



3 LEGAL ENVIRONMENT IN THE FIELD OF TRANSPORT

As from 1991 the national legal framework has been renewed in Ukraine. At present the national legislation of Ukraine covers all fields of transport and includes the following laws:

- On Transport
- On Freight Forwarder's Activity
- On Road Transport
- On Railway Transport
- On Transportation of Dangerous Goods
- Merchant Marine Code
- Waterways Code.

In general, Ukrainian transport legislation is well in line with international conventions:

- as a member of International Maritime Organization Ukraine (IMO) joined 14 legal instruments of IMO including SOLAS, TONNAGE, COLREG, SAR, INMARSAT, MARPOL 73/78, INTERVENTION, SUA, LDC, STCW as well as the International Convention for Safe Containers, Convention on Facilitation of International Maritime Traffic and Convention on Load Lines;
- Ukraine conforms to UNECE transport documents and is a party to 17 of them, including AGTC, AETR, ADR, ATP, Convention CMR, TIR Convention, and International Convention on harmonization of goods' border-crossing inspections and Customs convention on containers.

Besides, following the Guidelines for EU legal transport adaptation, which were adopted in 2006, Ukraine approves annual priority action plans for legal EU approximation. As a matter of fact, within the frames of abovementioned action plans in the field of transport:

- In 2009 the State Program of rail transport development for 2010-2015 was approved;
- The law "On Sea Ports of Ukraine" was signed by the President of Ukraine and officially published on June 13, 2012 in the newspaper "Voice of Ukraine";
- The law of Ukraine "On Sea Ports of Ukraine" provides for elaboration of a development strategy for the sea ports of Ukraine for 25 years, which includes short-term (5 years), medium term (10 years) and long term (25 years) development plans. The development strategy of the sea ports of Ukraine for 25 years contains the development plans of sea ports and maritime terminals, traffic projections, objectives, guidelines and sources of funding of the Strategy, the other main development parameters;
- Development programmes until 2015 for each sea port separately were approved by respective Decrees of the Ministry of Infrastructure;
- The draft law "On the navigation on inland waterways of Ukraine" was adopted at first reading by the Verkhovna Rada of Ukraine, as well as other important legal acts related to the inland water transport;
- Changes to be introduced to Merchant Shipping Code, the State Program of railway transport development in 2010-2015 and law of Ukraine "On road transport".



Logistics Processes and Motorways of the Sea II

In addition to the national transport legislation, Ukraine has established bilateral relations with LOGMOS beneficiary countries (see Table 1).

Table 1: Bilateral Agreements with LOGMOS Beneficiary Countries

Countries	Transport issues				Customs
	Maritime	Road	Railway	General	
Armenia		On international road transport 22.07.1997	On cooperation in railway transport 24.12.1999		On cooperation and mutual assistance in customs issues 07.10.1994
Azerbaijan		On international road transport 01.07.1999	On cooperation in railway transport 24.03.1997	On international combined goods transport 07.09.2006	On cooperation on customs issues 24.03.1997
Bulgaria	On merchant shipping, 2002	On international road transport of passengers and goods 08.12.1994	On cooperation in the field of railway 08.12.1994		On cooperation on customs issues 24.03.1998
Georgia		On international road transport 13.04.1993	On activities of railway transport 21.10.2003		On cooperation on customs issues 14.02.1997
Kazakhstan		On international road transport 22.02.1993	On cooperation in the field of railway 22.02.1993	On general principles of cooperation in the field of transport 22.02.1993	On cooperation on customs issues 17.09.1999 On customs statistics sharing 06.06.2006
Kyrgyzstan		On international road transport 21.02.1993	--	On cooperation in the field of transport 23.02.1993	
Moldova		On international road transport 20.03.1993	On activities of railway transport 20.03.1993		On cooperation and mutual assistance in customs issues 18.08.1999
Romania		On international road transport	On cooperation in the field of railway		On cooperation and mutual assistance in customs issues





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		29.03.1996	21.10.2003		19.06.2000
Tajikistan		On international road transport of passengers and goods 06.12.2005		On cooperation in the field of energy, industry, transport and construction 25.04.2002	On cooperation on customs issues 06.07.2001
Turkey	On merchant shipping, 2004	On international road transport 30.05.1994	On cooperation in the field of railway transport 07.06.2005		On cooperation and mutual assistance in customs issues 27.11.1996
Turkmenistan		On cooperation in the field of international road transport 25.02.1993		On general principles of cooperation in the field of transport 10.10.1993	On cooperation and mutual assistance in customs issues 29.01.1998
Uzbekistan		On international road transport 20.02.1993	On cooperation in the field of railway transport 20.02.1993	On cooperation in the field of transport 20.02.1993 On cooperation in the field of goods transport 30.02.1994	On cooperation on customs issues 05.12.1996

Ferry connections are governed by specific agreements. A new agreement on setting up a direct rail ferry connection between Turkey and Ukraine was signed on 25.01.2011. It covers 4 rail ferry lines:

- Ilychevsk – Derince
- Skadovsk – Zonguldak
- Skadovsk – Istanbul
- Yevpatoria – Zonguldak

A bilateral agreement on rail ferry operations between Ukraine and Georgia was signed on 13.04.1993. The two countries are also the signatory countries of a trilateral agreement on rail ferry operations which was signed together with Bulgaria on 30.10.1997. Despite some initiative in the past to denounce this trilateral agreement, the legal background for rail ferry operations remains effective.