

MECHANISMS FOR CREATING AN INTEGRATED SYSTEM OF TRANSPORT SECURITY IN UKRAINE: STATE-ADMINISTRATIVE ASPECT

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Abstract: The article aims to consider the main directions, goals, objectives, and administrative regulation problems in ensuring the transport security of Ukraine. The composition of the transport security system is determined from the standpoint of administrative law and management theory. The prerequisites, financing problems, and legal support of transport security are analyzed.

Keywords: Administrative regulation, Integrated system, Transport security of Ukraine.

1 Introduction

Under the influence of new geo-economic conditions, Ukraine needed to build its model of economic development and macroeconomic stabilization aimed at minimizing the consequences of disintegration in the financial space of the CIS and enhancing the integration of the economy into a new, competitively integrated system of European economic relations. In this context, the transport industry, which is faced with the problem of structural integration into the transport infrastructure of Europe, is the primary backbone vector of the economy. As a result, the role of the Ukrainian transport system is growing. It becomes part of a complex, efficient system of transport corridors in the European economy, i.e., a system that should ensure uninterrupted international movement of goods, services, production, financial, and labor resources.

Currently, little attention is paid to the problems of transport security in Ukraine [62]. In particular, the primary regulatory documents in this area have not yet been adopted: the strategy and concept of transport security and legislation on transport security. And the measures taken to ensure transport security are ineffective.

However, ensuring the proper level of transport security is one of the main tasks of the modern state [9, 49]. This is confirmed by the attention paid to security issues in developed countries, including transport, due to the significant importance of transport development for any modern country.

Despite the need to integrate into the European and world community, Ukraine is doomed to pay great attention to transport security. In addition, it should be noted that Ukraine has the highest transit rating in Europe. Accordingly, it can receive significant income from the transit and other transport services only if a reliable transport security system is built. This also determines the importance of transport security issues for Ukraine.

2 Literature Review

Insufficient attention has been paid to transport security management in Ukraine. As researchers of transport economics define it, the transport infrastructure in the EU (transport communications and transport hubs) is currently overloaded, which is due to three factors:

- Imbalance in the development of different modes of transport [2].
- Lack of interaction between different modes of transportation [16].
- The adequacy of the growth in the volume of transport activity to economic growth (and in some cases, the outstripping growth in the importance of transport activity) [28].

This is mainly due to the lack of proper administrative and legal regulation of these problems, which is exacerbated by insufficient funding for the development and improvement of the EU transport infrastructure in the context of limited national and Community budgets, which in turn requires the modification of tax legislation [39]. Therefore, the Western region of Ukraine is one of the priorities in the regional and transport policy of the EU.

The main problems that the western region is facing today include internal orientation in solving transport problems with an insufficient transnational component necessary for integration; disproportions between the countries of Central Europe in the dissemination of information and communication technologies in the context of transport export-import technologies; the increasing use of automobile resources due to the development of all sectors of the economy related to transport, which leads to a serious environmental burden [40, 44].

In current conditions, the western region of Ukraine is increasingly becoming a territory where a simple neighborhood turns into partnership and cooperation. At the same time, the implementation of the principles of state transport policy - democratization, a unified state policy, decentralization, public accessibility of transport services, the optimal combination of territorial and sectoral management, state coordination of business partnerships, ensuring the unity of the governing and managed systems by the state, determined by the Transport Strategy of Ukraine until 2020, is possible primarily in the western region [13].

The geographic prerequisite for the formation of the economic space of Central Europe is the neighborhood of countries between which there are mutual ties [1, 3-6]. The most common factor in the development of foreign economic relations between states and individual regions is the territorial division of labor, accompanied by the development of the circulation of goods and services between countries (based on economic and geographical factors and sectoral economic structures, which are based on the historically established international legal framework for cooperation). The legal prerequisite is the Association Agreement between Ukraine and the EU [8, 9].

The regions of Western Ukraine have apparent foreign economic specifics that distinguish them from all parts of Ukraine. First, they are more closely connected with the European areas of the humanitarian dimension; secondly, they cooperate more closely with the countries of Central Europe than with other foreign territories [10-12, 14, 15]. Thanks to this, they play an active role in European integration processes. Finally, they can be attributed to the development corridors connecting the other part of the country with the European Union, especially with its Central European member countries. Regional transport cooperation may become a particular type of integration in Europe.

The formation of four common spaces between Ukraine and the EU can largely take place not through the adoption of global and comprehensive decisions and documents but in the process of stepwise interaction at a lower level on specific (even private) issues (this is justified primarily for the economic space and space in science, education, and culture). Cooperation at the regional level can be particularly fruitful [7]. These processes will not only influence the western regions' future development

but will also create better opportunities for the entire state to enter the Common European Economic Space [59].

3 Materials and Methods

The spheres (types, elements) of security are determined by the living environment of society, in which there are sources of danger and challenges, risks and threats arise [55]. National legislation identifies the main elements of national security as political, national, military, economic, scientific and technical, environmental, social, humanitarian, and informational [2].

From our point of view, transport security can also be included in this list [20-27]. This is due to the high level of danger of risks and threats to modern society, characteristics of transport, as well as the fact that the transport sector (including the information component) is closely related to other areas of life and security of society and significantly affects them (directly or indirectly), for example, in the environmental, military, food sectors, etc.

The division of security into types (spheres) is entirely conditional since, usually, sources of danger can be associated with two or more spheres of life [29-35]. And challenges, risks, and threats in any area affect two or more areas of public life in various ways.

As correctly indicated in the literature, the choice of the correct sphere for indicating the type of security depends significantly on the practical tasks being solved in this case and is very conditional [7].

Ukraine's transport security state is insufficient compared to other developed countries. First, this concerns road and rail transport, which is the primary source of threats to transport security. Considering the European Union's requirements regarding the Association Agreement in the field of security, it is necessary to prioritize innovations in this area [13].

Thus, at present, all over the world, the provision of all types of security is a priority task among all its varieties. Accordingly, the level of transport security is one of the leading indicators of the level of transport security in the country [2].

The transport security system consists of unified regulatory, technical, methodological, and systematic approaches to ensuring security when using all types of transport [17].

4 Results and Discussion

For Ukraine, the basis of the policy of promoting the development of transport infrastructure in the western direction should be the maximum use for the implementation of the special status and opportunities of the Chop (Transcarpathian region) and Lviv (Lviv region) transport hubs, as well as other forms of international cooperation, in particular the legal mechanism of cross-border partnership.

It should be taken into account that the most large-scale reform of the economy in Ukraine as a whole and in its western regions (not only the renewal of the production apparatus but also a change in economic policy) is the best way to adapt to the new conditions of EU enlargement. In this context, a change in the Law of Ukraine "On Border Control" is required [37, 38, 43]. It is also advisable to develop a new State Target Law Enforcement Program, "Arrangement and Reconstruction of the State Border."

The issue of creating transport and logistics centers with the participation of Ukraine and the EU countries (possibly with the involvement of partners from China) is capable of carrying out the entire range of transport services provided on the international market to reduce costs and increase the speed of cargo transportation [45-48]. Furthermore, it would be possible to create conditions for redistributing the volume of transit cargo (primarily cars) from roads to railways, which would significantly reduce the load on the network of border roads and

increase the volume of cargo turnover in general [50-54]. The transition to new transport technologies is underway in Ukraine, particularly in intermodal container transportation.

This approach puts forward specific requirements that should be reflected in the legal regulation. It is advisable to legislate the need for license applicants to carry out a special verification event - a preliminary license examination. In this regard, it is necessary to make changes and additions regarding the procedure for conducting this examination to the orders of the Ministry of Infrastructure of Ukraine dated May 28, 2013, No. 321, "On Approval of the Licensing Conditions for Conducting Business Activities for the Provision of Services for the Transportation of Passengers, Dangerous Goods, Luggage by Rail", the Ministry of Transport and Communications of Ukraine dated 02.07.2010, No. 427, "On Approval of Licensing Conditions for the Implementation of Business Activities for the Provision of Services for the Transportation of Passengers, Dangerous Goods, Luggage by Road", the State Committee of Ukraine on Regulatory Policy and Entrepreneurship, the Ministry of Transport of Ukraine dated November 26, 2001, No. 139/821, "On approval of the Licensing conditions for the production of economic activities for the provision of services for the transportation of passengers and cargo by air" [13].

This will create the basis for the development of export services of Poland, Romania, Hungary, Slovakia, and through these states to third countries using international transport corridors - ordered sets of infrastructure facilities of different modes of transport that make up organizational and economically balanced communication linking different countries and contributes to an increase in volumes export, import, and transit traffic.

A good form of cluster development is in the western regions, which favor intensifying integration interaction [56, 57]. The main idea of the cluster approach is that important reserves for improving the transport process in transit corridors can be identified by considering transport objects (clusters) in their totality, taking into account the links between them. A transport cluster is a community of enterprises and organizations of one or more types of transport and other industries in a particular area, united by the task of improving the efficiency and quality of transport services using innovative technologies [60, 61]. A cluster approach is a methodological approach based on the horizontal integration of elements of the logistics system, accelerating their development through a rational combination of competition and interaction between transport and logistics organizations [19].

The integrated transport security system covers environmental, air, space, economic and administrative-legal categories. Among the main reasons for the low level of transport security in Ukraine are:

- Lack of a unified policy for ensuring transport security in the country;
- Imperfection of the national legislation in the field of transport security and the absence of essential normative documents regulating public relations in the area: law, concept, strategy, and program;
- Inconsistency and non-systematic measures and efforts of state bodies to improve transport security;
- Low level of legal consciousness and discipline of employees and users of the transport sector [63];
- Insufficient technical condition of vehicles, communications, and facilities, a considerable number of old cars and structures used in Ukraine;
- Divergent growth of cars in the country against the backdrop of lagging road infrastructure;
- Insufficient funding for activities aimed at improving the level of transport security;
- Low level of effectiveness of persons influencing transport security, including officials in this area, car drivers and other workers in the transport sector, etc.

The necessary background for the reliable and efficient operation of the mechanism for ensuring transport security and the

implementation of relevant measures is the recognition by state authorities and society of the importance of transport security both for the national and public safety of Ukraine and for the interests of the community and every citizen.

Despite the large number of deaths resulting from car accidents and substantial economic losses, unfortunately, neither the government nor society currently recognizes this [16]. It is confirmed by the fact that there are practically no regulatory documents that solve the problem of transport security. There is no law on transport security, and there is no corresponding concept and strategy of transport security. Moreover, regulatory documents regulating some transport security issues are imperfect and often contain conflicting provisions. And there is no comprehensive work in this direction [17].

Forming a single set of regulatory documents in Ukraine's transport security field is the main task today [18]. These normative documents should be structured. This requires the development of the main conceptual provisions, which are the basis for the further construction of the system. The urgency of this problem is due to the significant daily losses of our country due to low transport security. It applies to road transport. In addition to regulatory documents, such as a law, concept, strategy, and program, it is necessary to develop sectoral laws to ensure specific types of transportation [28]. Road transport is in particular need of such a program. The program for developing public transport and aviation security is of great importance.

The need to bring national legislation in line with the requirements of international standards is due to the importance of the active development of international transit in Ukraine [44]. However, the imperfect legal framework and the low level of transport security in Ukraine could become prominent barriers to generating significant revenues from international transit, as the security sector is a crucial determinant for European partners.

First of all, Ukraine requires the adoption of the Law "On Transport Security" to unify the rules governing transport security for different modes of transport and bring Ukrainian legislation in the field of transport security in line with international obligations. Ukraine.

Currently, there is no scientific research in the field of transport security, and there are practically no publications in the media. Moreover, financial support in transport security, which is a critical problem in developing an effective transport security system and the only reliable factor in the genuine concern of the state, is at a deficient level [59].

The recent tightening of administrative responsibility for traffic violations is a positive measure. But, even though this is almost the only serious step towards improving transport safety in Ukraine, it may happen that the main motives for increasing fines were mainly economic, and the reduction in the number of accidents has only a temporary effect.

Even the best event cannot be carried out without proper financial support. To create an effective threat prevention system, it is impossible to ensure the appropriate level of transport security [39]. Current allocations for transport security issues are insufficient to meet real needs against the backdrop of funds allocated by developed countries. Of course, the budget cannot increase financial opportunities in full. Extrabudgetary resources are almost not attracted.

For example, insurance and motor transport companies, foreign partners, and other objects of road activity are hardly involved. However, the involvement of such facilities in addressing transport security issues is a common practice in the world's developed countries [13].

At the same time, it is imperative to look for alternative sources of financing, primarily among business structures, foreign partners, and the use of public organizations [36]. Stimulating non-state companies' participation in ensuring Ukraine's transport security can be carried out by reducing the tax burden,

providing additional benefits, etc. However, this activity also requires the involvement of foreign business structures, namely transport companies with economic ties with Ukraine.

Transport security procedures, including specific measures, are based on the sanction of public opinion as a whole. Therefore, it is necessary to discuss and clarify the significant problems of transport security with the involvement of scientists, officials, and society. To cover them, the media, including Internet resources, must be involved.

Society in Ukraine is practically not involved in transport security and does not express concern about this. Thus, the experience of developed countries confirms that society itself should play a significant role in resolving these issues.

A unified state policy in the field of transport security must be implemented in economic, political, and organizational measures. Furthermore, these measures should be consistent with the threats in the transport sector.

The existing mechanisms for ensuring transport security in Ukraine (organizational, political, legal, and economic) do not fully correspond to current and potential threats in this area. State supervision and control over compliance with the law and coordination of activities of central and local executive authorities in the field of transport security are insufficient. This applies to a large extent to road safety activities.

The basis for creating an effective transport security system is the fundamental scientific research of its various aspects: political, administrative (organizational), economic, legal, and technical [19]. In particular, it is necessary to analyze the state of transport security. In Ukraine, the effectiveness of relevant measures, and foreign management experience in the field of transport security.

The following main tasks of transport security have been identified:

- The regulatory framework in the field of transport security;
- Clarification of threats to national security in the transport sector;
- Development and implementation of measures to ensure transport security;
- Vulnerability assessment of transport infrastructure facilities and vehicles and their classification;
- Creation of stable financial support for transport security.
- Building a system of facilities responsible for the transport security of Ukraine;
- Establishing links between them, training specialists in this field and their advanced training;
- Control and supervision in the field of transport security;
- Informational, logistical, and scientific support of transport security [7, 13, 42].

The purpose of transport security is the constant and safe operation of the national transport complex, the protection, and protection of the interests and values of a person, society, state, and group of states in the transport sector [41].

The main directions for improving transport security in Ukraine are:

- Development and regulatory consolidation of the foundations of state policy in the field of transport security;
- Foundation of scientific research in the field;
- Development and improvement of national legislation in the field of transport security, including the law, concept, strategy, and program of transport security;
- Improving the subjects of transport security, establishing links between them, increasing the level of production discipline, improving the training and advanced training of persons influencing transport security (officials, drivers, etc.);
- Elimination of bureaucracy, simplification of work, and elimination of excessive regulation of transport security;

- Ensuring legal and social protection of persons whose duties include ensuring transport security;
- ensuring anti-terrorist road safety;
- Improvement of forms and methods of ensuring transport security, and local employment;
- Increasing the effectiveness of preventive work aimed at preventing injuries and strengthening legal awareness in the transport sector, including the subject-effective promotion of safe behavior in road traffic among the population;
- Renewal of the vehicle fleet and overhaul of vehicles in disrepair and improvement of their operational characteristics;
- Limiting the uncontrolled growth in the number of private national vehicle fleets and the comprehensive development of public transport;
- Constant work to neutralize the negative impact of transport on the environment of Ukraine, including the use of innovative technologies;
- Improvement of control and supervision over the work of the transport security system;
- Improvement of financial provision of transport security, search for non-budgetary sources of financing;
- Improvement of the transport infrastructure and traffic management system, in particular, the motor road;
- Development of intelligence and counterintelligence capabilities for the timely detection and neutralization of external threats in transport security and analysis of their sources.

The measures must have proper steps, deadlines, budgetary funding, and relevant performers [58].

Problems in the field of transport security should be addressed comprehensively since transport security is a systemic definition that includes separate independent branches or types of security, namely the security of people, cargo, vehicles, transport facilities, and the environment of security of economic, military, fire, sanitary, informational, chemical, bacteriological, radiation, and other security regimes [40].

5 Conclusion

Identifying priority sectors and sectors of the national economy is a highly complex process. In turn, the specific features of the development of the Central European countries (for example, a narrow international specialization in the production of high-quality, at the exact time science- and labor-intensive products) can be considered a prospect for the Ukrainian economy as a whole. For the development of transport infrastructure in the western region of Ukraine, it is necessary to improve the legal regulation of the activities of the subjects of the transport process in the following areas:

- Harmonize the norms of national and international transport law, thereby creating conditions for the effective functioning of carriers and forwarders in global markets transport services;
- Accurately determine the professional intermediary and tax status of a transport forwarder, which affects the economic results of its activities and the activities of exporters of goods;
- To strengthen the regulation of the activities of monopolists in the transport sector, primarily for Ukrzaliznytsia;
- To develop a regulatory legal act on the issues of interaction between different types of transport;
- Improve (in the direction of simplification) the licensing procedures for transportation and transport-forwarding activities, especially their international directions.

Transport security in Ukraine is currently given little attention, although its condition is unsatisfactory compared to the developed countries of the world. Ukraine's low level of transport security is based on insufficient awareness of the importance of national interests in this area.

There are many areas to ensure transport security. The priorities are to ensure road, environmental, and anti-terrorist security in transport, etc.

The search for extrabudgetary funds should become a priority for improving the financial provision of transport security. Furthermore, there is a need for a unified national policy in transport security, implemented in economic, political, and organizational measures. The purpose of ensuring transport security is the constant and safe operation of the national transport complex, safeguarding and protecting the interests and values of a person, society, state, and group of states in the transport field.

Transportation security should be listed as one of the leading national security sectors. The formation of an integrated system of transport security requires an integrated approach, taking into account the norms of environmental, transport, administrative, and other branches of law.

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Primary Paper Section: A

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