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INFORMATION SECURITY OF UKRAINE IN GLOBALIZATION CONDITIONS

Zyma O.G., Shevchenko I.O., Afanasieva O.M., Stankova A.O., Kosharna V.V.

ІНФОРМАЦІЙНА БЕЗПЕКИ УКРАЇНИ В УМОВАХ ГЛОБАЛІЗАЦІЇ

Зима О.Г., Шевченко І.О., Афанасьєва О.М., Станкова А.О., Кошарна В.В.

In the given work the main characteristics of the development of information security of Ukraine are considered. The components of information security of the country are analyzed. The growth of the general mass of information relations in society, the realization of which has important social, political, economic and the like consequences, has led to the need to create a large number of legal acts aimed at regulating these relations. In recent years, a whole series of legal acts has appeared in Ukraine: from laws to standard job descriptions, which are either completely or partially devoted to the regulation of information relations. The analysis of modern domestic information legislation testifies to its fragmentation and incompleteness, the existence of duplication and contradiction of normative legal acts in the field of regulation of information relations.

Key words: security, information security, national security, information strategy, national information security strategy.

Introduction. The existence of information civilization nowadays has become the objective reality of the leading countries of the world. It should be borne in mind that modern humanity is developing under conditions of global integration, when no state can stay out of the world processes. At the same time, it is necessary to take into account the peculiarities and specifics of the formation of information society processes in individual countries of the world. Of particular importance to us is the historical experience of the development of information processes in the countries of the former USSR, which until 1991 included Ukraine. The development of the information society continues today. Analyzing and researching the problems that our country has faced in its time will help to avoid such problems in the future.

The relevance of this topic is determined by the need for a comprehensive scientific analysis of the modern world order and the place of Ukraine in the context of accelerating scientific and technological progress, international integration and development of the information society. The philosophical analysis of the peculiarities of the formation of the information society in Ukraine against the background of the

emergence of a global information civilization is of great importance for solving these questions.

Analysis of basic research and publications.

Information society as an object of scientific analysis is studied, first of all, in the most developed countries of the world and is studied by such scientists as F. Fukuyama, I. Masuda, V. Daisard, Joule. Palton, Joule. Martin, T. Becker, D. Moore, G. Krauch, R. Breitenstein, M. Poniatowski and others [1].

In the national science of the formation and development of information society develops R. Abdeev, V. Alexandrovskaya, O. Vershinskaya, A. Rakitov, G. Smolyan, D. Chereskin and others. Problems related to the development of the information society are explored by representatives of various fields of science. Features of development of information society were considered in the works of specialists in the field of medicine, sociology, psychology, cybernetics, pedagogy and others. Of great importance are the works that explore the period of national history in which the formation of the information society in Ukraine took place.

However, not all issues related to the development of the information society in Ukraine have been sufficiently explored. Their decision may be facilitated by a philosophical analysis of the specificities of the formation and development of the information society in Ukraine.

Goal. The purpose of the study is to identify and analyze the main directions of formation of information security strategy of Ukraine in the conditions of globalization.

Materials and research results. Today, in Ukraine, as in the whole world, there is a sharp increase in the number of government bodies, organizations, firms and companies, collectives and specialists who create and use information, information products and information technologies. The widespread introduction and use of modern computer information technology, which has been booming lately, has led to a significant increase in the volume of public relations of a special nature - information relations, that is, relationships

directly related to the creation and circulation of information.

The peculiarity of the nature of these public relations is due to the fact that in some cases they have a completely independent role and are self-sufficient, and in others - they are ancillary, ie accompanying other public relations and ensuring their realization [10].

Indeed, there are public relations related to the process of creating information, its transfer and use, such as writing books, transferring databases and databases, the use of scientific articles that have an independent role, because the subject of these relationships is information in one form or another. At the same time, there are public relations in the process of implementation of which the use or transmission of information is of ancillary nature, but without which the implementation of basic public relations is impossible. Thus, the vast majority of civil legal relationships (contractual relations, property-related relationships, and many others) are necessarily accompanied by both the prior provision of information about the subject matter of that relationship and the subsequent transmission of relevant information. An example from another area: the foreign relations of states are also accompanied by intensive information exchange in various forms. The analysis shows that it is practically impossible to find examples of public relations that would not be based on relevant information processes.

According to experts' estimates, the current information legislation of Ukraine governing public information relations ranges from a few dozen to several thousand legal acts. The discrepancy in the estimation of the number of legal acts is solely due to the way the researchers determine the range of informational relations that are subject to legal regulation [11].

Law theory distinguishes between systems of law and systems of law. Not paying attention to the content of the discussion about the relationship of these systems, let us note only that in the dialectical sense, they correlate in content and form. This content is the right, and the forms - the law.

Thus, analysis of scientific publications shows that in Ukraine there is a formation of information law. In addition, this fact has been officially confirmed: the Supreme Administrative Court of Ukraine by its decision of May 21, 2003 № 26-11 / 5 approved the passport specialty 12.00.07 - management theory; administrative law and process; finance law; Information Law (Law) 77. The new version of the specialty passport 12.00.07 "administrative law and process, financial law, information law" was approved by the Resolution of the Presidium of the Supreme Administrative Court of Ukraine of 08.10.2008 No. 45-06 / 778. However, all these statements about the existence of information law as a separate branch in the general system of law of Ukraine are made without sufficient appropriate scientific justification [12].

In fact, the increase in the number of regulations governing information relations is only a consequence of some other processes. The real reason for the increase

in the number of regulations is the following two factors.

1. In today's society, the general mass of information relations has grown significantly, the content of these relationships has changed qualitatively, and the range of issues on which they arise raises.

2. In today's context, the significance of the results of the implementation of public information relations for all spheres of life of the individual, in the whole of society and the state, is growing and increasing.

Thus, the actual growth of the total mass of information relations in a society, the realization of which has important social, political, economic, and the like consequences, has led to the need to create a large number of legal acts designed to regulate these relations. In recent years, a whole layer of legal acts has emerged in Ukraine: from laws to standard job descriptions, which are either wholly or partially devoted to regulating information relations. The analysis of modern domestic information legislation testifies to its fragmentation and incompleteness, the presence of duplication and contradiction of normative legal acts in the field of regulation of information relations [13].

For example, the Law of Ukraine "On Information" (1992) in the part of regulating issues of ownership of information entered into conflict with the Civil Code of Ukraine (2003). GCU has rules that contradict the provisions of the Laws of Ukraine "On electronic digital signature" and "On electronic document and electronic document circulation". The Law of Ukraine "On postal service" is of a framework nature and does not answer many pressing issues of regulation of postal services. The Law of Ukraine "On Television and Radio Broadcasting" has in fact introduced a legal misunderstanding of digital television regulation [14].

All these and many other shortcomings do not simply boil down to the problems of standard engineering, to the problems of lawmaking. In fact, the problem that leads to systemic weaknesses in information law is deeper. Let us dwell on some examples only. 1. Uncertainty about the legal regulation of ownership of information and information products leads to a serious slowdown in the development of a fair market for information products through the introduction into trading of surrogate products that perform a camouflage function when dealing with information products. In particular, this does not allow formal capitalization of companies specializing in information activities.

2. The uncertainty surrounding the issues of electronic digital signature of electronic records creates serious risks when used in the course of civil legal relations. And this in turn creates barriers to the implementation of progressive forms of e-commerce, e-commerce, e-government technologies.

3. The imperfection of the legislation in the field of telecommunications and the use of the radio frequency resource leads to stagnation of the market of telecommunication services, to the slow introduction into other spheres of activity of advanced information and communication technologies.

4. The media legislation does not correspond to the democratic changes that have taken place in the world, which creates tangible barriers to obtaining objective and reliable information about events in the world and in Ukraine by the population. Today's legislation not only does not promote the development of new technologies in the media, such as digital television, but significantly, for years, hinders this process.

5. The white patches of regulatory regulation (lack of regulations) related to the use of information technologies, in particular the use of the Internet, are now more of a hindrance to their further development than a contributing factor [15].

Such a negative situation with information law is due to the fact that it was formed to some extent chaotic, situationally, what is called, at the wickedness of the day, without proper scientific substantiation and forecasting, which would allow to lay systematic approaches to law-making based on theories information law.

Nowadays, the measure of building an information society in Ukraine is considered insufficient in comparison with the global trends. According to experts, it "is far enough from the world leaders" [6]. Among the main reasons for this provision are the following circumstances:

1) low level of automation of certain sectors of economy of some regions of the country;

2) a certain lag in the implementation of e-business technologies;

3) insufficient development of the legal framework of the information sphere;

4) insufficient level of computer and information literacy of the population and slow introduction of new teaching methods using modern information and communication technologies;

5) low level of information representation of Ukraine and Ukrainian-language information resources in the Internet space;

6) the unevenness of providing the population with access to computer and telecommunication facilities, "information inequality" between individual regions, industries and different segments of the population;

7) the issues of copyright protection of computer programs have not been fully resolved, there are no systematic state decisions aimed at creating national innovation structures (centers, technopoles and technoparks) for the development of competitive software [7].

This situation does not correspond to the historical experience, potential and capabilities of Ukraine. In our country there are necessary prerequisites and conditions for the formation of a new society. Despite the difficulties encountered in the second half of the twentieth century, Ukraine has its own history of developing the actual foundations of the information society. Domestic scientists have made a significant contribution to the development of the theory and practice of science related to the formation of views and concepts of post-industrial society. Thus, one of the

urgent problems of modern scientific and technological progress is the problem of scientific identification, which is developing information and computer revolution within the ideas of the great Ukrainian scientist V.I. Vernadsky about the noosphere as a sphere of mind (knowledge, intelligence). Ukraine is known as a country with theoretical achievements and practical developments in cybernetics. Back in 1957, a computer center was established in Kyiv, transformed in 1962 into the Institute of Cybernetics of the Academy of Sciences, which became the all-Union leader in this field [1]. Many enterprises related to the development of information technologies have been established in the territory of Ukraine and there are considerable scientific developments.

There are now the necessary conditions for the further accelerated development of the information society. Thanks to long-standing traditions and high standards of the domestic education system, there are highly qualified personnel in demand in the developed countries of the world. Ukraine is one of the countries that actively research and develop information and communication technologies. Even under unfavorable conditions, the annual growth rate of information and communication technologies is 40 to 50 percent, which testifies to the high potential of national science and processes of informatization. Since the beginning of the 1990s, concepts and programs of informatization, certain legal foundations of the information society, have been formed. According to experts, there are no objective obstacles in order to create a basic digital infrastructure in a few years [6]. It should also be borne in mind that the information and communication technology industry is extremely energy-intensive and can generate significant profits at minimal cost [16].

The formation and development of the information society requires regulation on the basis of scientifically developed and legally approved programs. The National Policy of Information Society Development in Ukraine envisages carrying out such national actions as the transition to priority scientific and technical and innovative development, legislative support of information society development, formation of favorable economic conditions, development of accessible information infrastructure, provision of universal access to telecommunication services and information resources, promotion of diversity and the amount of electronic services provided will provide It is a publicly accessible electronic information resource, preparing people for work in the information space, creating a system of motivation for the introduction and use of information and communication technology, ensuring the further development of science, ensuring information security [7].

There are no longer any problems that could have hindered the free development of the information society in our country in the 1940's and 1980's and served as a kind of "justification" for the backlog in this area. Ukraine became independent. However, according to experts, it is not allowed as long as the problem of modernization remains. [1]

In the conditions of formation and development of the information society, accelerating change in all spheres of society is an objective reality. This situation requires rapid scientific study of the changes that are taking place.

It should be noted that untimely response to information changes can be detrimental and lead not only to economic, technological and political, but also to cultural backwardness. Western researchers write about outsiders of global information progress. It is explicitly stated that "the failure of modernization is the failure of statehood" [1].

So, let's move on to a more detailed look at the media.

Mass-media. The Ukrainian legislation includes mass media (newspapers and magazines), television and radio organizations, news agencies. Article 92 of the Constitution of Ukraine stipulates that the bases of creation and activity of mass media are determined exclusively by law.

Print media. Their creation and activity is regulated by the Law of Ukraine "On the print media (press) in Ukraine". This law refers to periodicals, as well as those whose periodicals are published under the permanent title, with a periodicity of one or more numbers (issues) during the year on the basis of the state registration certificate. The main purpose of the activity of print media is to collect, create, edit, prepare information for printing and to publish print media for the purpose of its dissemination to readers. Supplements to the print media in the form of newspapers and magazines are separate periodicals and periodicals and are subject to registration on a common basis [2].

These publications may include other media (records, diskettes, tape and video cassettes and the like), the distribution of which is not prohibited by the current legislation of Ukraine. A print media is considered to have been issued if it was signed before it was published and printed by any edition. However, the sphere of distribution of the print media is not limited.

As of 2015, more than 30,000 newspapers and magazines were registered in Ukraine, of which about 4,200 were actually published (about 2,400 newspapers and more than 1,700 magazines), that is, every eighth of the registered editions. About 90% of magazines have all-Ukrainian registration and distribution. In the same hour, according to the State Statistics Committee, the total number of newspapers in 2010 was 2347, and of magazines 2822, in 2011: newspapers - 2266, magazines - 2886.

News agencies. Their creation and activity is regulated by the Law of Ukraine "On news agencies". Under news agencies, the legislation of Ukraine understands registered entities as legal entities that act to provide information services. At the same time, under the representation of an information agency in Ukraine, any institution (bureau, representative office, office, etc.) representing a state or non-governmental news agency registered in Ukraine as a legal entity under with the applicable law of the respective country, and which operates in Ukraine in the field of information in accordance with the Law of Ukraine "On Information" [3].

The main activity of news agencies is the collection, processing, creation, storage, preparation of information for distribution, production and distribution of information products. In Ukraine, there are several dozen news agencies of various subject areas.

Television and radio organizations. Their creation and activities are regulated by the Law of Ukraine "On Television and Radio Broadcasting". According to this law it is defined that a speaker (television or radio) is an entity that creates (completes and / or packages) television or radio programs and broadcasts and distributes them in an open or coded form by technical means through broadcasting and relaying, for receiving them by consumers. The same law defines a broadcasting organization - that legal entity which, in accordance with the procedure established by law, which, on the basis of a license issued by the National Council for Television and Radio Broadcasting, creates or completes and / or packages television and radio programs and / or transmits them through technical means means of speech [4].

According to the National Council of Ukraine for Television and Broadcasting²⁵, depending on the territory of broadcasting in Ukraine work:

a. in the field of television broadcasting:

1. 15 national television broadcasting channels;
2. 7 regional television broadcasting channels;
3. 197 local television channels.

b. in the field of broadcasting:

1. 15 national broadcasting channels;
2. 13 regional radio broadcasting channels;
3. 28 regional radio channels operating within individual regions (regions);
4. 216 local radio companies.

Some of the information products for television and radio broadcasting are produced by production studios [5].

The media or the organization itself, which is legally responsible for their content, prepares media information. When creating information, the media have restrictions only in cases specified by law.

In information law, one of the most important sources of legal norms is international legal acts, in particular, such as:

- Universal Declaration of Human Rights; International Covenant on Civil and Political Rights;
- the UN Declaration on Mass Media and Human Rights;
- the UNESCO Declaration on the Principles on the Contribution of the Media to the Promotion of Peace and International Understanding, to the Development of Human Rights and to the Fight against Racism and Apartheid and the Incitement to War;
- Convention on International Law of Contestation [6].

The most comprehensive and versatile is the legislation of the European Union, the economic and political association of the 27 European states that have signed the Treaty on European Union (the Maastricht Treaty - 1992, and the Lisbon amendments to this Treaty in 2007). These treaties define the powers of the institutions of the European Union: the European

Parliament, the European Council, the Council of the European Union, the European Commission, the Court of Justice of the European Communities. The main difference between the European Union and other international entities is that its members have delegated some of their national sovereignty to these supranational structures [7].

As a result of many years of successful functioning in the EU, a legal system has emerged, called the European Union law, which is based on the following principles: the rule of EU law, the direct effect of EU law, the protection of rights and freedoms, legal certainty, proportionality, non-discrimination, subsidization. The principle of the rule of law of the EU and the principle of the direct effect of EU law relate to functional principles. The rule of law of the EU signifies the priority of the rules of EU law over the rules of the national law of the Member States, the rules of the national law of the Member States should not contradict the rules of EU law. The principle of direct effect of EU law means the direct application of EU law in the territory of the Member States, the effect of EU law without any transformation into the legal system of a Member State [8].

EU law has a large number of regulations in various segments of the information field, in particular such as:

- ensuring freedom of expression and democracy;
- television, cross-border television;
- development of the audiovisual sector;
- intellectual property and copyright;
- development of the information society (e-democracy, e-education, e-government, e-money, e-medicine, e-commerce, electronic digital signature and electronic document circulation);
- telecommunications (electronic communications (networks) and services);
- postal service;
- use of a radio frequency resource;
- information security (fight against cybercrime, protection of personal data and so on);
- cinematography [9].

All of the above indicates that the theoretical and conceptual provision of the information society is one of the most important conditions for its full development. A similar provision actualizes the socio-philosophical analysis of the specifics of the formation of the information society in Ukraine in the difficult conditions of existence of man, society and state in the information age.

Conclusions. Thus, the socio-philosophical analysis of the specifics of the formation and development of the information society in Ukraine allows us to draw a number of conclusions. First, one of the main tasks of modern Ukraine is the development of an information society. Secondly, in determining the further ways of development of the information society, it is necessary to take into account the historical experience and specifics of the formation of information processes in Ukraine.

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Зима О.Г., Афанасьєва О.М., Шевченко І.О., Кошарна В.В., Станкова А.О. Інформаційна безпека України в умовах глобалізації

У поданій роботі розглянуто основні характеристики розвитку інформаційної безпеки України. Проаналізовано складові інформаційної безпеки країни. Наведено зростання загальної маси інформаційних стосунків в суспільстві, реалізація яких має важливі соціальні, політичні, економічні і тому подібне наслідки, і привело до необхідності створення великої кількості нормативно-правових актів, покликаних регулювати ці стосунки. За останні роки в Україні з'явився цілий пласт нормативно-правових актів: від законів до типових посадових інструкцій, які або повністю, або частково присвячені регулюванню інформаційних стосунків. Аналіз сучасного вітчизняного інформаційного законодавства свідчить про його фрагментарність і неповноту, наявність дублювання і суперечності нормативно-правових актів в області регулювання інформаційних стосунків.

Ключові слова: безпека, інформаційна безпека, національна безпека, інформаційна стратегія, національна стратегія інформаційної безпеки.

Зима А.Г., Афанасьєва Е.Н., Шевченко І.А., Кошарна В.В., Станкова А.А. Использование элементов клиентоориентированного маркетинга в банковской сфере

В представленной работе рассмотрены основные характеристики развития информационной безопасности Украины. Проанализированы составляющие информационной безопасности страны. Приведены рост общей массы информационных отношений в обществе, реализация которых имеет важные социальные, политические, экономические и т.п. последствия, и привело к необходимости создания большого количества нормативно-правовых актов, призванных регулировать эти отношения. За последние годы в Украине появились целый пласт нормативно-правовых актов: от законов к типичным должностных инструкций, полностью или частично посвящены регулированию информационных отношений. Анализ современного отечественного информационного законодательства свидетельствует о его фрагментарность и неполноту, наличие дублирования и противоречия нормативно-правовых актов в области регулирования информационных отношений.

Ключевые слова: безопасность, информационная безопасность, национальная безопасность, информационная стратегия, национальная стратегия информационной безопасности.

Зима О.Г. – к. е. н., професор, проректор з навчально-педагогічної роботи ХНЕУ ім. С. Кузнеця

Шевченко І.О. – к.е.н., доцент кафедри обліку та бізнес-консалтингу ХНЕУ ім. С. Кузнеця

Афанасьєва О.М. – старший викладач кафедри управління соціальними комунікаціями ХНЕУ ім. С. Кузнеця

Станкова А.О. – студентка першого року навчання магістратури ХНЕУ ім.. С. Кузнеця

Кошарна В.В. – студентка 3 курсу ХНЕУ ім. С. Кузнеця

Рецензент: д.е.н., проф. **Чернявська Є. І.**

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