

## THE EUROPEAN UNION TRANSPORT POLICY: ESSENCE, PROGRESS, PROBLEMS AND DEVELOPMENT PROSPECTS

The article analyzes the essence, stages of formation, key priorities, problems, as well as prospects for the development of the EU transport policy. It was stated that the so-called joint transport policy should be considered as a component of coordination and agreement of transport policies and processes at the level of international transport cooperation of the EU countries in general and some of them in particular. The author argued that the common transport policy of the EU (from stage to stage of its development) acquires more and more consolidated outlines, but it is still characterized by significant problems of logistical, infrastructural and political importance. It was noticed that the consolidation of the common transport policy of the EU directly depends on the level of integration of the EU members, but the former is more and more going beyond the EU. At the same time, it was recorded that the deterioration or slowing down of the development of the common transport policy of the EU occurs at the background of various crises and conflicts.

*Keywords: transport, transport policy, infrastructure, logistics, common transport policy, the EU, the EU countries.*

## POLITYKA TRANSPORTOWA UNII EUROPEJSKIEJ: ISTOTA, POSTĘP, PROBLEMY I PERSPEKTYWY ROZWOJU

W artykule przeanalizowano istotę, etapy kształtowania, kluczowe priorytety, problemy, a także perspektywy rozwoju polityki transportowej UE. Stwierdzono, że tzw. wspólna polityka transportowa powinna być traktowana jako element koordynacji i uzgadniania polityk i procesów transportowych na poziomie międzynarodowej współpracy transportowej krajów UE w ogóle, a niektórych z nich w szczególności. Autor podniósł, że wspólna polityka transportowa UE (z etapu na etap jej rozwoju) uzyskuje coraz bardziej skonsolidowane zarysy, ale nadal charakteryzuje się istotnymi problemami o znaczeniu logistycznym, infrastrukturalnym i politycznym. Zauważono, że konsolidacja wspólnej polityki transportowej UE zależy bezpośrednio od poziomu integracji członków UE, przy czym ten pierwszy coraz bardziej wykracza poza UE. Jednocześnie odnotowano, że pogorszenie lub spowolnienie rozwoju wspólnej polityki transportowej UE następuje na tle różnych kryzysów i konfliktów.

*Słowa kluczowe: transport, polityka transportowa, infrastruktura, logistyka, wspólna polityka transportowa, UE, kraje UE.*

## ТРАНСПОРТНА ПОЛІТИКА ЄС: СУТНІСТЬ, СТАНОВЛЕННЯ, ПРОБЛЕМИ І ПЕРСПЕКТИВИ РОЗВИТКУ

У статті проаналізовано сутність, етапи становлення, ключові пріоритети, проблеми, а також перспективи розвитку транспортної політики ЄС. Констатовано, що так звану спільну транспортну політику потрібно розглядати як складову координації та узгодження транспортних політик і процесів на рівні міжнародної транспортної співпраці країн ЄС загалом і деяких з них зокрема. Аргументовано, що від етапу до етапу спільна транспортна політика ЄС набуває все більш та більше консолідованих обрисів, але й досі характеризується значними проблемами логістичного, інфраструктурного і політичного значення. Помічено, що консолідованість спільної транспортної політики ЄС безпосередньо залежить від рівня інтеграції членів ЄС, однак перша все більше і більше виходить за рамки ЄС. Зафіксовано, що погіршення чи сповільнення розвитку спільної транспортної політики ЄС відбувається на тлі різноманітних криз і конфліктів.

*Ключові слова: транспорт, транспортна політика, інфраструктура, логістика, спільна транспортна політика, ЄС, країни ЄС.*

Each country of the European Union (EU), being a part of global economic processes and systems, is simultaneously or primarily a member of the EU. Therefore, the formation and development of the transport system, infrastructure and logistics in them definitely depends on the peculiarities of the transport policy of the EU as an international and supranational structure. The latter (of course not at once, but at least at the time of the study) is determined by the so-called “Common Transport Policy”, which should be considered as a component of coordination and agreement of transport policies and processes at the level of international transport cooperation of the EU countries in general and some of them in particular. Therefore, the common transport policy of the EU countries traditionally serves as an effective tool for attracting investment resources in transport logistics and infrastructure of both the EU countries and, in general, individual European countries, and therefore not only affects the development of transport systems and the transport services market in them, but also acts as one of the tools formation and development of a single economic and social space of the EU. This is primarily due to the fact that the common transport policy of the EU is aimed at the normative and legal regulation of activities of various types of transport and transportation, as well as at the regulation of combined and mixed schemes of transportation. In this context, the issue of the essence, formation, codification and consequences of the EU transport policy, as well as its impact on individual countries, requires comprehensive research attention.

The outlined topic was reflected in the writings of quite a large number of scientists who tried to understand the essence, formation and codification of the EU transport policy in various ways. In addition, it is certainly represented in legislative acts and regulations at various levels. We, in turn,

will pay more attention to the structuring and systematization of the issues identified by various researchers, on the basis of which we will try to draw a comprehensive conclusion about the impact of EU transport policy on transport logistics and infrastructure of individual EU countries.

It is stated in the works of most of the authors that the construction of the common transport policy of the EU was initiated and is taking place in view of the fact that within the framework of the EU, the regulation of transport activities belongs to the common competence of the member states of the Union. Accordingly, the initial (at the time of the formation and expansion of the EU) tasks of the common transport policy of the EU were: formation of uniform rules and regulations for transportation within the EU, to its territory and from its territory or transit transportation on the territory of EU countries; clear regulation of the activities of non-resident transport companies on the EU transport services market; increasing the safety of transport, etc. As time has shown, and what is extremely important, transport and the transport system in general have become one of the key elements of the functioning and development of the economy of each EU country. After all, with the development of economic integration, trade and transport flows have revived. In turn, there have always been and probably will remain more and more new barriers in the field of transport, and therefore the basis for first developing and then improving the common transport policy of the EU. This is how the sum of divided and diversified ("permissive") transport policies and systems of individual European countries is changing into a more consolidated transport policy of the entire EU.

It is important that the difference in views between the politicians responsible for the line of European integration and the experts responsible for the development of the transport policy of the EU and its predecessors in the European region, from the mid-1950s, became the basis for the development of the implementation of the common transport policy of the EU. The fact is that the political and expert environment itself began to realize more and more that without a well-thought-out common transport policy, it is impossible to achieve the integration goal – the creation of a full-fledged single market of goods and services<sup>1</sup>. Especially, considering that in the post-war period the volumes of transport operations between European countries were significantly lower than the corresponding indicators of internal transport for each of the European countries taken separately. This and the destroyed transport infrastructure of Europe in the late 40s and early 50s of the 20th century (as a result of the Second World War) made the issue of developing a common transport policy central to the agenda of the then existing European Economic Community. As a result of the fulfillment of this task, although taking into account the objective integration difficulties on the way to the development of a common transport policy, by the beginning of the 2000s the EU began to be characterized by developed transport logistics and infrastructure, as well as developed competition in all modes of transport.

As a result, today the EU has one of the most developed regional transport and logistics complexes in the world. In it, taking into account the relatively short transportation distances and the high density

<sup>1</sup> Pak Y., Polyanova T., Common Transport Policy of the European Union: A Road Map for the Eurasian Economic Union, *"MGIMO Review of International Relations"* 2015, vol 3, nr 42, s. 199-209.

of roads, the first place in terms of freight traffic is firmly held by motor vehicles. After all, according to various data from the European Commission, Germany, Poland, and Spain are leading the way in freight traffic, including cabotage operations. France, Spain and Italy are in the top three in terms of the number of registered cargo and specialized vehicles. A significant share of maritime cargo traffic is carried out through the port systems of Rotterdam, Antwerp and Hamburg. Germany, the Netherlands and Romania hold leading positions in inland waterway transport, which account for almost 80 percent of all EU inland waterway transport. As for rail transport, Germany, Poland and France are the leaders within it. In turn, Germany, Romania and Poland are leading in terms of the number of freight car fleets. Poland, Germany and France account for the largest volume of freight traffic in the EU pipeline system. As for the air transportation market, it is mostly represented by passenger transportation within the EU. At the same time, Germany and France are the leaders in the number of civil aircraft, and until recently (before Brexit) the United Kingdom, and in the number of cargo planes – Germany and Spain, as well as the United Kingdom until recently. In general, the largest EU transport hubs are Frankfurt am Main, Heathrow and Amsterdam<sup>2</sup>.

At the same time, the formation of the common transport policy of the EU was not a one-time phenomenon and step, but instead it passed through several stages of development, which largely correspond to the stages of development of the EU itself. The first and the longest stage of the development of the common transport policy of the EU (1957–1985) was due to the signing in 1957 by France, Germany, Italy, Belgium, the Netherlands and Luxembourg of the “Treaty of Rome” on the occasion of the establishment of the European Economic Community (EEC)<sup>3</sup>, which determined the need to create a European network of canals, highways and railways as a prerequisite for the formation of a common market for the free movement of goods, services, capital and labor. However, the implementation of the provisions of the Treaty of Rome was slow due to the reluctance of the EEC member states not in words, but in fact to transfer control over transport policy to supranational institutions. Such a contradiction can be explained if we take into account the “temporary horizons” of European integration inherent at that time<sup>4</sup>. On the other hand, the reluctance of EEC member states to transfer part of their transport powers to the supranational level was explained by a number of reasons, among which the notion of transport as a “public service, an integral part of the national economic and social infrastructure, the responsibility for which should be borne by the state”<sup>5</sup>.

The situation with the unified transport policy began to change significantly only when it was requested by the participants of the common market, who needed to strengthen the freedom of

<sup>2</sup> Pak Y., Polyanova T., Common Transport Policy of the European Union: A Road Map for the Eurasian Economic Union, “MGIMO Review of International Relations” 2015, vol 3, nr. 42, s. 199-209.

<sup>3</sup> Shyba O., *Vplyv rozvytku transportnoi infrastruktury na ekonomichne zrostanntia krain-chleniv Yevropeiskobosoiuzu: Dysertatsia kandydata nauk*, Wyd. Lvivskiy natsionalnyi universytet imeni Ivana Franka 2017, s. 49.; Gromohlasova E., *Opyt transportnoy polityki Evrosoyuzu dlia Evrazii, “Vostochnaia Analitika”* 2010, nr. 1, s. 134-145.; Vidiakina M., *Instyutsiini aspekty transformatsii spilnoi transportnoi polityky ES, “Zbirnyk naukovykh prats Cherkaskoho derzhavnogo tekhnolohichnogo universytetu. Seriya: Ekonomichni nauky”* 2017, vol 1, nr. 44, s. 26-34.

<sup>4</sup> Gromohlasova E., *Opyt transportnoy polityki Evrosoyuzu dlia Evrazii, “Vostochnaia Analitika”* 2010, nr. 1, s. 134-145.

<sup>5</sup> Shemiatenkov V., *Evropeiskaia integratsiia*, Wyd. Mezhdunarodnye otnosheniia 2003, s. 192.

movement of goods, services and labor within the EEC<sup>6</sup>. In particular, in 1961, the first guiding principles of the general program in the field of transport were proposed, which provided for equal treatment of carriers and consumers, freedom of action of carriers, etc.

But the EEC countries again showed no real interest in this, and therefore the transport policy continued to be nationally oriented and deterministic, and the already functioning Council of Ministers of Transport was used mainly as a forum and platform for the exchange of ideas. Although, in contrast, in 1962, under the auspices of the UN Economic Commission, the European Agreement on Road Transport was signed under the auspices of the UN Economic Commission. And already in 1963–1979, a list of priorities in the transport sector was published, which included the gradual creation of a joint transport policy, coverage of all types of transport and all markets to ensure maximum efficiency, rational development and optimal use of production factors was published<sup>7</sup>. In addition, on the basis of Directive No. 1017/68 of 1968, the application of competition rules in the fields of rail, road and inland water transport, which obliged the governments of the EEC countries to prevent the creation of dissimilar conditions for various equivalent operations with partners, placing them in competitive disadvantage was regulated. In turn, Directives No. 1191/69 and No. 1192/69 of 1969 established general rules and procedures for the payment of compensation resulting from the normalization of accounts of economic entities and reimbursement of financial costs caused by the fulfillment of obligations inherent in the concept of public services in the field of transport<sup>8</sup>.

However, the turning point in the real development of the common transport policy in Europe was the appeal of the European Parliament to the Court of the European Union in 1982. In its lawsuit, the European Parliament accused the Council of the European Union of failing to fulfill its obligations under the Treaty of Rome. As a result, the EEC Court ruled in favor of the plaintiff and this decision obliged the EEC Council to liberalize cross-border transport in the territory of the EEC, as well as to create conditions for entrepreneurs from one EEC country to be able to participate in the provision of transport services in the territory of another EEC country<sup>9</sup>. In a short while, the publication of the “White Paper” “Completing the Formation of the Internal Market” in 1985 had the immediate consequence. She identified restrictions on the provision of transport services as a serious barrier to free trade and a violation of the terms of the Treaty of Rome, motivated the elimination of internal border controls on the transportation of goods and services, and also outlined the EU’s common transport policy as one aimed at overcoming obstacles between countries and creating of a single European transport space with fair conditions of competition for and between different modes of transport<sup>10</sup>.

<sup>6</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuzu dlia Evrazii, “*Vostochnaia Analitika*” 2010, nr. 1, s. 134-145.

<sup>7</sup> *Development of the common transport policy. Commission memorandum to the Council (submitted on 8 November 1971)*, Commission of the European Communities 1971, źródło: <http://aci.pitt.edu/5599/1/5599.pdf>[odczyt: 22.10.2022].

<sup>8</sup> Shemiatenkov V., *Evropeiskaia intebratsiia*, Wyd. Mezhdunarodnye otnosheniia 2003, s. 539-540.; Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, “*Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky*” 2011, nr. 21 (seria: mizhnarodni vidnosyny), s. 137-142.

<sup>9</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuzu dlia Evrazii, “*Vostochnaia Analitika*” 2010, nr. 1, s. 134-145.; Shemiatenkov V., *Evropeiskaia intebratsiia*, Wyd. Mezhdunarodnye otnosheniia 2003, s. 194.

<sup>10</sup> Vidiakina M., Instytutsiini aspekty transformatsii spilnoi transportnoi polityky ES, “*Zbirnyk naukovykh prats Cherkaskoho derzhavnoho tekhnolobichnoho universytetu. Serii: Ekonomichni nauky*” 2017, vol 1, nr. 44, s. 26-34.

Similar measures were continued at the second stage of the development of the EU's common transport policy (1985–1991), which, in turn, became a prerequisite for the adoption of a number of directives and orders during 1985–1991, in particular “CD 440/91” on the development of EU railways, “CR 3820/85” on the harmonization of legislation related to road transport and three liberalization packages (1987, 1990 and 1992) on the peculiarities of the functioning of air transport. Also during this period, transport was included in the Single European Act of 1986, which was a fundamental plan for completing the construction of the Single Internal Market. This marked the beginning of the process of liberalization of the transport services sector in Europe<sup>11</sup>. In general, the second stage of the existence of the UES was aimed at the development of the transport sector with an emphasis on sea, road and combined transport. This coincided with the processes of almost complete opening of the EU national markets of road and sea routes, as well as partial opening of railway, air and river routes. Thus, in 1985, the Convention on International Railway Transportation (adopted in 1980) was implemented, which defined uniform rules for international transportation by various modes of transport and transportation of dangerous goods, the use of infrastructure in international rail traffic, and technical standards of equipment. In turn, in 1986 four regulations were adopted in the maritime transport sector, and in 1989 a number of legal acts were proposed in the air transport sector. In 1988, an impetus was given to revitalizing the development of road transport in the EU, since the Council of Europe first abolished, but later liberalized bilateral licenses for operators<sup>12</sup>. As a result, the share and specific weight of transportation under the quotas of the EEC began to gradually grow.

The processes of creation and development of a common transport policy in Europe were much more intensified during the third stage of its development (in 1992–2000). They were concentrated in the “White Paper” adopted in 1992 on the future development of the common transport policy (“The future development of the common transport policy: a global approach to the creation of a viable transport structure of the Community”), and later in the transport development programs that were developed in 1995–2000 and 1998–2004. Based on the analysis of these documents, it is obvious that the tasks of the third stage of the development of the common transport policy of the European Union (EU) were: increasing the cohesion of the EU countries; development of complex measures for the development of already integrated economies and transport systems with the aim of strengthening economic and social cohesion and reducing differences between regions; limitation of exhaust gas emissions<sup>13</sup>.

At the same time, the key goal of the “White Paper” was the implementation of the policy on the creation and development of trans-European transport networks and the interaction of national

<sup>11</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuza dlia Evrazii, “*Vostochnaia Analitika*” 2010, nr. 1, s. 134–145.

<sup>12</sup> *Archive of European integration*, Wyd. University of Pittsburg 2022, źródło: <http://aci.pitt.edu/view/eusubjects/H033006.html>

<sup>13</sup> *Archive of European integration*, Wyd. University of Pittsburg 2022, źródło: <http://aci.pitt.edu/view/eusubjects/H033006.html>

transport networks for this purpose<sup>14</sup>, as well as the increase of transport safety, overcoming the imbalance between different types of transport and the development of intermodal combined transport<sup>15</sup>. However, the political, institutional and budgetary foundations of the EU transport policy, outlined by the Maastricht Treaty signed in 1992, became the main ones. From a purely logistical point of view, directive No. 1692/96 from 1996 on the first guidelines of the TEN-T, general recommendations played a decisive role regarding the operation of the network and transport and infrastructure projects of common importance<sup>16</sup>. Following it, in 2000, the European Parliament adopted a decision to fully open the rail transport market by the end of 2008. In addition, it was the Maastricht Treaty that regulated the concept of trans-European networks, which enabled the creation of a single transport infrastructure at the European level. In parallel, in 1994 (for the first time in European politics), 14 projects were identified and approved, which received priority European funding to fill the gaps in the European network of transport logistics and infrastructure. In turn, since 1996, attention began to be paid to the environmental problems of transport policy, since standards were approved regarding atmospheric emissions, aircraft noise levels, and minimization of fuel excise taxes. In the extended version, this was revealed on the basis of the implementation of the transport infrastructure needs assessment project since 1996, which was aimed at coordinating the development of a unified transport network in the candidate countries for EU membership, including in Central – Eastern Europe<sup>17</sup>. The idea was to coordinate infrastructure projects in these countries with those already implemented in the EU, in particular with the aim of extending the existing transport network to new EU member states in the future. The most notable consequence was the adoption in 1998 by 26 member states and candidates for EU membership of a transport network scheme that included more than 18,000 km of highways, more than 20,000 km of railways, 38 airports, 13 sea and 49 river ports<sup>18</sup>.

The improvement of the achieved results took place during the fourth stage (2001–2010) of the development of the common transport policy of the EU (in particular, before and after its expansion, in particular at the expense of the countries of Central – Eastern Europe). A feature of this period was the development and implementation of a new action program (until 2010) in the EU transport sector, primarily based on the opening of new sales markets for EU goods in the countries of Central – Eastern Europe<sup>19</sup>. It was incorporated in the “White Paper” “European transport policy

<sup>14</sup> Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, “*Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky*” 2011, nr. 21 (seriia: mizhnarodni vidnosyny), s. 137-142.; *Communication from the Commission to the Council and the European Parliament on combating HIV/AIDS within the European Union and in the neighbouring countries, 2006-2009*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52005DC0654> [odczyt: 22.10.2022], s. 194; Vidiakina M., Instytutsiini aspekty transformatsii spilnoi transportnoi polityky ES, “*Zbirnyk naukovykh prats Cherkaskoho derzhavnogo tekhnolohichnogo universytetu. Seriia: Ekonomichni nauky*” 2017, vol 1, nr. 44, s. 26-34.

<sup>15</sup> Shemiatenkov V., *Yevropeiskaia intelmatsiia*, Wyd. Mezhdunarodnye otnosheniia 2003, s. 541-542.

<sup>16</sup> Vidiakina M., Instytutsiini aspekty transformatsii spilnoi transportnoi polityky ES, “*Zbirnyk naukovykh prats Cherkaskoho derzhavnogo tekhnolohichnogo universytetu. Seriia: Ekonomichni nauky*” 2017, vol 1, nr. 44, s. 26-34.

<sup>17</sup> Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, “*Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky*” 2011, nr. 21 (seriia: mizhnarodni vidnosyny), s. 137-142.

<sup>18</sup> Filipenko O., *Pravovyi mekhanizm rebuliuvannia spilnoi transportnoi polityky Yevrosoiuzu: Dysertatsiia kandydata nauk*, Wyd. Instytut mizhnarodnykh vidnosyn Kyivskoho natsionalnoho universytetu imeni Tarasa Shevchenka 2004.

<sup>19</sup> Shyba O., *Vplyv rozvytku transportnoi infrastruktury na ekonomichne zrostannia krain-chleniv Yevropeiskoho soiuzu: Dysertatsiia kandydata nauk*, Wyd. Lvivskiy natsionalnyi universytet imeni Ivana Franka 2017, s. 56.

until 2010: time for decisions” (in which more than 60 reform measures of the common transport policy were proposed), published in 2001, as well as in the adopted in 1999 Regulation no. 1655/99 for the period from 2000 to 2006. These documents provided for many changes in EU financing of various transport, infrastructure and logistics projects, including in new EU member states<sup>20</sup>. Thus, the “White Paper” formulated such main tasks of EU transport policy as: changing the balance between different types of transport; user orientation of transport policy; receiving the effect of the globalization of transport. To achieve them, such areas of transport policy were defined as: mobility of the population and enterprises throughout the EU; environmental protection, energy security, protection of passengers and citizens; innovations<sup>21</sup>. In turn, in 2004–2006, the next step in the reform of the EU transport policy took place, which consisted in the adoption of directives No. 807/2004, 884/2004 and 1791/2006 aimed at revising the guiding principles of its implementation, increasing the number of priority projects to 30, taking into account the expansion of the EU, defining horizontal projects in traffic management, improving the functioning of railway networks, stimulating the development of maritime and inland transport<sup>22</sup>.

Also during this period, in particular in 2007, the Treaty of Lisbon was adopted, which states that on the basis of the contractual preambles of the modern EU transport policy, the European Council together with the European Parliament established: general rules for international transport operations carried out from the territory or directed to the territory of an EU country or cross the territory of one or more EU countries; conditions under which non-residents providing transport services can provide them on the territory of EU countries; measures to improve transportation safety<sup>23</sup>.

It is regulated that the Lisbon Treaty was to be applied to transport by road, rail and inland waterways, but the European Council can extend these provisions to the sphere of sea and air transport by qualified majority.

As a result, this led to a situation where within the framework of the EU (already in its expanded version) the main documents regulating the functioning of the transport system were the “Treaty on the EU” and the “Treaty on the Functioning of the EU”<sup>24</sup>, which, among other things, are framework documents in the field of transport law. These documents established that EU countries are prohibited from taking any actions in the transport sector that lead to discrimination or violation of competition rules without the permission of the European Commission. It is also noteworthy that in 2009 the “Green Book” “Towards an integrated trans-European transport network at the service of common transport policy”, in which the expediency of the transformation of the two-level policy system of the

<sup>20</sup> Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, “*Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky*” 2011, nr. 21 (seriia: mizhnarodni vidnosyny), s. 137-142.; Filipenko O., *Pravovyi mekhanizm rehuliuuvannia spilnoi transportnoi polityky Yevrosoiuzu: Dysertatsiia kandydata nauk*, Wyd. Instytut mizhnarodnykh vidnosyn Kyivskoho natsionalnoho universytetu imeni Tarasa Shevchenka 2004.

<sup>21</sup> Musys N., *Vse pro spilni polityky Yevropeiskoho Soiuzu*, Kyiv 2005.

<sup>22</sup> Vidiakina M., Instytutsiini aspekty transformatsii spilnoi transportnoi polityky ES, “*Zbirnyk naukovykh prats Cherkaskoho derzhavnoho tekhnolohichnoho universytetu. Seriia: Ekonomichni nauky*” 2017, vol 1, nr. 44, s. 26-34.

<sup>23</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuzu dlia Evrazii, “*Vostochnaia Analitika*” 2010, nr. 1, s. 134-145.

<sup>24</sup> *Consolidated version of the Treaty on the Functioning of the European Union. Part Three: Union Policies and Internal Actions. Title VI: Transport*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E091> [odczyt: 22.10.2022].



trans-European transport network “TEN-T” is substantiated and transition from individual priority projects to basic and key networks, was published. Almost in parallel, in particular in 2010, consultations continued on the future policy of the trans-European transport network, which culminated in the adoption of the “Europe 2020” strategy aimed at in-depth coordination and concentration on projects with a high level of added value, development of innovative financing tools, simplification of access to the capital market, etc.

In addition, the common transport policy of the EU is aimed at solving the problem of overcrowding of road and air routes and freight and passenger transport. An additional challenge for the EU during this period is the dependence of its transport system on oil and gas energy carriers, since until now the majority of all vehicles in Europe depend on oil reserves for their energy needs, which are constantly decreasing. At the same time, at the EU supranational level, it is regulated that by 2050, the Union must reduce harmful transport emissions by 60 percent compared to the level of 1990. This proves that the common transport policy of the EU has reached a transitional or even turning point in its development. On the one hand, it uses previously accepted and implemented rules. On the other hand, its development depends on multimodal transportation, increasing competition, efficiency, speed of movement and passenger comfort, improving the quality of services, and reducing the harmful impact on the environment. In this context, it is obvious, especially after the financial and economic crisis of 2008-2009, as well as after the start of Russia's full-scale aggression against Ukraine in 2022, that the improvement of the EU's common transport policy is significantly politicized by individual members of the Union.

Therefore, the future of the common EU policy in the field of transport largely depends on the political will of the EU countries themselves, their desire, ability and expediency to solve problems together and properly finance the transport industry at all levels, and recently, most of all, regarding the transportation of oil and gas energy carriers, etc. Nevertheless, as of the moment of the analysis, the common transport policy of the EU is still the one that took place, since it is integratively aimed at solving such problems as ensuring high efficiency, market competitiveness and safety of transport services, reducing the load on the transport infrastructure, developing interaction and changing the ratio between different types of transport, etc<sup>25</sup>. Their result was and continues to be the introduction of technical innovations and the attraction of significant amounts of investment, although still with unresolved problems of overloading of transport networks, environmental pollution and insufficient diversification.

From a political and legal point of view, the fifth stage of the development of the common transport policy of the EU is determined by the sequence of events and acts peculiar to the Union. For example, in 2011, the “White Paper” “A Plan for the Development of the Unified Transport Space on the Way to a Competitive and Resource-Efficient Transport System” was adopted<sup>26</sup>,

<sup>25</sup> Orlova V., Yevropeiska transportna polityka: Oriientyry dlia zaliznychnoho transportu Ukrainy, “*Visnyk ekonomiky transportu i promyslovosti*” 2010, nr. 31, s. 52-56.

<sup>26</sup> *White paper: Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system*, EEA, źródło: <https://www.eea.europa.eu/policy-documents/roadmap-to-a-single-european>[odczyt: 22.10.2022].

which regulates the need to develop a financing mechanism taking into account the specifics of the “TEN-T” program, structural funds and the fund grouping, and measures to preserve the environment are also provided<sup>27</sup>. As a result of this, since 2013, on the basis of Directive No. 1315/2013 on the guiding principles of the development of the trans-European transport network, the EU began to implement an updated policy for the development of the trans-European transport network, the main feature of which is a systemic pan-European network approach with a common set of rules for creation and financing of a network based on nine multimodal corridors in the basic network<sup>28</sup>. This approach is based on the active participation of regions in order to ensure more effective interaction. In the same 2013, Luxembourg adopted a joint declaration “Future cooperation in the field of transport within the framework of the Eastern Partnership”, which approved maps of the regional transport network of the “Eastern Partnership”, which demonstrate the combination of the “Partnership” countries with each other and with EU member states.

Adopted in December 2013, the “TEN-T” guidelines outlined the networks to be created, defined technical requirements and established priority directions, in particular, regarding the elimination of differences in the infrastructure of EU countries, improvement of multimodal connections between different types of transport, reduction of greenhouse gas emissions from transport<sup>29</sup>. At the same time, in 2014, as part of the “Budget for Europe 2020”, the amount of investments in the trans-European transport network for the period 2014-2020 was regulated in the amount of 540 billion Euros. Subsequently, in July 2016, within the framework of the mission of representatives of the European Commission, reforms in the transport sector and the priorities of the updated transport strategy were discussed. There was a discussion on priority infrastructure projects with the aim of building the regional key and basic transport network, European financing instruments and prospects for attracting financing through the “Connecting Europe” tool<sup>30</sup>. The new policy also began to pay attention to relations with third countries, such as Switzerland, Norway and Turkey. It is also noteworthy that, after agreements at the political level, the European Commission in 2016 decided to expand the Trans-European transport network at the expense of the Western Balkan countries, opening opportunities for financing projects that are in the focus of mutual interest and contribute to the improvement of connections<sup>31</sup>.

It was thereby regulated that the EU transport network consists of basic and key networks, the completion of which is planned for 2030 and 2050, respectively. These two levels of the transport

<sup>27</sup> Inshakova A., Printsipy pravovogo obespecheniya svobod obshchego rynka v transportnoy politike ES, “Vestnik Permskogo Universiteta” 2012 (Yuridicheskie nauki), vol 17, nr. 3: *Transport statistics introduced*, Eurostat, August 2020, źródło: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Transport\\_statistics\\_introduced](http://ec.europa.eu/eurostat/statistics-explained/index.php/Transport_statistics_introduced)[odczyt: 22.10.2022].

<sup>28</sup> Vidiakina M., Instyutitsiini aspekty transformatsii spilnoi transportnoi polityky ES, “Zbirnyk naukovykh prats Cherkaskoho derzhanoho tekhnolohichnoho universytetu. Seriya: Ekonomichni nauky” 2017, vol 1, nr. 44, s. 26-34.

<sup>29</sup> *Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU Text with EEA relevance*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R1315>[odczyt: 22.10.2022].

<sup>30</sup> Pape M., *The trans-European transport network – state of play*, European Parliamentary Research Service 2020, źródło: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2020\)659430](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)659430)[odczyt: 22.10.2022].

<sup>31</sup> *Connectivity Agenda: Co-financing of Investment Projects in the Western Balkans in 2016*, Wyd. European commission 2016, źródło: [https://www.transport-community.org/wp-content/uploads/2021/02/Connectivity-Agenda\\_Paris-2016.pdf](https://www.transport-community.org/wp-content/uploads/2021/02/Connectivity-Agenda_Paris-2016.pdf)[odczyt: 22.10.2022].

system cover all types of transport and their interconnection, as well as relevant information about the road environment and system management. The basic network is designed to ensure the accessibility and connectivity of all EU regions and consists of the most strategically important links and nodes, organized into nine corridors and two horizontal priorities ("European Rail Transportation Management System" and "Maritime Motorways"). It should connect more than 90 major European ports with rail and road connections, almost 40 key airports with rail connections in major cities, 15,000 km of railway track upgraded to high speed, and 35 cross-border projects to reduce bottlenecks<sup>32</sup>. At the same time, each corridor covers three types of transport, several EU countries and border areas.

Among them: 1) Baltic-Adriatic corridor (Poland, Austria, Slovakia, Czech Republic and Italy); 2) the North Sea-Baltic corridor (Finland, Estonia, Latvia, Lithuania, Poland, Germany, the Netherlands and Belgium); 3) the Mediterranean corridor (Spain, France, Italy, Slovenia, Croatia, Hungary); 4) the East-Mediterranean corridor (Germany, the Czech Republic, and Southeast Europe); 5) Scandinavian-Mediterranean corridor (Finland, Sweden, Germany, Austria, Italy, Malta); 6) Rhine-Alps corridor (Netherlands, Belgium, Germany, Switzerland, Italy); 7) Atlantic corridor (France); 8) the Northern-Mediterranean corridor (Ireland, the United Kingdom, the Netherlands, Belgium, Luxembourg and France); 9) Rhine-Danube corridor (France, Germany, Austria, Slovakia, Hungary, Bulgaria, Romania, Ukraine)<sup>33</sup>.

In addition, in 2016, the European Commission published the communication "European low-emission mobility strategy", in which it continued to intensify measures to accelerate the decarbonization of European transport. The strategy is primarily aimed at achieving zero emissions, as stated in the "White Paper" "Plan for the Development of a Unified Transport Space – Towards a Competitive and Resource-Efficient Transport System"<sup>34</sup>, in particular, with the aim of achieving the goals of the Paris Agreement of 2015 – an agreement within the framework of the UN Framework Convention on Climate Change on the regulation of measures to reduce carbon dioxin emissions from 2020. Against this background, in 2017 the European Parliament, in its resolution on a European strategy for low-emission mobility, emphasized the need for the transport sector to make a greater contribution to the achievement of climate goals. In this context, it emphasized, among other aspects, the need for investment in multimodality and public transport; the need to strengthen price signals by all modes of transport; the importance of digitization in the development of sustainability and mobility in transport. The European Parliament also called for a more ambitious approach to renewable energy sources in transport, as well as the creation of incentives for the use of environmentally friendly alternative fuels for

<sup>32</sup> Pape M., *The trans-European transport network – state of play*, European Parliamentary Research Service 2020, źródło: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2020\)659430](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)659430)[odczyt: 22.10.2022].

<sup>33</sup> Vidiakina M., Instytutsiini aspekty transformatsii spilnoi transportnoi polityky ES, "Zbirnyk naukovykh prats Cherkaskoho derzhavnogo tekhnolobichnogo universytetu. Seriya: Ekonomichni nauky" 2017, vol 1, nr. 44, s. 26-34.

<sup>34</sup> *White paper: Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system*, EEA, źródło: <https://www.eea.europa.eu/policy-documents/roadmap-to-a-single-european>[odczyt: 22.10.2022].

different types of transport<sup>35</sup>. A much more recent step was the adoption and publication by the European Commission in December 2020 of the “Sustainable and Smart Mobility Strategy” along with a plan of actions and initiatives until 2024<sup>36</sup>. This strategy is a road map to put European transport on the “right” path to a sustainable and smart future in various leading sectors.

According to the expected and projected plans, as well as under the condition of combining the appropriate level of ambition and proposed political measures, harmful emissions from transport can be reduced by 90 percent by 2050. Similarly, the European Parliament in January 2020 adopted a resolution on the “European Green Deal”, putting forward some directions for the development of transport under the name “Accelerating the transition to sustainable and smart mobility”<sup>37</sup>.

At the same time, the situation began to change even further in other directions, in particular, the aftermath of the outbreak of COVID-19 and its impact on transport. Thus, in June 2020, the European Parliament adopted a resolution entitled “Transport and tourism in 2020 and beyond”<sup>38</sup>, calling for quick, short-term and long-term support for the transport and tourism sectors to ensure their survival and competitiveness in the situation that has developed in the world. In this context, other relevant acts aimed at combating the immediate negative consequences of the pandemic for the EU transport sector were adopted. At the same time, the COVID-19 pandemic has become a reminder of the importance of the functioning of transport networks and efficiently organized mobility for citizens, businesses and economic prosperity in the EU and its individual countries. Moreover, the pandemic has highlighted the value of uninterrupted transportation systems during a crisis, including protecting supply chains in crisis situations and providing food and medicine, etc. The reverse side of the medal, also against the background of the pandemic, became the processes of further digitization and digitization of transport logistics and infrastructure in the EU. Yes, we are talking about the financial regulation “Mechanism of connecting Europe”, which “paves” the way to the process called “TEN Streamlining” and consists in the expansion of multimodal corridors throughout the EU. In particular, the main networks are planned to be completed by 2030, including so that passengers can travel through different cities and countries with one ticket and as few transfers as possible. This is possible, among other things, thanks to the intellectual interaction between individual modes of transport, i.e. through increasing their efficiency and preserving the environment. On the

<sup>35</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Towards the broadest use of alternative fuels – an Action Plan on Alternative Fuels Infrastructure under Article 10(6) of Directive 2014/94/EU, including the assessment of national policy frameworks under Article 10(2) of Directive 2014/94/EU*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52017DC0652&qid=1556634455269> [odczyt: 22.10.2022]; *European Parliament resolution of 25 October 2018 on deployment of infrastructure for alternative fuels in the European Union: Time to act!*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018IP0438> [odczyt: 22.10.2022].

<sup>36</sup> *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Sustainable and Smart Mobility Strategy – putting European transport on track for the future*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:789:FIN> [odczyt: 22.10.2022].

<sup>37</sup> *European Parliament resolution of 15 January 2020 on the European Green Deal*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020IP0005> [odczyt: 22.10.2022].

<sup>38</sup> *European Parliament resolution of 19 June 2020 on transport and tourism in 2020 and beyond*, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020IP0169> [odczyt: 22.10.2022].

other hand, such innovativeness should contribute to the growth of European integration and ensure the global competitiveness of the EU.

Along with this, in the last few years, the situation in the transport market has been changed by significant political or global factors. First, the EU got rid of one of its former members, the United Kingdom.

As a result, in July 2021, in accordance with Regulation No. 2021/1153 ("Connecting Europe Mechanism 2"), 9 corridors of the core network were partially modified, in particular, on the one hand, some corridors were significantly expanded (for example, when it comes to the Atlantic, Northern-Baltic, Scandinavian-Mediterranean), or, on the other hand, other corridors were transformed (in particular, the Northern-Mediterranean, which after "Brexit" changed to Ireland-Belgium-Netherlands and Ireland-France). Even more, since there have been proposals recently from the European Commission regarding the new Regulation on the TEN-T guidelines, according to which it is possible to cancel some corridors of the main network in the future (among them: the Eastern-Mediterranean and the Northern-Mediterranean), and instead, their integration into other corridors (Rhine–Danube, North Sea–Alpine) and creation of new coordinated corridors (Baltic–Black–Aegean Sea, Western Balkans)<sup>39</sup>. As for the expansion of the corridors to the east (as part of the "Eastern Partnership"), the Trans-European transport network reached Armenia as early as 2019. However, the situation in this direction will obviously change significantly as a result of the Russian-Ukrainian war, which became large-scale in February 2022<sup>40</sup>. It will most likely concern the suspension of the development of transport corridors to the east in the future, and it also concerns the diversification of the transportation of oil and gas energy carriers<sup>41</sup>.

In general, in particular, based on the results of political and legal changes during 2011–2022 and the analysis of the updated policy of building the trans-European transport network, it was established that the EU's attention was gradually switched from individual projects to programs aimed at creating the main network of strategic corridors, which connecting east and west and all corners of the large European geographical region. Accordingly, the East-West connection has become the main priority of the new infrastructure and transport policy of the EU. This is evident at least in the fact that most corridors should have or already have a real "east-west" dimension. Moreover, a significant part of these corridors crosses or touches the transport and infrastructure-logistics system of the countries of the Visegrad Group – Hungary, Poland, Slovakia and the Czech Republic. Therefore, the development of the "TEN-T" program and the common transport policy of the EU in general is designed to eliminate narrow transport passages

<sup>39</sup> *Questions and Answers: The revision of the TEN-T Regulation*, European Commission, 14 December 2021, źródło: [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_21\\_6725](https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_6725) [odczyt: 22.10.2022].

<sup>40</sup> *Russia's war on Ukraine: Implications for transport*, Think Tank European Parliament 2022, źródło: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2022\)733536](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2022)733536) [odczyt: 22.10.2022].

<sup>41</sup> *How the War in Ukraine Transforms European Logistics and Affects Prices*, Well Pack 2022, źródło: <https://wellpack.org/how-the-war-in-ukraine-transforms-european-logistics-and-affects-prices/> [odczyt: 22.10.2022].

in a united Europe and contribute to the solution of not only direct transport tasks, but also to serve social and environmental goals and socio-economic development in Europe<sup>42</sup>.

At the same time, after analyzing the state of affairs in the transport and logistics complex of the EU and generally determining the essence of the phenomenon of the unified transport policy of the EU, it is advisable to understand the fact that the transport system of the EU is still a collection of different types of transport<sup>43</sup>. The order with the development of different types of transport and different directions of transport policy in the EU, it was noticed that initially the efforts of supranational institutions were aimed mainly at the liberalization of the transport market on all types of transport, and later completely new and additional issues became on the agenda, in particular, increasing safety and reducing harmful impact on the environment, diversification of supplies, etc. This means that the EU began to develop common standards for the safety and environmental friendliness of transport. Accordingly, the sustainable development and construction of trans-European transport networks have become the new priorities of the EU's common transport policy. For example, in 2001, as already mentioned above, the European Commission published a "White Paper", which emphasized the need to improve transport safety and the harmonious development of all its types<sup>44</sup>. The development of river transport, as well as railway and sea transport, according to the "White Paper", is intended to contribute to the reduction of traffic congestion, which, compared to other types of transport, has the most tangible negative impact on the environment. The development of river transport, as well as railway and sea transport, according to the "White Paper", is intended to contribute to the reduction of traffic congestion, which, compared to other types of transport, has the most tangible negative impact on the environment. This is regulated since after the liberalization of the market of transport services, there appeared conditions for the development of a common (united from national systems) transport infrastructure of the macro-region of European integration. At the same time, it was established that the updated infrastructure should be safe and sustainable from an environmental point of view. In recent decades, precisely such tasks have been implemented with the help of the so-called "communitarian transport agencies" – new authorities with varying degrees of supranational authority.

It is noteworthy that the use of agencies has become a new method for the EU to perform its functions, as European agencies support the decision-making process by gathering technical and other expert knowledge on one or another issue. There are two types of agencies in the EU. Executive agencies are established in accordance with the Regulation of the European Council No. 58/2003 and contribute to the implementation of communitarian programs. Along with this, since the 1990s, agencies have been operating in the EU with functions focused on tasks of a technical or scientific nature. Along with this, since the 1990s, agencies have been operating in the EU with functions focused on tasks of a technical or scientific nature. These agencies are called regulatory, decentralized

<sup>42</sup> Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, "Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky" 2011, nr. 21 (seriia: mizhnarodni vidnosyny), s. 137-142.

<sup>43</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuza dlia Evrazii, "Vostochnaia Analitika" 2010, nr. 1, s. 134-145.

<sup>44</sup> White Paper: European transport policy for 2010: Time to decide. The need for integration of transport in sustainable development, EEA, źródło: <https://www.eea.europa.eu/policy-documents/white-paper-european-transport-policy> [odczyt: 22.10.2022], s. 136.

and independent. Each of the regulatory agencies is established according to a separate regulation that defines the institutional structure of sectoral regulation.

The existing EU transport agencies (such as the European Aviation Safety Agency, the European Maritime Safety Agency and the European Railway Agency) belong to this type of agency<sup>45</sup>.

On the basis of the experience of their functioning, it is worth summarizing that the process of emergence of a complex and not so much a national-territorial, as a spatial-functional structure of regulation of the transport industry in the EU has one extremely significant effect. This is the effect of the regulatory activity "exiting" the natural boundaries of the area of European integration<sup>46</sup>. The fact is that the more supranational powers are concentrated in a specific EU agency, the greater its degree of autonomy relative to the political level of the EU, which includes both supranational institutions and national governments. The EU countries themselves (assembled in the European Council), along with the European Parliament, have added special powers to EU agencies, regarding which there is a consensus in the EU that these powers are technical. Therefore, transport agencies seem to be "free" and autonomous from political interference, because they do not depend on political institutions of any level of the EU. Therefore, they must arrive at objective decisions. However, the paradox is that the activities of European transport agencies in relation to operators from third countries can affect the interests of not only specific companies, but also state interests in general. Accordingly, in such a case, it is difficult to resolve conflicts at the level of bilateral political interaction with the EU, because EU agencies occupy a special place in its institutional structure and are formally independent of political interference. This means that EU agencies are new and independent actors in the international arena, but the EU itself is not always able to regulate the international activities of its own agencies<sup>47</sup>. As a result, along with active participation in the development and implementation of internal EU transport policy, various EU structures are also involved in wider international cooperation aimed at the development of transport services and optimization of their use.

In other words, the external dimension of the EU's internal policy is expressed in the promotion at the international level of those norms that were developed to regulate the single internal market of transport services. In response to this, a number of states follow the strategy of "being involved" in the integration processes within the EU, but this strategy consolidates their peripheral position. Hence, the path of Europeanization is often threatened by the loss of the role of an alternative regional leader<sup>48</sup>.

<sup>45</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuza dlia Evrazii, "Vostochnaia Analitika" 2010, nr. 1, s. 134-145.; *Report on the European Road Safety Action Programme: Halving the number of road accident victims in the European Union by 2010: A shared responsibility*, European Parliament Committee on Transport and Tourism 2005, źródło: [https://www.europarl.europa.eu/doceo/document/A-6-2005-0225\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-6-2005-0225_EN.html) [odczyt: 22.10.2022].

<sup>46</sup> Gromohlasova E., Opyt transportnoy politiki Evrosoyuza dlia Evrazii, "Vostochnaia Analitika" 2010, nr. 1, s. 134-145.

<sup>47</sup> Beck U., *Risikogesellschaft auf dem Weg in eine andere Moderne*, Frankfurt am Main 1986, s. 300-305; Gromohlasova E., Opyt transportnoy politiki Evrosoyuza dlia Evrazii, "Vostochnaia Analitika" 2010, nr. 1, s. 134-145.

<sup>48</sup> *European Community Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013*, European Union External Action, 19.08.2016, źródło: [https://www.ecas.europa.eu/node/8461\\_en](https://www.ecas.europa.eu/node/8461_en) [odczyt: 22.10.2022].; Cowles G., Caporaso M., Risse T., *Transforming Europe: Europeanization and Domestic Change*, Wyd. Ithaca 2001.; Hix S., Goetz K., Introduction: European Integration and National Political Systems, "West European Politics" 2000, vol 23, nr. 4, s. 1-26; Knill C., Lehmkuhl D., The national impact of European Union regulatory policy: Three Europeanization mechanisms, "European Journal of Political Research" 2002, vol 41, nr. 2, s. 255-280.

On the other hand, EU norms are in many ways progressive and useful for individual or other states, including the countries of Central and Eastern Europe, due to which the task of developing the foundations of equal partnership instead of mechanical involvement in external supranational governance does not lose its relevance. This determines that the trend of Europeanization of transport regulation outside the EU can be explained taking into account the innovations in the organizational design of the common transport policy of the EU countries. Nevertheless, the growing importance of network forms of cooperation of national authorities on an integration scale and the emergence of European regulatory agencies collectively changed the practice of supranational governance, because the act of delegation of powers ceased to be the only reason for participation in the implementation of the integration agenda.

Other problems of the EU's common transport policy are often considered to be: the situation of railways as a political tool that needs protection and the related need for state intervention in the functioning of the transport market; the degree of autonomy of transport enterprises in the sphere of formation of tariffs; exclusively temporary prospects for the liberalization of international transportation within the EU; inadequate level of harmonization of competition conditions both between modes of transport and within individual types of transport; irresponsibility of the European Commission for the planning and implementation of international infrastructure projects in the field of transport; non-harmonization of some technical standards<sup>49</sup>; traffic congestion in some areas and directions, primarily highways; transport accident; fear of harmful effects on the environment, public health and climate change; excessive consumption of non-renewable resources; social dissatisfaction as a consequence of the constant support of the infrastructure at the expense of drivers as a result of the dispute about the acceptance or rejection of the concept of infrastructure fees<sup>50</sup>.

In addition, one of the main obstacles to the formation of a unified EU transport policy remains the conflict between two trends: the harmonization of competition conditions and the liberalization of market access and pricing. Trying to solve this issue, the Council of Ministers of the EU invariably comes to a dead end, because the measures proposed by the Commission aimed at liberalization are constantly rejected due to the fact that the level of harmonization of competition conditions is insufficient.

Moreover, in recent years in Europe, a tendency towards disproportionately rapid development of road transport to the detriment of other types of transport, first of all railways, has been sharply manifested. Hence, the process of transferring the bulk of transportation to road transport is associated with a change in the nature of transported goods, which led to a change in customer requirements for carriers. On the other hand, the disproportionately rapid development of road transport has led to a number of other problems, in particular environmental problems, which are of great importance in

<sup>49</sup> Mishchenko M., Problemy formuvannya zahalnoievropeiskoi transportnoi polityky, *"Viznyk Dnipropetrovskoho natsionalnogo universitetu zaliznychnoho transportu im. akademika V. Lazariana"* 2009, vol 29, s. 262-267.; Inshakova A., Osnovnyetendentsii razvitiia sovremennoi politiki v oblasti transportnogo prava Evropeyskogo Soyuza, *"Transportnoe pravo. Mezhdunarodnoe, publichnoe i chastnoe pravo"* 2006, vol 28, nr. 1, s. 7-12.

<sup>50</sup> Inshakova A., Printsypy pravovoho obespecheniya svobod obshcheho rynka v transportnoy politike ES, *"Vestnik Permskoho Uryversiteta"* 2012 (Yuridicheskie nauki), vol 17, nr. 3.



Europe<sup>51</sup>. Hence, the main ways of solving the problems of the EU's common transport policy are still, paradoxically, strengthening competition both between modes of transport and between individual companies from different EU countries, etc.

## REFERENCES

1. Archive of European integration: Browse by EU Subject, Wyd. University of Pittsburg 2022, źródło: <http://aei.pitt.edu/view/eusubjects/H033006.html>
2. Beck U., *Risikogesellschaft auf dem Weg in eine andere Moderne*, Frankfurt am Mein 1986.
3. Boiar A., Stukalova A., Rozvytok, suchasnyi stan ta aktualni problemy transportnoi polityky Yevropeiskoho Soiuzu, "Naukovyi visnyk Volynskoho natsionalnoho universytetu imeni Lesi Ukrainky" 2011, nr. 21 (seriia: mizhnarodni vidnosyny), s. 137-142.
4. Communication from the Commission to the Council and the European Parliament on combating HIV/AIDS within the European Union and in the neighbouring countries, 2006-2009, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52005DC0654> [odczyt: 22.10.2022].
5. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Towards the broadest use of alternative fuels – an Action Plan on Alternative Fuels Infrastructure under Article 10(6) of Directive 2014/94/EU, including the assessment of national policy frameworks under Article 10(2) of Directive 2014/94/EU, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52017DC0652&qid=1556634455269> [odczyt: 22.10.2022].
6. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions: Sustainable and Smart Mobility Strategy – putting European transport on track for the future, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:789:FIN> [odczyt: 22.10.2022].
7. Connectivity Agenda: Co-financing of Investment Projects in the Western Balkans in 2016, Wyd. European commission 2016, źródło: [https://www.transport-community.org/wp-content/uploads/2021/02/Connectivity-Agenda\\_-Paris-2016.pdf](https://www.transport-community.org/wp-content/uploads/2021/02/Connectivity-Agenda_-Paris-2016.pdf) [odczyt: 22.10.2022].
8. *Consolidated* version of the Treaty on the Functioning of the European Union. Part Three: Union Policies and Internal Actions. Title VI: Transport, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E091> [odczyt: 22.10.2022].
9. Cowles G., Caporaso M., Risse T., *Transforming Europe: Europeanization and Domestic Change*, Wyd. Ithaca 2001.
10. Development of the common transport policy. Commission memorandum to the Council (submitted on 8 November 1971), Commission of the European Communities 1971, źródło: <http://aei.pitt.edu/5599/1/5599.pdf> [odczyt: 22.10.2022].

<sup>51</sup> Mishchenko M., Problemy formuvannya zahalnoievropeiskoi transportnoi polityky, "Visnyk Dnipropetrskogo natsionalnoho universitetu zaliznychnogo transportu im. akademika V. Lazariana" 2009, vol 29, s. 262-267.

11. European Community Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013, European Union External Action, 19.08.2016, źródło: [https://www.eas.europa.eu/node/8461\\_en](https://www.eas.europa.eu/node/8461_en) [odczyt: 22.10.2022].
12. European Parliament resolution of 25 October 2018 on deployment of infrastructure for alternative fuels in the European Union: Time to act!, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018IP0438> [odczyt: 22.10.2022].
13. European Parliament resolution of 15 January 2020 on the European Green Deal, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020IP0005> [odczyt: 22.10.2022].
14. European Parliament resolution of 19 June 2020 on transport and tourism in 2020 and beyond, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020IP0169> [odczyt: 22.10.2022].
15. Filipenko O., *Pravovyi mekhanizm rehuliuвання spilnoi transportnoi polityky Yevrosoiuzu: Dysertatsiia kandydata nauk*, Wyd. Instytut mizhnarodnykh vidnosyn Kyivskoho natsionalnoho universytetu imeni Tarasa Shevchenka 2004.
16. Gromohlasova E., *Opyt transportnoypolitiki Evrosoyuza dlia Evrazii*, "Vostochnaia Analitika" 2010, nr. 1, s. 134-145.
17. Hix S., Goetz K., *Introduction: European Integration and National Political Systems*, "West European Politics" 2000, vol 23, nr. 4, s. 1-26.
18. *How the War in Ukraine Transforms European Logistics and Affects Prices*, Well Pack 2022, źródło: <https://wellpack.org/how-the-war-in-ukraine-transforms-european-logistics-and-affects-prices/> [odczyt: 22.10.2022].
19. Inshakova A., *Osnovnye tendentsii razvitiia sovremennoi politiki v oblasti transportnogo prava Evropeyskogo Soyuzu*, "Transportnoe pravo. Mezhdunarodnoe, publichnoe i chastnoe pravo" 2006, vol 28, nr. 1, s. 7-12.
20. Inshakova A., *Printsypy pravovoho obespecheniya svobod obshcheho rynku v transportnoy politike ES*, "Vestnik Permskogo Unyversiteta" 2012 (Yuridicheskie nauki), vol 17, nr. 3.
21. Knill C., Lehmkuhl D., *The national impact of European Union regulatory policy: Three Europeanization mechanisms*, "European Journal of Political Research" 2002, vol 41, nr. 2, s. 255-280.
22. Mishchenko M., *Problemy formuvannya zahalnoievropeiskoi transportnoi polityky*, "Visnyk Dnipropetrovskogonatsionalnogo universitetu zaliznychnogo transportu im. akademika V. Lazariana" 2009, vol 29, s. 262-267.
23. Musys N., *Vse pro spilni polityky Yevropeiskoho Soiuzu*, Kyiv 2005.
24. Orlova V., *Yevropeiska transportna polityka: Oriientyry dlia zaliznychnoho transportu Ukrainy*, "Visnyk ekonomiky transportu i promyslovosti" 2010, nr. 31, s. 52-56.

25. Pak Y., Polyanova T., Common Transport Policy of the European Union: A Road Map for the Eurasian Economic Union, "MGIMO Review of International Relations" 2015, vol 3, nr. 42, s. 199-209.
26. Pape M., The trans-European transport network – state of play, European Parliamentary Research Service 2020, źródło: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2020\)659430](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)659430) [odczyt: 22.10.2022].
27. Questions and Answers: The revision of the TEN-T Regulation, European Commission, 14 December 2021, źródło: [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_21\\_6725](https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_6725) [odczyt: 22.10.2022].
28. Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU Text with EEA relevance, EUR-Lex, źródło: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R1315> [odczyt: 22.10.2022].
29. Report on the European Road Safety Action Programme: Halving the number of road accident victims in the European Union by 2010: A shared responsibility, European Parliament Committee on Transport and Tourism 2005, źródło: [https://www.europarl.europa.eu/doceo/document/A-6-2005-0225\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-6-2005-0225_EN.html) [odczyt: 22.10.2022].
30. Russia's war on Ukraine: Implications for transport, Think Tank European Parliament 2022, źródło: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2022\)733536](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2022)733536) [odczyt: 22.10.2022].
31. Transport statistics introduced, Eurostat, August 2020, źródło: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Transport\\_statistics\\_introduced](http://ec.europa.eu/eurostat/statistics-explained/index.php/Transport_statistics_introduced) [odczyt: 22.10.2022].
32. Vidiakina M., Instytutu siini aspekty transformatsii spilnoi transportnoi polityky ES, "Zbirnyk naukovykh prats Cherkaskoho derzhavnoho tekhnolohichnoho universytetu. Serii: Ekonomichni nauky" 2017, vol 1, nr. 44, s. 26-34.
33. Shemiatenkov V., Evropeiskaia intehratsiya, Wyd. Mezhdunarodnye otnosheniya 2003.
34. Shyba O., Vplyv rozvytku transportnoi infrastruktury na ekonomichne zrostannia krain-chleniv Yevropeiskohosoiuzu: Dysertacia kandydata nauk, Wyd. Lvivskyi natsionalnyi universytet imeni Ivana Franka 2017.
35. White Paper. European transport policy for 2010: Time to decide. The need for integration of transport insustainable development, EEA, źródło: <https://www.eea.europa.eu/policy-documents/white-paper-european-transport-policy> [odczyt: 22.10.2022].
36. *White paper*. Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system, EEA, źródło: <https://www.eea.europa.eu/policy-documents/roadmap-to-a-single-european> [odczyt: 22.10.2022].