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PERSPECTIVE OF AVIATION AS ONE OF THE ELEMENTS OF UKRAINE'S NATIONAL SECURITY ON THE WAY TO NATO

The article is an attempt to provide disclosure mechanism of legal regulation of aviation safety to the road to Ukraine's accession to NATO, which will ensure strengthening its sovereignty, preserving the independence and territorial integrity.

Key words: aviation security, regulation, national security, NATO.

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Перспектива розвитку авіації, як одного з елементів національної безпеки України на шляху вступу до НАТО

У статті здійснена спроба розкриття механізму правового забезпечення регулювання безпеки авіації до шляху до приєднання України до НАТО, що гарантуватиме зміцнення її державного суверенітету, збереження незалежності й територіальної цілісності.

Ключові слова: безпека авіації, правове регулювання, національна безпека, НАТО.

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Перспектива развития авиации, как одного из элементов национальной безопасности Украины на пути вступления в НАТО

В статье предпринята попытка раскрытия механизма правового обеспечения регулирования безопасности авиации на пути к присоединению Украины к НАТО, что будет гарантировать укрепление ее государственного суверенитета, сохранение независимости и территориальной целостности.

Ключевые слова: безопасность авиации, правовое регулирование, национальная безопасность, НАТО.

Problem definition. Safety in modern conditions must be regarded as one of the main goals and an essential condition of the people, social groups, societies, States and the international community. Given this natural historical process specifically for Ukraine to review constitutional and legal foundations of national security, taking into account the factor of safety in the transport sector, which is one of its most important components. Therefore, there is an urgent need to analyze security problems at the conceptual level using general methods and new applications of knowledge focused on general theoretical and practical grounding concept of transport security of Ukraine.

Transport safety is a component of national security is to prevent accidents and incidents on transport. Such activities given the priority of human rights by creating a rational system of preventive security to the maximum possible, economically feasible reduce the occurrence of traffic accidents and minimizing their consequences. During transport security should be understood as a social process of social relations relevant actors to prevent accidents and incidents in transport [1].

Analysis of the latest researches and publications. Formation and development of Ukraine as a democratic state, its integration into world and European structures requires rethinking fact, the place

and role of government in the current situation in the aviation business. State transport policy in the field of road safety legislation is implemented through Ukraine, the legal and regulatory and technical base, improving public administration, management of state property and state regulation of relations and activities of business entities. Analysis of competence and management of transport complex of Ukraine shows that the current system of government security transport needs to be improved. Optimal seen the creation of a single planning and regulatory, scientific, methodical, coordination and control center, endowed with sufficient powers for the organization of interaction of state authorities of Ukraine in this field. According A. Sobakar, it may be Interdepartmental Commission on ensuring transport safety [1]. Creating such a agency would allow, first, concentrate the full range of management functions to ensure safety in all modes of transport in one body and centralized management; second, much better decide on a rational organization of control and supervision in that area.

Ukraine's foreign policy vectors defined relationship with NATO is developing quite actively, and is politicized and independent of the economic situation, which makes the prospects of integration and NATO membership. European strategic direction, which focus on the integration of the republic supported by the EU in the form of its geopolitical importance of using tactics balancing between the United States and Europe. State and foreign policy are interrelated components of national security, defined a set of predefined objective of public relations aimed at protecting the vital interests of man and citizen, society and the state in which ensuring sustainable development of the people, early detection, prevention and neutralizing threats to national interests in different spheres of life and society [2, p. 45].

So, the logical question is: in what areas and what measures are necessary to improve the situation in the field of security of the transport system – namely aviation? **Without an understanding of the main aspects that make up the problem of legal regulation of aviation safety on the road to NATO membership, increase the level of security possible.**

There is a lot of science-based views on these issues, and it should be emphasized that they do not differ so much as complementary. Scientists in the field of safety believe that the organizational and operational measures are cost-effective only in airports with considerable intensity of flights at other airports they can also be effective, but at a lower level of implementation. In calculating the efficiency modernization of some parts of the engine (engine and airframe), not taking into account that the cost of these measures will be okupovuvatysya for decades, while the organizational and operational measures give effect (social and economic) immediately after their implementation. Thus, according to O. Bondarenko, even if will create economic mechanism, full compensation from the impact of aviation on the environment, it will not encourage airlines to buy more modern and typically more expensive aircraft [3, p. 26].

A similar opinion was expressed on obsolete equipment and M. Raskalyey. «... Most of Ukrainian airlines are charter airlines use outdated and so that the worn Soviet-made equipment. Some of them do not have their own fleet, but only uses leased aircraft» [4, p. 22]. The aviation sector is an extremely important part of the state economy, it is to integrate into the global economic community is necessary to maintain the aircraft in good condition. It is necessary to improve the national legal framework, to conclude as many contracts of carriage with foreign airlines. Integration of civil aviation in international relations is an important strategic goal of national economic policy. Achieving this goal allows Ukraine to become a member of the single European sky. Setting the so-called «air bridges» Ukrainian air carriers promote cooperation with European colleagues, the release of these relations to a higher level. The initiative of this magnitude requires development of specific performance provisions, which allow to ensure a high level of aviation safety under. time air navigation services, as well as taking into account the fact that the free market could compete mainly those companies that have made «stronger» under the «wing» of the state and the country that ignored the right state protectionist policies actually lost national aviation. So, for aircraft development should not only improve the

equipment, but also in general needs an effective government policies to maintain international economic relations. «... Ukraine as one of the world's leading aircraft shall uphold and adhere to protectionist policies in this area. And such a policy should take into account both domestic and European legal traditions of the world» [5, p. 78].

It can be argued that the state's role in ensuring aviation security is most essential. According M. Kravchenko in recent years, the application of competition law on air transport became common. This feature relies on him regulator of many of the competitive behavior of the international aviation market [6, p. 89]. The range of problems settle entrusted to the national competition law, including the airspace is increasing. As the world practice, at the present stage of development of international civil aviation is important to regulate the issue unions and associations without jurisdiction under antitrust laws, abuse predominant position in the market, dumping on traffic, airport charges and fees, guarantees state aid, loans and other. The main problem in addressing these issues is the different approaches of member countries of the international aviation market on the delimitation of the usual anti-competitive practices and activities actors of air transport. Characteristics state a controlling corporate rights leading national carriers is common is common control of the activity of aviation enterprises in the post. Also providing these carriers practiced by the state direct financial support and other assistance, which greatly affects the competitiveness of the national carriers of the former Soviet states, compared to carriers of other countries in the international air transportation. Today, the CIS countries form their relations in the field of international air services on the basis of significant transactions. So they try to protect the interests of their national airlines. Such protectionist policies in general characteristic of these countries as a result of objective circumstances of the airline is not able to compete with the leaders of the international air transport market – the US and EU countries. «The practice of ill-regulation of carriers appointment, determine transportation volumes, number of flights and routes to restrain expansion allows foreign air carriers to the markets of the former Soviet Union».

The next problem is the information globalization. To Ukrainian carriers were in an agreed system of foreign entities is necessary to improve the national legislation in this regard. Some misunderstandings lead to the loss of prestige and significant material losses to airlines. That is, according M. Raskalyey «... globalization in this matter can have a positive impact only when it comes to simplifying the system of regulation of relations air traffic. And to achieve this goal it would be to create an information system that would contain in itself all regulations, including conventions, inter-governmental agreements and regulations, both external and internal, relating to air law. It should be added here as litigation and comments on the application of these regulations. This could greatly facilitate the work of air traffic, improve the practice of resolving disputes in court and, generally, to improve relations in this field. This information is valuable for another reason, that based on the events taking place in the world in recent times, it has a clear target domestic carriers engaged in international air transport, in particular legal regime «open sky», and this knowledge with extensive practical meaning at work on the transportation market in these countries. In addition, this work can significantly expand understanding of the activities carried out by ICAO in the interests of establishing common technical and legal rules in international air navigation and international air transport [4, p. 23].

Also requires significant modernization of information support of Euro-Atlantic integration policy. Today not only informational messages, newspaper articles, television stories that highlight NATO's activities and policies of the state to Euro-Atlantic integration. Need not only objective information about the Alliance and work with target populations, taking into account regional differences and our country. Ukraine conducts active cooperation in the field of information security within the NATO «Security through Science» [7]. The state policy of information security defines the activities of public authorities in this area. These areas due to the content of the national interests of the state, society and the individual. According I. Bodnar, it is true, as the task of information security measures is to minimize harm incomplete, un-

timely or unreliable information or negative information influence as a consequence of the operation of information technology, and unauthorized distribution. Therefore, information security provides for certain public institutions and the living conditions of its established international and domestic law [7].

Conclusions. Despite all the contradictions of Ukrainian politics Euro note is the emergence of some positive trends, which gives hope for the possible entry of Ukraine into NATO and the EU in the near future. The fact that at the state level adopted decision to join NATO, can be considered a great success. According V. Burdyak cooperation «Ukraine – NATO» has more positives than negatives. Ukraine did not join NATO because of a number of good reasons, but for a long time to continue cooperation already existing positions [8, p. 173]. Among the political elite and society as a whole emerged stronger and powerful enough layer of consistent supporters of the Euro-Atlantic choice. Further European integration prospects of Ukraine's future as a sovereign state is the most direct of the Ukrainian society and its orientation to ensure the effective implementation of national interest in the context of the objective processes of European development.

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