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**SOME ASPECTS OF AVIATION DEVELOPMENT IN UKRAINE: LEGAL,  
ORGANIZATIONAL, INTERNATIONAL**

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Since the beginning of Ukraine's independence on 24<sup>th</sup> August 1991, the country's aviation industry has passed significant changes and development. The main achievements in this period can be considered that Ukraine has several national and private airlines that provide inside and international air transportation, many airports in Ukraine have been modernized and expanded to provide better passenger service and increase the volume of passenger and cargo transportation, but due to the full-scale intrusion they do not work yet, Ukraine cooperates with international organizations, such as the International Civil Aviation Organization (ICAO), to improve safety standards in the aviation industry.

After the declaration of state independence and sovereignty of Ukraine in 1991 and the collapse of the USSR, Ukraine inherited one of the most powerful aviation groups in the world. It had more than 1,000 aircraft of various types. In 1992, the military aviation of Ukraine was second only to the aviation of the United States, Russia and China in terms of quantity and was the most numerous in Europe. It is also worth noting that most of the modern military airfields of the USSR were located on the territory of Ukraine. The Air Force of Ukraine was created on the basis of this group on 17<sup>th</sup> March 1992 [1].

The Air Code of Ukraine was adopted on 19<sup>th</sup> May 2011, and entered into force on 16<sup>th</sup> September 2011. In 2023, in these articles were made changes. Aviation safety is governed by: the Aviation Code of Ukraine, the Criminal Code of Ukraine, the Code of Ukraine on Administrative Offenses, the Law of Ukraine "On the State Program of Aviation Safety of Civil Aviation" and a number of other normative legal acts.

During independence, Ukrainian aviation was not particularly strengthened. On the contrary, it disarmed. Since 1991, not a single combat aircraft has been purchased, Soviet aircraft manufactured between 1968 and 1991 are still in service.

On 5<sup>th</sup> December 5, 1994, Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons was concluded between Ukraine, Russia, Great Britain and the USA on guarantees to Ukraine in connection with its acquisition of non-nuclear status. The first stage in the disarmament of the Ukrainian aviation was the written off of all outdated aircraft. There are Su-15, Tu-22, MiG-25, MiG-23. Then bombers such as Tu-22M, Tu-95 and Tu-160. This process continued to 1996.

In January 1994, Clinton, Kravchuk and Yeltsin signed the so-called tripartite agreement in the Kremlin, according to which Ukraine would soon give Russia a significant part of its nuclear wealth for nothing as payment for gas debts. That list included 11 new strategic bombers: eight Tu-160 and three Tu-95MS. In the Russian-Ukrainian war, Russia uses Tu-160 and Tu-95. During the following years after nuclear disarmament, no one was involved in the development of Ukrainian aviation [2].

In 1991, the Ukrainian enterprise "Aeroprakt" was founded. It specializes in the manufacture of ultralight aircraft and is one of the three world leaders in this field. Their aircraft are on all continents of the world. More than 50 countries fly on planes under the "Made in Ukraine" brand.

From 1991 to 2001, work was carried out on the first Ukrainian helicopter. The device was named "KT-112 Cadet". It had two piston engines, a four-seater cabin, developed a speed of up to 200 km/h. Unfortunately, due to lack of financing, the project was closed in 2010, but already in 2018, these developments were used in the creation of the Ukrainian VM-4 "Dzhmil" helicopter. In 2004, the state enterprise "Antonov" lifted another plane into the sky - the An-148. It is designed for passenger transportation at a distance of up to 3100 km. Then the first flight of the An-158 took place in 2010. This is a passenger plane designed to carry from 86 to 99 passengers over a distance of up to 3,000 km. In Ukraine, an airplane was even created that can be controlled by a pilot with impaired locomotor function. It lands on sites that are not designed for this, because it has a state-of-the-art quick-acting parachute system.

An-225 "Mriya" was created in 1988. After the collapse of the USSR, the plane became the property of Ukraine. In the late 1990s, it was reconstructed and modified for the transportation of

heavy goods. An-225 was the heaviest aircraft in the world. In 2004, the International Aeronautical Federation added the An-225 into the Guinness Book of Records for its 240 records. However, unfortunately, on February 27, 2022, the An-225 was destroyed in the hangar during the fighting for Gostomel airport during the full-scale russian intrusion of Ukraine [3].

On 18<sup>th</sup> January 2021, Ukraine and the Kingdom of Saudi Arabia signed the Agreement on Air Transport. This agreement was the first step towards regular air traffic between Ukraine and Saudi Arabia. The signing of this Agreement establishes the necessary contractual and legal basis for starting regular air traffic between Ukraine and Saudi Arabia, which enables the designated air carriers from both countries to plan their flights in accordance with the technical and legal requirements established by this Agreement. Separately, during the meeting, the Protocol of the meeting was signed, which established the basic conditions for the implementation of regular air traffic, as provided for in the signed Agreement. From both sides, the possibility of regular passenger flights with a frequency of 35 flights per week in total for each side, also 7 cargo flights per week [4].

### **Conclusions**

Despite the difficulties, Ukrainian aviation has great potential for further development. Thanks to favorable geographical conditions, highly qualified personnel and the desire to integrate with the European aviation space. Unfortunately, Ukrainian projects often remain at the development stage without finding financing, although they have huge potential. Despite all the barriers, we should be proud of Ukrainian aviation, as it is a symbol of freedom and has a long way to reach new heights. Ukrainian aviation can become a real symbol of national pride and technological progress. Its potential must be revealed by introducing innovative technologies, supporting young talents and creating favorable conditions for the development of the aviation industry in Ukraine. The efforts of the government, business and the public can help Ukrainian aviation to take a worthy place on the world stage and become a real force that will help the country develop and prosper.

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## **THE PROBLEM OF THE CRITERIA OF THE LEGAL LAW**

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Key words: legal law, rule of law, human rights, natural human rights, general will, justice.

The principle of the rule of law is a fundamental pillar of a democratic society, it ensures justice, equality and transparency in the legal system. However, the implementation of this principle is not without difficulties, as there is a growing need not only to define the law, but also to clearly set standards to ensure legality, efficiency and the ability to meet modern challenges.

Before jurists there is the task of building a holistic concept of law, which includes the conceptual apparatus and basic concepts that characterize key aspects of development, factors that create the need to distinguish and contrast law, establish compliance with legal requirements.

One of the serious problems is the possibility of bias in the creation and interpretation of legal criteria. Analyzing the views of legislators, lawyers, and jurists regarding the objective bases for classifying laws into legal and non-legal, one can see a great discrepancy in their interpretations. Lawyers proposed one of the criteria "general will" as an objective element for determining legal law [1]. According to this theory, only laws that accurately reflect this general will can be considered legal. After analyzing the adopted laws, we can come to the conclusion that the general will cannot always be fully reflected in the texts of laws, especially in cases where it is about taxation, licensing and other similar issues.

The main goal of legal regulation of social relations is to achieve justice taking into account specific life circumstances. The use of the principle of the rule of law becomes relevant in cases when it is necessary to deviate from the narrow interpretation of the requirements of a formal normative prescription in order to protect justice or make a decision that contradicts these requirements [2, p. 176].