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## **DIRECTIONS OF INTEGRATION OF RAILWAY TRANSPORT OF UKRAINE INTO THE EUROPEAN RAILWAY NETWORK**

**Abstract.** The authors emphasized that railway transport plays a major role in the life support of Ukraine, especially during the war (because passengers are transported by railway transport not only in the normal mode, but also by evacuation trains; not only scheduled cargo is transported, but also those reoriented from water transport due to the seizure of Ukrainian ports by the Russian aggressors; enterprises are transported from the areas under fire to a safer place), so efforts must be made to ensure the smooth functioning of this type of transport both within the country and in interstate communication. In this context, it is highlighted that, in addition to significant technical barriers to crossing borders, Ukraine has non-compliance of the legislation in the field of railway transport with the legislation of the European Union.

At the same time, it is noted that with the signing of the Association Agreement with the European Union, the issue of integration into the single European transport space has become acute for Ukraine. This involves the transition to common principles of the operation of the rail transport market, including the presence of independent: railway infrastructure operator, who will be responsible for its quality and capacity (i.e. the number of trains that will be able to move on the tracks); the regulator of railway transport, which will approve the tariff for access to the infrastructure, will ensure equal access to it for all operators of railway transport; the railway safety authority, which will determine the requirements for carriers, check their compliance and issue licenses for transportation.

A necessary condition for adaptation to EU legislation on railway transport is the harmonization of Ukrainian legislation with the European one, elimination of differences in the

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legal framework regulation of railway transport. Harmonization regulatory and legal field of operation of railway transport to the European one, appropriate reforms are needed. The main European Directives and Regulations in the field of railway transport are outlined, according to which it is necessary to amend the Law of Ukraine "On Railway Transport".

**Keywords:** *railway transport, European integration, legislation in the field of railway transport, Ukrzaliznytsia.*

**Introduction.** Transport plays a key role in the development of any country, contributing to the mobility of the population and transportation of goods, thus ensuring the functioning of the country's economic sectors. In this process, railway transport occupies a leading position, because it is characterized by a number of factors (safety, independence from weather conditions, environmental friendliness, speed, reliability, affordability of transport services, etc.), which significantly increase its competitiveness compared to other types of transport. Railway transport undoubtedly has a leading role in the transport system of Ukraine.

In terms of the length of the railway network, Ukraine ranks third in Europe, having an extensive infrastructure network and the corresponding rolling stock. Considering that Ukraine became a candidate for membership in the European Union in June, 2022, the implementation of the existing Ukrainian realities in the field of railway transport to the requirements of the EU Directives became an extremely urgent task.

**Analysis of recent research and publications.** Many scientists have dealt with the problems of increasing the competitiveness of Ukrainian railway transport, including in the context of European integration. Among them: V. Dykan, Yu. Barash, T. Charkina, I. Tokmakova, L. Golovkova and others. Also, in the scientific literature, there are enough theoretical studies regarding the integration of neighboring countries in transport connections. For example, in the article (Ma, 2022), the author emphasizes that the initiative of governments in the transport sector called "One Belt, One Road" contributes to the local economic growth of the countries involved.

Regarding the reform of railway transport in Ukraine, the authors in the article (Grushevska, Notteboom & Shkliar, 2016) emphasize that European integration should take place gradually, because Ukraine is not ready for shock reforms. Scientists in the article (Gerhátová, Zitrický & Gašparik, 2021) emphasize the attractiveness of railway transport in interstate transportation of goods, in particular in the Common Economic Area of the European Union. The article (Calzada-Infante, Adenso-Díaz & García Carbajal, 2020) discusses the need to introduce high-speed traffic to increase the competitiveness of passenger rail transport in interstate traffic and on the EU railway networks.

As part of the scientific research conducted by the scientists, it was established that the economic development of the country is largely determined by the success of its transport and logistics sector. The involvement of railways in global supply chains, both domestically and internationally, is now very relevant (Lytvynenko et al., 2022).

**The purpose of the article** is to outline directions for the integration of railway transport of Ukraine into the European railway network, taking into account modern realities.

**Formulation of the main material.** Railway transport plays a decisive role in the transport sector of Ukraine, because in recent years its share in the

total volume of cargo transportation was more than 60 %. In the current year, 2022, the financial condition of Ukrzaliznytsia has significantly deteriorated. And there are objective reasons for this, as Russia's full-scale invasion of Ukraine led to a drop in the investment rating of our country and, accordingly, all leading industries, including railway transport. All the optimistic forecasts regarding the reform of the industry and the attraction of private investments, including foreign ones, primarily under the terms of a concession, have yet to be realized.

The situation is getting worse every day, because the volume of freight transportation is falling sharply (it decreased by about 65 % compared to the same period last year), and freight transportation has always been the main source of income for the railway department. At the same time, taking into account the fact that the Russians have seized Ukrainian ports and do not allow the full export of Ukrainian products, these cargoes were redirected to rail transport. It is by rail that the main volume of domestic exports is transported (the share of sea ports of the Danube region in the total volume of exports of grain, oil crops and products was 47 %, rail transport – 41 %, but the supply of the main volumes of grain cargo to port transshipment complexes is also mainly carried out by rail transport). This type of transport also provides cargo transportation for the needs of the Armed Forces, delivers humanitarian cargo (the total volume of transportation has already exceeded 100,000 tons), serves the needs of manufacturing enterprises and carries out their relocation (more than 600 enterprises have been relocated) ([www.ligazakon.net](http://www.ligazakon.net)).

As for the volumes of passenger transportation, they have also decreased, because we are observing the departure of a significant number of Ukrainians abroad. Here I would like to note that since the beginning of the war, since February 24, 2022, Ukrzaliznytsia organized the transportation of passengers from different parts of Ukraine free of charge by evacuation trains, the services of which were used by almost four million passengers.

Separately, Ukrzaliznytsia bears significant losses as a result of the destruction of infrastructure and rolling stock due to shelling and bombing of Ukrainian railways by the Russian army (since the beginning of the full-scale Russian invasion, control over 6 thousand kilometers of railway tracks has been damaged or lost, fifty bridges have been destroyed, dozens of railway stations and stations have ceased to function) ([railexpoua.com](http://railexpoua.com)). Despite all the difficulties, it was Ukrzaliznytsia that became the important link that reliably connected Ukraine with European countries.

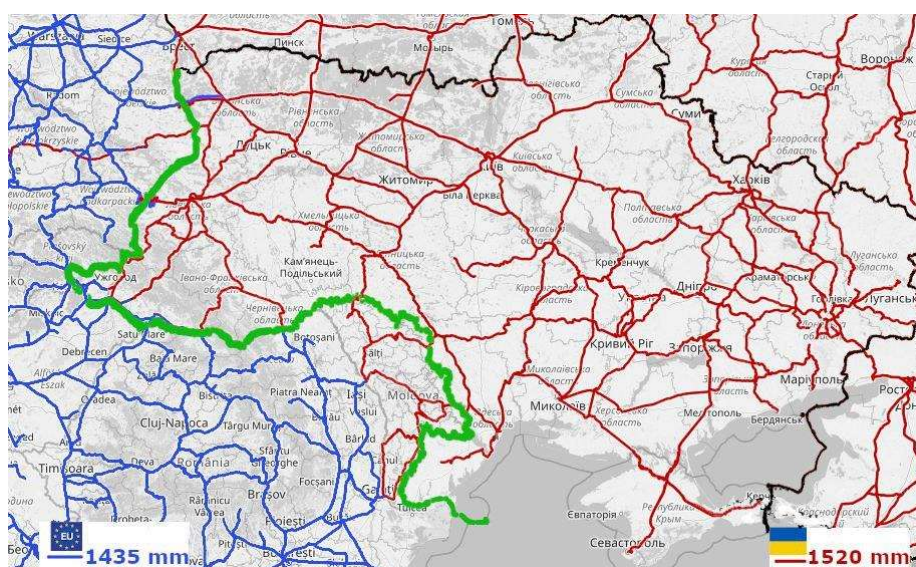
But here it must be said that there are objective reasons as a result of which the speed of crossing the border of passengers and goods is still low. Forced reorientation of cargo movement by rail from the seaports of southern Ukraine to the border with the EU is currently limited by the different width of the railway track, the different dimensions of the rolling stock of Ukraine and the EU, and the inability of the railway transport system of neighboring countries to serve large volumes of cargo transportation. The transport system of the EU countries is technically not ready to transport large volumes of goods from Ukraine ([www.interfax.com.ua](http://www.interfax.com.ua)). We have at our disposal a rather small number and limited capacity of checkpoints across the state border capable of serving rail freight transportation.

Thus, there are only 13 freight border crossings in Ukraine: 4 – with Poland, 3 – with Moldova, 2 crossings each – with Romania, Slovakia and

Hungary. Despite the declared potential throughput capacity of the western crossings in the amount of 6.6 million tons per month, in fact it is possible to use only half of this volume ([www.apk-inform.com](http://www.apk-inform.com); Orel, 2022).

What is the reason? First of all, due to the difference in track width. All over the world, the gauge width on the railways of each country differs for various reasons. Today, 60 % of the total length of all railway lines in the world is 1435 mm gauge, 17 % is 1520 mm gauge (mainly in the countries of the former Soviet Union, including Ukraine, Fig. 1).

We will remind that in the middle of the 19<sup>th</sup> century in the Russian empire, a railway track width standard of 1520 mm was introduced, instead of the European standard of 1435 mm. It is interesting that after the Second World War, the track of European width was specially destroyed in the territories that went to the Soviet Union. Thus, all production aimed at the construction of railway rolling stock and infrastructure was focused on a track width of 1520 mm.



**Figure 1** – Track network with a width of 1435 and 1520 mm  
([www.kurier-kolejowy.pl](http://www.kurier-kolejowy.pl))

With the severing of ties with Russia and reorientation to the European market, it is expedient for Ukraine to switch to the European gauge as soon as possible. 13 railway border crossing points, which will be built in the future between Ukraine and neighboring countries, have already been named the Paths of Solidarity (Samoilov, 2022). To eliminate infrastructural limitations of railway transport of Ukraine in cross-border cooperation on the western vector, there are promising projects that require investment. In particular, the Ministry of Infrastructure of Ukraine and the Ministry of Infrastructure and Regional Development of Moldova in June, 2022 signed a Memorandum of Understanding on the development of railway communication, which will allow to increase the transportation of Ukrainian export goods, including to the ports of the Danube region. In June 2022, Ukrzaliznytsia began repairing a section of the railway track on the Ukrainian-Romanian border that had not been used for 20 years.

The commissioning of this section will create new opportunities for

increasing the volume of transit transportation and improving the connectivity of the Carpathian region. In Ukraine, they plan to repair the railway line from Rakhov to the border with Romania. Also in the works is a project to restore the Eurotrack on the 20 km section Chop–Uzhhorod, which, among other things, will allow connecting the regional center of Zakarpattia Oblast with a number of European cities – Vienna, Bratislava, Belgrade, Budapest, Prague, Dresden. Oleksandr Kava: It is appropriate to start the transition to the Eurotrack from the lines from the border to Lviv, Uzhhorod and Chernivtsi ([www.railinsider.com.ua](http://www.railinsider.com.ua)).

The development of railway transport with Romania, Turkey and Bulgaria will be facilitated by the laying of the European track along the route Vadul–Siret–Chernivtsi with a length of 42 km. The extension of 1,435 mm of railway track from the city of Kovel to the city of Lutsk, as well as from the Mostyska station to the city of Lviv, has significant prospects for ensuring unhindered railway communication with Poland and the Baltic countries. In addition, there is an opportunity to restore and put into operation sections of the narrow gauge that are already in operation in Transcarpathia and sections from Poland through the city of Yagodin. This will create additional opportunities for the development of railway and logistics infrastructure in these areas. A foreign company will develop the narrow-gauge electrification project in Volyn ([www.volynnews.com](http://www.volynnews.com)).

Western partners of Ukraine intend to implement a number of infrastructure projects in the near future that will contribute to increasing the volume of railway transportation of Ukrainian goods, namely:

– in Poland, the restoration of the section of the Przemyśl – Nyzhankovichi railway track has begun, which, provided that the Ukrainian side continues the European track on the Nyzhankovichi – Khyriv section, will allow the resumption of freight transportation on this route – for the first time since 1995 ([tvoemisto.tv](http://tvoemisto.tv)). In June, 2022, near the Polish city of Zamosc, a powerful container terminal was opened, equipped with railway tracks of the 1435 and 1520 mm standard, capable of processing up to 10 pairs of trains per day ([railinsider.com.ua](http://railinsider.com.ua)). In general, the capacity of the terminal is estimated at 15 thousand teu per year, which creates an opportunity to intensify the transportation of containerized cargo of Ukrainian origin, primarily grain crops. The management of the port of Kolobrzeg, which plans to increase its capacity for this purpose, announced the possibility of transshipment of Ukrainian agricultural exports from railways to ships. The Polish port of Kolobrzeg offers itself for transshipment of Ukrainian grain ([sudohodstvo.org](http://sudohodstvo.org)). In addition, there is a possibility of extending the broad gauge from the city of Slavków to the city of Gdańsk, where the largest seaport in Poland is located. The project of laying a broad track to the Lithuanian port of Klaipėda is also being considered ([www.infoindustria.com.ua](http://www.infoindustria.com.ua));

– Moldova has started a large-scale reconstruction of railway tracks on the Tighina-Basarabiaska – Giurgiulesti section, the total length of which is 233 km. Completion of the reconstruction will help to increase the volume of transportation of Ukrainian exports to EU countries ([www.gmk.center](http://www.gmk.center));

– Romania is repairing the broad-gauge railway on the Giurgiulesti-Galac section. Thanks to the use of this route, Ukraine will be able to smoothly carry out cargo traffic with the Romanian port of Galati without losing time for

reloading or replacing wheeled carts (epravda.com.ua);

– Croatia offers to use its ports on the Adriatic coast to transport Ukrainian grain to North African countries (www.glavcom.ua);

– Slovakia is planning to create a railway transport corridor from Ukraine to the river port in Bratislava for the transportation of grain on the Danube River (www.urm.media).

In June, 2022, the member countries of the logistics association “Three Seas Initiative” (3SI) announced the possibility of involving Ukraine in the implementation of their infrastructure projects, which will create additional opportunities for domestic rail transport (surl.li). The plan of the European Commission “Solidarity Lanes” (Solidarity Lanes), among other things, contains points related to the transfer of certain sections of the railway track in the border territories of Moldova and Ukraine to the track of the European standard. The financing of this initiative is expected from the funds of the Connecting Europe Facility, the budget of this fund for 2021-2027 is 25.8 billion euros (www.ec.europa.eu).

Thus, we want to once again draw attention to the great role of railway transport in ensuring the functioning of the national economy, primarily due to the growing importance of cross-border cooperation on the western vector (Belashov, 2022). In addition to the difference in gauge, another important element to ensure the continuity of rail transport between the European Union and Ukraine is the traction network. In countries such as Poland, Italy, Spain, Belgium, Slovenia, part of the Czech Republic and Slovakia, a direct voltage of 3 kV is used in the overhead contact network. In Germany, Austria, Switzerland, Sweden and Norway – 15 kV/16 $\frac{2}{3}$  Hz. Romania, Hungary, Bulgaria, Greece, Finland, Denmark, part of France, Great Britain and the Czech Republic – 25 kV 50 Hz; while the rest of France, the UK and the Netherlands use 1.5 kV DC. Despite the wide variety of power supply systems for the traction network of railways in the EU countries, there are no serious problems with the integration of the railway infrastructure of these countries into a single system.

As for Ukraine, more than eighty percent of rail transport in Ukraine falls on electrified rail transport. The 1520 track gauge uses different voltage systems: 3 kV DC and 25 kV 50 Hz AC. The use of different types of power supply limits the possibility of using the same locomotives throughout Ukraine. Another important problem of electrification and power supply is the increased wear of traction infrastructure elements. In addition, the use of networks with different voltages requires additional technological processes (i.e., changing the locomotive) to ensure further operation. This significantly increases travel time and increases the cost of rail services. In the European Union, this problem practically does not exist, as carriers are improving their fleet of rolling stock, acquiring modern locomotives capable of operating on various types of voltage.

The traction network in Ukraine is not adapted to power high-speed vehicles, but modern multi-system locomotives could help solve this problem. The use of multi-system locomotives will reduce the time and cost of transportation not only within Ukraine, but also on the Ukraine-EU routes. Multi-system locomotives could run from Ukraine to various EU countries, which would increase the economic viability of transportation, including the speed of cargo transportation between senders and recipients, as well as the transit of goods to ports and other transshipment terminals. And in the case of

passenger transportation, improve the quality of passenger service by reducing the number of transfers ([www.kurier-kolejowy.pl](http://www.kurier-kolejowy.pl)).

One of the important areas of development of the Ukrainian railway network and its subsequent inclusion in the network of leading European carriers is the introduction of high-speed traffic. Considering that in the context of the sustainable development of the planet, railway transport has significant advantages over road transport, most of the leading European countries are switching from the construction of highways to the development of high-speed railway connections. We have several successful examples, in particular, the construction of the high-speed rail line Rail Baltica worth almost 20 million euros, which should connect the Baltic countries, Eastern (Poland) and Western Europe.

On July 27, 2022, the European Commission made changes to the indicative maps of the Trans-European Transport Network (TEN-T), including Ukrainian logistics routes. Undoubtedly, this decision is a strategic step in the process of Ukraine's integration into the EU and will contribute to the implementation of the "Paths of Solidarity" initiative regarding the export of Ukrainian agricultural products and the delivery of humanitarian aid to Ukraine. The inclusion of logistics routes in the TEN-T network will allow to eliminate obstacles in carrying out logistics operations; to attract European investments for the modernization of transport infrastructure; develop multimodal transportation; reduce logistics costs; to improve the quality of services during the transportation of goods. The development of TEN-T will take place in two stages: by 2030, the construction of the "key" network should be completed, and by 2050 – the "general" network. At the same time, it is planned to implement projects in Ukraine by 2030 for a total amount of 4.45 billion euros.

Resolution No. 1315/2013 of the European Parliament and the Council on the guidelines for the development of the trans-European transport network plans to build a comprehensive network by 2050, which will cover all existing and planned infrastructure facilities. It should be added that out of 10 pan-European transport corridors, 4 pass through the territory of Ukraine (No. 3 Brussels-Kyiv, No. 5 Venice-Kyiv, No. 7 Northwest-Southeast, No. 9 Helsinki-Alexandropolis), i.e. Ukraine should be a full member of TEN -T.

In this context, let us emphasize that Ukraine has a powerful scientific and practical potential (a team of USUNT specialists with experience in similar projects and railway specialists with an understanding of identifying the necessary measures for the introduction of high-speed traffic in Ukraine), which are able to provide scientific and technical support for Ukraine's entry into comprehensive European transport network. It is possible to develop a scientific and technical task for the implementation of measures to open high-speed traffic for the period up to 2030 and for the period up to 2050 ([www.kurier-kolejowy.pl](http://www.kurier-kolejowy.pl)).

We emphasize once again that the availability of rail transportation is critically important for the industry. In addition to the technical barriers to the adaptation of Ukrainian railways to the EU, we have the inconsistency of Ukrainian legislation in the field of railway transport with the requirements of EU Directives. Therefore, among the important steps of the government and the management of the transport industry is to improve the existing regulatory framework in the field of railway transport as soon as possible.

Main directions of adaptation of transport legislation of Ukraine to EU legislation are as follows:

- Development of normative acts regulating activity of transport in Ukraine and comply with EU directives regarding transport;
- Ukraine's participation in international and European transport organizations, implementation of resolutions, recommendations adopted in within these organizations;
- Accession to the Conventions, protocols and agreements concluded under the auspices of international and European organizations.

An important aspect in the efficiency of the transport industry of Ukraine there is technical and technological compatibility with European transport system, therefore it is necessary to develop a regulatory and legal mechanism, which would contribute to the implementation of technical and technical requirements based on relevant EU regulations.

Analysis of the current state and trends of railway development of transport of Ukraine shows that despite its stability work, there are a number of significant problems that require them solution. In particular, this applies to:

- the legal status of Ukrzaliznytsia as a management body by rail transport. The central body of executive power regarding of railway transport is the Ministry of Transport and Communications of Ukraine, and the status of the State Administration of Railway Transport of Ukraine, which is intermediate between the central body of executive power and relevant enterprises, institutions, organizations, goes beyond current legislation and makes engagement difficult non-state investments;
- legal status of railways;
- separation of economic functions and state functions railway transport management;
- liquidation of passenger cross-subsidization transportation at the expense of cargo;
- imperfections of financial and economic mechanisms, which ensure reproduction of fixed assets and innovations, their lack of adaptability to specific operating conditions transport.

The urgency of solving these problems determines the necessity implementation of the railway transport reform, which is to become a decisive factor in the implementation of strategic development tasks industry.

The main tasks for the implementation of these goals are: separation of economic functions and state functions railway transport management; shareholding of railways; introduction of incentive mechanisms innovative activity; termination of cross-subsidization of passenger transportation at the expense of cargo transportation; improvement of the current tariff system; distribution in the railway transport system natural monopoly and competitive sectors; creation of a regime of free and equal access operating companies of various forms of infrastructure ownership the railway transport; ensuring social protection of employees and safe functioning of railway transport and reducing it negative impact on the natural environment ([www.zakon.rada.gov.ua](http://www.zakon.rada.gov.ua)).

On September 1, 2017, after a long process of ratification by all member states, the Association Agreement between Ukraine and the EU entered into force in its entirety. The signing of the Association Agreement between Ukraine and the EU, which, among other things, includes provisions on transport, support



for the implementation of reforms by the European Union, Ukrainian strategic position in the region, which is favorable for Ukraine integration into the European transport space ([civic-synergy.org.ua](http://civic-synergy.org.ua)). It should be noted that in the last 5 years, only a fifth of the planned measures have been implemented in the transport sector, the reform of the transport sector has been very slow, as a result of which Ukrainian railways are significantly behind the railways of the leading countries of the world ([www.railexpoua.com](http://www.railexpoua.com)). The goals of implementing the transport component of the Association Agreement: Ensuring the compatibility of transport systems through the implementation of EU directives and technical regulations; Elimination of administrative, technical, border and other obstacles, modernization of infrastructure, technical equipment, transport fleets (in particular, public transport); Infrastructural integration through the adaptation of legislation in the areas of road, rail, sea, river transport, security and infrastructure.

What does the Association Agreement provide for? In the field of railway transport, Ukraine should align its legislation regarding: a) access to the market and infrastructure; b) technical conditions and safety techniques; c) standardization of accounts and statistics; d) interoperability; e) combined transportation; e) public passenger transport and the rights and obligations of passengers. In order to bring Ukrainian legislation closer to EU law in the field of transport policy and infrastructure, the Draft Law “On Multimodal Transportation” has been developed, which provides for the implementation of Directive 92/106/EEC “On establishing common rules for certain types of transportation of goods between member states”. The draft law is aimed at improving the legislative regulation of the organizational and legal foundations of multimodal cargo transportation in Ukraine, as well as state support for multimodal transportation.

Depriving the state infrastructure operator of control over private traction rolling stock poses a threat to traffic safety, life and health of passengers. Negative examples of the loss of control by the infrastructure operator over this type of activity can be found in Britain, the Baltic states, and the USA, in which this type of activity was forced to nationalize after some time due to significant threats to the security of state interests and its citizens. The opening of the rail transport market without appropriate training threatens mass dismissals of employees, destabilization of labor groups, and mass outflow of highly qualified personnel. Private carriers will create unfair competition for JSC “Ukrzaliznytsia” at the expense of low social standards for their employees, which, in turn, will have a negative impact on budget revenues at all levels and contributions to social funds.

Private carriers will not have strict requirements for the technical condition of the traction rolling stock, the safety control system 43 Position of the Trade Union of Railway Workers and Transport Builders, the system of education, training and medical examinations of locomotive crews and other measures on which the safety of railway transportation directly depends, which increases the risk of growth transport events. Private carriers will take the most profitable shares of the freight transportation market, thereby reducing the ability of JSC “Ukrzaliznytsia” to fulfill the social obligations of the state. Already in the short-term perspective, after providing free access to the railway infrastructure, as a result of a decrease in revenues, JSC “Ukrzaliznytsia” may lose the opportunity

to fulfill its obligations, primarily social ones. In addition, the forced abandonment of unprofitable types of transportation will lead to the need to reduce staff.

What are the prospects for the mutual opening of railway transportation markets between Ukraine and the EU? Together with the signing of the Association Agreement with the European Union, Ukraine faced the issue of integration into the single European transport space.

This involves the transition to common principles of railway transport market functioning, including the presence of independent (railexpoua.com):

- the operator of the railway infrastructure, who will be responsible for its quality and capacity (i.e. the number of trains that will be able to move along the tracks);

- the regulator of railway transport, which will approve the tariff for access to the infrastructure, will ensure equal access to it for all operators of railway transport;

- the railway safety authority, which will determine the requirements for carriers, check their compliance and issue licenses for transportation.

On September 16, 2014, the Association Agreement was ratified between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand (hereinafter – the Association Agreement), which provides for cooperation in the field of transport for restructuring and renewal of the transport sector of Ukraine and the gradual harmonization of current standards and policies with those existing in the EU, in particular by implementing the measures set out in Annex XXXII to this Agreement.

According to Annex XXXII to the Association Agreement, by 2022, Ukraine must implement into national legislation 7 directives and 4 regulations of the European Union in the field of railway transport, namely (ips.ligazakon.net):

- Council Directive 91/440/EEC of July 29, 1991 on the development of the railways of the Community;

- Council Directive 95/18/EC of June 19, 1995 on licensing of railway enterprises;

- Directive 2001/14/EC of the European Parliament and the Council of February 26, 2001 on the allocation of the capacity of the railway infrastructure and the collection of fees for the use of the railway infrastructure;

- Directive 2004/49/EC of the European Parliament and the Council of April 29, 2004 on railway safety in the Community;

- Directive 2007/59/EC of the European Parliament and the Council of October 23, 2007 on the certification of locomotive and train drivers in the railway system of the Community;

- Directive 2008/57/EC of the European Parliament and the Council of June 17, 2008 on the interoperability of the railway system within the Community;

- Council Directive 92/106/EEC of December 7, 1992 on establishing common rules for certain types of combined cargo transportation between member states;

- Regulation (EC) 1370/2007 of the European Parliament and the Council of October 23, 2007 on public passenger transportation by rail and road

transport;

– Council Regulation (EEC) 1371/2007 of the European Parliament and the Council of October 23, 2007 on the rights and obligations of passengers using rail transport;

– Regulation (EU) 913/2010 of the European Parliament and the Council of September 22, 2010, regarding the European railway network for the competitiveness of freight transport;

– Council Regulation (EEC) 1192/69 of June 26, 1969 on common rules for standardization of reporting of railway transport enterprises.

Each of these documents deals with important aspects of the functioning of railway transport and is aimed at creating conditions for the development of a competitive environment in the market of railway transport, which will satisfy all railway stakeholders.

The improved Law will make it possible to build a new model of the railway transportation market, similar to the European railway systems. This model provides for: a competitive market of passenger and cargo transportation; non-discriminatory access to public infrastructure; regulation of the activities of owners of driveways; creation of two new bodies that will carry out state management in the competitive transport market (regulator); implementation of the traffic safety system on railway transport; introduction of technical investigation of railway transport events; establishing the legal basis of technical regulation to ensure interoperability ([www.kmu.gov.ua](http://www.kmu.gov.ua)). Experts predict that in the post-war period Ukraine will be able to attract funds from international institutions for these purposes. In addition, Canada promises to provide substantial assistance. Thus, the Canadian Pacific Railway Company (CP) and the Canadian National Railway (CN) will provide expert support to Ukrzaliznytsia in matters of railway management, development of logistics capabilities and infrastructure reconstruction ([www.railexpoua.com](http://www.railexpoua.com); Galushko, 2017).

**Conclusions.** Ukraine is the fourth country in the world in terms of the volume of railway transportation. Moreover, we are talking not only about import and domestic transportation, but also about export and transit transportation. Today, it is important to eliminate the problems associated with technical barriers between Ukraine and the EU countries that arose during the Soviet era as soon as possible.

A full-scale war, its conduct and consequences lead to significant losses of human, time and financial resources, slow down the pace of reforms, and some make them impossible. This is also related to the limited possibilities of assessing all the consequences of aggression in the current conditions.

The adoption of the Law of Ukraine “On Railway Transport of Ukraine” will allow to create organizational, legal and economic foundations for the functioning of the competitive market of railway transport in Ukraine and to increase the efficiency of management, to improve the organizational, legal and economic foundations of the railway transport market, to improve the quality and availability of rail transport services, creation of conditions for the development of a competitive environment in the market of rail transportation, taking into account the main requirements of the legislation of the European Union.

The implementation of the specified acts of legislation provides for:

- 1) the competitive market of passenger and cargo transportation;
- 2) non-discriminatory access to public infrastructure;
- 3) regulation of the activities of owners of driveways;
- 4) creation of two new bodies that will carry out state management in the competitive transportation market (regulator);
- 5) implementation of a modern traffic safety system;
- 6) introduction of technical investigation of railway transport events;
- 7) establishing the legal basis of technical regulation to ensure interoperability.

*Conflict of Interest and other Ethics Statements*

The authors declare no conflict of interest.

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What are the prospects for the mutual opening of railway transportation markets between

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### НАПРЯМИ ІНТЕГРАЦІЇ ЗАЛІЗНИЧНОГО ТРАНСПОРТУ УКРАЇНИ ДО ЄВРОПЕЙСЬКОЇ МЕРЕЖИ ЗАЛІЗНИЦЬ

**Анотація.** Авторами наголошено, що залізничний транспорт відіграє велику роль в життєзабезпеченні України, особливо в період війни (адже саме залізничним транспортом перевозяться пасажери не тільки в звичайному режимі, а й евакуаційними потягами; перевозяться не тільки заплановані вантажі, а й ті, що переорієнтовані з водного транспорту внаслідок захоплення російськими агресорами українських портів; перевозяться підприємства із областей, що знаходяться під обстрілами, у більш безпечне місце), тому потрібно докласти зусиль аби забезпечити безперебійне функціонування цього виду транспорту як всередині країни, так і у міждержавному сполученні. В цьому контексті виокремлено, що окрім суттєвих технічних бар'єрів щодо перетину кордонів, Україна має невідповідність законодавства в сфері залізничного транспорту законодавству Європейського Союзу.

Разом із тим відзначається, що із підписанням Угоди про Асоціацію з Європейським Союзом перед Україною гостро постало питання інтеграції у єдиний європейський транспортний простір. Це передбачає перехід на спільні принципи функціонування ринку залізничних перевезень, включаючи наявність незалежних: оператора залізничної інфраструктури, який відповідатиме за її якість та пропускну спроможність (тобто кількість поїздів, які зможуть рухатися коліями); регулятора залізничного транспорту, який затверджуватиме тариф доступу до інфраструктури, забезпечуватиме рівний доступ до неї всіх операторів залізничного транспорту; органу безпеки на залізничному транспорті, який визначатиме вимоги до перевізників, перевірятиме їхню відповідність та видаватиме ліцензії на здійснення перевезень.

Необхідною умовою адаптації до законодавства ЄС на залізничному транспорті є гармонізація українського законодавства з європейським, усунення розбіжностей у нормативно-правовій базі регулювання діяльності залізничного транспорту. Гармонізація нормативно-правового поля функціонування залізничного транспорту до європейського потребує проведення відповідних реформ.

Окреслено основні європейські Директиви та Регламенти в сфері залізничного транспорту, відповідно до яких необхідно внести правки до Закону України “Про залізничний транспорт”.

**Ключові слова:** залізничний транспорт, євроінтеграція, законодавство в сфері залізничного транспорту, Укрзалізниця.

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