ABSTRACT

The article analyzes the key problems of ensuring public security at the domestic and international levels associated with the modern energy policy which threatens the life and health of the planet's population. The task of implementing measures aimed at legal regulation related to the prevention of international crime is being updated. Interaction between law enforcement agencies and special services and state control bodies of foreign states requires development. It is important to improve the system of measures for the prevention in crime, the development and use of special tools aimed at reducing the level of criminalization in public relations. Suppression and prevention of criminal and other unlawful acts in the field of energy assumes counteraction to such crimes including corruption, embezzlement and misuse of budgetary funds. The activity of foreign organizations and special services, suppressing extremist and terrorist crimes aimed at causing damage to objects and infrastructure of the fuel and energy complex, deserves activation.

Keywords: Public safety. International acts. Legal policy. Energy policy. Energy security.
The main task in the field of international cooperation at the present stage is the legal provision of energy policy. Energy security in the context of globalization is one among the key issues that the world community is interested in. States of the world community, providing energy resources flows, are interested in security of national fuel and energy complexes. Energy security is recognized as one of the key global problems in the context of globalization. The world community is particularly interested in solving the issues with legal provision for energy security at international, national and regional levels. In the conditions of the world economic crisis the problems of non-payments for the received and used energy resources are actualized. This approach aggravates the problem of investment components in the fuel and energy complex.

The states of the world implement national energy policies based on the postulates, principles and norms developed by international law. At the same time, the improvement of legal policy in the sphere of energy security is predetermined by the problems associated with the development in the fuel and energy complex (AVDEEV et al., 2020). Improving the efficiency of the fuel and energy complex is due to the renewal in the energy markets, the formation of favorable conditions for attracting foreign investments. The export policy, the implementation of which is based on: the presence of an independent national raw materials base; the system of operating export terminals and trunk pipelines; the multilateral interest of foreign partners in stable and guaranteed supplies of domestic fuel and energy resources has a decisive importance in the development of the fuel and energy complex. One of the directions is also recognized the expansion for the exports of fuel and energy resources which requires increasing investment from abroad.

Consequently, it is of practical importance to formalize in law the rules of conduct on the part of energy imports and exports. At the level of legal regulation the issues of advance payment in full for the supplied fuel deserve. Lack of prepayment for provided products creates a number of subsidized industries.

At the present stage there are changes in the international legal regulation in the field of energy and conditions for energy markets. At the same time, external economic challenges to energy security are recognized as the shift to the Asia-Pacific region as the center of global economic growth and the reduction of growth in demand for energy resources as a result of increased energy efficiency. The problem is also associated with increased competition among energy exporters. The natural gas market is forming globally, the share of renewable energy sources in the global fuel and energy balance is growing.

The intensification of international efforts to implement the climate policy and transition to green economy is considered a foreign policy challenge to energy security. Interstate cooperation to combat climate change is implemented taking into account the consistency in climate policy with national interests in the sphere of environmental management, environmental protection and improvement the quality of life among the population (AFANASYEVA, 2006).

External political and external economic threats to energy security are changing the international regulatory framework in the field of energy under the pretext for environmental and climate policy, the reduction of the former energy markets and the complexity of access to new energy markets. It is worth noting the use of various mechanisms (financial, international legal, contractual) by the states and the damage to the fuel and energy complex. Threats include the introduction by individual states of economic measures restricting access to a number of organizations in the fuel and energy complex, economic conditions for the joint operation of energy systems in different countries.

Among the internal threats in the energy policy the following deserve attention: mismatch between the capabilities of the fuel and energy complex and the needs of state socio-economic development; decrease in the quality of the mineral resource base; insufficient provision with highly qualified personnel; increase in the number of offenses and crimes in the field of energy; increase in the number of violations in labor relations. Among the current risks should be highlighted: the uncoordinated development of various sectors in the fuel and energy complex under conditions of limited regulation and state control; low efficiency of measures to maintain financial stability under adverse conditions; excessive environmental safety requirements; unequal conditions of competition in the energy sector; not always rational consumption of energy resources.

A cross-border challenge is the spread and development of breakthrough technologies for renewable energy, smart and digital technologies. Cross-border threats are: sabotage and terrorist activities; illegal use of...
information and telecommunication technologies; dangerous and adverse environmental changes and also natural phenomena. Risks in the sphere of energy security are considered to be the following: inconsistency of the technological level in fuel and energy organizations with modern world standards and requirements; insufficient development of the regulatory framework; insufficient innovation activity; insufficient anti-terrorist protection; imperfect security system of facilities and infrastructure in the fuel and energy complex.

The modern energy strategy is aimed at the efficient use of energy resources to improve the quality of life, sustainable growth and development of the economy, strengthening foreign economic positions. As a result, the key strategic objectives of energy policy are recognized as: energy security; efficiency of the energy economy; environmental safety of the energy sector (AVDEEV, 2013b). Energy security is considered as a state of protection for an individual, society and the state from threats to reliable energy and fuel supply. Ensuring energy security is determined by economic affordability, resource sufficiency, technological and environmental acceptability.

Modern problems of ensuring energy security include: an increased degree of depreciation in the fuel and energy complex; low levels of investment; dependence of the national energy sector and economy on natural gas; inconsistency of the production potential in the fuel and energy complex with the world level and environmental standards. The current reasons for the increase of crisis components in the development of the fuel and energy complex are due to: 1) the trend to increase volumes of production and production of energy which is based on unreasonably low selling prices; 2) dependence of the gas and oil industry on imported equipment and pipes, given the low level in the quality of domestic products. This makes the modernization of the fuel and energy complex and the strengthening of international cooperation with international organizations in the field of energy and fuel more relevant (IVANOV; SHAGIEVA; GRUDTSINA, 2016).

Thus, the consequences of threats and risks to energy security are: causing harm to human health or life; disruption in economic sectors and organizations of the fuel and energy complex; an increase in tariffs and prices in the energy sector; reduction in the financial stability of these organizations; lower investment; reduction of customs, tax payments by organizations of the fuel and energy complex; additional budget allocations to eliminate the consequences of threats to energy security.

**CURRENT TRENDS IN LEGAL POLICY TO ENSURE PUBLIC SAFETY**

Representatives of 51 countries with delegations from such states as Australia, Canada, CIS, USA, Turkey and Japan in addition to members of the European Union signed the European Energy Charter in December 1991 in The Hague (Netherlands). The said Charter was originally of a declarative nature, not obliging the participating countries to edit national legislation. The European Energy Charter, being a political declaration of intent to stimulate energy cooperation between foreign states, is a manifestation of the principles for international cooperation between states in the energy sector with a common interest in sustainable economic development.

The prerequisite for the adoption of the European Energy Charter was the recognition of nuclear energy and natural gas as the most efficient energy resources. The end in the activity of the Council for Mutual Economic Assistance and the economic downturn among a number of states made it necessary to obtain permanent sources of energy resources including cross-border gas trade (LEVINA et al., 2017). The European Energy Charter focuses on managing energy resources economically. The EU member states invest in the economies of Eastern Europe which in return will provide energy and energy to the West. Eastern Europe is interested in investing.

Despite its declaratory nature, the EU states immediately began drafting a binding Treaty. The Energy Charter Treaty's Secretariat, headquartered in Brussels, Belgium, was established to oversee its implementation in 1994. The highest body is the Conference which is organized every six months. The Energy Charter Treaty, signed in Lisbon, Portugal, in December 1994, entered into legal force in April 1998, becoming a legally binding multilateral agreement. The said agreement is aimed at intergovernmental cooperation in the energy field including the entire energy value chain which is from exploration to final use, energy-related equipment and the totality of energy products.

The Treaty's key sections were: a) ensuring security and encouraging investments in the energy sector; b) free trade in energy resources and materials; c) freedom of energy transit through networks and pipelines; d) reducing the negative impact on the environment; e) a mechanism for resolving disagreements and disputes between states, investors and between countries (GOLDFRANK, 2000). On the basis of the Charter, disputes between countries are subject to international arbitration. The Treaty seeks to strengthen and improve the legal framework for energy regulation by creating uniform rules to be observed by participating governments, minimizing the risks associated with energy trade and investment. The Treaty obliges countries to optimize the transit of energy products and materials through their territory, based on the principle of freedom for transit,
including the obligation to ensure available transit flows.

It is indicative that the Energy Charter Treaty provides for equal rights to search for energy deposits, their development and access to trunk pipelines in the territory of exporting countries for foreign investors. At the same time, it should be noted that the European Union has not granted such rights of access to energy networks in its territory to the exporting states. Opening of the Energy Charter Treaty for signing in December 1994 resulted in its signing by 54 parties. At the same time, 37 states and 15 international organizations were granted observer status. In December 1994, the Protocol on Energy Efficiency and Related Environmental Aspects was signed. The dominance and dictate of the importing countries from the European Union determined the non-signing (Canada, USA) or non-ratification (Australia, Iceland, Norway, the Republic of Belarus, Russia) the Energy Charter.

Russia has signed the Charter and the Treaty in the context of compliance with the Constitution of the Russian Federation and national laws. Submission of the Treaty for ratification by the State Duma resulted in a recommendation in January 1997 to postpone ratification, given that the Charter does not address: 1) transit of gas and oil through the Danish straits, the Dardanelles and the Bosporus; 2) nuclear cooperation. The European Energy Charter provides for: 1) improving the efficiency and reliability of energy supply on an economic basis acceptable to participating countries; 2) ensuring the efficiency of energy production, transportation, conversion, use and distribution; 3) improving safety; 4) minimizing contemporary environmental problems (AVDEEV, AVDEEVA, 2014).

Meanwhile, the Energy Charter has a point of view to recognize it as an insufficiently perfect document. The “Transit Protocol” deserves critical appraisal. International agreement does not deal with the spread of maritime transportation for oil, nuclear technology, referring to the norms in national legal systems of the participating states for legal regulation in these issues.

It should be noted that the international legal protection for national organizations of the fuel and energy complex is promoted by the development of integration relations within the Eurasian Economic Union and the Commonwealth of Independent States, the deepening of energy partnership through the association of the Shanghai Cooperation Organization and BRICS, the development of cooperation with foreign states — with the Organization of Petroleum Exporting Countries, within the framework for the Forum of Gas Exporting Countries and other international organizations; countering discrimination of national organizations in the fuel and energy complex implementing international projects on world markets; ensuring the sustainable functioning of these markets; implementing scientific and technological international cooperation, on an equal basis, mastering advanced foreign practices, standards and technologies (KARTASHKIN, LUKASHEVA, 2002). It should be noted that the international legal protection for national organizations of the fuel and energy complex is promoted by the development of integration relations within the Eurasian Economic Union and the Commonwealth of Independent States, the deepening of energy partnership through the association of the Shanghai Cooperation Organization and BRICS, the development of cooperation with foreign states — with the Organization of Petroleum Exporting Countries, within the framework for the Forum of Gas Exporting Countries and other international organizations; countering discrimination of national organizations of the fuel and energy complex implementing international projects on world markets; ensuring the sustainable functioning of these markets; implementing scientific and technological international cooperation, on an equal basis, mastering advanced foreign practices, standards and technologies.

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Based on these goals and principles, the following measures will be implemented: a) development of energy trade; b) energy cooperation; c) energy efficiency and environmental protection. In this regard, coordination of
activities to implement a coherent energy policy is becoming more relevant.

Intensification in cooperation presupposes an exchange of views on the measures to be taken, taking into account the existing experience of international institutions and organizations. The ratifying states note the likelihood of complementing commercial forms and types of cooperation with intergovernmental cooperation which is of fundamental importance in the development and implementation in energy policies including in areas not subject to private sector investment and private capital financing. The signatories undertake to ensure compliance with international norms in the field of security for commercial, industrial and intellectual property.

Particular importance is attached to safety principles oriented to a high level in the areas of health, nuclear safety and the environment. Innovations in technical development and research deserve attention. A positive development is the drive by the parties to intensify cooperation in the fields of vocational training and education and public information in the field of energy efficiency. Actual directions of cooperation of European countries are recognized to be issues: 1) organizational and practical nature; 2) energy efficiency; 3) ensuring environmental protection; 4) exploration, production, transportation, production, use of petroleum products and oil and re-equipment of oil refineries; 5) exploration, production, use of natural gas, gas transportation through high pressure pipelines and gas pipeline systems connection; 6) nuclear fuel cycle including safety improvement in this sector; 7) improvement of power stations, interconnection of energy systems; 8) coal cycle; 9) development of new energy sources; 10) promotion of new technologies; 11) cooperation in prevention in the cross-border consequences of accidents and incidents in the energy sector (AVDEEV, 2013a).

Among the tasks in the sphere of increasing competitiveness and ensuring technological independence in the fuel and energy complex the following deserve attention: systematic import substitution in the most important for the sustainable action of the fuel and energy complex activities; creation and development of advanced technologies, development of national scientific and technological potential; preventing a significant lag in the development of intellectual and digital technologies; optimization for the improvement and development of the domestic electrical industry, instrument-making and power engineering; further development in the system for professional and additional professional education in the field of power engineering. An environment favorable to the functioning and development of enterprises, investments and new technologies through the introduction of market principles in the energy sector will be formed. On the basis of these goals and principles, measures will be adopted and implemented to promote energy trade and energy cooperation. Particular importance is attached to safety principles oriented to a high level of health, nuclear safety and environmental protection.

Innovations in technical development and research deserve attention. A positive aspect is the desire for the parties to intensify cooperation in the fields of vocational training and education, public information in the field of energy efficiency. Modern reasons of increasing crisis components in development of fuel and energy complex are to be determined (SERGEVNIN; AVDEEV; AVDEEVA, 2015). The legislative formalization on the rules of conduct for the import and export of energy resources is of practical importance. Among the objectives to enhance competitiveness and ensure technological independence of the fuel and energy complex attention: the systematic import substitution in the most important actions for sustainable fuel and energy complex activities; creation and development of advanced technologies, the development of national scientific and technological potential; preventing significant lag in the development of intellectual and digital technologies; optimization of the improvement and development of the national electrical industry, instrument making and power engineering; further development of the system for professional and additional professional education in the field of energy.

CONCLUSIONS

It can be concluded that the main strategic directions in the field of ensuring public security at the international level is the expansion of international cooperation in this area. Within the framework for international cooperation, it is important to conclude intergovernmental agreements and establish bilateral and multilateral relations between foreign states. A significant role is played by the formation in relations on the basis of mutually beneficial cooperation among organizations specialized in this field. Development in international relations should be based on legal provision of relations between transnational energy organizations.

The main measures to improve the efficiency of energy and tax policy are recognized as the formation for stable regulatory legal regulation which ensures that the interests of all subjects are taken into account. The key directions are the modernization of public administration in the field of energy security, the development in the territorial and production structure in the fuel and energy complex. Of great importance is the provision for state control over the safety of fuel and energy complex facilities which should contribute to ensuring both the safety
of fuel and energy complex facilities and the safe working conditions among employees in the fuel and energy complex. The key task for the international community is to modernize the risk management system in the sphere of energy security.

It is important to establish the interconnection and interaction in the information systems of states. The methodology for forecasting and monitoring emergency situations at fuel and energy complex facilities requires further development.

The regulation of tariffs and prices for services from natural monopolies and the development of competition in the foreign market deserve to be balanced. It is necessary to strengthen the role of states as a guarantor for human security and property rights at the international level. The task to implement measures aimed at legal regulation related to the prevention of international crime is being updated. Cooperation between law enforcement agencies and special services, as well as state control bodies of foreign states, requires development. It is important to improve the system of measures for the prevention of crime, the development and use of special tools aimed at reducing the level of criminalization in public relations.

Activity in suppression of crimes and revealing of organized crime which activated criminal encroachments on public security, human rights for freedoms and property should be improved and developed. Suppression and prevention for criminal and other unlawful acts in the field of energy implies counteraction to such crimes including corruption, embezzlement and misuse of budgetary funds.

The activity of foreign organizations and special services in suppressing extremist and terrorist crimes aimed at damaging facilities and infrastructure of the fuel and energy complex deserves to be intensified. Foreign states should implement their national energy policies exclusively in accordance with the principles and norms developed by international law.

The legal provision for energy security as an integral part of public security requires the regulation in the energy supply process on an economic basis acceptable to the participating countries. Legal regulation requires the processes of production, transportation, transformation and use of energy resources. The legal support for energy policy is of significant importance in terms of improving the level for safety and minimizing the harm caused to the environment.

The legal framework must form the basis for economic and political cooperation to ensure the stability of both the European and global energy markets. Based on the goals and principles of energy security, consistency is required in the implementation for energy policy measures related to the development of energy trade and energy activities that contribute to the protection of the environment. Thus, the improvement in the legal and regulatory framework should ensure sustainable, reliable, safe operation of energy facilities. The creation of a legal framework to ensure energy security in modern conditions is a strategic direction of international and national policy.

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