



# REVISTA INCLUSIONES

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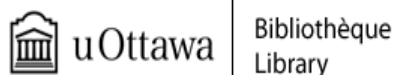


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**AVIATION SECURITY: DEVELOPMENT OF ADMINISTRATIVE AND LEGAL ALGORITHMS**

**Ph. D. Aleksandr Viktorovich Betskov**

Management Academy of The Ministry of The Interior of Russia, Russia  
amvd-6@bk.ru

**Ph. D. Aleksandr Vladimirovich Melekhin**

Management Academy of The Ministry of The Interior of Russia, Russia  
melekhin19@mail.ru

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lubov29@bk.ru

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**Abstract**

The purpose of the article is the analysis of the development of administrative and legal algorithms for an aviation security system. The article shows the relevance of improving the effectiveness of aviation security, analyzes the legal framework of aviation security at the Russian and international levels and substantiates the participation of internal affairs agencies in ensuring aviation security. The authors have proposed new approaches to the formation of a unified system for search and rescue of aircraft and spacecraft.

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### **Keywords**

Aviation Security – Civil Aviation – Transport, Spacecraft

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## Introduction

The modern world is critically full of various dangers. An educated, sensible, socially active person will not challenge this assertion, since real threats pursue every person at all stages of his/her life cycle. A significant part of the threats are prevented by the state due to its obligations to citizens for their safe life<sup>1</sup>. At times, threats occur in the form of emergency situations, emergency circumstances, a state of emergency, disasters and other extreme events with a certain risk probability, encroaching on people's lives and causing significant material damage to the environment<sup>2</sup>. It is especially relevant when it comes to such a form of professional human activity as the use of aviation, which gives many benefits: to explore boundless air spaces of the near-earth space, which hide many unrevealed secrets; to professionally test the latest airmobile complexes that expand unique human capabilities in the airspace and airless outer space, thus making it possible to reach tactical, ideological, political, socio-economic superiority, as well as to conduct unique research and exploration of the surrounding world, to move forward in an attempt to understand its scale, the real infinity of space, the diversity of forms and the uniqueness of the existence of the universe. Certainly, this activity bears many new risks to human livelihood. But today Russian specialists can manage these risks with varying degrees of effectiveness, depending on the totality of the evolving circumstances<sup>3</sup>. It can be argued that risk management in aviation is commonly referred to as the activity on aviation security support. Modern society can no longer refuse unique useful benefits of transport exploitation, as well as of the possibility of mobile movement in airspace by means of aviation<sup>4</sup>. For further implementation of this possibility, currently there is a system of security support of all means of transport and aviation in particular. The Ministry of Transport of the Russian Federation is an authorized federal executive authority for the development of public policy and legal regulation in the field of civil aviation, sea, water, railway, road, city electric, industrial transport, road facilities, geodetic and cartographic activities. This authority is also the main responsible provider of transport security.

This article focuses on some aspects of civil aviation security: civil commercial aviation and general aviation, as the most demanded segment for the socio-economic development of the country's regions and Russian society in the 21st century. It should be noted that, first of all, the authors are interested in the place and role of the internal affairs bodies of the Russian Federation in the modern system of civil aviation security support; the aviation security of a huge fleet of aircraft and aeronautical vehicles used in regular long- and medium-haul international passenger and cargo transportations, long-, medium-

<sup>1</sup> Vseobshchaya deklaratsiya prav cheloveka: rezolyutsiya tretei sessii Generalnoi Assamblei OON ot 10 dekabrya 1948 goda № 217 (III). 1948 y Konstitutsiya Rossiiskoi Federatsii. 1993.

<sup>2</sup> O zashchite naseleniya i territorii ot chrezvychainykh situatsii prirodnoho i tekhnogennogo kharaktera: federalnyi zakon ot 21.12.1994 g. № 68-FZ. 1994; O chrezvychainom polozhenii: federalnyi konstitutsionnyi zakon Rossiiskoi Federatsii ot 30.05.2001 № 3-FKZ. 2001 y O protivodeistvii terrorizmu: federalnyi zakon ot 6.03.2006 g. № 35-FZ. 2006.

<sup>3</sup> M. M. Arsanov; T. S. Romanishina; A. V. Kormishova; A. G. Germanovich; N. G. Bondarenko y Y. E. Lobanova, "The Use of GIS Technologies in the Management of the Urban Transportation System", International Journal of Innovative Technology and Exploring Engineering Vol: 8 num 9 (2019): 2324-2327.

<sup>4</sup> E. Nikulina y E. Tarasova, "Budget Financing Of Investment Projects At The High-Technology Industry Enterprises: Project Implementation Technology And Risk Mitigation", International Journal of Recent Technology and Engineering Vol: 8 num 2 (2019): 5932-5935

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and short-haul domestic transportations; an intensively developing sector of general aviation, which is also called private (business) aviation; once called unconventional unmanned airmobile complexes, nowadays, unmanned aircraft that is actively breaking through virtually to all spheres of services and business life in all regions of the country. The statistics of the use of results of the operation of unmanned aerial vehicles shows a clearly demonstrated lag in the adequate statutory regulation of this type of activity; accordingly, an effective level of security in this sphere is out of the question.

## Proposed Methodology

### General description

To achieve this goal, we used the method of analysis of Russian and international legislation to determine the legal foundations of aviation security and justify the participation of internal affairs bodies in ensuring aviation security. We also used the system analysis method to determine new approaches to the formation of a Unified Search and Rescue System for Aircraft and Spacecraft (USRSAS).

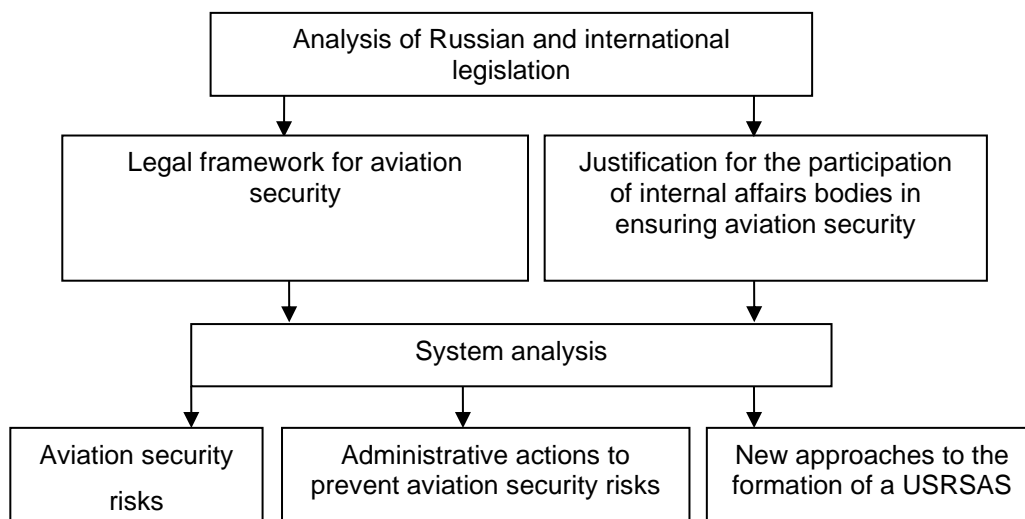
The data sources included the regulatory legal acts of Russian and international law, ICAO documents, studies of Russian and foreign scientists, peer-reviewed publications in scientific journals.

### Algorithm

At the first stage of the study, an analysis of Russian and international legislation on the issue of ensuring aviation security was conducted.

At the second stage of the study, a systematic analysis of aviation security risks, administrative actions to prevent them with the participation of internal affairs bodies and new approaches to the formation of USRSAS was carried out.

### Flow chart



## Results Analysis

Aviation performs many flights in the airspace of the Russian Federation and other countries. Civil aviation is a type of air transport, which is the largest in number, duration of numerous routes, the number of passengers and cargo transported. Circulating financial resources have significant impact on the economy of even highly developed countries. Moreover, modern human life is not conceivable without the capabilities of international and domestic civil aviation.

Modern civil aviation developing at a rapid pace requires an adequate aviation security system, which can be considered as an integral part of transport security.

International conventions and ratified agreements, interstate regulatory acts, Russian federal legislation, interdepartmental/departmental orders, agreements, instructions, recommendations compose the legal framework of aviation security. It is very important that numerous international and domestic rules do not contradict each other, do not stir administrative discord because of different interpretations of terms, legal definitions and proclaiming basic theoretical approaches. Common understanding and unified legal interpretation are crucially important for the adoption of effective managerial decisions to ensure international aviation security.

International law in the field of aviation security regulation is represented by a number of regulatory acts. These are some of them. The Universal Declaration of Human Rights: Resolution of the Third Session of the UN General Assembly of December 10, 1948, № 217 (III). The Convention on International Civil Aviation, Chicago, 1944 (ICAO, Doc. 7300). Annex 17 to ICAO's Chicago Convention. "Security: Safeguarding International Civil Aviation against Acts of Unlawful Interference" (International Standards and Recommended Practices). The Convention on Offenses and Certain Other Acts Committed on Board Aircraft, Tokyo, 1963 (ICAO, Doc. 8364). The Convention for the Suppression of Unlawful Seizure of Aircraft, the Hague, 1970 (ICAO, Doc. 8920). The Convention for the Suppression of Unlawful Acts against the Security of Civil Aviation, Montreal, 1971 (ICAO, Doc. 8966). Protocol to the Montreal Convention, 1971 "For the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation", Montreal, 1988 (ICAO, Doc. 9518). The Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference (ICAO, Doc. 8973). Model Agreement on Bilateral or Regional Cooperation in the Field of Aviation Security (adopted by the Council of ICAO on June 30, 1989). Agreement on Cooperation on Safeguarding Civil Aviation against Acts of Unlawful Interference. Agreement of the CIS member states (Minsk, May 26, 1995). Declaration of the G-8 Ministerial Meeting on Countering Terrorism (Ottawa, December 12, 1995). The Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference. Volume V. Crisis Management and Response to Acts of Unlawful Interference. International Civil Aviation Organization (Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference 2008).

The acts of the domestic legal framework for ensuring transport (aviation) security include: The main law – the Constitution of the Russian Federation (adopted by popular vote on December 12, 1993, Article 15, Part 4), Federal Law №. 16-FZ of February 9, 2007 "On Transport Security", Federal Law № 15-FZ of February 3, 2014 "On Amending Certain Legislative Acts of the Russian Federation on Transport Security", Law of the

Russian Federation №. 60-FZ of March 19, 1997 "Air Code of the Russian Federation", Federal System for Safeguarding Civil Aviation against Acts of Unlawful Interference approved by the Government Decree of July 30, 1994 №. 897, interdepartmental regulatory acts on measures for prevention and suppression of the seizure and hijacking of aircraft and other acts of unlawful interference with the activities of civil aviation of the Russian Federation, etc. Aviation security is a condition of being protected against unlawful interference with activities in the field of aviation.

Federal Law № 16-FZ "On Transport Security"<sup>5</sup> of February 9, 2007, Article 12.2 "Inspection, additional inspection and reinspection in order to ensure transport security" established that such inspections were performed in cases provided for by the requirements for ensuring transport security established by the Government of the Russian Federation (Article 8 of the Federal Law "On Transport Security"). The requirements define a set of measures aimed at protecting transport infrastructure facilities and transport vehicles from potential, immediate and direct threats of acts of unlawful interference (hereinafter referred to as the "AUI") (Decree of the Government of the Russian Federation № 1208 2014). The list of potential threats caused by the AUI with the activities of transport infrastructure facilities and transport vehicles was approved in a joint order of the Ministry of Transport of Russia, the Russian Federal Security Service and the Ministry of Internal Affairs of Russia<sup>6</sup>. During the inspection, additional inspection and reinspection in the interests of transport security, the measures are taken to inspect individuals, transport vehicles, cargo, baggage, hand luggage and personal belongings held by individuals, aimed at detecting weapons, explosives or other devices, items and substances, the carriage of which, in accordance with the rules of inspection, additional inspection and reinspection, is prohibited or there is a restriction on their carriage to the transport security zone or its part, as well as identification of persons with no legal grounds for entering the transport security zone or its part<sup>7</sup>. The rules for inspections, as well as the list of the main hazardous substances and items prohibited (or permitted on fulfillment of the conditions required) from carriage on board the aircraft by crew members and passengers in checked baggage and belongings held by passengers, are specified in the Order of the Ministry of Transport of Russia<sup>8</sup>. At the same time, the organization of inspection, additional inspection, surveillance and (or) interview to ensure transport security is entrusted to transport infrastructure entities and (or) carriers. Such inspections, additional inspections, surveillance and (or) interviews are performed by authorized persons from among employees of transport security units<sup>9</sup>.

In accordance with Article 1 of the Federal Law "On Transport Security", transport security units of transport infrastructure entities include departmental security subdivisions of federal executive bodies in the field of transport, protecting transport infrastructure facilities and vehicles from AUI (including by virtue of an agreement with a transport

<sup>5</sup> Federalnyi zakon ot 9 fevralya 2007 goda № 16-FZ "O transportnoi bezopasnosti". 2007.

<sup>6</sup> Prikaz Mintransa Rossii, FSB Rossii i MVD Rossii ot 5 marta 2010 goda № 52/112/134 "Ob utverzhdenii Perechnya potentsialnykh ugroz soversheniya aktov nezakonnogo vmeshatelstva v deyatelnost obektov transportnoi infrastruktury i transportnykh sredstv. 2010.

<sup>7</sup> Federalnyi zakon ot 9 fevralya 2007 goda № 16-FZ "O transportnoi bezopasnosti". 2007.

<sup>8</sup> Prikaz Mintransa Rossii ot 23 iyulya 2015 goda № 227. "Ob utverzhdenii Pravil provedeniya dosmotra, dopolnitelnogo dosmotra, povtornogo dosmotra v tselyakh obespecheniya transportnoi bezopasnosti. 2015.

<sup>9</sup> Federalnyi zakon ot 9 fevralya 2007 goda № 16-FZ "O transportnoi...

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infrastructure entity) and (or) legal entities accredited for this purpose in accordance with the established procedure. Police units, except for private security subdivisions of the Ministry of Internal Affairs of Russia (accredited in accordance with the established procedure and subject to contractual relations) cannot be classified as transport security units.

If during the inspection with the purpose of ensuring transport security, persons or goods that do not have legal grounds to be at or be transported to transport infrastructure facilities are identified, in accordance with the transport security support plan, the authorized units of the federal executive body responsible for the development and implementation of state policy and legal regulation in the sphere of internal affairs, and of the federal executive body in the field of security support of the Russian Federation should be immediately informed in order to take response measures within the scope of their competence. Accordingly, a head of the transport police should be ready for such situations and keep the transport security zones and checkpoints under control<sup>10</sup>.

The legislators have provided for the liability for a failure to comply with requirements for respecting and ensuring transport security. The requirements for respecting transport security are approved by Resolution of the Government of the Russian Federation of November 15, 2014 №. 1208<sup>11</sup>.

The legislators have established administrative or criminal liability for noncompliance with the requirements for respecting and ensuring transport security. Federal Law № 15-FZ of February 3, 2014 amended the Code of Administrative Offenses of the Russian Federation (Article 11.15.1 "Violation of Requirements in the Field of Transport Security", Article 11.15.2 "Violation of Rules and Regulations Established in the Field of Transport Security")<sup>12</sup> and the Criminal Code of the Russian Federation (Article 263 "Violation of Requirements in the Field of Transport Security")<sup>13</sup>.

It follows from the above that some functions of the police in ensuring aviation security, including the performance of inspections, are transferred to the created transport security units, which are assigned certain rights and duties, for nonfulfillment of which they bear corresponding responsibility. The main tasks of the police are to prevent and suppress crimes, maintain public order, conduct special investigative activities in order to detect and identify perpetrators, detect weapons, ammunition and explosive devices, register weapons, ammunition, explosive devices, explosive, radioactive, narcotic, poisonous, toxic and other substances prohibited for air transport, seized during the inspection of passengers. These tasks must be fully performed by transport police officers in cooperation with the airport authorities and transport security services.

<sup>10</sup> O politzii: federalnyi zakon ot 7.02. 2011 g. № 3-FZ. 2011.

<sup>11</sup> Postanovlenie Pravitelstva Rossiiskoi Federatsii ot 15 noyabrya 2014 goda № 1208 "Ob utverzhdenii trebovaniy po soblyudeniyu transportnoi bezopasnosti dlya fizicheskikh lits, sleduyushchikh libo nakhodivshikhsya na obektakh transportnoi infrastruktury ili transportnykh sredstvakh, po vidam transporta. 2014.

<sup>12</sup> Kodeks Rossiiskoi Federatsii ob administrativnykh pravonarusheniyakh ot 30 dekabrya 2001 goda № 195-FZ. 2001.

<sup>13</sup> Ugolovnyi kodeks Rossiiskoi Federatsii ot 13 iyunya 1996 goda, 63-FZ. 1996.

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Modern state requirements for ensuring aviation security make the emphasis on allocating the priority daily workload by the number of works to transport security units. The main scope of daily routine and important work is performed by the security units of an economic entity and an operator of aviation equipment. Transport police units are not included in the system of transport security units; however, they are involved in ensuring both transport and aviation security. At crucial moments, employees of internal affairs bodies, as representatives of the state law enforcement structure, with the appropriate rights and responsibilities, are involved in the process of ensuring transport and aviation security.

Today the primary task of the Main Directorate for Transport of the Ministry of Internal Affairs of Russia is to improve the efficiency of the activity of transport police units on countering offenses and crimes on transport vehicles and at transport infrastructure facilities, through intensifying the use of modern technical means and information technologies, expanding the use of information and intelligent systems of monitoring the operational environment at operational services facilities. It is important to improve interaction in the sphere of aviation security with federal executive authorities, which are responsible for formulation of state policy and statutory regulation in the sphere of transport.

The existing situation of balanced rights and obligations was destabilized by Federal Law of the Russian Federation "On Amendments to the Air Code of the Russian Federation with Regard to Aviation Security" dated December 31, 2017 № 491-FZ – it excluded the internal affairs bodies of the Russian Federation from the list of bodies involved in aviation security. The corresponding amendments have been made to the Air Code of the Russian Federation – aviation security will be maintained by aviation security services of airfields or airports, departmental security subdivisions of a federal executive authority authorized in the sphere of transport, aviation security services of operators (aviation enterprises), as well as by authorized bodies endowed with this right by federal laws<sup>14</sup>.

Besides, the procedure for conducting preflight and postflight inspections of passengers and aircraft, as well as the authorized persons conducting such inspections, is specified. In particular, it is established that the postflight inspection is conducted when an operator of an airport, an operator of a civil airfield or a carrier receives the information about the threat of the commission of an act of unlawful interference with aviation activities in order to identify individuals, in whose actions there are signs of preparation for committing AUI with aviation activities, or material-technical facilities that can be used for committing AUI with aviation activities.

There are some contradictions in the amendments to the Air Code of the Russian Federation concerning authorized bodies with the right assigned by the federal law. It is necessary to recall the previously listed federal laws that define the legal framework of transport security in the Russian Federation and refer to Federal Law "On Police" of February 2, 2011 № 3-FZ. In Article 2, the main activities: 1. protection of the personality, society, state against illegal encroachments; 2. prevention and suppression of crimes and

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<sup>14</sup> O federalnoi sluzhbe bezopasnosti: federalnyi zakon Rossiiskoi Federatsii ot 3.04.1995 g. № 40-FZ. 1995.

administrative offenses; 3. identification and disclosure of crimes, performance of inquiries on criminal cases; 4. search for persons; 5. administrative proceedings, execution of administrative punishments; 6. providing law and order in public places; 7. conducting forensic activities – are implemented with the participation of line and territorial bodies of the Ministry of Internal Affairs of Russia in ensuring aviation security, when the operational environment requires immediate active actions to counteract an offense or a crime at transport infrastructure facilities or on transport vehicles (On the Federal Security Service 1995)<sup>15</sup>.

If one carefully studies the ICAO's definition of AUI in the Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference, one can find that these are acts or attempts to commit acts posing a threat to the security of civil aviation and air transport, namely: • unlawful seizure of aircraft in flight; • unlawful seizure of aircraft on the ground; • hostage-taking on board aircraft or at aerodromes; • forced entry on board an aircraft, airport or the premises of an air navigation facility or service; • introduction on board an aircraft or at an airport of a weapon, hazardous device or material intended for criminal purposes; • communication of false information that jeopardizes the security of an aircraft in flight and on the ground, of passengers, crew, ground personnel or the general public, at an airport or at the premises of a civil aviation facility or service. It is clear that the directions of the police activity allow countering the AUI in cooperation with other entities involved in aviation security<sup>16</sup>

In the authors' opinion, Federal Law of the Russian Federation "On Amendments to the Air Code of the Russian Federation with regard to Aviation Security" of December 31, 2017, № 491-FZ created a legal and organizational conflict, having excluded the internal affairs bodies of the Russian Federation from the list of bodies providing aviation security, since in fact, these bodies participate in the provision of aviation security in accordance with their legal and jurisdictional powers. The requirements of international legislators of ICAO's aviation activities<sup>17</sup> prescribe participation of public authorities competent in security and law enforcement activities in ensuring aviation security, especially in case of aggravation of the situation, the emergence of a crisis situation. The authors suppose that the main daily routine workload for ensuring security on transport vehicles and at transport infrastructure facilities should be performed by transport security units, while a representative of the state, in the authors' version these are internal affairs bodies, should be in constant readiness and participate in the occurrence of relevant circumstances requiring special powers of line police units. Such situation takes place in regular daily activities. And what if the situation gets aggravated?

In the authors' opinion, the so-called illegal armed formations, organized armed groups of underground gangs, as well as numerous extremist and terrorist forces that oppose the activities of the governments of some states and are secretly supported by the

<sup>15</sup> O politsii: federalnyi zakon ot 7.02. 2011 g. № 3-FZ. 2011.

<sup>16</sup> Polozhenie o edinoi sisteme aviatsionno-kosmicheskogo poiska i spaseniya: postanovlenie Pravitelstva Rossii ot 23.08.2007 g. № 538. 2007 y Ob utverzhdenii Federalnykh aviatsionnykh pravil poiska i spaseniya v Rossiiskoi Federatsii: postanovlenie Pravitelstva Rossii ot 15 iyulya 2008 g. № 530. 2008.

<sup>17</sup> Rukovodstvo po bezopasnosti dlya zashchity grazhdanskoi aviatsii ot aktov nezakonnogo vmeshatelstva. Upravlenie krizisnoi situatsiei i otvetnye deistviya v svyazi s aktami nezakonnogo vmeshatelstva. 2008.

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governments of countries wishing to expand their sphere of influence in a new territory, pose a special danger to aircraft crews. To achieve their goal and ensure stable superiority, terrorist organizations do not shun any means of influencing the opposing party. Armed confrontation is most often in the tactical basis of a conflict. Such armed conflicts of the opposing groups cause suffering not only to active participants in military clashes, but also, to a greater extent, to civilians living in the territory of armed clashes. Such territories are characterized by the monopoly of absolute power of the self-proclaimed authority, i.e. the total superiority of armed groups, their members over the peaceful working population or the defeated opposing party, which cannot resist for a number of reasons. As a rule, the dominant organized armed group forcibly enslaves or destroys the conquered side<sup>18</sup>.

Let us talk about other modern risks for transport security, about those risks that give rise to social relationships. Unfortunately, nowadays the number of conflicts is increasing. Conflicts permeate all levels of social organized systems: the international level (interstate conflicts, conflicts between blocks and coalitions, as well as among separate small states), an active civil conflict, which is, nevertheless, deliberately fueled from the outside, a conflict among major communities, ruling elites within one state formation, internecine clan wars, etc. Modern conflicts are especially dangerous due to the fact that various types of weapons, special means, information technologies, psychophysiological and intellectual technologies characterized by knowledge-intensity and creativity, all means of transport, nuclear energy and other means are used to achieve superiority over the opposing party. At the same time, they set far-reaching goals that have nothing in common with universal humanism, stimulated by extremist and terrorist ideology. According to objective statistical indicators, there is an increase in the conflict environment, both in the frequency of events and in the territory of their manifestation<sup>19</sup>.

Certainly, civilized humanity is opposed to aggressive actions of extremist and terrorist organizations, but, nevertheless, today their scale is such that their conflict activity can actively influence the security of transport infrastructure facilities of the Russian Federation and other states at any time<sup>20</sup>.

Potentially, the following special conditions that directly affect human aviation activities can occur. Aviation infrastructure facilities can be in the zone (in the territory) of the active phase of a social conflict – an armed conflict. Moreover, in the event of an emergency situation, an accident, a disaster or unintentional emergency landing of the aircraft on the territory where armed conflicts and mass riots take place, whether local or getting widespread, the influence of extremist and terrorist groups prevails; representatives of illegal armed formations are even hypothetically far from possible communication with representatives of the UN Secretary-General, they are in conflict with government representatives of the legitimate states, do not know and do not observe international laws and regulations, even in the field of aviation and astronautics.

<sup>18</sup> Materialy parlamentskikh slushanii "Sostoyanie i normativno-pravovoe regulirovanie obespecheniya obshchestvennoi bezopasnosti i pravoporyadka v Rossiiskoi Federatsii". 2017.

<sup>19</sup> A. N. Konev, "Ideologiya uskorenogo razresheniya ugolovnoogo dela v otechestvennom ugolovnom protsesse", Trudy Akademii upravleniya MVD Rossii, Vol: 2 num 42 (2017): 44-49.

<sup>20</sup> A. V. Betskov, "O pravovom obespechenii aviatsionnoi bezopasnosti v Rossiiskoi Federatsii", Trudy Akademii upravleniya MVD Rossii, Vol: 4 num 44 (2017): 99-104.

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Theoretically, the zones of social armed conflicts may arise due to the active actions of extremist and terrorist organizations to undermine the state system, incite interethnic, interreligious, interclass, political discord, as a result of acts of subversive groups, as a local armed conflict spreads further. In such territories, the authorized federal state agencies conduct special operations, counter-terrorist operations, declare a state of emergency in the region. The aggravated operational situation can become more complex due to such force majeure circumstances as natural and man-made disasters.

In such conditions, it is important that a crew commander of an aircraft of the Russian Federation, who makes an unintentional forced landing in the zone of a social armed conflict, is endowed with full legitimate authority (!), which is necessary to perform a set (!) of measures to ensure the safety of his crew, passengers and the aviation transport facility. A crew commander of a piloted aircraft of the Russian Federation within the scope of his powers is responsible for the execution of the flight program, for the safety of the crew, passengers and other persons participating in the flight, the safety of the aircraft and the property on it (On the Protection of the Population and Territories from Natural and Man-Made Emergencies 1994). To ensure that a crew commander of a piloted aircraft of the Russian Federation is endowed with the power to operate the flight, manage the crew and other persons participating in the flight and responsible for their safety, ready for performing a set of the indicated measures, if necessary, the following activities should be carried out:

1. development of the international regulatory legal framework that allows the use of weapons and special means to protect the crews and passengers of air transport facilities of the Russian Federation and their property;
2. training of crew members in relevant skills and abilities related to ensuring the safety of an aircraft and people in extreme situations;
3. providing an aircraft commander with relevant special knowledge of behavioral models of modern terrorists and pirates;
4. appropriate financial and logistical support;
5. maintaining readiness and using, if necessary, a system for evacuating the crews and passengers of aircraft that appeared in dangerous zones or are suffering distress<sup>21</sup>.

Since the Russian Federation retains jurisdiction and control over any crew of a piloted aircraft registered in its territory at all stages of the flight assignment, up to the completion of a flight program, measures should be taken to ensure the safety of crews and passengers of aircraft and aviation infrastructure facilities in the indicated conditions at the international level.

Here are possible solutions:

1. Development of alterations and amendments to international agreements. Improvement of the federal legislation, departmental legal and regulatory framework.
2. To improve the existing Unified system for the search for and rescue of aircraft suffering distress, as well as the crews of descent spacecraft in case of probable

<sup>21</sup> Ob utverzhdenii Nastavleniya po aviatsionnomu poisku i spaseniyu v gosudarstvennoi i eksperimentalnoi aviatsii: prikaz Ministerstva oborony Rossiiskoi Federatsii i Minpromenergo Rossii ot 12 iyulya 2004 g. № 206/37. 2004.

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unscheduled landing in the zone of an armed conflict, by involving search-and-rescue forces and means of additional special forces units, creating a power component for carrying out a special operation in conditions of possible fire contact with terrorists and armed criminals.

These can be bodies and subdivisions that are specially authorized to solve the relevant problems:

- the Ministry of Defense of Russia (issues of the Ministry of Defense of Russia: Decree of the President of Russia of August 16, 2004 №1082, Chapter I, Paragraph 7, Item 7);

- Russian Federal Security Service<sup>22</sup>;

- Federal National Guard Troops Service of Russia (On the National Guard Troops of the Russian Federation of July 3, 2016 № 226-FZ);

- Ministry of Internal Affairs of Russia (On Police: Federal Law of February 2, 2011 № 3-FZ, Article 2).

3. Practicing by crew members of aircraft a set of knowledge, skills and abilities necessary for survival, rescue of people, in case of appearing in an armed conflict zone.

4. Providing crews and passengers with additional equipment, necessary logistical resources and weapons.

5. Practicing active forms and types of training, by combining search-and-rescue forces and means, to search for and rescue aircraft suffering distress in case of an emergency situation, as well as aircraft that landed in an armed conflict zone, including in the territory of a foreign state.

## Conclusion

It should be concluded that the organization of aviation security requires a new approach. It is required to consolidate the participation of bodies and units of government agencies authorized in the field of security and law enforcement in aviation security, within the scope of their competence. It is advisable to create a new highly effective Unified System for the Search for and Rescue of Aircraft and Spacecraft making a forced landing or suffering distress; this system should be based on the existing search-and-rescue system. When developing the system, new approaches mentioned in this article should be taken into account, the internal affairs bodies of the Russian Federation should be necessarily involved in the provision of aviation security. The legal provision that excludes them from the list of bodies involved in providing aviation security should be abolished.

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