

совершения противоправных деяний против жизни людей и последующего сокрытия преднамеренного убийства под видом эвтаназии, что существенно затруднит работу правоохранительных органов. Кроме того, по нашему мнению, нередко эвтаназия является способом облегчить жизнь не самого человека, а людей, осуществляющих уход за ним, а потому целесообразнее вкладывать ресурсы в развитие специализированных учреждений по уходу за больными и престарелыми людьми. По этим же причинам мы настаиваем все же на приоритетности развития качественной паллиативной помощи.

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## **General Competence of APEC Bodies in Digital Trade**

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APEC facilitates digital trade among member economies, with its institutional framework crucial for coordinating efforts under international law. This article analyzes its general and specialized digital trade bodies, comparing them to counterparts in other regional organizations.

APEC's highest-level bodies, including annual Leaders' and Ministerial Meetings, operate under a non-binding soft law framework established in 1989. These bodies set agendas like the 2017 Internet and Digital Economy Roadmap, prioritizing cross-border data flows and digital infrastructure [1]. Though not legally binding, their declarations foster regional policy alignment and may contribute to customary international law through consistent state practice. For example, APEC's "data free flow with trust" principle has influenced emerging norms in WTO e-commerce negotiations [2].

The Senior Officials' Meeting (SOM) coordinates APEC's 40+ working groups under a consensus-driven model. Legally, SOM acts as an intermediary, translating Leaders' Meeting declarations into actionable initiatives (e. g., digital trade capacity-building programs). Its reliance on voluntary compliance underscores APEC's preference for flexibility over rigid legal frameworks, a feature critiqued as both a strength (adaptability) and weakness (enforcement gaps) in international economic law [3].

The Committee on Trade and Investment (CTI) spearheads APEC's digital trade facilitation efforts, including the APEC Paperless Trading Initiative and

alignment with the WTO's Trade Facilitation Agreement (TFA). Its "Best Practices" guidelines for e-commerce, though non-binding, serve as precursors to formal treaties in other forums. For example, CTI's guidelines on digital trade have influenced provisions in agreements like the Digital Economy Partnership Agreement (DEPA) between Chile, New Zealand, and Singapore [4]. This illustrates APEC's role as a "norm incubator" in international trade law.

The Competition Policy and Law Group (CPLG), operating under APEC's CTI, promotes competition policy frameworks to ensure fair markets and address anti-competitive practices. While not exclusively focused on digital trade, its work increasingly intersects with digital economy challenges, such as monopolistic behavior by tech giants, data-driven market dominance, and antitrust concerns in cross-border e-commerce [5]. Unlike binding EU competition law (e. g., Digital Markets Act), the CPLG relies on non-binding guidelines and capacity-building programs, reflecting APEC's soft law approach [6].

APEC's soft law framework, centered on voluntary "open regionalism," lets members adopt digital trade rules flexibly, contrasting with the EU's binding regulations [7]. Scholars suggest this fosters *lex mercatoria*-style norms, where practice-based standards evolve into recognized legal principles [8]. Yet APEC lacks enforceable dispute mechanisms, unlike treaties such as the USMCA, raising accountability challenges [9].

### Literature

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## **On the issue of legal regulation of cyberspace from the point of view of international law**

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The governance of cyberspace under contemporary international law faces unprecedented challenges, balancing state sovereignty, cybersecurity imperatives, and human rights protections. This article analyzes these tensions through the lens of evolving legal norms and state practices, proposing a hybrid governance model that integrates multilateral cooperation with adaptive frameworks. Key case studies – Including the Tallinn Manual, GDPR, and UN initiatives – highlight both progress and gaps in addressing transnational cyber threats [1]. Recommendations emphasize institutionalized accountability, human rights safeguards, and cross-border collaboration to reconcile territorial sovereignty with digital interdependence.

The principle of state sovereignty, central to the UN Charter, faces ambiguity in cyberspace. While states claim control over domestic digital infrastructure (e. g., China’s data localization laws), cross-border data flows challenge exclusive jurisdiction. The “Tallinn Manual 2.0” posits that cyber operations violating territorial integrity breach sovereignty, yet debates persist over non-kinetic actions like data exfiltration [2].

For instance, the 2020 Solar Winds hack exposed the lack of consensus on attributing state responsibility. This incident underscores the need for clearer thresholds under international law to distinguish espionage from acts of aggression under Article 51 of the UN Charter.

Cybersecurity frameworks, such as the Budapest Convention, prioritize protecting critical infrastructure but risk enabling surveillance overreach. China’s 2017 Cybersecurity Law mandates data localization, yet conflicts with privacy rights under the GDPR. Conversely, the EU’s GDPR exemplifies robust data protection but faces extraterritorial enforcement challenges, as seen in “Google v. CNIL” (2019), where the EU Court limited the “right to be forgotten” to regional domains [3]. These tensions reveal a fragmented legal landscape where security measures often undermine universal rights.