

Specifics pertaining to the implementation of international conventions related to civil aviation into national legislations

Borys LEONOV¹, Oleg PARFYLO*², Anatoliy KOROSTYLENKO³,
Valeriy YUSUPOV⁴, Petro KORNIENKO⁵

*Corresponding author

¹Department of Law, Pylyp Orlyk International Classical University,
54000, 2 Kotelna Str., Mykolaiiv, Ukraine

²Department of International Cooperation,
Ukrainian Scientific and Research Institute of Special Equipment and Forensic
Expertise of the Security Service of Ukraine,
03113, 3 Mykoly Vasylenka Str., Kyiv, Ukraine,
parfylo8081@acu-edu.cc*

³Special Department of Protection of National Statehood of Ukraine,
National Academy of the Security Service of Ukraine,
03022, 22 Mykhailo Maksymovycha Str., Kyiv, Ukraine

⁴Faculty of Economics and Business Management,
Kryvyi Rih National University,

50027, 11 Vitaliy Matusevych Str., Kryvyi Rih, Ukraine

⁵Department of Philosophy and Social-Humanitarian Disciplines,
National Academy of Statistics, Accounting and Audit,
04107, 1 Pidhirna Str., Kyiv, Ukraine

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Abstract: *The paper considers the implementation of the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the Protocol supplementing The Hague Convention for the Suppression of Unlawful Seizure of Aircraft into the national legislations of ICAO Member States. The analysis of criminal acts is carried out and the appropriate determination is given. Taking into account the content of the Convention in reference to acts of unlawful interference committed against the aircraft safety, the authors propose conceptual approaches which help to efficiently amend various legal documents, applying special legislative means. The paper also discusses the relevant criminal issues related to air transportation of biological, chemical, and nuclear weapons with the supplementary materials included. Strict attention is paid to the issue of criminal liability of legal entities for violations of aircraft safety. To foster the ratification of pertinent legal documents, the authors describe methods that help to develop necessary amendments and additions.*

Key Words: *implementation, civil aviation, aircraft safety, criminal liability, act of unlawful interference, civilian aircraft, international treaties*

1. INTRODUCTION

At the end of 2010, on the ICAO Diplomatic Conference in Beijing, two anti-terrorism treaties intended to improve the aviation security level were adopted, in particular the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (hereinafter referred to as the Beijing Convention, [4]) and the Protocol supplementing the Hague Convention for the Suppression of Unlawful Seizure of Aircraft into the national legislations of ICAO Member States (hereinafter referred to as the Beijing Protocol). It should be noted that the adoption of initial international treaties by the international community in the 60s-70s of the 20th century made a great contribution to preventing acts of unlawful interference with civil aviation activities due to a significant increase in the number of such acts committed during that period, taking into consideration that the target of criminal offenses had been aircraft belonging to almost all states with developed aviation industries (Batalov, 2013, [3]).

Those international treaties were as follows: the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, adopted on September 14, 1963 in the city of Tokyo (hereinafter referred to as the “Tokyo Convention”); the Convention for the Suppression of Unlawful Seizure of Aircraft, adopted on December 16, 1970 in the city of the Hague (hereinafter referred to as the “Hague Convention”); and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, adopted on September 23, 1971 in the city of Montreal (hereinafter referred to as the “Montreal Convention”). It is safe to say that the abovementioned conventions ratified by a large number of states have played an important part in countering and preventing acts of unlawful interference with international civil aviation. At the same time, one can surmise that civil aviation, including all its constituent elements (aircraft, airports, air traffic control services), remains a kind of vulnerability for terrorist attacks and other acts of unlawful interference (Batalov, 2013, [3]).

The terrorist attacks against the USA on September 11, 2001 opened a new page in the so-called “book of global atrocities”, in particular the use of civilian passenger aircraft as weapons for the destruction of people and buildings (Travnikov, 2011, [14]). This occurrence turned out to be a powerful impulse for the world community, and namely, the International Civil Aviation Organization (ICAO), to search for new international legal means and improve the existing ones in order to increase the aviation security level and counter acts of unlawful interference with civil aviation.

For these reasons, the ICAO Assembly approved the Resolution encouraging Member States to adopt appropriate amendments in national legislations as soon as possible. In the ICAO resolution A33-1, adopted at the 33rd session which was held almost immediately after the events of September 11, 2001, the ICAO Assembly instructed the ICAO Council and the ICAO Secretary General to take urgent action in reference to new and emerging threats to civil aviation, considering the assessment of the adequacy of existing aviation security conventions and the ICAO aviation security program. It would be appropriate to add that international treaties in the field of aviation security are being improved, taking into account scientific and technological progress, which, in turn, has a certain influence on the methods of committing crimes (Trofimova & Sylkina, 2016, [15]).

2. ANALYSIS OF INTERNATIONAL LEGISLATIONS

The Beijing Convention and the Beijing Protocol can be considered as new legislative tools that enhance and support practical aviation security measures and meet the goals agreed at the 2010 Assembly in the context of the Special Declaration on Aviation Security. According to

some experts' opinion, the adoption of the two legislative tools in Beijing may strengthen the existing legal preventive measures that contribute to the fight against international terrorism, and, as far as possible, will greatly increase the security of international air transport. These tools, together with the Convention on International Civil Aviation, form a strong legal framework for aviation security in the area of counter-terrorism (Ksingua, 2011, [9]).

These international agreements significantly expanded the list of types of crimes against the safety of civil aviation, which include the following acts committed "illegally and deliberately":

a) use of an aircraft in service for the purpose of causing death, serious injury or significant damage to property or the environment;

b) releasing or throwing out any biological, chemical, nuclear weapon (hereinafter, according to the terminology of the Beijing Convention, referred to as BCN weapon) or explosive, radioactive or similar substances from the aircraft in service, which causes or may cause death, serious bodily harm or significant damage to property or the environment;

c) use against the aircraft or on board an aircraft in service, any BCN weapon or explosive, radioactive or similar substances in a way that causes or can cause death, serious bodily injury or significant damage to property or the environment;

d) carrying out transportation, performing actions resulting in transportation, or contributing to transportation on board an aircraft:

- any explosive or radioactive material, knowing that they are intended to cause or create a threat of death, serious injury, or damage in order to intimidate the population or force the government or international organization to perform or refrain from any action;

- any BCN weapon, recognizing that it is such in accordance with the definition contained in the Beijing Convention;

- any source material, special fissionable material or equipment or material specially designed or prepared for processing, use or production of special fissile material, being aware that they are intended for use in activities involving nuclear explosive devices or in other nuclear activities not covered by the safeguards under the safeguards agreement with the International Atomic Energy Agency, as well as any equipment, materials or software, or an appropriate technology that makes a significant contribution to the design, production or delivery of a BCN weapon, without legal permission and with the intention of using it for such a purpose (provided that such transportation or participation in it is not a crime if it is the person authorized by the State party to the Beijing Convention and the materials or equipment are transported for use in activities that comply with the obligations of this State Party under the applicable multilateral treaty on the non-proliferation of the BCN weapon).

Expanding the list of acts of unlawful interference regarding the use of civil aircraft with the acts listed in paragraph 1 (f, g, h) of Article 1 of the 2010 Beijing Convention, the international community specifically recognizes the possibility of such terrorist acts, the consequences of which are even hard to imagine. The most approximate estimates show that thousands of people may die as a result of these acts. At the same time, one can surmise that there will be terrifying dimensions of possible environmental disasters which may arise due to committing such terrorist acts (Abashidze, et al., 2011, [2]). A thorough analysis of these acts brings on the following determinations:

1) acts aimed directly against the safety of an aircraft or other objects of civil aviation (for example, aeronautical equipment, airports, etc.);

2) acts related to causing damage to the life, health and property of third parties located outside an aircraft and generally connected with civil aviation facilities;

3) acts related to causing damage to the environment;

4) acts associated with the violation of prohibitions on the distribution of mass destruction weapons.

Such an approach of the Beijing Convention fundamentally distinguishes it from the Tokyo Convention, The Hague Convention, the Montreal Convention and the Montreal Protocol currently in force, and, at first glance, may raise the question of the appropriateness of including the above listed types of crimes in an international treaty concerning the safety of international civil aviation. Acts listed in paragraph 1 (i) of the Beijing Convention of 2010, and such acts as air piracy, espionage, transportation of mercenaries, weapons, drugs, etc. on-board civil aircraft, do not represent an immediate danger to people's lives and threats to objects on the ground (Luli, 2015, [11]; Hryhorian, 2018, [6]).

Attention should be paid to the fact that while developing a draft Beijing Convention within the framework of ICAO and, in particular, its discussion in the ICAO Legal Committee, active debates were caused pertaining to the problems related to including new types of crimes that are not specifically intended to harm the safety of aircraft and other civil aviation facilities. These crimes are specifically associated with such acts as transportation of explosives or radioactive materials, or materials, equipment, technologies and software for use in the design, manufacture or transportation of BCN weapons.

On the one hand, representatives of some states used to declare that the provisions on crimes related to the transportation of BCN weapons did not pertain to the safety of aircraft, and therefore ICAO was not “a suitable forum for the consideration of such crimes”. However, on the other hand, a position was presented regarding the fact that these crimes were nevertheless closely interconnected with aviation security and reviewing the issue of the prohibition to use civil aircraft for the deliberate and unlawful transportation of BCN weapons was fully consistent with the goals to be attained by ICAO and the provisions of the Convention on International Civil Aviation adopted in 1944 (Batalov, 2013, [3]). With this in mind, it is necessary to emphasize that those who support the inclusion of crimes related to the transportation of weapons of BCN into the Beijing Convention, apply an additional argument in their favor, which leads one to deduce that public confidence in civil aviation will nevertheless be compromised if any terrorist group uses aircraft for the transportation of dangerous goods to commit an illegal act in the future (Ksingua, 2011, [9]).

Unlike the Beijing Convention, the Beijing Protocol is intended to counter only one of such acts, namely unlawful seizure of aircraft. According to the Beijing Protocol, a person is considered a criminal if he illegally seizes an aircraft not only by violence, the threat of violence or any other form of intimidation, but also by the use of any technical means. This innovation is aimed primarily at ensuring that The Hague Convention, as amended by the Beijing Protocol, covers situations when an aircraft is hijacked or controlled without any violence, but through interference, for instance, interference with the functioning of aircraft flight devices or data transmission systems (Batalov, 2013, [3]). These bases are focused, first of all, on taking into account the achievements of the technical progress, since, as practice has shown, in modern conditions, crimes against air transport can be committed remotely using technical means, while the offender may not even be in the state in whose territory was aircraft at the time of the crime (Konyukhova, 2015, [8]).

Also, unlike The Hague Convention, the Beijing Protocol ensures that criminal jurisdiction may be established by the state in whose territory the relevant crime is committed. Besides, in addition to the above-mentioned cases of applying criminal jurisdiction, the Beijing Convention and the Beijing Protocol ensure that the State party concerned may establish its jurisdiction over any of the crimes provided in cases where: a) the crime is committed against a citizen of this state, or b) the crime is committed by a stateless person usually residing in the

territory of this state. According to the authors, the existence of new mandatory grounds for establishing jurisdiction should ensure that those states that would not exercise extraterritorial jurisdiction over their citizens will be obliged to do so in connection with the crimes provided for in the 2010 Beijing Protocol (Konyukhova, 2015, [8]).

The Beijing Convention and the Beijing Protocol contain provisions on the liability of legal entities, which are used to commit crimes (of financial nature) against international civil aviation. According to the both documents, the participating states can take the necessary measures to ensure that a legal entity located on its territory or established under its laws can be held responsible if an individual person who is in charge for managing or controlling this legal entity acting in that capacity commits an offense referred to in this Convention. Such liability may be criminal, civil or administrative. The problem of jurisdiction over crimes committed with unlawful interference in civil aviation, which has been debated by politicians and lawyers for many years in a row, has become so urgent that it requires immediate resolution from the UN and ICAO. This means that there is a need to unify the national legislations governing issues related to the operation of aircraft. As some experts deem, not only individuals and organizations in which they take part, but also the states patronizing them should be held responsible (Trofimova & Sylkina, 2016, [15]).

In accordance with Article 15 of the Vienna Convention on the Law of Treaties of May 23, 1969, the consent of a state to be bound by a treaty is expressed by accession if:

- a) the treaty provides that such consent may be expressed by this State by accession;
- b) it is otherwise established that the states participating in the negotiations have agreed that such consent may be expressed by this state by accession; or
- c) all participants have subsequently agreed that such consent may be expressed by this State through accession.

According to paragraphs 1 and 2 of Article 22 of the Beijing Convention, this Convention enters into force on the first day of the second month after the date of deposit of the twenty second document of ratification, acceptance, approval or accession. For each state that has ratified, accepted, approved this Convention or acceded to it after depositing of the twenty second document of ratification, acceptance, approval or accession (Beijing Convention, 2010 [4]). The conventions under consideration have no direct effect, i.e. they are not performed automatically. In other words, the conventions require States to adopt appropriate legislations and measures to be implemented, since these conventions set minimum standards with which national legislation must comply. For the conventions to enter into force, states should first determine where and to what extent their own legislations do not conform to the standards of the conventions.

3. ANALYSIS OF INTERNATIONAL EXPERIENCE IN THE IMPLEMENTATION OF THE BEIJING AGREEMENTS

The implementation of international standards in national legislations is an actual introduction of international obligations, as well as a way of incorporating the provisions of international law into national legal systems (Minina, 2011, [13]). For instance, on September 10, 2010, the Beijing Convention was signed by 28 states, 5 of which have already ratified it. The Beijing Protocol was signed by 30 states, 5 states ratified it, and another 2 joined it. For the entry into force of both acts requires 22 participants. In resolution A39-10 in 2016, the ICAO Assembly urged all states to sign and ratify this document. In accordance with the recent ratification by the Turkish government, ICAO announced that the Beijing Convention would come into force on July 1, 2018. On June 14, 2018 [4], at the solemn ceremony on the occasion of the delivery

of the instrument of ratification by Turkey, the Secretary General of ICAO, Dr. Fang Liu, noted that by criminalizing a number of acts that pose new and emerging threats to civil aviation, including some actions to prepare these crimes, this document will increase the ability of states to prevent these crimes, as well as to prosecute and punish those who commit them. The Convention will also contribute to the implementation of the United Nations Global Counter-Terrorism Strategy by strengthening the world treaty system on combating terrorism (ICAO official web-site, 2019, [7]).

On November 28, 2017, Uganda deposited an instrument of ratification to the Protocol, which became the account 22. Thus, in accordance with paragraph 1 of Article XXIII of the Beijing Protocol, it enters into force on January 1, 2018, being the first day of the second month after the date of deposit of the twenty second document of ratification (ICAO official web-site, 2019, [7]). France signed the Beijing Convention on April 15, 2011 and deposited instrument of ratification on December 15, 2016.

The French counter-terrorism doctrine seeks to develop a forward-looking security vision in order to prepare and develop action plans that can form the basis, including for international action, and ensure the sustainable development of air transport. At the same time, in the event of a terrorist hijacking of a civilian plane with the aim of destroying an industrial facility containing hazardous substances, the French authorities can order their fighter pilots to shoot down the plane. They make this decision in order to protect the people for whose safety the French authorities are responsible.

Here the need for armed protection appears in view of the inevitability of the danger threatening the country. A terrorist threat ensues as soon as the French Government considers an aircraft to be an improvised weapon used to cause death or significant property damage. This can apply to the commercial aviation, general aviation, guided and unguided aerial vehicles, and especially to the unmanned aerial vehicle (Luli, 2015, [11]).

The experience of the Czech Republic, which signed on 23 November 2011 the 2010 Beijing Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the 2010 Beijing Protocol supplements the Convention for the Suppression of Unlawful Seizure of Aircraft, is also interesting.

On December 3, 2011, in the Criminal Code of the Czech Republic, the crimes under the Article 311 "Terrorist Attack" were expanded. The Criminal Code contains provisions on crimes related to terrorist activities, among which are threats to the safety of an aircraft or civilian ship, illegal seizure of an aircraft abroad, illegal arming or possession of weapons, illegal manufacture and possession of nuclear and hazardous substances, and spreading misinformation about anxiety.

Romania signed the Beijing Convention on July 5, 2016. In South Eastern Europe, Romania is well linked with other SEE countries (which share similar security concerns and challenges) in the fight against terrorism, through several cooperative mechanisms, ranging from bilateral agreements and sub-regional arrangements, to regional organizations and alliances (Matei, 2012, [12]). The strengthening of anti-terrorist security measures on air transport in Romania happened in the 50-60s of the XX century after a number of incidents, one of which occurred in 1947, when an aircraft belonging to a Romanian airline was flying from Bucharest to Craiova, was hijacked 10 minutes after take-off. Among the passengers on the board of the ship were 3 army officers who, threatening the ship's commander with a gun, demanded to change course and fly to Turkey.

The crew members tried to resist. During the struggle, a flight engineer was killed. The aircraft successfully landed in Izmir, Turkey, and the criminals were arrested and prosecuted for murder on the board of the aircraft (International Air Law..., 2018, [1]). Among the post-

Soviet countries, Kazakhstan was the first to ratify the Beijing Convention on December 8, 2018. This ratification enables Kazakhstan to define procedures for adjusting the relevant elements of the national civil aviation security program, as well as to develop and implement appropriate measures and tools related to security controls.

4. ANALYSIS OF THE LEGISLATION OF UKRAINE

In Ukraine, the Criminal Code has prescribed legal protection of the rights and freedoms of a person and a citizen, property, public order and public safety, the environment, the constitutional order of Ukraine from criminal encroachment, ensuring peace and security of mankind, as well as crime prevention. To efficiently contemplate pertinent legal aspects, the Criminal Code of Ukraine, [5], determines which socially dangerous acts are crimes and which penalties are applied to the persons who commit them. The laws of Ukraine on criminal liability ought to comply with the provisions contained in existing international treaties, a consent to the implementation of which must be given by the Parliament of Ukraine. The content of the laws specified above should primarily comprise the fundamental principles of the legal system of Ukraine, which is a condition to be first and foremost for determining the scope and amount of adaptation and implementation measures aimed at the exact and correct application of conventional provisions. The most difficult and problematic is the issue of criminal liability of legal entities. On September 1, 2014, the Law of Ukraine dated May 23, 2013 “On Amendments to Some Legislative Acts of Ukraine in connection with the implementation of the Action Plan for liberalization of the visa regime by the European Union for Ukraine regarding the liability of legal entities” came into force. By the same law, the General Part of the Criminal Code of Ukraine, [5], is supplemented in Section XIV-1 “Measures of a criminal law nature with regard to legal entities”. In accordance with the first part of Article 96-3 of the Criminal Code, the grounds for applying criminal measures to a legal entity are:

1) its commission by an authorized person on behalf and in the interests of a legal entity of any of the crimes provided for in Articles 209 and 306, parts one and two of Article 368-3, parts one and Article 368-4, in Articles 369 and 369-2 of the Criminal Code;

2) failure to ensure the fulfilment of the obligations imposed on his authorized person by the law or by the constituent documents of the legal entity to take measures to prevent corruption, has led to the commission of any of the crimes provided for in Articles 209 and 306, parts one and two of Article 368-3, parts one and two of Article 368-4, Articles 369 and 369-2 of the CC;

3) its commission by an authorized person on behalf of a legal entity of any of the crimes provided for in Art. 258 - 258-5 of the CC;

4) its commission by an authorized person on behalf and in the interests of a legal entity of any of the crimes provided for in Articles 109, 110, 113, 146, 147, parts two - four of Article 159-1, Articles 160, 260, 262, 436, 437, 438, 442, 444, 447 of the CC. (Criminal Code of Ukraine, 2001 [5]).

Legal entities are subjects of twenty-five crimes, among which six refer to terrorist crimes (Articles 258-258-5 of the Criminal Code of Ukraine), four - to crimes in the field of official and professional activities related to the provision of public services: Thus, legal entities are responsible for the legalization (laundering) of proceeds from crime (Art. 209 of the Criminal Code of Ukraine), for the use of funds obtained from illegal drug trafficking (Art. 306 of the Criminal Code); three to crimes against the foundations of the national security of Ukraine (Articles 109, 110, 113 of the Criminal Code); six - to crimes against peace, security of

humanity and international legal order (Articles 436, 437, 438, 442, 444, 447 of the Criminal Code). In this way, the grounds for the application of measures of a criminal-legal nature for legal entities are clearly defined by Art. 96-3 of the Criminal Code and do not relate to crimes against traffic safety and operation of transport (Articles 267 - 292 of the CC). At the same time, the fulfillment of the Beijing Convention and the Beijing Protocol requires their implementation in the Criminal Code of Ukraine, including by establishing criminal liability of legal entities for these crimes.

For the time being, it is clear that the Criminal Code of Ukraine, [5] does not establish criminal liability for certain crimes (for example, environmental crimes). Having this in mind, one finds it appropriate to mention that the criminal liability for committing these crimes is traditionally established in the legislation of some foreign countries (Lihovaja, 2014, [10]). The Beijing Convention and the Beijing Protocol stipulate that the liability of a legal entity does not exclude criminal prosecution of individuals. After identifying gaps in the national legislation, it is necessary to eliminate these shortcomings. If Ukraine decides to introduce a completely new corpus delicti, it is easiest to provide for the criminal liability of legal entities in accordance with the convention and, of course, to leave individuals as subjects of crime (Lihovaja, 2014, [10]).

5. CONCLUSIONS

Given the content of Article 1 of the Beijing Convention and Article 2 of the Beijing Protocol regarding the regulation of responsibility for different manifestations of violations against aircraft safety, one can offer two conceptual approaches to amending national legislations in the context of preparing for the ratification of these two documents. The first approach involves making only those additions and amendments to national legislations, which ensure a minimum level of compliance of the contents with certain provisions of the articles specified in these legislations. The main guideline for such additions and amendments is to establish the term “special criminalization” of certain types of dangerous behavior, as provided in Article 1 of the Beijing Convention, by traditional means and tools of a legal nature, which criminal law prescribes. The second approach involves making systematic changes to national legislations, which lead to an optimal level of compliance of the contents with most of the criminal law provisions of the Convention. The main guidelines for such changes are as follows:

a) to establish the term “special criminalization” of certain types of dangerous behavior, provided in Article 1 of the Beijing Convention;

b) to improve the content of dispositions and sanctions of those articles that provide criminal liability for various violations of aircraft safety. When implementing the second approach, it is necessary to use special means and tools of a legal nature.

The implementation of the first conceptual approach provides for the introduction of amendments and additions to the Criminal Code, which should optimize the grounds and boundaries of liability of legal entities for crimes against traffic safety and the operation of air transport. In this regard, it is desirable to supplement clause 3 of Art. 96-3 “Grounds for the application of criminal measures to legal entities” of the Criminal Code by the corresponding articles of Section XI “Crimes against traffic safety and operation of transport” of the Special Part of the Criminal Code. The implementation of the second conceptual approach involves:

1) introduction of amendments and additions to the legislation on criminal liability proposed within the framework of the first conceptual approach;

2) coordination terminology that is used in the Art. 265 - 267 CC (“radioactive material”), with the provisions of the Beijing Convention, to which the term “BCN weapon” applies;

3) addition of the Special Part of the Criminal Code with new articles 278-1 "Violence against a person on board an aircraft in flight", 278-2 "Violence against a person at an airport serving international civil aviation". These articles should provide for "special criminalization" of those types of socially dangerous behavior that are expressed in the convention by the formulations "violence against a person on board an aircraft in flight if such an act could threaten the safety of this aircraft", "violence using any device, substance or weapon against a person at an airport serving international civil aviation who causes or is likely to cause serious injury or death".

Guidelines for the specific content of certain parts of the new Articles 278-1, 278-2, except for the wording of paragraph "a" of Part 2 of Art. 1 of the Beijing Convention, there may be relevant provisions of Part 2 - 3 of Art. 278 "Hijacking or seizure of railway rolling stock, air, sea or river vessel" of the CC. The implementation of these proposals will contribute to countering illegal acts in the field of civil aviation, as well as building a more proactive and effective aviation security system in Ukraine.

REFERENCES

- [1] A. H. Abashidze & A. I. Travnikova, *International Air Law: textbook for undergraduate and graduate studies*, Moscow: Izdatelstvo YUrajt, 163 p, 2018.
- [2] A. Abashidze, A. Solntsev & A. Travnikov, Countering terrorism, Problems of XXI century, *Strengthening International Cooperation to Suppress Unlawful Acts Relating to International Civil Aviation*, **1**, 55-57, 2011.
- [3] A. Batalov, Some trends in the international legal regulation of the fight against acts of unlawful interference with civil aviation activities in the light of the Beijing International Air Law Conference 2010, *Eurasian Law Journal*, **61**, 11-14, 2013.
- [4] * * * *Beijing Convention 2018*, Retrieved from: <https://www.icao.int/Newsroom/Pages/Beijing-Convention-to-enter-into-force-on-1-July-2018.aspx>.
- [5] * * * *Criminal Code of Ukraine 2001*, Retrieved from: <https://zakon.rada.gov.ua/laws/show/2341-14>
- [6] P. Hryhorian, *The role of the Beijing convention on the suppression of aviation terrorism: contemporary issues of international space and air law. Proceedings of the round table XV international progress*, Moscow: Publishing House of the Russian Peoples' Friendship University, 2017.
- [7] * * * ICAO official web-site 2019, Retrieved from: <https://www.icao.int/Pages/default.aspx>
- [8] A. Konyukhova, Convention for the suppression of acts of unlawful interference with civil aviation: jurisdictional problems, *Law and Governance. XIX Century*, **34**, 116-121, 2015.
- [9] K. Ksingua, Statement by the President of the Beijing Conference, *ICAO Journal*, **1**, 11-14, 2011, Retrieved from: https://www.icao.int/publications/journalsreports/2011/6601_ru.pdf
- [10] S. Lihovaja, Criminal responsibility of corporate entities according to legislation of Ukrainian Criminology, *Journal of Baikal National University of Economics and Law*, **2**, 155-161, 2014.
- [11] R. Luli, *Correlation of the Chicago convention of 1944 and the Beijing convention of 2010 in the field of the misuse of civil aircraft*, 2015, Moscow: Scientific Messenger of the State Technical University of Moscow, Retrieved from: <https://cyberleninka.ru/article/n/sootnoshenie-polozheniy-chikagskoy-konventsii-1944-g-i-pekinskoy-konventsii-2010-g-v-oblasti-nenadlezhazhego-ispolzovaniya>
- [12] F. C. Matei, Romania's anti - terrorism capabilities: transformation, cooperation, effectiveness, *Journal of Defense Resources Management*, **3**(1(4)), 37-54, 2012.
- [13] N. Minina, Problems of implementation of international law into the Russian legal system, *Bulletin of the Voronezh Institute governed by the Ministry of Internal Affairs of Russia*, 2011, Retrieved from: <https://cyberleninka.ru/article/n/problemy-implementatsii-norm-mezhdunarodnogo-prava-v-rossiyskoy-pravovoy-sisteme>
- [14] A. Travnikov, *Global problems of a legal nature concerning the suppression of air terrorism*, Moscow: Zakon i Pravo, 2011.
- [15] T. Trofimova & S. Sylkina, The role of the Beijing Convention for the Suppression of Unlawful Acts when ensuring international civil aviation security, *Scientific Messenger of the National University of Kazakstan*, 2016, Retrieved from: <https://articlekz.com/article/16312>.