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**RESUMPTION OF AIR TRAFFIC DURING THE WAR: A LEGAL PERSPECTIVE**

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**Introduction.** Currently, no civilian or food transportation is taking place in Ukraine, which has a significant impact on economic performance, transportation logistics, and the safety of citizens. The main factor in the resumption of air traffic is whether Ukraine will be able to ensure air safety, as it has repeatedly referred to Israel's practice.

**Materials and methods.** Statistical and comparative methods made it possible to identify the real state of aviation relations at the present stage. The method of theoretical analysis and the prognostic method made it possible to identify areas that require further scientific development.

**Results.** Currently, Ukrainian airlines are operating in a restricted mode and there is a growing threat of pilot staff and other employees being fired due to restrictions in the aviation sector. Thus, Ukraine is forced to take steps to open the skies and restore its aviation sector. Ukrainian airlines were able to evacuate their aircraft to Europe and carry out humanitarian and tourist transportation, as well as use aircraft leasing. Currently, the Ukrainian airline is operating in Europe and has carried out 2713 flights in 2022 alone. However, this a threat to Ukraine in terms of loss of budget revenues and skilled workers.

How to resume air transportation, including the legal aspect? The Ukrainian side has started negotiations with the US, Europe and Israel to resume air travel. The approval of the American and European regulators is the main condition for the resumption of air transportation. For example, Rayaiar plans to return to Ukraine as soon as possible. The prerequisites for their appearance are the restoration and modernization of Ukrainian airports to increase capacity and the revision of VAT on domestic air transportation. [1, p. 254; 2]

Ukraine and the EU signed an agreement on common aviation area back in 2021, but it will enter into force only after ratification by the Ukrainian parliament and EU member states, as well as the European Parliament. Along with its benefits, this initiative has negative consequences, including increased competition between international and national carriers. Ukraine has a high level of VAT on airport charges - 37%, which is significantly higher than the European level of 10%. This can lead to serious competition for national carriers. As the head of SkyUp notes: "It can be more expensive to operate a direct Kyiv-Lviv flight than the same flight via Warsaw." [1, p.256]

Since European airlines have long gained a clear advantage and consumer preference on international flights to and from Ukraine, domestic carriers will have to make radical decisions to improve service in order to deter foreign airlines from entering the Ukrainian domestic air transportation market or to create a decent competition for them at least in Ukraine.

But a total closure of the airspace is not an option, as the longer the country remains in aviation stagnation, the harder it will be to recover later. To increase the safety of transportation, it is proposed to open airports in Lviv and Uzhhorod. Due to their proximity, airplanes can quickly enter the EU airspace. But even this requires real security guarantees from the state and is not a matter of legal regulation.

The resumption of air travel can be achieved through international negotiations with partners who will help ensure the safety of air travel and the creation of safe air corridors. Moreover, it is possible to create different airspace zones based on the level of risk and establish flight safety requirements for each zone and implement special measures to ensure this safety. Due to the large geographical size of Ukraine, zoning the regional structure of its airspace is an important initiative.

With regard to the legal aspect of the resumption of air traffic in time of war, there is a need to create an appropriate legislative framework that will enable the implementation of such flights, given the increased risks during the war. In view of the above, it is first and foremost necessary to create regulatory mechanisms for the implementation of Ukraine's international obligations. The insurance sector also needs to be developed in detail to adapt to new risks, in particular, with regard to their provision, the procedure and amount of compensation in the event of an insured event, and the concept of force majeure needs to be clarified in this context. Aviation law will need to be reformed due to retraining of personnel in connection with changes in flight rules, introduction of additional equipment and changes in air transportation rules, etc.

**Conclusion.** The resumption of air traffic in Ukraine during the war requires a thorough review and reform of legislation in all relevant areas, which necessitates in-depth scientific research and further discussions.

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