

# Targeted Advertising and Protection of Personal Data: Implementation in the Conditions of European Integration†

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## Abstract

**[Purpose]** To conduct a comprehensive analysis of the essence, types of targeted advertising, and features of personal data protection in the context of using targeted advertising with the aim of aligning Ukrainian legislation with the requirements of the European Union. In particular, the study aims to analyze the nature of advertising and the role of targeted advertising in the modern world, identify the main advantages and disadvantages of using targeted advertising, characterize different types of targeted advertising (such as contextual advertising, advertising in social networks, actually targeted advertising, and retargeting), analyze problematic issues related to the protection of personal data of users during the use of targeting technologies in Ukraine, describe key regulatory documents in the field of personal data protection in the online space that is active in the European Union, and propose measures that can be adopted from Ukrainian legislation to enhance personal data protection during the use of targeted advertising.

**[Methodology/Approach/Design]** The analysis and synthesis method facilitated the examination of the essence of advertising and targeted advertising. Also, this method was used to characterize the different types of targeted advertising. The formal-legal and comparative-legal methods were utilized to analyze the norms of the European Union related to the protection of personal data. Lastly, the scenario method was employed to

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propose measures that could be adopted from Ukrainian legislation to enhance personal data protection during the use of targeted advertising. These methodological choices aimed to provide a comprehensive and well-founded analysis of targeted advertising and the protection of personal data within the context of aligning Ukrainian legislation with European Union requirements.

**[Findings]** Ensuring the protection of personal data during targeted advertising involves adhering to specific rules and principles. These include ensuring that the collection of information is done in a transparent and voluntary manner. Only relevant and necessary information should be collected, and it is important to guarantee the protection of the data once it has been obtained.

**Keywords:** Advertising. Targeted Advertising. Process Innovation. Protection of Personal Data. European Experience. Integration.

## INTRODUCTION

Advertising, innovation, and new technologies are closely intertwined and have a significant impact on each other. Innovation is often driven by advancements in technology. These new technologies present opportunities to create novel products and services that can revolutionize the advertising and marketing landscape. However, the success of any innovation ultimately depends on its acceptance by the market and consumers. Therefore, understanding the needs and requirements of the target audience is crucial.

In general, innovation is a vital element for advertising to remain effective and relevant. The emergence of new technologies necessitates marketers to find innovative ways to leverage them to reach and engage the target audience. Advertising innovation can take various forms, such as introducing new formats and channels or employing creative methods of delivering messages.

New technologies have opened previously unimaginable advertising channels and formats. For instance, the rise of social media has provided brands with a fresh avenue to reach and interact with consumers. Similarly, targeted advertising has revolutionized the process of buying and selling advertisements by enabling precise targeting of specific audiences.

Targeted advertising in Ukraine, as a member state of the European Union, can be a powerful tool for achieving diverse marketing objectives, contingent upon the unique characteristics of each campaign. Targeted advertising enables precise customization of campaigns for the target audience. Ukraine, as an EU member, possesses specific aspects of its target audience, such as language, culture, and legislation, which need to be considered when devising targeted advertising campaigns. Moreover, Ukraine has its own

nuances in internet marketing, particularly in the utilization of social networks and other online channels. It is crucial to discern which channels exert the greatest impact on the Ukrainian target audience and how to effectively utilize them for disseminating targeted advertising. Furthermore, as a candidate for EU member, Ukraine operates under legislation governing advertising and marketing, including the General Data Protection Regulation (GDPR). This legislation impacts the collection and use of personal data for advertising purposes. Therefore, adherence to these legal requirements is imperative when developing targeted advertising campaigns in Ukraine.

Concerning the protection of personal data during the utilization of targeted advertising, we acknowledge that this form of advertising can raise concerns. Since targeted advertising relies on the collection and analysis of users' personal data, there is a risk of its misuse or unauthorized disclosure to third parties without the user's consent. While Ukraine has legislation in place, such as the Law on Protection of Personal Data, to regulate the collection and use of personal data, there are challenges associated with ensuring compliance in the online environment. This underscores the relevance and significance of our research.

## **TARGETED ADVERTISING AS A NEW TYPE OF ADVERTISING**

The word "advertisement" has its roots in Latin, derived from the Latin word "reclamare," which means "to shout, cry out." Over time, it acquired additional meanings such as "to announce" or "to demand." Therefore, the fundamental characteristic of contemporary advertising is embedded in its very definition: to disseminate information about a product, brand, or company with the aim of attracting consumers or generating popularity. Presently, there are several definitions of advertising that, while retaining its original purpose of informing, encompass various modern attributes (Popova, 2016).

As per the definition provided by the American Marketing Association, advertising is described as the act of placing advertisements and persuasive messages in a specific time or space. These advertisements are purchased by commercial enterprises, non-profit organizations, government agencies, and individuals, with the intention of informing and/or persuading a particular target market or audience about their products, services, organizations, or ideas. This definition encompasses the wide range of entities and purposes that advertising serves in the modern marketing landscape (American Marketing Association, 2020).

According to S. Okigbo (1997), advertising has become such an integral part of our lives that it is often overlooked and taken for granted. It has become

an inseparable component of modern media, even though we may not always consciously acknowledge its presence (Okigbo, 1997).

From an informational advertising standpoint, the primary function of advertising is to communicate messages about products to consumers who may lack knowledge or awareness about them. The goal is to provide information and educate potential customers about the features, benefits, and value of the advertised products or services. By doing so, advertising aims to bridge the information gap and enable consumers to make informed purchasing decisions. (Jiang, & Wu, 2022).

Advertising is defined as any form of paid, non-personal promotion of goods and services on behalf of a particular sponsor, with the objective of influencing the audience in a specific manner. Through advertising, a desired perception of the product or service's attributes is created in the mind of the consumer. It serves to shape the buyer's perception and understanding of the product or service being advertised (Mironov, Kramar, 2007). In general, advertising is highly appreciated as it fulfills significant communication functions, including informing, influencing, reminding, increasing visibility, adding value, and aiding the efforts of other companies (Agwu, Ikpefan, Atuma, Okpara and Achugamonu, Bede, 2014) If we consider the legal definition, according to Article 1 of the Law of Ukraine "On Advertising," advertising is defined as information about a person or a product that is disseminated in any form and through any means. Its purpose is to create or maintain awareness among advertising consumers and generate their interest in the individuals or goods being promoted (Law of Ukraine No. 270/96-BP, 1996).

For advertising to be effective, it is crucial to conduct market analysis, considering factors such as economic conditions, competitors, and other relevant aspects. Additionally, understanding the specifics of the product being advertised, including its general characteristics and life cycle, is essential. Equally important is gaining insights into the consumer audience, encompassing demographic characteristics, psychographics, motivations, needs, and the benefits consumers derive from using the product.

Without proper planning, an advertising campaign will struggle to segment the consumer audience and achieve the desired outcomes. Therefore, an advertising campaign should be meticulously planned, coordinated, and executed over a defined period. It should consist of a series of advertising and sales promotion activities that work in synergy to achieve the desired objectives. (Telegei, 2019).

Due to the rapid advancements in e-commerce and associated information technologies, it has become possible to collect and analyze individual consumer information with precision. This information can be

derived from their past purchases or online behavior. Subsequently, firms can utilize targeted advertising techniques to directly reach out to diverse consumers within segmented markets (Jiang, Wu, 2022).

Simultaneously, one of the primary advantages of running an advertising campaign on the Internet is the capability to track and record the actions of each user. This data can be automatically accumulated and stored in a corporate database, enabling its automatic processing and analysis. This approach not only generates an impact through advertising but also allows the obtained data to be utilized for various marketing research purposes (Telegei, 2019).

Ukrainian legislation is evolving rapidly; however, it does not always keep pace with the swift development of social dynamics. As a result, the issue of targeted advertising remains unsettled at the legislative level. This has led to a diversity of viewpoints within academic circles regarding the nature and types of this form of advertising.

Targeted advertising relies on the analysis of big data, wherein users' personal information is collected and processed. This data allows for the segmentation of users into groups based on interests, location, or personal attributes such as age and gender. The selected customer segments can vary in size, ranging from larger groups to individual persons. Internet advertising has become a prevalent marketing tool, constituting a significant portion of advertising expenditure and gradually replacing traditional forms of broadcast advertising found in newspapers, television, and radio. (Ullah, Boreli, Kanhere, 2022).

Targeted advertising, also known as personalized advertising, is a form of customization in Internet advertising that delivers advertising messages to users based on their specific characteristics, interests, preferences, and behavioral factors. Advertisers gather this information by tracking your online activities. The goal of targeted advertising is to present you with ads that are more relevant and tailored to your individual needs and preferences (Targeted advertising in social networks: what is it and what are its advantages, 2021).

When users create an account on a social platform, they willingly provide information by filling out questionnaires. This information includes details such as gender, age, location, education, marital status, and interests. Users also join groups and subscribe to other users. Marketers utilize special programs to process this data and segment users based on their interests and other metrics (Kovalchuk, 2019).

For instance, advertisers on Facebook have the ability to utilize demographic information, including age, gender, and location, as well as users' social activities on the platform, such as wall posts, clicked ads, likes, and shares. Furthermore, advertisers can also consider users' social networks,

including their friends and their interests, to effectively target the desired customer groups (Shin, Yu, 2021).

When setting up a campaign, advertisers have the option to select various combinations of publicly available metrics, allowing for precise audience refinement. For instance, advertisers can target residents of specific streets or areas within a city, fitness enthusiasts, online shoppers, and more. The range of categories to choose from is extensive. Unlike contextual advertising, targeted advertising provides the ability to finely adjust the ad to a specific profile of the target audience, thanks to a wide array of metrics. While contextual advertising is only shown to those who enter specific queries in the search bar, targeted advertising encompasses the entire target audience that meets the desired metrics (Targeted advertising in social networks: what is it and what are its advantages, 2021).

Targeted advertising is effective because it allows advertisers to reach their desired audience with greater precision and relevance. Through targeted advertising, advertisers can utilize data and technology to identify specific characteristics, behaviors, and interests of potential customers, and customize their advertisements accordingly.

Here are some reasons why targeted advertising is successful:

- **Increased Relevance:** By targeting specific groups of people who are most likely to be interested in a particular product or service, advertisers can enhance the relevance of their advertisements. This means that targeted ads are more likely to capture the attention of potential customers and lead to higher click-through rates and conversions.
- **Cost-Effectiveness:** Targeted advertising can be more cost-effective compared to traditional advertising methods because it allows advertisers to reach their desired audience more efficiently. Instead of spending money on advertising to a broad audience, advertisers can focus their resources on reaching individuals who are most likely to be interested in their products or services.
- **Improved Tracking and Analytics:** Targeted advertising enables advertisers to track and analyze the performance of their ads more effectively. By gathering data about the behavior and preferences of their target audience, advertisers can optimize their ads and enhance their overall marketing strategy.

While there are numerous advantages to targeted advertising, there are also some disadvantages to consider:

- **Data Privacy:** Targeted advertising relies on users' personal data to determine their interests and behavior. This can raise concerns about data privacy and may violate users' privacy if their data is misused.
- **Locality Filter:** Targeted advertising can result in information filtering, where users may be limited in accessing diverse information and perspectives as they are only exposed to content that aligns with their targeted profile.
- **Ignoring Certain Audiences:** Targeted advertising may lead to the exclusion of certain audiences who do not fit the specific targeting criteria but might still be interested in the advertised products or services.
- **Data Misuse:** There have been instances where companies have utilized users' personal data for targeted advertising without obtaining proper consent. This can undermine user trust and result in negative consequences for companies engaged in such practices.
- **Lack of Uniqueness:** In many cases, targeted ads can be generic and lack uniqueness, making them less effective as users may ignore them due to a lack of interest or differentiation from other ads.

It's important for advertisers and marketers to strike a balance between utilizing the benefits of targeted advertising while respecting user privacy and delivering engaging and relevant content to their audiences.

## TYPES OF TARGETED ADVERTISING

Contextual advertising, also known as search advertising, refers to advertising that is displayed in search engines using platforms like Google Ads. (Zayats, 2021).

Displaying advertisements based on the relevance of the subject of the advertisement to the content of the page on which it is placed. The algorithms of these services are responsible for placing ads. Two types of contextual advertising can be distinguished:

- **Search:** A type of contextual advertising in which ads are displayed on the search results page of the used search engine, and the topic of the ads corresponds as closely as possible to the user's field of interest, expressed through a search query;

- **Thematic:** A type of contextual advertising in which the advertising material is displayed on internet pages corresponding to the topic of the advertising material in terms of content.

The main advantages of contextual advertising can be characterized as follows:

- **Broad Targeting Options:** Contextual advertising allows you to specifically target your desired audience from the entire pool of internet users, displaying ads for products and services to this specific audience.
- **Nearly Instant Results:** Once you create an ad, you can launch it immediately and start seeing results.
- **Convenient Control Over Advertising Effectiveness.**
- Another advantage of contextual advertising is its **Extensive Audience Reach**. Contextual ads are displayed on search engines and thematic networks, which include thousands of popular sites, some of which have millions of users. This enables advertisers to reach customers in all corners of the internet and ensures cost-effective advertising contact with the target audience (Semenenko, Bakulina, 2018).

Among the drawbacks, the following are the most obvious: the relatively high cost of acquiring a visitor, the challenge of achieving effective settings, and the lack of "inertia" - targeted conversions immediately cease at the end of the campaign. (Voronko-Nevidnycha, Kalyuzhna, Khurdei, 2018).

The next type of targeted advertising is social media advertising, which utilizes various methods to select an audience for advertising. Many social media platforms will display ads on your feed. They have access to a wealth of demographic information about their users, which can aid in targeting your ads to different individuals based on their preferences. (Zayats, 2021).

It encompasses a wide range of approaches. Generally, they can be divided into two groups: Social Media Marketing (SMM) and targeted advertising, which involves using a social network as a platform for ads aimed at a specific group of potential customers. SMM promotion involves creating brand pages, and communities, publishing various content, participating in discussions, and more. This type of activity can also be described as engaging with an audience to promote a brand, product, or service.

Recently, SMM has experienced significant growth, driven by the increasing popularity of social media among internet users. In fact, SMM has



become one of the primary tools for engaging target audiences for global companies in the modern economy. V. Muzykant and M. Dalworth M. note that relying solely on product placement as the main channel for audience attraction can be quite risky, but this method can be effective during brand introductions to the market or when targeting specific characteristics of the audience. The forms of SMM marketing vary greatly and depend on the chosen type of social media: social networks, blogs, and microblogs, forums, social bookmarks, and directories, photo hosting and video hosting, virtual and multiplayer online games. (Semenenko, Bakulina, 2018).

The third type is targeted advertising, which refers to ads that are displayed based on specified parameters. Targeting involves various settings that allow for precise targeting of the desired audience. Analysis shows that this method is suitable for new topics, particularly for introducing users to brands. The pricing can vary significantly, but in most cases, with effective configuration, it remains at an acceptable level and is suitable for small businesses. Currently, the most relevant social networks for advertising in Ukraine are Facebook and Instagram, as indicated by a sociological study conducted by the "Democratic Initiatives" Foundation named after Ilko Kucheriv, commissioned by the public organization "Detector Media" (Barsukova, 2022). Each of them has its own unique characteristics, both in terms of the audience and the advertising approach mechanisms. However, in any of these networks, two fundamentally different approaches can yield maximum impact: either making a loud declaration, operating on the edge of spam, or attempting to reach a narrow audience by carefully setting up targeting or selecting small target groups (Voronko-Nevidnycha, Kalyuzhna, Khurdei, 2018).

The final type of targeted advertising is retargeting, also known as remarketing, which involves targeting ads to individuals who have previously interacted with your website, viewed specific pages on your website, or made purchases of certain products or services. Retargeting is the technology behind advertising that tracks people as they move from one website to another (Zayats, 2021).

Retargeting, also known as remarketing, is essentially the same concept as "brand awareness" and is a crucial element of an effective law firm marketing campaign. Retargeting is an advertising strategy that aims to re-engage your audience after they have left your website. Users who have interacted with your site or mobile applications will be shown online ads as a way of reminding them about your services.

The key to a successful retargeting campaign is the ability to drive visitors back to your site by displaying ads related to their previous interests.

This is achieved through tracking pixels or cookies that follow the user's activity after they have left your website. Retargeting ads are served through third-party networks like Google and Facebook's display system, which allows the promotion of your services across various websites. Search engines and social media platforms provide opportunities to prompt or remind potential clients about how your law firm can assist them with their legal needs or challenges. Such actions can significantly increase traffic to your site.

However, retargeting, which targets users who have already interacted with a brand or visited its website, also has its advantages and disadvantages. Let's consider the main drawbacks of retargeting:

- **Creating a Negative Impression:** Some users may develop a negative perception when constantly bombarded with promotional messages from a brand they have previously engaged with. This can lead to irritation and the feeling of their privacy being violated.
- **Distraction:** Repetitive ads can cause users to become distracted, reducing the effectiveness of the advertising campaign.
- **Risk of Ad Overload:** If a user receives an excessive number of messages from a brand, they may become disengaged or block the ads, affecting the overall effectiveness of the marketing strategy.
- **Ineffectiveness for Users Who Have Already Made a Purchase:** Retargeting may not be effective when the user has already made a purchase. In such cases, continued advertising may be unnecessary and redundant.
- **Cross-Device Ad Serving Issue:** If a user switches to a different device, Their ad preferences may be reset, resulting in a mismatch between the ads served and their status.

Ultimately, the decision to utilize retargeting should be based on a comprehensive analysis of your marketing goals and target audience, along with a thorough understanding of the best practices and potential risks associated with this marketing technique.

## PROTECTION OF PERSONAL DATA AND TARGETED ADVERTISING

Targeting, from a marketing perspective, is an incredibly effective technology that enables more precise engagement with potential buyers. Furthermore, ensuring legal and effective protection of personal data when utilizing targeting technologies on the internet is a highly challenging task. The

primary legislation in this area is the Law of Ukraine "On the Protection of Personal Data," which has been in effect since 2011 and establishes a comprehensive list of legal bases for processing personal data (Article 11). The key requirement among these bases is the consent of the data subject, and in most cases, obtaining consent is a mandatory condition for collecting personal data on the Internet. Consent is the voluntary expression of an individual's will, provided they are adequately informed, granting permission for the processing of their personal data in accordance with the stated purpose of processing, expressed in writing or through a form that allows for the conclusion of consent (Article 2).

In the Ukrainian context, issues arise with the actual process of obtaining consent. When it comes to websites, not all of them provide any notification about data collection, despite doing so in practice. Generally, they do not include any banners regarding cookie processing: Ukrayinska Pravda, Hromadske Radio, Detector Media, Ukrainian News, Focus, Den, InternetUA, Ukrinform, Liga, Bukvy, Politeca. They offer only one non-alternative option "Agree" in a "choice without choice" style: NV, Deutsche Welle (DW), TSN, Today, Gordon. Provide the ability to disable most options manually: Glavkom. Had to click for about a minute. Well, at least like this. A somewhat foolish cookie banner (and completely non-functional) appears on the RBK-Ukraine website. "By continuing to browse ... you agree..." – this is illegal, dear Russians.

Some resources (Censor, Hotline) put up a Google captcha like "click on all the images with a bus." And then again. And sometimes this quest can take several minutes. Sometimes I just don't have the patience and simply close the site. Well, unless the material is resonant and exclusive, so it makes sense to spend a little nerve on it. The issue of harmful traffic and bots could be resolved in a less radical way, in my opinion (Korsun, 2023).

Users may not receive any notifications regarding the use of cookies and may only discover it through their browser settings. Additionally, not everyone considers that a website page may contain elements from other sites (such as advertising or social networks), and each of these elements also collects cookies, which users are not always aware of. Similarly, mobile applications do not always inform users about the data they collect. For instance, many users of the Facebook application were surprised to learn that the application was collecting information about their calls and text messages.

Apart from the requirement to provide notice about data collection, there should also be a requirement for consent to collect and use personal data, which must be given by the individual about whom the information is being collected. However, internet users willingly share not only their own information. The rise

of applications like Getcontact, Truecaller, and others, which users began using extensively to identify and track contacts, serves as an illustrative example. In exchange for this functionality, the application gained access to information from the user's address book, including phone numbers and names of contacts. Thus, data were distributed without their consent and against their will. In some cases, this even led to the disclosure of medical secrets, as doctors would write down a diagnosis next to a patient's name, and then this information from the address book could be accessed by any user of the application.

It is important to note that in many cases, users have no real choice: they are compelled to provide their data because otherwise, they will not be able to use a particular service at all. This type of consent is conditional and involuntary.

Another issue is the form in which consent is given. The law stipulates that consent must be in writing or in a form that allows it to be inferred. In the field of e-commerce, the consent of the individual can be obtained during registration in the information and telecommunications system of the e-commerce entity by checking the authorization box to process their personal data in accordance with the stated purpose of processing, provided that the system does not enable the processing of personal data until the box is checked (Article 2 of the "Law on the Protection of Personal Data"). This means that consent must be clear, and the user's actions must clearly indicate their willingness to allow the collection and use of their personal data. Indeed, clicking on buttons such as "I agree," "allow," or checking the appropriate boxes in electronic forms is generally considered a valid form of giving consent. However, many resources do not require active user actions to provide consent but simply state that continued use of the service will be deemed as consent. Additionally, some websites may only provide a separate section that warns about the collection of personal information without bringing it to the user's attention. The same applies to mobile applications: the list of information they collect can be found in the application description on the Play Store or App Store, but during installation and use, they do not always request separate user permission. In such cases, the presence of clear consent may not be obvious, potentially violating the law.

No company, including meta techs, should be able to bypass consent or deceive users through misleading Terms of Service. Users should have the ability to actively decide whether their information will be used for ad targeting. Consent for the collection, storage, or use of personal data lies at the core of the GDPR (General Data Protection Regulation) and the EFF's (Electronic Frontier Foundation) guidelines for any legislation regarding consumer data privacy. (Gebharta, 2022).

Another point of concern is user awareness. The law requires that user consent be informed, meaning that individuals must be aware of exactly what information about them is intended to be collected and how it will be used. However, very often users agree to the collection and use of personal data without complete information or the ability to obtain it. For example, many foreign websites with a Ukrainian-language version provide minimal information about the collection of personal data, and the link to detailed information leads to an English-language page. Considering that there are Ukrainian users who do not speak English, this situation can be seen as a lack of awareness. Additionally, obtaining information about which third parties personal data will be transferred to or has already been provided to is nearly impossible, despite the fact that this right is outlined in Article 8 of the aforementioned law.

This leads to another problem, namely the loss of control over one's personal data. The individual, as the subject of personal data and any user of online services, has the right to withdraw consent for the processing of their personal data (Article 8 of the "Law on the Protection of Personal Data"). However, simply deleting a profile on a social network, removing an application from a phone, or deleting cookies from a browser does not necessarily mean that the data disappears completely from the company's servers. Additionally, retrieving personal data from third parties to whom it has been transferred is extremely difficult. (Pravdychenko, 2019). We believe that considering Ukraine's aspirations toward European integration, it is important to learn from the experience of the European Union.

In 2016, the General Data Protection Regulation (GDPR) came into effect in EU countries, introducing new principles for personal data processing and establishing enhanced guarantees for their protection. As part of the Association Agreement with the European Union, Ukraine committed to aligning its national legislation with the GDPR requirements. Some aspects of the GDPR requirements are already reflected some extent in Ukrainian laws, but they lack clear definitions and require further clarification. Additionally, certain provisions of the GDPR are entirely new and need to be incorporated into domestic legislation.

The GDPR sets stricter rules for obtaining consent for personal data processing, placing the burden of proof on the entity collecting the data. The criteria for informing individuals about the collection and use of their data have also been strengthened, requiring concise, transparent, easily accessible information presented in clear and simple language. The entity collecting the data bears the responsibility of proving compliance with key data processing requirements (thus, a presumption of guilt can be inferred).

Furthermore, the GDPR introduces significant penalties for violations. The maximum sanctions provided by the Regulation are substantial for any large company: €20,000,000 or up to 4% of the total global annual turnover for the previous financial year, whichever amount is higher.

Additionally, the GDPR calls for the establishment of independent public bodies responsible for monitoring the implementation of the Regulation. These bodies should possess investigative powers and the authority to impose sanctions. Most EU countries have already established such bodies, which are highly specialized and exclusively dedicated to matters of information and personal data. (Pravdychenko, 2019).

On January 28, 1981, the Council of Europe adopted Convention No. 108, titled "On the Protection of Individuals with regard to Automatic Processing of Personal Data" (referred to as Convention 108) (Convention for the Protection of Individuals about Automatic Processing of Personal Data, 1981). This document established the fundamental principles of personal data processing, outlined the rights of individuals concerning the processing of their personal data, provided guidelines for cross-border data transfers, and introduced the creation of an advisory committee. The committee's responsibilities included analyzing the implementation of Convention 108 and proposing amendments if necessary. Until recently, the European Parliament and Council Directive 95/46/EC, issued on October 24, 1995, governing the protection of individuals with regard to the processing of personal data and the free movement of such data (Directive 95/46/EC of the European Parliament and the Council, 1995) (hereinafter - the Directive) was not only one of the most authoritative documents in the field of personal data protection but also a model for many national laws on personal data protection outside the EU. The Law of Ukraine "On Personal Data Protection" was no exception.

The Digital Services Act (DSA) establishes a groundbreaking and comprehensive framework for holding online platforms accountable for illegal and harmful content. It aims to enhance the protection of internet users and their fundamental rights while creating a unified set of rules in the EU's internal market, thereby facilitating the growth of smaller platforms. The DSA introduces EU-wide due diligence obligations that will be applicable to all digital services connecting consumers to goods, services, or content. It also introduces streamlined procedures for the expedited removal of illegal content and ensures the full protection of users' fundamental rights online (Digital Services Act, 2022).

Ukraine can adopt many useful practices and principles from the European Union in the context of personal data protection during targeted advertising. Some of these principles include:

General regulatory framework for the protection of personal data: The European Union has a comprehensive regulatory framework that ensures the protection of citizens' personal data. Ukraine can draw from this experience and develop a similar regulatory framework to ensure the protection of personal data of its citizens.

Transparency and control over personal data: The European Union sets requirements for transparency and control over personal data. For example, companies must inform users about what data is collected and how it will be used. Ukraine can adopt these principles and establish similar requirements for companies that use targeted advertising.

Mechanisms to control personal data: The European Union establishes mechanisms to control personal data, such as the ability of users to control how their data is used and stored. Ukraine can adopt these mechanisms and develop its own personal data control mechanisms that will provide greater transparency and control over the use of this data.

## CONCLUSION

The rapid advancement of modern technologies and interdisciplinary connections deepens the exchange between various fields and intensifies their interactions. Such collaborations often permeate everyday life. A notable example is targeted advertising, which has become extensively utilized in the era of the information society and the online realm. However, the legislation of Ukraine lacks a definition for the concept of "targeted advertising." Meanwhile, numerous scholarly definitions exist, and by categorizing them, it can be affirmed that targeted advertising on the Internet is a method of displaying advertising messages to users based on their personal characteristics, interests, preferences, and behavioral factors to better address the needs of potential clients.

Several types of targeted advertising are recognized: contextual advertising, advertising on social networks, true targeted advertising, and retargeting. Each of these types has both positive aspects and drawbacks. In particular, the emergence of new phenomena often serves as an impetus for circumventing the law, abuse, and violations. Improper use, dissemination, and leakage of personal data during the application of targeted advertising can constitute such violations.

In our opinion, there are currently numerous problematic issues in the context of the application of Ukrainian legislation on the protection of personal data on the Internet. Additionally, in the context of Ukraine's integration into the European Union, European legislation must be implemented. In the context of

developing and adopting certain positive practices of the European Union, we propose to ensure:

- The collection of only the information that is necessary for the advertising campaign;
- Notification to users that their data will be collected and used. This can be done, for example, by placing relevant links on web pages or by using pop-up windows;
- The ability for users to opt out of targeted advertising based on their personal data. This can be achieved, for example, by allowing data to be removed from a list for targeted advertising;
- A high level of protection for collected personal data. This may include the use of encryption, physical security measures, and other technologies to protect data from unauthorized access;
- Strict and consistent compliance with legislation on the protection of personal data. This may include requirements for obtaining consent to the collection and use of data.

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C%D0%B5%D1%80%D0%B5%D0%B6%D0%B0%D1%85,%D1%  
8F%D0%BA%D0%B0%20%D0%B7%D0%B0%D1%86%D1%96%  
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