



ИНФОРМАЦИОННОЕ ПРАВО

УДК 349

Ситников Максим Сергеевич

Российская академия народного хозяйства и государственной службы при

Президенте Российской Федерации

Юридический факультет

[c i c e r o@mail.ru](mailto:cicer@mail.ru)

Россия, Волгоград

Maxim Sergeevich Sitnikov

Russian Presidential Academy of National Economy and Public Administration

Faculty of Law

Russia, Volgograd

ПРАВОВОЕ ЗНАЧЕНИЕ КЛАССИФИКАЦИИ МЕТАВСЕЛЕННЫХ

Аннотация: данная статья посвящена юридической классификации метавселенных. Тематика вселенных вызывает интерес у многих ученых, в том числе и у правоведов. Это связано с тем, что метавселенные затрагивают многие аспекты права. Однако регулирование отношений внутри виртуального мира отсутствует. В данной статье автор анализирует два способа формирования правового регулирования отношений в метавселенных.

Ключевые слова: метавселенная, право виртуальных пространств, цифровое право, web 3.0, дополненная и виртуальная реальность.

LEGAL SIGNIFICANCE OF THE CLASSIFICATION OF THE METAVERSE

Annotation: this paper focuses on the legal classification of Metaverses. The topic of meta-universes has aroused interest among many scholars - including legal scholars. This is due to the fact that meta-universes affect many aspects of law. However, there



is no regulation of relations within the virtual world. In this paper the author analyses two ways of forming legal regulation of relations within meta-universes.

Key words: metaverse, law of virtual spaces, digital law, web 3.0., augmented and virtual reality.

"Digital currency", "non-fungible tokens", "artificial intelligence" - all these and some other verbal neologisms have contributed and continue to contribute to the social and economic development of society. Alongside this, the phenomenon of "Metaverse" is gaining popularity in today's digital world.

Since the essence of the term «Metaverse» is rooted in the world of science fiction (Neal Stephenson «Snow crash»), it might seem that there is no prospect of a Metaverse in the real world. However, there are cases where the scenarios in science fiction have made a significant contribution to the development of a particular branch of real-world activity. As the most appropriate example, Isaac Asimov formulated three laws of robotics in his collection of stories «I, Robot», which are now reflected in ethical standards for the regulation of artificial intelligence [1, с. 5].

The fantasy representation of the meta-universe is gradually making its way into our real reality. This is evidenced by the existence of successful prototype of the Metaverse, the most popular of which are «Decentraland», «Sandbox», «Otherside», etc. A systematic analysis of the statistics shows that Metaverse (in all prototypes) total virtual real estate market capitalisation for 2022 is over 1.4 billion dollars [2]. A positive trend is also observed in the first quarter of 2023 [3].

In this regard, it cannot be argued that of Metaverse is a «thing in itself». On the contrary, it is necessary to study this phenomenon. It seems right to start with what a Metaverse. As consider M. Bool (expert on the Metaverse) Metaverse is a massively scaled and interoperable network of real-time rendered 3D virtual worlds which can be experienced synchronously and persistently by an effectively unlimited number of users with an individual sense of presence, and with continuity of data, such as identity, history, entitlements, objects, communications, and payments» [4, с.



48]. A somewhat similar (but seemingly simpler) position is put forward by Brazilian scientist A. Rodrigues. In his view, a Metaverse can be defined as a simulated digital environment that uses augmented reality (AR) and virtual reality (VR) technologies via blockchain (cryptocurrency network), along with social networking concepts, to create a user interaction space that mimics the real world [5, с. 2]. Based on this, we can say that the Metaverse is a kind of virtual space in real time, imitating the cyber-physical life of humans.

The development of Metaverse affects many legal aspects (civil law (including intellectual property law), constitutional law, tax law, employment law, etc.). In this regard, some scholars pay special attention to the prospects of legal regulation of social relations in the Metaverse [6, с. 16-22]. Undoubtedly, many legal institutions will need to be transformed in the future, but in order to carry out this action, a classification of Metaverse needs to be defined. Today's realities are forcing some countries to make or modification law to regulate relation in new virtual spaces – Metaverses. For example, in the summer of 2022, the European Union discussed the need for legal regulation of relations in the meta-universe (competition, personal data, contract law, etc.) [7].

Sometimes the direction of Metaverse is associated with the Web 3.0 concept, which is characterised by decentralisation. Many existing prototype Metaverse, unlike, for example, social networks or multiplayer online games, do not have a single control centre. Such a platform itself is managed through the use of Decentralised Autonomous Organisations (hereafter, DAO) technology, allowing each of the platform's users to contribute to the development of the Metaverse.

Despite all the existing positions regarding the separate legal personality of DAO through the prism of a legal entity, the author of these lines adheres to a different position. DAO is an innovative and maximally automated way of managing some kind of process. When a user is fully authorised in the Metaverse, they automatically become a platform management entity (DAO member). Each user has an equal opportunity to manage the Metaverse.



The Metaverse is the next step in the development of the entire global Internet. The regulation of social relations on the Internet is associated not only with the interests of the individual (combating discrimination, bullying, etc.), but also with national and international interests (counter-terrorism, tax evasion, information security, etc.). In this context, legal scholarship has suggested the creation of a unified electronic jurisdiction in the Metaverse [8, с. 11]. The idea of a single jurisdiction has many positive features. To some extent, the author of these lines agrees with this position (there was a suggestion that the Unidroit Principles (UNIDROIT) must be extended to contractual relations in the Metaverse [9, с. 69-70]). However, it is worth bearing in mind that the creation of a single international regulation of Metaverse is not an easy task, as there may be a variety of political circumstances that make it difficult to implement this provision. For example, it has to do with the promotion of non-traditional sexual relationships. The European Union has a positive attitude towards this phenomenon. In Russia, there is liability for this action.

The other option is to develop their own national Metaverse under direct state control. In this case, the example of China, where the Chinaverse project is being implemented, can be cited. The model of a state-owned Metaverse looks attractive on the whole. One can reasonably assume that by making point-by-point changes in the existing legislation, one can create a decent legal framework for development of economic relations in the virtual space. Moreover, the state Metaverse universe is a suitable option for the use of innovative digital technologies (e.g. implementation of the national digital currency or receipt of public services). It can be assumed that, over time, the concept of the state Metaverse will be implemented in Russia. Of particular note, South Korea already has an experimental state Metaverse regime in place [10].

At the same time, one cannot help saying that the main disadvantage of a state Metaverse could be the excessive abuse of power, which would allow certain user rights to be violated. In such an understanding, it is possible to allow the idea of D.



Orwell's work «1984» to come to fruition. In this regard, deterrent mechanisms need to be formulated. In this case, we would like to draw attention to the idea that served as the starting point for the development of the current Basic Law of the country in Russia. As S.S. Alekseev pointed out, the Constitution of the Russian Federation was planned primarily as a constitution of man [11, с. 63]. Therefore, it seems most rational to have a «night watchman» model of the state Metaverse.

Thus, at the present stage of development, we can say that Metaverse come in two types depending on the type of management: decentralised, where users manage the platform themselves, and centralised, under state control.

Список литературы:

1. Азимов Айзек. Я, робот / Айзек Азимов ; [пер. с англ. Н.А. Сосновской, А.Д. Иорданского]. – Москва : Эксмо, 2022. – 320 с.
2. 2022 Annual Metaverse Virtual Real Estate Report [Электронный ресурс] // URL: <https://parcel.so/learn/2022-annual-metaverse-virtual-real-estate-report>.
3. Virtual Worlds Soar: Record Land Sales Generate \$311M [Электронный ресурс] // URL: <https://dappradar.com/blog/virtual-worlds-soar-record-land-sales-generate-311m>
4. Boll. M. The metaverse and how it will revolutionize everything, 2022 // Liveright – 352 p.
5. Abreu Rodrigues, F. de. O Metaverso Poderá Ser Crucial Para A Aniquilação Da Humanidade. RECISATEC - REVISTA CIENTÍFICA SAÚDE E TECNOLOGIA - v. 2, n. 4, 2022.
6. Филипова И.А. Создание метавселенной: последствия для экономики, социума и права. Journal of Digital Technologies and Law. 2023; 1(1). С. 7-32.
7. EU: EPRS reports on opportunities, risks, and policy implications of the metaverse. June 27, 2022. [Электронный ресурс] // URL: <https://www.dataguidance.com/news/eu-eprs-reports-opportunities-risks-and-policy>



8. Kostenko O.V. (2022) Electronic Jurisdiction, Metaverse, Artificial Intelligence, Digital Personality, Digital Avatar, Neural Networks: Theory, Practice, Perspective. World Science. 1 (73).
9. Ситников М.С. Правовое регулирование договорных отношений между пользователями метавселенной / М.С. Ситников // Материалы Научной сессии, Волгоград, 18–22 апреля 2022 года. – Волгоград: Волгоградский государственный университет, 2022. – С. 67-71.
10. South Korea launches online metaverse replica of capital city Seoul to improve public services [Электронный ресурс] // URL: <https://forkast.news/headlines/south-korea-metaverse-capital-city-seoul/>
11. Алексеев С.С. У истоков конституции России (субъективные заметки) / С. С. Алексеев // . – 2020. – № 3(30). – С. 56-84.