

**GAPS IN THE LEGAL REGULATION of SOCIAL NETWORKS IN THE REPUBLIC of BELARUS****ALEXANDRA BELOUSOVA****Polotsk State University, Republic of Belarus**

Today, social media has become an integral part of our life. In other words, there is no doubt that we live in the age of social media. Whether it is VKontakte, Facebook, or Instagram people use these online platforms to virtually meet, communicate, and expand business opportunities. But what are the legal obligations that arise from the use of social media both for the user and for the sites themselves? What legal problems are encountered in the operation of social media?

Most of the problems in regulating social media relate to the issues of the content control: limiting the dissemination of any information, protecting personal data and intellectual property. The legislative regulation of message content applies primarily to social networks where users are most active in publishing posts online.

Today, social media, in particular social networks, are taking the leading role in informing the audience. At the same time there is an opportunity for users themselves to participate in the direct creation of the content. This makes it possible for social media users to broadcast mass information without any help of the media which, in its turn, acts as an "ethical filter" which allows only the information that meets the norms of the professional ethics into the realm of social communication. The social media ethics has become a very important issue because the use of social media is rapidly expanding and is tending to blur the line between one's personal and professional life. Thus, there are various types of violations of moral and ethical norms in social media that are related to the issues of the credibility of information, the reaction of the audience to the violations of the legislation of the Republic of Belarus.

The main problem that the users of social networks face is the disclosure of confidential information. When it comes to privacy on the Internet and more specifically to the privacy on social networks, it is worth noting that this is a new area where the law has not yet been framed. As technology improves and becomes more complex, there is a need for the legislation in several areas. The issue of information privacy is a very common and a dangerous one with regard to social media. In today's world, it is impossible not to share one's personal data without leaving a "digital footprint". However, to control this trace and to be able to remove or correct data is a natural human right that must be ensured in every modern civilized state. Belarus is not an exception – it is also restricting the use of personal information and protecting personal data.

Today the Constitution of the Republic of Belarus defines that every person has the right to protect themselves against unlawful interference with personal life, including violations of privacy of correspondence, telephone calls, and other communications (the Article 28 of the Constitution). Administrative liability is established for the disclosure of personal data (the Article 23.7 of the Code of Administrative Offenses) [1], and criminal liability is established for crimes related to the illegal use of personal data (the Articles 203, 352, 355, 376 of the Criminal Code [2]). The draft law "On Personal Data" was submitted to the House of Representatives back in March, it was adopted in the first reading (13.06.2019). The bill was created as a comprehensive legal act that will regulate the procedure for handling personal data, will ensure the protection of the rights and freedoms of citizens when collecting, processing, disseminating, or providing personal data. The adoption of the law on personal data protection is the first step towards a civilized approach to privacy. There are still many uncertainties in the draft, but the important thing is to take this first step, and the practice of its implementation will suggest the ways forward.

Copyright infringement is another problem encountered on social networks. The use of music, videos, and images or logos without the consent of the owner is considered a violation of the law.

The legislation of the Republic of Belarus on copyright and related rights is based on the Constitution of the Republic of Belarus and is written down in the Civil Code of the Republic of Belarus, in the Law of the Republic of Belarus "On Copyright and Related Rights", in normative legal acts of the President and the Government of the Republic of Belarus, and in other legislative acts of the Republic of Belarus. The violation of copyrighting and related rights in social networks may result in civil, administrative, and criminal liability [3].

In social networks not only the interests of the individual can suffer, but also the interests of the state. Social networks can be used to spread rumors, propaganda of illegal materials. In general, almost all social networks have the popularity to disseminate information. This can have extremely adverse consequences.

Also, among the main problems of legal regulation of social networks is the fact that there is a fine line between freedom of speech and its abuse. It can be said that with the emergence of social media, people are using their right to freedom of expression to spread hatred and to infringe on the privacy of others.

The above-mentioned problems are regulated by the legislation: the Law of the Republic of Belarus "On Information, Informatization, and Information Protection", as well as the Law of the Republic of Belarus "On Mass Media" [4], [5].

However, the development of the Belarusian legislation is at the initial stage in the sphere of regulation of some relations in social networks and the Internet, despite the fact that the Belarusian legislation has already framed some general norms of the law. The problem is that users of social networks do not have some rights guaranteed by law. For example, the right to privacy of personal correspondence in social networks. Will you be able to hold the owner of the social networking site who posted your correspondence to the public? It will be difficult to do as there is no special provision in the legislation of the Republic of Belarus that obliges social networks to ensure the secrecy of personal correspondence.

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