associated with the emergence of a program construct (digital avatar) based on the use of seamless digital ecosystems (SMART-environment), which will be able to fully replace a person in the network in legally significant situations.

Key words: virtual space, digital identification of personal actions, digital profile, digital image, digital footprint.

О ЦИФРОВОЙ ИДЕНТИФИКАЦИИ ДЕЙСТВИЙ ЛИЧНОСТИ

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Аннотация. В статье рассматривается проблематика цифровой идентификации действий личности. Обращается внимание на то, что использование виртуального пространства создает альтернативную социальную реальность, в которой происходит функционирование личности. Выделяется три основных компонента, характеризующих цифровую идентификацию действий личности как явления: цифровой профиль, цифровой образ и цифровой след. Предполагается, что дальнейшее осмысление идеи цифровой идентификации действий личности может быть связано с появлением программного конструкта (цифрового аватара) на основе использования бесшовных цифровых экосистем (SMART-среды), который будет способен полностью замещать человека в Сети в юридически значимых ситуациях.

Ключевые слова: виртуальное пространство, цифровая идентификация действий личности, цифровой профиль, цифровой образ, цифровой след.

Digitalization of social life in the first quarter of the XXI century has led to the fact that important social phenomena related to personal data of a person began to find their virtual representation in the network space.

The need not only to individualize, but also to identify and authenticate the user in the network has led to the fact that the network began to transmit data about a particular person, characterizing his or her actions. In addition, there are people who practically "live" and "earn" on the Internet, who actively form their online image. Even the phenomenon of "digital nomadism" has emerged, which has a significant impact on people's life activities, including in business.

All this puts a person in the position of a certain information unit, subject to classification and ranking based on the assessment of his/her actions (production indicators, economic situation, health, individual preferences, interests, location or movement, etc.) in order to develop various measures, including legal measures.

Comprehension of digital identification of personal actions in virtual space is relevant both from the point of view of psychology, sociology, anthropology, philosophy, pedagogy, and other sciences. At the same time, a proper analysis of the virtualization of personal actions associated with the assessment of their legal consequences has not been carried out so far.

It should be noted that in recent years in scientific literature the concept of "network personality" has become very actively used, which is based on the possibility of using a social network, in the space of which an alternative (network) identity is distinguished.

Similar to the concept of "network personality" is the concept of "virtual personality"[1]. Sometimes they are considered as synonyms, sometimes as different concepts. Along with this, the concept of "digital image"[2] has emerged which is proposed to be used in the framework of digital identification of personality actions.

However, the genesis of digital identification of personal actions is still very little studied. At the same time, it is possible to distinguish two main approaches to its comprehension.

The first approach is based on the idea of personal actions as a subject of virtual space with its unique individuality[3]. It is based on the integration of the real and virtual environment, which allows us to establish a sign of equality between the actions of a person in society and the actions of a person in virtual space (when a person is understood equally as a participant of relations both in society and in virtual space, which has its own individuality).

The second approach is based on the technological component of digital identification of personal actions. It assumes that the content of this process is a set of coded information about a particular person, fixed on the corresponding material carrier, with the properties of transmission in virtual space, taking into account the possibility of its processing with the help of artificial intelligence.

Taking this into account, digital identification of personal actions can be considered both as a process and as a result of digitization of personal data, individual needs (attitudes), biographical information, personal characteristics and habits[4].

Regardless of the approach used, it is currently acceptable to distinguish three main components characterizing the idea of such identification as a phenomenon: digital profile, digital image and digital trace[5].

Digital profile is a set of personal and other related data about an individual in the Internet space, contained in information bases authorized for their processing by the subjects. The main prerequisites for the creation of a digital profile as an element of a digital identity are related to the need for processing in the virtual environment of personal data of an individual by authorized subjects, as well as the need to identify a person when interacting with state and non-state bodies and organizations. Since the content of the digital profile is determined by a person's personal data, the infrastructure of the digital profile, in particular, underlies the functioning of the Portal of State and Municipal Services and the Unified System of Identification and Authentication in the Russian Federation[6].

In recent years, the term "digital profile" has been actively used in the legislation of the Russian Federation. However, there is still no legislative definition of this concept, which leads to various risks[7].

There is no unified view on the concept of "digital profile" in legal science. At the same time, all available approaches are united by the idea of digital profile as a set of personal data contained in the information bases of public authorities and institutions.

It should be noted that this approach significantly limits the list of subjects receiving and processing the information included in the digital profile of a citizen. Banks, insurance companies, medical institutions and other organizations that do not belong to the public sector, as well as individuals whose services are used by an individual, generize personal data, process them and provide him/her with the possibility to access these data using the Internet.

[1] *Gotskaya I.B., Zhuchkov V.M.* Modern interpretations of the concepts of "network personality" and "virtual personality" // Letters to Emission. Offline. 2018. No. 2. Pp. 25–84; *Gotskaya I.B., Gotskaya A.I., Zhuchkov V.M.* Analysis of approaches to the interpretation of the concepts of "network personality" and "virtual personality" // Modern Education: traditions and innovations. 2019. No. 1. Pp. 77–82; *Karasik V.I.* Network linguistic personality // Herald of Moscow State Linguistic University. Humanities. 2021. No. 6 (848). Pp. 33–45.

[2] *Shakhrai S.M.* Digital Constitution. Basic rights and freedoms of the individual in a total information society // Herald of the Russian Academy of Sciences. 2018. Vol. 88. No. 12. Pp. 1077; *Stepanov O.A.* The problem of ensuring the security of the individual when correlating a person with his digital image // Modern Law. 2021. No. 12. Pp. 25–28; *Chernyshenko I.G.* Legal protection of the digital image of a person // Legislation. 2022. No. 4. Pp. 54–58; *Shubenkova K.V.* Legal problems of protection of digital image of personality in the Russian Federation // Humanities, socio-economic and social sciences. 2022. No. 10. Pp. 226–230.

[3] See: *Popova D.A.* Identity as a basic construct of digital personality in interpersonal Internet discourse // Herald of Buryat State University. Language. Literature. Culture. 2018. No. 2. Pp. 63–69; *Popova D.A.* Digital personality as a central element of interpersonal Internet discourse // Herald of Buryat State University. Language. Literature. Culture. 2019. No. 2. Pp. 87–91.

[4] See: *Ershova R.V.* Digital socialization of personality in the era of global changes // Applied psychology in the service of developing personality. Collection of scientific articles and materials of XVI Scientific Practical Conference with international participation. 2019. Pp. 49–54.

[5] See: *Stepanov O.A., Stepanov M.M.* Legal regulation of the genesis of digital personality // Law enforcement. 2022. Vol. 6. No. 3. Pp. 20–32.

[6] See: Resolution of the Government of the Russian Federation of 03.06.2019 No. 710 "On conducting an experiment to improve the quality and connectivity of data contained in state information resources" // NW RF. 2019. No. 23, art. 2963; Order of the Ministry of Digital Economy of Russia from 30.06.2022 No. 505 "On approval of methods for calculating the indicators of federal projects of the national program "Digital Economy of the Russian Federation" // SPS "ConsultantPlus" and others.

[7] See: *Polubinskaya S.V., Galyukova M.I.* Big Data in healthcare: information security and legal protection of personal data // State and Law. 2023. No. 6. Pp. 149–160.

Thus, a significant number of primarily commercial legal entities possess information that is part of a citizen's digital profile. However, under this approach, their activities would not be considered as related to the digital profile and therefore would not be regulated accordingly[8].

A citizen's digital profile is also defined as a unique database that includes a set of identifiers and other confidential and publicly available information reflecting various aspects of a person's private and public life[9]. In our opinion, this definition unreasonably expands the content of the digital profile, including all information about an individual contained in virtual space, while the digital profile includes only personal and related data about a person. The complete database of data about the subject in virtual space constitutes the content of the digital personality.

It is not possible to agree with the statements that the digital profile of a person is identified with the digital twin of a particular individual[10], and that the digital profile of a person forms its "digital twin", which will be supplemented by data collected in the course of video surveillance systems, identification and use of various Internet resources[11].

A digital profile of an individual is formed only by his/her personal and related data in digital form. A digital twin of a natural person is a much broader concept than a digital profile; in terms of the amount of information it contains, it can rather be identified with the digital personality as a whole. It should also be noted that the information that appears about the subject as a result of the use of video surveillance systems and Internet resources refers to the digital footprint, which will be discussed below, and not to the digital profile of the individual.

The concept of "digital twin" is actively used in technical sciences and industry. It refers to a copy of a physical object or process that helps optimize business performance. Digital twins are designed to help businesses detect physical problems faster, predict their outcomes more accurately, and produce better products. In foreign scientific literature, a digital twin is understood as an integrated model of an already built product, which is designed to contain information about all the defects of the product and regularly updated in the process of physical use; or a digital model derived from information from sensors installed on a physical object, which allows simulating the behavior of the object in the real world[12]. Based on the above, it seems inappropriate to borrow the well-established technical term "digital twin" and make it identical to the concept of "digital identity".

The next component characterizing the idea of digital identification of personal actions is a digital image, which is a construct independently (creatively) created by an individual and containing information about his or her own image, image, biography, identity, self-presentation in the virtual world[13]. Examples of digital image are accounts and profiles of people in social networks, messengers, computer games, etc. At the same time, a digital image can be endowed with attributes that do not necessarily coincide with the real ones, as it is actually a territory of freedom, where the user is not restricted in any way, except for specifying the real method of communication (e-mail address, phone number)[14].

The reason for creating a digital image is a person's desire to communicate, to establish various channels of communication with other people, because in virtual space people find points of contact, talk about themselves, find friends[15].

The content of a user's digital image consists of information in the account and profile (static part), as well as participation in communication in the Internet space (dynamic part). The account is needed to log in and personalize the subject. The user profile is filled out by the individual and characterizes him/her for other users, reflects individual features of the personality. Through his digital image, the individual has the freedom to express his opinion and participates in the discussion of various topics, problem situations, etc. The most common ways of expressing one's opinion in the Internet space are posting by an individual in some kind of information, commenting, reposting and reposting. The importance of communication and self-expression of the individual in the world of the Internet is so great that it even allowed us to formulate a hypothesis about the reincarnation of a real personality in the network space into a virtual linguistic personality[16].

The digital image (or a part of it) can be changed or supplemented at any time at the will of its owner. Often it depends not only on the internal reasons of the individual, but also caused by his target audience, environment and other circumstances. Taking them into account, the individual can manipulate his own virtual image, change it, following his own or other people's wishes. At the same time, he must constantly provide new information about himself in order to confirm his existence and not to lose the interest of other users.

The subject's participation in communication in the network space is carried out through the operation of appreciation, which is the evaluation of a subject or phenomenon from his or her point of view, taking into account his or her own understanding and attitude to the issues under discussion, rather than from the point of view of universal moral, social, aesthetic and other values[17]. In this case, the individual is strongly influenced by the audience with whom she is in discourse, which has an impact, sometimes decisive, on the results of her self-expression online.

The most important feature of the digital image is its ability to have a major impact on the formation and change of an individual's personality in the offline space. The personality of a person who spends a considerable amount of time, for example, in an online game, is exposed to a variety of factors — from the special slang of players to certain behavioral practices that do

[8] See: *Naumov V.B.* Information-legal issues of identification when using a digital profile // Agrarian and Land Law. 2020. No. 6 (186). P. 138; *Badiina A.V., Oreshina M.N.* Main directions of development of the concept of digital profile. Foreign experience and development prospects // University Bulletin. 2020. No. 7. P. 29; *Vinogradova E.V., Polyakova T.A., Minbaleev A.V.* Digital profile: concept, mechanisms of regulation and problems of realization // Law enforcement. 2021. Vol. 5. No. 4. P. 8; *Tsirin A.M.* Digital profiling in public service: concept and prospects of legal regulation // Journal of Russian law. 2022. Vol. 26. No. 10. Pp. 97–109.

[9] See: *Naumov V.B.* Op. cit. P. 141.

[10] See: *Dokuchaev V.A., Maklachkova V.V., Statoev V. Yu.* Digitalization of personal data subject // T-Comm: Telecommunications and Transport. 2020. Vol. 14. No. 6. Pp. 27–32.

[11] See: *Naumov V.B.* Op. cit. P. 140.

[12] See: *Kupriyanovsky V.P., Klimov A.A., Voropaev Yu. N. et al.* Digital twins based on the development of BIM technologies, connected ontologies, 5G, IoT and mixed reality for use in infrastructure projects and IFRABIM // International Journal of Open Information Technologies. 2020. Vol. 8. No. 3. Pp. 55–74.

[13] See: *Stepanov O.A., Stepanov M.M.* Op. cit. P. 20.

[14] All personality characteristics, including age, appearance, gender identity, sexual orientation, etc., can be freely constructed.

[15] See: *Petrov A.A.* Pros and cons of information and electronic sources of data about a person // Chronos. 2020. No. 7 (44). P. 75.

[16] See: *Agapova O.V.* Formation of linguistic personality in the digital era // Voprosy pedagogiki. 2020. No. 7–1. Pp. 9–12.

[17] See: *Charaudeau P.* Grammaire du sens et de l'expression. Paris, 1992.

not always correspond to the moral and ethical foundations of the real world. Taking into account, for example, that the duration of systematic practice of immersion in the digital reality of MMORPG American teenagers is about 22 hours a week[18], the impact of the digital image on the personality of an individual should be recognized as a real factor in its formation. There is even a special term − "Proteus paradox" ("Proteus effect"), which means changes in behavior in real life due to the fact that a person controls his character in a network multiplayer game in virtual space[19]. Video bloggers, Instagram bloggers and other actors of the Internet space in social networks have an even greater impact on the real personality.

Thus, a digital image has three fundamental differences from a digital profile: first, it may not contain true information about its owner and is the result of an individual's free construction, rather than its objective description. Secondly, a digital image can be easily changed, supplemented or even deleted at the will of its owner without any unfavorable legal consequences. Thirdly, a digital image has an impact on the personality of the individual who created it. Sometimes this impact is so strong that it leads to a change in the qualities of the real personality.

The third component characterizing the idea of digital identification of the actions of a person is a digital trace − a set of information left by the subject in the virtual space when he performs any actions[20].

In a broad sense, a digital footprint can be defined as any action of an individual in a virtual space that has changed it.

The results of an individual's presence in the network are displayed in administrative and security logs, computer registry, log files, etc. As a rule, the digital footprint is formed regardless of the subject's desire (only in some cases the subject voluntarily consents to the processing of personal data), and its volume depends on the individual's activity in the virtual space. The greater the number of actions performed in the network, the greater the amount of information about the user is recorded and stored.

The sources of digital trace include, first of all, acts of communication (e-mails, messages in messengers, calls, sms messages, etc.), activity on the Internet and social networks (opened applications and files, purchases, requests, likes, etc.), as well as the results of video surveillance cameras.

The development of the digital services market increases the amount of digital footprint left by a person in virtual space, primarily due to the use of smartphones. In addition, as a result of active use of Big Data technology, new information characterizing a person with completely new qualities is created, which also forms the digital trace left by a person. According to this information it will be possible to identify a person, establish his personal data and make a fairly complete portrait of a person with his preferences, inclinations, moral and psychological qualities, social circle and ability to pay. However, the almost complete absence of legal regulation in this area presents

a significant legal problem, directly affecting human rights, first of all, the right to privacy[21].

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In conclusion, it is acceptable to note that digital identification of a person's actions is associated with the reflection of a person's behavior in virtual space, as well as with the encoding of information about a particular person in such a space, fixed on the corresponding material medium.

Digital profile, digital image and digital trace can be considered as key components characterizing the content of digital identification of personal actions.

It seems that further understanding of the problem of digital identification of personal actions can be conditioned by the emergence of a program construct (digital avatar) based on the use of seamless digital ecosystems (SMART-environment), which will be able to fully replace a person in the network in legally significant situations.

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