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LEGAL CHALLENGES OF THE GLOBALISED WORLD: How should the law protect and realise rights?:

Summaries of the papers of the International Scientific and Practice Conference (Dnipro, London, October 11th, 2023) held by Dnipro Humanitarian University, University of Roehampton and the University of Westminster with the assistance of St. Mary's University, Twickenham.

The conference collection contains a summary of the proceedings of the International scientific and practical conference "LEGAL CHALLENGES OF THE GLOBALISED WORLD: How should the law protect and realise rights?" (October 11th, 2023), which was attended by representatives of higher education institutions, scientific institutions, law enforcement agencies and courts, non-governmental institutions of Ukraine and foreign countries.

Editorial Board

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developed for the physical world. Since illegal content displayed on digital platforms is a critical issue concerning policy makers and legislatures, the question that this paper asks: are these traditional rules fit for purpose. Put differently, is it time create an international legal framework to address the role of digital intermediaries in online sex trafficking. This paper starts by exploring the appeal of the Alterworld to criminals (part 1), the current legal framework (part 2) before critically assessing this framework. Keywords: Sex Trafficking; Human trafficking; Online intermediaries; FOSTA; §230; Liability of websites for sex trafficking under US law; Internet technologies; UNODC; Palermo Protocol 2000 (Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime).

MOSEIKO Anzhela (Associate Professor of the Department of Law of Dnipro Humanitarian University, Ukraine)

The effect of globalization on resolving legal disputes out of judicial procedure

Modern globalization processes, penetrating virtually all legal spheres, require taking into account the order of solving legal problems at the level of global legal regulation, at the international level, at the level of the EU, at the level of individual states. Today, it is important for Ukraine, especially considering the martial law regime, to analyze the impact of globalization on the out-of-court resolution of legal disputes, with the aim of relieving the burden on the courts of Ukraine, in order to create alternative ways of resolving disputes (conflicts).

In modern democratic legal states, the system of out-of-court (pre-trial, judicial, administrative, alternative) settlement of disputes is a real mechanism for resolving disputes between legal entities, individuals, the state, territorial communities and other subjects. The globalization processes of the development of modern societies lead to a decrease in the influence of the state on legal relations through direct regulation, in particular, judicial regulation, while the role of private law is strengthened. Therefore, separate forms (types) of legal dispute resolution have been formed in most foreign countries to settle the dispute even before the trial begins.

Thus, in the USA, alternative resolution of legal disputes using informal procedures, mediation, and other out-of-court dispute resolution mechanisms are used. There are non-judicial and judicial organizations that deal with relevant programs. The unified federal law "On Mediation" in the USA was adopted in 2001, however, most states have adopted separate laws that regulate this area.

In England, the settlement of legal disputes out of court is not mandatory, but it is used quite widely.

According to French law, the basic principles of civil and administrative proceedings include the duty of judges to reconcile the parties before the court.

In Germany, there are specific rights and obligations regarding out-of-court procedures, administrative appeals and conciliatory pre-trial procedures are mandatory stages of most processes.

In many states (Italy, Estonia, Moldova) there are separate laws or other acts on mediation.

In the former states of the USSR (Azerbaijan, Kyrgyzstan, Uzbekistan), out-of-court settlement of disputes is not so common, although the procedural codes of some states indicate that the court takes appropriate measures for pre-trial reconciliation of the parties. However, the experience of these states is not acceptable for Ukraine.

Therefore, taking into account the influence of globalization, I propose to further develop the experience of leading states in resolving legal disputes out of court. The use of such alternative forms as mediation, pre-trial claims procedure, participatory management, dispute settlement with the participation of a judge and others in foreign countries shows their effectiveness. At the same time, the court can also take part in the specified procedures, both directly (for example, settlement of a dispute with the participation of a judge) and similarly (for example, to promote the development of mediation, to provide consultations). Of course, the official sphere of out-of-court settlement of disputes should not be extended to all cases (disputes), but only to some types - labor, family, civil and other (mainly private) cases, as well as to public legal disputes.

In our opinion, in order to resolve these issues, it is necessary to develop and adopt a basic Law "On the resolution of legal disputes in an out-of-court procedure" (the name is indicative), in which to define the general principles of resolving disputes in such an order, to outline separate procedures and to determine the specifics for each of the forms (types) of out-of-court settlement of disputes. The current Law of Ukraine "On Mediation" can serve as a basis for mediation.

MUTH Daniela (Lecturer and doctoral researcher, University of Westminster, School of Law, London UK)

Nature Incorporated – An Exploration of the Concept of Legal Personhood for Nature”

It is more than 50 years since Christopher Stone wrote his essay “Should Trees have Standing?”. What at the time seemed merely an interesting thought experiment has now become a legal reality in many parts of the world. This paper explores the