



PERSONAL DATA PROTECTION

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Abstract: *This article is about the security of personal data.*

Keywords: *Personal data, system, information security service, lack of mechanisms.*

The emergence of a new concept of personal data protection in Europe in 2018, unfortunately, was not widely reflected in the domestic press. Although the view of the personal data protection system in this concept has changed somewhat towards the expansion of both the concept of "personal data" and towards the creation of more stringent mechanisms for ensuring security, control and responsibility of operators.

In 2006, Federal Law No. 1524 was adopted, which became the beginning of a new very difficult work for specialists of information security services to ensure the requirements of the Constitution of the Russian Federation regarding the protection of personal data of Russian citizens. Over the years, a certain level of understanding of the term personal data and methods of their protection in information systems has been achieved, as well as the technology of organizing the protection of personal data in business entities has been worked out. Probably, it was possible to stop there, but a new concept of personal data protection GDPR was adopted in Europe, which made significant and very significant changes in the conceptual apparatus, protection and liability mechanisms, including:

- expansion of the concept of personal data and attribution to personal data of information that has not been used before;
- easier access of subjects to their personal data, including the provision of additional information about how this data is processed;
- the right to data portability — changing the rules for the transfer of personal data between service providers;
- the right to be forgotten when a PD subject no longer wants his personal data to be processed if there are no legal grounds for this;
- the right to know if the user's data has been hacked, which implies immediately informing him about data security violations.



In addition, the GDPR provides simple and working tools for European citizens to exercise their rights, simplifying the mechanisms for contacting supervisory authorities, for example, complaints in electronic form.

An analysis of the current state of the personal data protection system has shown that these changes are not enough and a number of problems remain unresolved. Among them are the following:

— The continuing contradiction between the goals of personal data protection and the practical results of ensuring their information security. This is manifested in the fact that today there is practically no system of control over the distribution of personal data in various forms of documents on paper and electronic media, and the measures of responsibility for their unauthorized distribution are very conditional and do not correspond to the losses of personal data subjects when their data is compromised.

— To date, the range of tasks solved in organizations using personal data has not been defined. Hence, the administration of these organizations has an irrepressible desire to learn as much as possible about the subject of personal data.

— The expansion of the concept of personal data into the field of "any" information about the subject of personal data was not reflected in the information protection system and in the information systems themselves. This should have led to the emergence of new functions for monitoring and protecting personal data in social networks, search engines and browsers.

— The appearance of scientific publications on the depersonalization of personal data and the discussion of technologies for the implementation of these processes do not answer the main questions: what tasks can be solved with depersonalized data, who will solve them and how to control these processes.

— The absence of mechanisms for assessing the reliability of personal data may lead to significant errors in assessing the actions of the subject of personal data in the processes of judicial activity.

These and other circumstances prompted us to think about the further development of the personal data protection system. Not all the questions raised will be considered in this article, but we will focus on the most important and fundamental of them.

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