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Institutional framework and features of multimodal transportation infrastructure development in Ukraine

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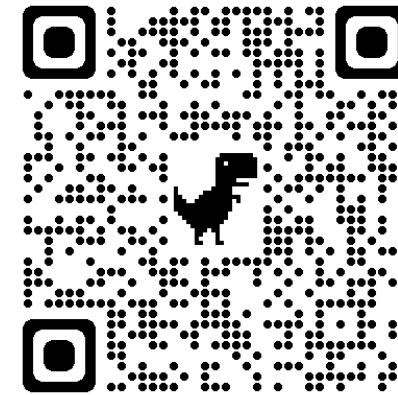


DEVELOPMENT OF UKRAINE'S MULTIMODAL TRANSPORT
INFRASTRUCTURE IN THE CONTEXT OF CHANGING
THE TRANSPORT AND LOGISTICS ROUTES UNDER
WARTIME CONDITIONS

Scientific report



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Until November 2021:

- ❑ legal relations in the field of multimodal transport were regulated only partially;
- ❑ in fact, there was no regulatory framework for combined transport
- ✓ certain legal aspects were regulated by a number of regulatory and legal acts ...



Legislation	Provisions of the legal act on multimodal transportation
Law of Ukraine "On Transport"	The place of combined transport in the unified transport system of Ukraine has not been determined
Law of Ukraine "On Automobile Transport"	There are no regulations regarding the possibility of using combined transport
Law of Ukraine "On Railway Transport"	There are no regulations regarding the possibility of using combined transport
Law of Ukraine "On Inland Water Transport"	There are no regulations regarding the possibility of using combined transport; the rules of transportation in a mixed connection with the participation of road transport have not been developed
Statute of Railways of Ukraine	Issues of interaction are limited only to the organization of multimodal transport in rail-water communication
Merchant Shipping Code	Issues related to combined transportation are only declared, specific forms of interaction are not defined
Air Code of Ukraine	The organization of interaction of aviation with other modes of transport is not considered
The Commercial Code of Ukraine	The issue of resolving the contractual registration of combined transportation has been partially resolved. In particular, Art. 312 of the Code contains the main characteristics of the contract of carriage of goods in a direct mixed connection. However, there was no sub-legal regulatory framework for concluding such agreements

2010

- ❑ **The Transport Strategy of Ukraine for the period up to 2020 was adopted.** The priorities for the development of various modes of transport are determined:
 - ✓ *on the development of railway transport: creation of a network of interconnected logistics centers and multimodal terminals in the largest transport hubs, border crossing points;*
 - ✓ *on the development of road transport: improvement of road transport technology, increase in the share of combined transportation, development of optimal technological schemes for transport hubs*

- ❑ **work has begun on the development of the draft Law of Ukraine "On Combined Transport",** as one of the main elements of the implementation mechanism in Ukraine of Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States

expectations...



- accelerating the pace of integration of the Ukrainian transport system into European and world transport systems;
- efficient use of the transit potential of the state

actual outcomes...



- ✓ the level of implementation of the provisions of the Transport Strategy, in particular, regarding the development of multimodal transportation, was extremely low;
- ✓ preparation of the Law has not been completed

Institutional framework

- ❑ **2017** – in Ukraine, active consultations of the authorities with business entities regarding the development of an institutional base in the field of multimodal transportation have begun;

- ❑ **May 2018** – the National Transport Strategy of Ukraine for the period up to 2030 was approved;

main tasks



- ✓ *development of an effective competitive multimodal national transport system;*
- ✓ *ensuring a comprehensive solution to issues, in particular the preparation and implementation of the relevant concept or implementation of the program (plans) for the development of multimodal transportation and logistics technologies;*
- ✓ *development and implementation of a program (action plan) for the renewal of railway rolling stock, including for high-speed passenger and multimodal freight transportation;*
- ✓ *ensuring the development of air transport and creating conditions for the sustainable development of air transportation.*

- ❑ **November 2021 – the Law of Ukraine "On Multimodal Transportation" was adopted;**



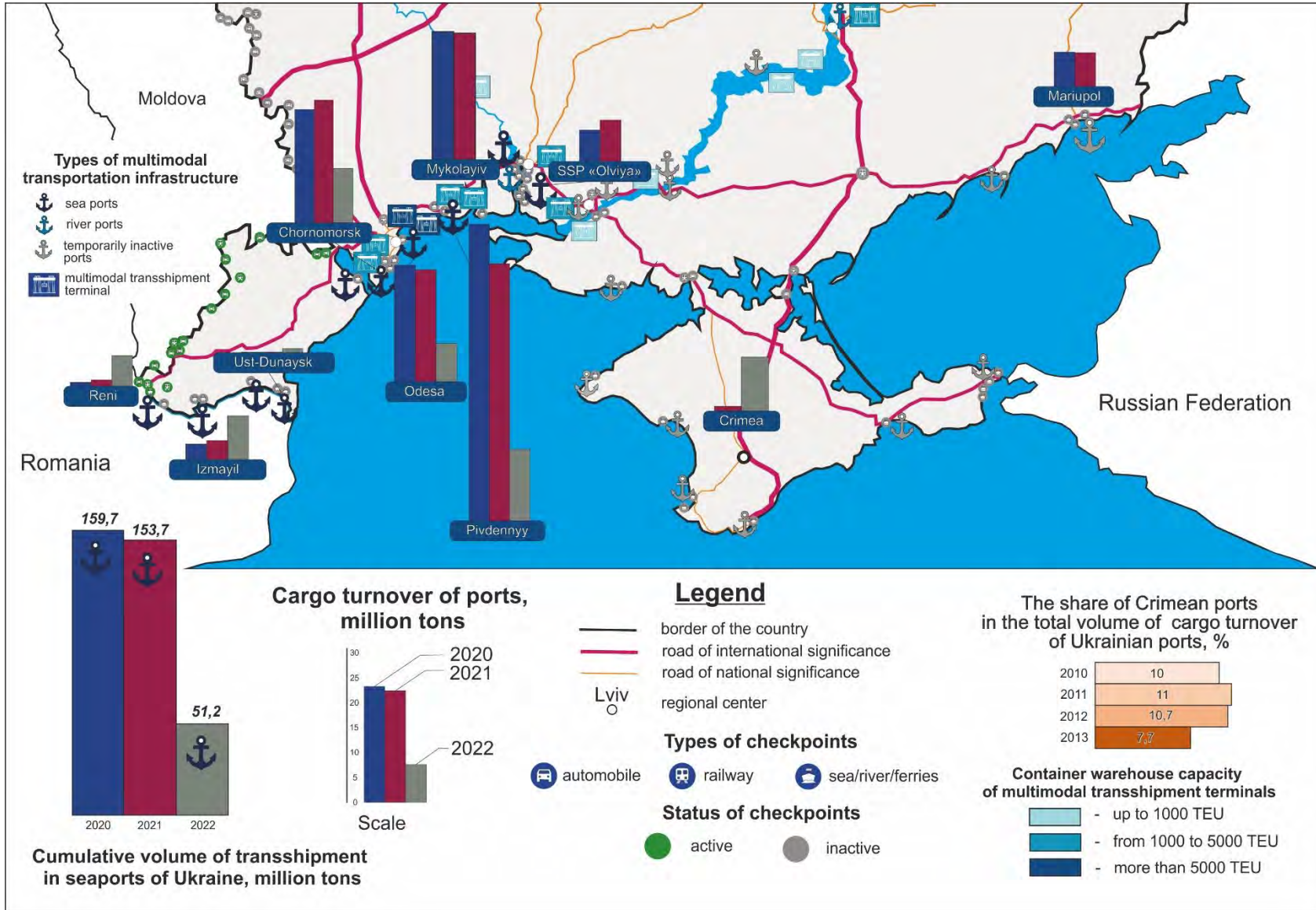
- ✓ *key concepts in the field of multimodal transportation are clearly regulated;*
- ✓ *the legal and organizational principles of multimodal transportation of goods in Ukraine, the legal status of participants in multimodal transportation are determined;*
- ✓ *the mechanism of state support for multimodal transport is determined*

- ❑ **June 2023 – there is no State strategy for the development of multimodal transportation**

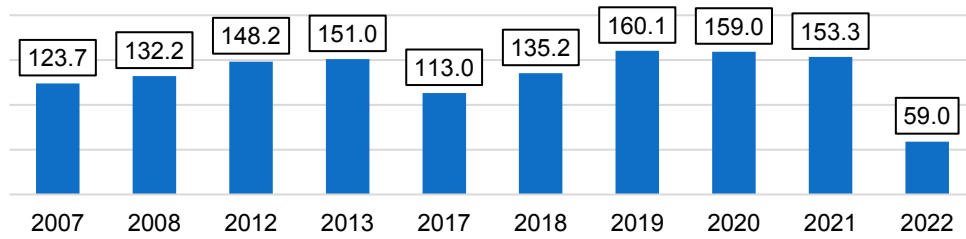
Infrastructure of multimodal transportation in Ukraine, as of the beginning of 2023



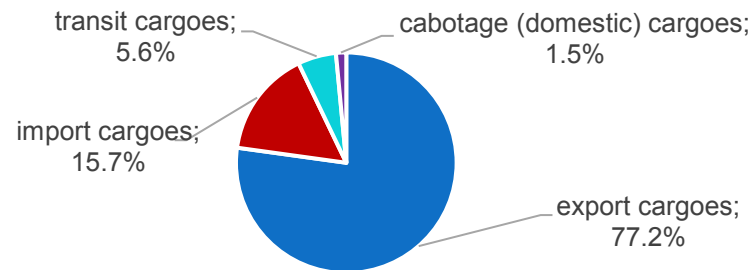
Infrastructure of marine freight transportation in Ukraine, as of the beginning. 2023



Pre-war period...



Dynamics of cargo transshipment volume by Ukrainian seaports, million tons



Classification of cargoes handled by the seaports of Ukraine, 2021

TOP-5 cargoes in terms of transshipment in Ukrainian seaports in 2021:

- grain – 135,600 tons daily;
- metal ores – 103,700 tons daily;
- ferrous metals – 44,300 tons daily;
- oil (mainly vegetable) – 14,200 tons daily;
- building materials – 10,600 tons daily.

The war period...

X *the seaport of Kherson* (the city of Kherson was occupied by Russian troops until mid-November 2022, and today it is located in close proximity to the front line) **is not working until today**;

X *the ports of Mariupol, Berdyansk, Skadovsk*, being in the occupied territory, today serve as military bases. Military equipment and ammunition are stored there. In the port of Berdyansk, for example, Russian ships delivered armored personnel carriers in the first months of the war;

X *the occupiers use the Ukrainian ports of the Sea of Azov* to send the loot in our country to Russian ports in the Sea of Azov. There, the cargo is sent either further to Russia or to third countries, under the guise of cargo of Russian origin. For example, Russians send rolled metal and grain from the port of Mariupol;

X *ports of Mykolaiv, Olvia, Pivdenny, Odesa and Chornomorsk* until August 2022, partially handled the existing fleet at the berths and shipped them by rail and road. Entry/exit of ships in these ports was impossible;

X at the end of March 2022, only three Ukrainian ports on the Danube River – *Reni, Izmail and Ust-Dunaysk* – managed to resume operation. In fact, these are one of the smallest seaports in Ukraine in terms of transshipment cargo. However, they are located much further from the front line;

X in the summer of 2022, as part of the implementation of the so-called "grain agreement", three Ukrainian ports – *Odesa, Chornomorsk and Pivdenny port (the so-called "ports of Greater Odesa")* – were unblocked for the export of Ukrainian food.

Lost potential in wartime conditions

If the war had not started, and the trends of January 2022 had persisted, then...

- ❑ *Ukrainian seaports would handle 180 million tons (16.7% more than in 2021);*
- ❑ *the potential volume of exports by the end of 2022 could amount to more than 135 million tons (12.5% more than in 2021).*

Every day of the war "costs" the seaports of Ukraine 1,666 unloaded containers.

Therefore, we can assume that during March-December 2022, Ukraine was unable to process about 0.5 million containers.

However, in war conditions...

- ❑ *The European Union remained Ukraine's largest trading partner – the share of Ukrainian exports to EU countries reached 63.2% (in 2021, the corresponding figure was 39.3%);*
- ❑ *Ukraine increased its commodity exports to the EU countries by 4.2% compared to 2021 (from USD 26.8 billion to USD 28 billion, respectively), despite the fact that in general Ukrainian exports decreased by 35.1% in 2022.*

Infrastructure of container transportation in Ukraine, as of the beginning of 2023

