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PUBLIC ADMINISTRATION SECURITY OF INTERNATIONAL MARITIME TRANSPORT

In terms of counterterrorism actions two main safety provisions of maritime transportation security emerge, that are antagonistic in substance but complimentary in the structure composition, they are terrorist risks and counterterrorist risks.

Let us consider the model of emergence and functioning of “maritime transportation risk” category within the structure of counterterrorism policy as the element of maritime transportation security maintenance.

The model will be characterized by general order of emergence, acting and ceasing to act under the condition of the open water in case there is a threat of unauthorized tampering in the crew actions (piracy, seizure of a vessel): [the risk of interference with the crew members’ actions or the seizure of a vessel] – [the decision about preventive measure or actions to the exclusion of such measure] – [legal; executive action] – [counterterrorist risk] – [the probability of action] – [overcoming terrorist risks].

The functioning of the above mentioned structural model involves several features: 1) the absence of any element does not exclude functioning of the model; 2) the decision on overcoming method – is legal and psychological category; 3) the implementation of the decision is enabled through actions, inaction presupposes negative outcomes; 4) overcoming risk brings it into the state of “latent functioning”. Let us consider the above-mentioned categories in detail.

Terrorist risks – is the possibility to commit an act of terror by defined organized illegal groups or radical organizations with the purpose of inflicting damage on the state or individuals that result in negative outcomes.

Terrorist risks emergence, in our opinion, can be explained by several factors that can be divided into external and internal ones.

Internal factors originate from external circumstances of the development

of society that enables the state to influence actively these processes. External reasons originate from external circumstances of the development of the world economy and law. The state has almost no effect on external processes.

The restriction of the influence stems from the diversity of social development of other countries and result-oriented division of natural and other goods. Therefore, the countries exist, which nations consider such a division to be unfair and influence it by radical means of terrorist fighting. On the other hand, there are certain religious beliefs mainly in Muslim countries that assume terrorist fighting to be the principal aim of their religion existence as well as those citizens who exercise it.

The active restriction of countries interference implies the existence of counteraction ways of subjects' activities that refuse to act in compliance with regulatory requirements of public authorities and voluntarily abandon the activity aimed at doing harm to the whole society and state's interests.

Organizational risk is the possibility of the crew member status change in the system by means of change of position or rank in case of adverse consequences.

The element of possible consequence involves two situations – 1) post-remedial action or prevention of terrorist threat (that is terrorists fail to achieve results), 2) failure to prevent consequences (terrorists achieved results). In these situations, the possibility of validity and illegitimacy of the decision taken to abide becomes secondary criterion because taking decision to abide occurs in the past while negative consequences are “real-time” characteristics.

The prevention of terrorist risk involves total elimination of terrorist threat and physical extermination or detention of terrorists as a source of terrorist threat as well as saving the vessel, cargo, crew member's life and health at a time.

There is a possibility to overcome the risk situation to the fullest extent if the results achieved correspond to the previously mentioned conditions. The risk evolves into the latent stage that is the hidden stage, however with probability of happening and causing harm to citizen's health and life, unless such components as terrorists' detention or extermination are eliminated.

The main risk preventing or eliminating methods in maritime transportation security counterterrorism are the following: legal method – the involvement of risk-adjusted concept during counterterrorism laws formation, giving out special instructions related to the vessel crew members' actions under risk; psychological (individual) methods – preparation of crew members to act under risk and their knowledge of the main aspects of risk category in counterterrorist actions as well as in international maritime transportation in general; tactical (strategic) method – involvement of “risk” category during maritime transportations and vessels' routs planning in the open water.