PECULIARITIES OF STATE REGULATORY AUTHORITIES AND NORMATIVE-LEGAL ACTS GOVERNING THE INTERNET IN DENMARK

Ilkhombekov Jasurbek Ilkhombek ugli
Tashkent State University of Law
Senior lecturer, Doctor of Philosophy in Law
ORCID-0000-0002-9867-3363
E-mail: jafarbek22 @mail.ru

Annotation: *This scientific article analyzes the activities carried out by the Danish state in the field of the Internet. The significance of the Internet is increasing day by day, as it has opened wide opportunities for humanity in the modern era. Gradually, the Internet is replacing both traditional media and conventional communication channels. This reflects a global trend adapted to the state of the information environment and the level of users' legal and informational culture. Today, the Internet has become an integral part of social, political, economic, and cultural processes. The acceleration of information flows, the expansion of global communications, and the development of democratic values are directly linked to the Internet. The article highlights the distinctive features of Denmark's approach to Internet regulation. Furthermore, the importance of the Internet in the process of information exchange, its differences from other information resources, its advantages, and its legal significance are analyzed from a scientific perspective.*

Keywords*: Denmark, Internet, information, law, Ørsted, broadband Internet, Internet service provider (ISP), data, satellite, telecommunications.*

In the era of globalization, the effective use of modern information technologies and the establishment of their legal foundations have become highly relevant issues. Utilizing the opportunities created within the framework of the law and implementing innovations that can benefit humanity through these opportunities is considered a significant achievement. Today, we live in the age of information. Accordingly, in the context of global information processes, the power of any state is determined by the extent of its access to information and the way it organizes and manages this system. Furthermore, information is increasingly regarded as a force that directs and shapes public consciousness and mentality.

In this article, we aim to conduct a comprehensive study of Internet use in Denmark, one of the developed countries of Europe. Although Denmark does not have a specific Internet law, its legal framework concerning data protection, privacy, and cybersecurity is applicable to online activities, including Internet use. The Danish Criminal Code criminalizes acts such as hacking, identity theft, and cyberbullying[1].

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[1] See. Electronic source: https://iclg.com/practice-areas/cybersecurity-laws-and-regulations/denmark?utm_source

Moreover, the Danish Electronic Communications Act regulates the use of electronic communication networks and services, including Internet service providers (ISPs)[2]. The Danish Consumer Ombudsman [3], It also enforces consumer protection laws applicable to online transactions. In addition, Denmark, as a member of the European Union, is subject to EU directives and regulations that influence its Internet-related laws and policies.

The *Electronic Communications Act*[4] regulates the use of electronic communication networks and services, including Internet service providers, and sets out rules on data retention, privacy, and the security of electronic communications. Internet service providers are required to ensure the security of their networks and services and to notify customers in the event of breaches that may affect their personal data. The Act also provides for the protection of personal data in electronic communications, including consent requirements for the use of "cookies" and similar technologies. Furthermore, the Act designates the Danish Business Authority as the national body responsible for regulating electronic communications.

At this point, it is appropriate to examine the extent to which the issues of Internet use in this country are regulated by law. In Denmark, there is no explicit constitutional or statutory provision that recognizes Internet access as a fundamental right. However, the Danish government has acknowledged the importance of Internet access for its citizens and has taken measures to ensure that everyone can access the Internet. In particular, the government has implemented policies to provide all households in the country with high-speed Internet, as well as programs aimed at ensuring Internet access for disadvantaged groups such as low-income families and persons with disabilities.

It is noteworthy that Internet speed is regulated in Denmark. The Danish Energy Agency[5] is responsible for regulating the telecommunications sector, including Internet service providers (ISPs). ISPs are required to provide accurate information about the speed and quality of their services, and if they fail to meet established standards, they may be subject to fines. In addition, Internet service providers in Denmark are regulated by the Danish Business Authority[6]. The authority oversees compliance with Denmark's *Telecommunications Act*, which establishes the regulatory framework for providing communication services, including Internet access. The *Telecommunications Act* requires Internet service providers to provide their customers with clear and transparent information regarding the speed and quality of Internet services. This includes the maximum download and upload speeds that consumers can expect, as well as any restrictions or limitations affecting the use of the service. In

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[2] See. Electronic source: https://en.digst.dk/media/zqweipgu/act-on-electronic-communications-networks-and-services_oct2022.pdf
[3] See. Electronic source: https://forbrugerombudsmanden.dk/consumer-ombudsman
[4] See. Electronic source: https://ppp.worldbank.org/library/danish-act-electronic-communications-networks-and-services
[5] See. Electronic source: https://ens.dk/en
[6] See. Electronic source: https://danishbusinessauthority.dk/

addition to these transparency obligations, the Danish Business Authority has the power to impose sanctions on Internet service providers that fail to fulfill their obligations under the *Telecommunications Act*. Such sanctions may include fines, orders to improve service quality, and even the revocation of a provider's license to operate in Denmark. Overall, Denmark's regulatory framework is designed to ensure that Internet service providers deliver reliable and high-quality Internet access to their customers in a transparent and accountable manner.

In addition, the Danish government set the goal of providing all citizens with high-speed Internet by 2020 (as of 2020, 95% of Danish households had access to the Internet[7]).

Denmark's high-speed connectivity strategy was adopted in 2021. The strategy sets out the following objectives:

a) to provide all households and businesses with connections of 100/30 Mbit/s by 2025,

b) to ensure that 98% of households and businesses have access to download speeds of 1 Gbit/s by 2025, and

c) to assess the demand and need for gigabit speeds by 2030.

According to the latest data, Denmark ranks 8th in the world in terms of Internet speed, with an average speed of 188.35 Mbit/s[8].

Denmark possesses a highly developed infrastructure for Internet access, and the Internet is widely available throughout the country. The majority of Danes have access to high-speed broadband, and the country ranks among the highest in the world in terms of Internet penetration, with more than 98% of the population connected[9]. Although there may be certain areas where Internet connectivity is not as strong as in other regions, the vast majority of Denmark enjoys reliable and high-speed Internet access. Moreover, in recent years the Danish government has made significant investments in digital infrastructure with the aim of ensuring that all Danes, regardless of where they live in the country, have access to high-quality Internet services. It is noteworthy that Internet access in Denmark is not free of charge; however, there are several affordable options available for both fixed-home and mobile connectivity. The majority of Danes access the Internet via fixed broadband connections, typically provided by one of the country's major Internet service providers (ISPs). The price of a broadband subscription varies according to connection speed, data allowance, and the chosen provider. In addition to fixed broadband, many Danes also use mobile Internet services offered by mobile network operators. Mobile access prices depend on the data volume included in the plan and on the provider (for example, historic incumbents and large operators such as TDC — including brands

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[7] See. Electronic source: https://www.cso.ie/en/releasesandpublications/ep/p-mip/measuringirelandsprogress2020/society/?utm_source
[8] See. Electronic source: https://www.southwestjournal.com/world/internet-speed-by-country/?utm_source
[9] See. Electronic source: https://datareportal.com/reports/digital-2023-denmark?utm_source

formerly associated with it such as YouSee, Fullrate, ComX — as well as Telenor and Telia). Although Internet access is not free in Denmark, the market for Internet services is highly competitive, which helps keep prices relatively low compared with many other countries. End users typically pay for Internet services by subscribing to a telecommunications company or ISP. Nevertheless, certain public venues — including libraries, cafés, and public transport hubs — may offer free Wi-Fi access. Museums, shopping centres, monuments and even some parks often provide complimentary Wi-Fi hotspots. While these networks are not always secure, they can at minimum serve as convenient means for informal use and social connectivity among family and friends.

Denmark launched its first satellite, *Ørsted*, in 1999 to study the Earth's geomagnetic field. This was the country's first satellite, and it was named after Hans Christian Ørsted (1777–1851), the Danish physicist and professor at the University of Copenhagen who discovered electromagnetism in 1820[10].

Overall, there is no necessity for Denmark to launch satellites, as the country already has a well-developed telecommunications infrastructure and Internet connectivity. However, if a satellite were to be acquired, it would have to comply with Denmark's regulations and standards on satellite operations, including obtaining the necessary licenses and authorizations from Danish authorities. Moreover, the satellite would need to be designed to provide services that are required within Denmark and that meet the needs of the domestic market.

At this point, we continue our analysis by examining Internet restrictions in Denmark. According to recent data, Denmark is considered to have a relatively open Internet environment with minimal restrictions on online content. The Danish government respects freedom of expression and does not impose Internet censorship, although it has adopted laws against hate speech, child pornography, and other illegal activities. In addition, Internet service providers in Denmark may be required to block access to websites that contain illegal content or violate copyright laws.

In conclusion, it should be emphasized that Denmark has not adopted a specific law exclusively regulating the Internet. However, the country already has several laws and regulations governing online activities. In particular, the Danish *Act on the Processing of Personal Data*[11] and the *Danish Criminal Code*[12] impose criminal liability for offenses such as hacking, theft of personal data, and online harassment. These laws also address issues related to data privacy, online abuse, cyberbullying, and intellectual property rights. Whether there is a need for additional Internet-specific legislation in Denmark depends on the unique concerns and challenges faced by its online community, as well as the effectiveness of the existing legal framework in

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[10]See. Electronic source: https://www.space.dtu.dk/english/research-divisions/geomagnetism-and-geospace/projects/the-oersted-satellite?utm_source

[11] See. Electronic source: http://uipdp.com/solutions/services/consulting/legislation/eu/denmark.html

[12] See. Electronic source: http://lawlibrary.ru/izdanie36902.html

addressing these issues. As noted above, Denmark has already achieved significant progress in regulating Internet use, and these practices continue to evolve today. As a result of such well-considered reforms, Denmark is currently recognized as one of the leading countries in terms of broadband connectivity and ranks 8th globally in Internet speed.

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