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## **TOURISM AS A LEGAL OBJECT OF SECURITY**

**Summary.** *The article deals with the topic of tourism as a legal object of security. It is shown that tourism security is a state of protection and maintenance of security of participants of legal relations in the field of tourism. As a legal object, tourism is a set of civil law norms designed to ensure the legal security of participants in legal relations in the field of tourism. The author concludes that tourism is a set of institutional forces and legal means aimed at ensuring the security of tourism.*

**Key words:** *tourism, tourism security, object, legal relations, tourist activity.*

**Introduction.** Scientists provide different definitions of the multifaceted concept of "security". Security is considered in legal, sociological, political, environmental, psychological, synergetic, technical and other contexts [1; 3; 4]. As for tourism security, it is considered as a complex phenomenon, which is a kind of "security".

Ensuring the security of tourism is the application of various types of legal activities aimed at preventing and neutralizing security threats in the field of tourism, as well as other measures to create and guarantee the necessary level of protection of security facilities. The main principles of tourism safety support

should be the principles of consistency, which determine a comprehensive approach to the problem, and the principles of efficiency, which allow to evaluate the results achieved and compare them with the costs incurred.

According to scientists [4, 6, 9], tourism is a complex security object. That is, any tourism security measures are effective only if their implementation takes into account all the essential aspects of the problem imposed on its solution. At the same time, for an effective and efficient solution, the entire set of measures to ensure the safety of tourism should be organized in such a way that the entire tourism system as a whole is decisive at all levels of management.

**Statement of the problem.** In order to understand tourism security, consider tourism as a legal object of security in tourism activities.

**Results.** In the legal framework of Ukraine, security in the field of tourism is recognized as one of the legal institutions, a priority of state policy in tourism activities [2, 5, 8]. The content and scope of the concept of "tourism security" in the legislation on tourism activity is revealed through the listing of relevant security objects: life, health and property of tourists (excursionists); environment; material and spiritual values of society; state security, etc. [1; 2; 5].

Accordingly, in the Order of the Cabinet of Ministers of Ukraine dated March 16, 2017 "On Approval of the Strategy for the Development of Tourism and Resorts for the period up to 2026" (hereinafter referred to as the Strategy) [8], the Roadmap gives a decisive place to the implementation of the direction "Tourist Safety".

It should be noted that tourism security is a state of protection and maintenance of security of participants of legal relations in the field of tourism, namely: tour operators (travel agents), citizens, foreign citizens and others who exercise the right to rest. In this context, tourism safety is a set of civil law norms designed to ensure legal, property and personal non-property, social, informational,

environmental safety of all participants in legal relations in the field of tourism. To this should be added not to cause damage to the environment, material and spiritual values of state security, etc. during travel [4].

An important characteristic of tourism as a security object is such a category as "national interests". Among the interests are the interests of the state, society and individual citizens-tourists. This statement is made taking into account the provisions of domestic legislation in the field of national security [4, 5, 7]. Obviously, tourism security is a dynamic state of protection of the tourism industry from internal and external security threats, which allows to ensure its reliable existence and sustainable development [9].

Tourism security is divided into certain types, which are grouped in the following areas [1; 4]: by elements that are part of the tourism industry (safety of tourists, safety of entrepreneurs, safety of workers in the tourism industry, safety of the population of tourist areas); security of tourism facilities and security of automated information systems, personal data of tourism entities, etc. by types and kinds of travel; security of domestic, social, ecological tourism, etc.; by national security objects that may be affected by negative factors and conditions arising in the tourism industry; by the nature of security measures taken in the tourism industry. Tourism safety can be both specific (safety of hotel, tourist services, tourist entertainment facilities, etc.) and functional (technical safety, fire safety, information security in the field of tourism, etc.) In addition, security can be based on the location of sources of danger and the focus of security measures in the field of tourism. According to the way tourism is organized, there can be security of organized tourism and security of unorganized (amateur) tourism [1; 4].

It should be noted that the complex component of tourism security is as follows. First, it expresses the psychobiological protective reaction of a person to the dangers associated with the new socio-psychological situation, the geographical

environment of the place of temporary stay of the tourist. This level of tourism security is characterized by such categories as "reasonableness", "caution", "foresight", "adaptability", etc. Secondly, tourism safety is a historically conditioned phenomenon of human civilization - tourism culture. Thirdly, tourism safety is a category that is inherent in the tourism industry as an object of social management. Fourthly, tourism security is a system-structured administrative and legal integrity, which is presented in the form of an institution and legal regime of tourism security [1; 4].

The basis of tourism security as a scientific category is the state-legal institution of this security. Note that the institution of law in legal doctrine is understood as a relatively small, stable group of legal norms that regulate a certain type of social relations [2; 3; 6].

The institute of tourism security can be considered in narrow and broad directions. In a narrow sense, the institute of tourism security is actually a legal institution, an element of the legal system. It consists of a set of norms that form the legal basis of tourism security, mainly of the security nature, united by the general legal content, objectives, tasks, principles and direct connection with the regulated social relations in the field of tourism security [3; 4]. In a broad direction, the institute of tourism security includes a functional aspect, organizational and related information technology aspect, as well as ideological aspects of tourism security [3; 4].

For the purpose of organization, functioning and development, the institute of tourism is based on the legal provision of tourism security [1]. It strengthens the rule of law and public order in the tourism market, ensures the safety of the individual, society and the state, preservation of the environment, creates other favourable conditions for the realization of the rights and freedoms of citizens in the field of tourism [1-4].

Accordingly, the tasks of the Institute of Tourism Security are formed. In particular: protection of health, environment, sanitary and epidemiological well-being of the local population; ensuring law and order in the tourism market, public and state security in the tourism sector; protection of the legitimate economic interests of individuals and legal entities, society and the state from administrative and other offenses in the field of tourism, as well as their prevention; formation of a respectful attitude to the law and the court among citizens, law enforcement officers, civil servants of executive authorities and employees of non-governmental organizations; raising the level of security culture in the field of tourism [4].

**Conclusions.** Tourism as a legal object of security is a set of institutional forces and legal means, as well as information resources and other technologies aimed at ensuring the security of tourism. The legal norms of the institute of tourism security are the criteria for restricting the rights and freedoms of citizens in the field of tourism. In particular, the proportionality of legal and other measures to support tourism security used to protect public relations in the field of tourism.

Norms of the institute of tourism security in certain cases are the only way to prevent and neutralize the negative consequences of real or potential threats to tourism security. The introduction of these restrictions is usually justified by public interests, for example, the fight against terrorism, elimination of emergency situations, etc.

The organizational aspect of the institute of tourism as a legal object of security is the formation and implementation of state policy in the field of tourism security. In particular, this is relevant from the point of view of determining modern socio-political trends and processes, taking into account the state policy in the field of tourism security, which is an issue for further consideration.

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