

## UKRAINE'S TRANSIT POTENTIAL OF THE BLACK SEA AND DANUBE FOR EU

## УКРАЇНСЬКИЙ ТРАНЗИТНИЙ ПОТЕНЦІАЛ ЧОРНОГО МОРЯ ТА ДУНАЮ ДЛЯ ЄС

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The article is devoted to highlighting one of the actual theoretical and methodological problems of economic law regarding the geopolitical issue of Ukraine and the development of its transit potential.

In today's globalized world and taking into account the current circumstances, in particular Russian military aggression to Ukraine and danger for the European Union's (EU) countries in general, Chinese financial aggression, instability in the Middle East to its south, EU-Ukraine partnership is a highly relevant topic at the moment. This partnership may give the greatest benefits for both partners to the central location of Ukraine in Eurasia and its possibility to connect East and west. Achieving a synergistic effect of such a partnership is possible only by joining the efforts of the partner to achieve their own and common interests and economic development.

Currently, leaders such as the EU, Russia, and China seek to dominate the geopolitical space of Eurasia, which leads to confrontations and intentions to redistribute capital and forces to search for new ways to gain dominance. The USA certainly does not stand aside, but promotes its own interests on the continent, being in partnership with the EU. It is important to note, that the Russian war against Ukraine is not only against Ukraine, but also against the whole West and the attempt to restrain the expansion of the EU in the East.

EU was interested in the partnership of the Black Sea Region especially when Romania and Bulgaria, countries that have the access to the Black Sea became the EU's members. The Black Sea lies on the crossroads of Europe, Central Asia and the Middle East and is important strategically market, through which pass energy and transport routes, borders with rich of oil Caspian region and that can connect West and East.

Among possibilities of the realizing, the Black Sea potential is realizing the Danube's potential, Europe's second longest river, which flows through much of central and southeastern Europe to the Black Sea (Ukraine). The Danube region is considered the most heterogeneous European region. The countries, that are the parts of this region have significant differences in the fields of innovation and information, society, infrastructures, competitiveness and others fields.

Therefore, it is important for the European Union to be guided by geopolitical and geo-economics expediency, and for Ukraine to strive to become a member of the EU, but having its own integral idea of its role, priorities and model of political and economic development in the geopolitical space of the world. One of the important steps in this direction is that Ukraine joined to the Common Transit Convention and the Convention on the Simplification of Formalities in Trade in Goods on 1 October 2022 that helps cargo goods move much more easily between the EU and Ukraine and the common transit countries.

**Key words:** geopolitical location, geo-economics expediency, transit potential, Black Sea potential, Danube potential, transit potential, transport corridor, multimodal transportation.

Стаття присвячена висвітленню однієї з актуальних теоретико-методологічних проблем господарського права щодо геополітичного питання України та розвитку її транзитного потенціалу.

У сучасному глобалізованому світі та враховуючи поточні обставини: зокрема військову агресію Росії проти України та небезпеку для країн Європейського Союзу (ЄС) загалом, фінансову агресію Китаю, нестабільність на півдні Близького Сходу, партнерство між Україною та ЄС є актуальним. Це партнерство може дати найбільші переваги для обох партнерів щодо центрального розташування України в Євразії та її можливості з'єднати Схід і Захід. Досягати синергетичного ефекту такого партнерства можливо лише об'єднавши зусилля партнера для досягнення власних і спільних інтересів та економічного розвитку.

Нині такі лідери, як ЄС, Росія та Китай, прагнуть домінувати в геополітичному просторі Євразії, що призводить до протистоянь та намірів перерозподілу капіталу та змушує шукати нові шляхи домінування. США, звичайно, не стоять осторонь, а просувають власні інтереси на континенті, перебуваючи в партнерстві з ЄС. Важливо зазначити, що війна Росії проти України ведеться не лише проти України, а й проти всього Заходу та спроби стримати розширення ЄС на Схід.

ЄС зацікавлений у партнерстві з Чорноморським регіоном, особливо коли Румунія та Болгарія, країни, які мають вихід до Чорного моря, стали членами ЄС. Чорне море лежить на перехресті Європи, Центральної Азії та Близького Сходу і є стратегічно важливим ринком, через який проходять енергетичні та транспортні шляхи, межує з багатим нафтою Каспійським регіоном і може з'єднати Захід і Схід.

Серед можливостей реалізації потенціалу Чорного моря – це реалізація потенціалу Дунаю, другої за довжиною річки Європи, яка протікає через більшу частину центральної та південно-східної Європи до Чорного моря (Україна). Країни, що входять до цього регіону, мають значні відмінності у сферах інновацій та інформації, суспільства, інфраструктури, конкурентоспроможності та інших сферах.

Тому Європейському Союзу важливо керуватися геополітичною та гео економічною доцільністю, а Україні прагнути стати членом ЄС, але маючи власне цілісне уявлення про свою роль, пріоритети та модель політичного життя та економічного розвитку в геополітичному просторі світу. Одним із важливих кроків у цьому напрямку є те, що 1 жовтня 2022 року Україна приєдналася до Конвенції про спільний транзит та Конвенції про спрощення формальностей у торгівлі товарами, що полегшує переміщення вантажів між ЄС та Україною та спільним транзитом країни.

**Ключові слова:** геополітичне розташування, гео-економічна доцільність, транзитний потенціал, потенціал Чорного моря, потенціал Дунаю, транзитний потенціал, транспортний коридор, мультимодальні перевезення.

In today's globalized world and taking into account the current circumstances, in particular Russian military aggression to Ukraine and danger for the European Union's (EU) countries in general, Chinese financial aggression, instability in the Middle East to its south, EU-Ukraine partnership is a highly relevant topic at the moment. This partnership may give the greatest benefits for both partners to the central location of Ukraine in Eurasia and its possibility to connect East and west. However, it can be obtained precisely only by combining the partner's efforts to achieve own and common interests and economic development.

Currently, leaders such as the EU, Russia, and China seek to dominate the geopolitical space of Eurasia, which

leads to confrontations and intentions to redistribute capital and forces to search for new ways to gain dominance. The USA certainly does not stand aside, but promotes its own interests on the continent, being in partnership with the EU. It is important to note, that the Russian war against Ukraine is not only against Ukraine, but also against the whole West and the attempt to restrain the expansion of the EU in the East.

The most optimistic forecast when Ukraine can become a member of the EU is 2027. Certainly, it will be challenging process and will require the transformation and changing from Ukraine and EU's sides. Nowadays the world is changing so fast and there will be no way for Ukraine to return to the moment before 24 February 2022.

Few authors have dealt with this topic (see e.g. Tassinari/Fabrizio 2006, Vahl Marius 2005, Emerson, M., V. Movchan, T. Akhvediani, S. Blockmans and G. Van der Loo 2022, Inna Kostyrya, Alla Mishchenko 2021, Martsikhiv K., Shepelyak L. 2020, Panchenko M. 2019 and others). Rather, this article discusses several aspects of EU-Ukraine interests: economic, geo-economic, geopolitical, military and social benefits, in particular the Black Sea, Danube transit potentials, and its benefits for EU and Ukraine.

**Geopolitical location of Ukraine.** Ukraine occupies a unique geopolitical location in the central part in Eurasia, which has advantages and disadvantages and has opportunity to connect the West and the East of the world. One advantage is the location at the crossroads of strategically important trade and transport routes, which allows developing transit potential and the Black Sea and Danube potential in cargo transportation.

According to the information in the following Table, we have tried to explain both the suitable and at the same time so complicated geopolitical location of Ukraine by SWOT analysis. That is important for strategic planning method during realizing the rebuilding program for Ukraine and for establishes EU-Ukraine partners' relationships. We use methodology by asking questions and answering the group of similar questions for each of the four components:

**Strengths** (What are the benefits of the geopolitical location of Ukraine? What resources does the location have? Etc.),

**Weaknesses** (Where does Ukraine not make enough to use its geographic location? Which processes for using it can be improved? Etc.),

**Opportunities** (How can Ukraine apply its strengths of the location and increase the EU's interest in Ukraine? What are new ways of using its location? Etc.)

**Threats** (What hinders Ukraine to realize its potential?).

Let's try analyze the main mutual benefits of the EU-Ukraine cooperation, notably by using the Black Sea Region's (BSR's)

and Danube's potentials, taking into account the main "drivers": economical, geo-economical, geopolitical, military and social factors with its benefits, that will determine the future direction of the EU-Ukraine partnership and thinking through their prioritization - structuring by importance and actuality.

As we know, the economic location dominates even geographic location nowadays. Globalization processes are so fast, and in this reality, economic and geo-economic benefits are the most important, so they should be the first priority. Political system of every country depends on the external and internal economic relationship. Economy provides the material base of each policy and its political system. Geo-economics determines the policy of redistribution of resources and world capital in general, which is the key case of conflicts between world leaders. Having real economic interests EU countries will care about investment in Ukraine and encourage investment in the Black Sea Region (BSR).

Given the fact that it is the geopolitical component of Ukraine and that external factors play an important role, they should be the second priority. Geographical factors; the location of the state on the world's map, and access to the sea, trade routes and resources have a strong influence on the international competition and, consequently, on the behavior of the state in the face of this competition. The answer to the question whether Ukraine can build attractive international cargo shipping ports with developed infrastructures and attract branches of oil or gas pipelines will determine the future of the country.

On the factors that should be highlighted, is military power that is the basis for collective security in general.

In addition, the social factor has the great importance, which in principle answers the question of what privileges the society will receive from further cooperation. It is important, given the democratically principles and European standards with a focus on human rights immediately.

Table 1

**Swot analysis of the geopolitical location of Ukraine**

Strength	Weakness
<ul style="list-style-type: none"> <li>- the central location in Europe at the crossroads of the shortest routes from Eastern Europe and Asia to Central and Western Europe;</li> <li>- possibility to connect the Baltic region to the Black sea;</li> <li>- existing trade routes and transport corridors, transit potential;</li> <li>- Ukraine's access to the Black and Asov seas, Danube potential;</li> <li>- large economic zone – maritime region, that lies beyond the boundaries of the territorial waters and adjoins them;</li> <li>- frost-free Black Sea ports;</li> <li>- gas reserves;</li> <li>- developed industry, lot of natural resources and mineral deposits;</li> <li>- food security;</li> <li>- EU's military defense.</li> </ul>	<ul style="list-style-type: none"> <li>- weak shadow economy and monopolized system;</li> <li>- high level of state external debt of Ukraine (more than 70% of GDP);</li> <li>- big level of corruption;</li> <li>- low-tech;</li> <li>- weak development of international transport corridors and transit potential;</li> <li>- lack of transport logistics routes and network inside Ukraine;</li> <li>- high degree of depreciation of fixed assets;</li> <li>- diversity of views about the state's affiliation and orientation;</li> <li>- the absence detailed, not declarative concepts, plan and the long-term strategic program for the development of Ukraine;</li> <li>- insufficient provision with its own energy and alternative energy resources;</li> <li>- inefficient geographical structure of foreign trade relations.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>- realize transit potential, oriented to logistics, improve export policy;</li> <li>- create international high tech transport hubs;</li> <li>- transparency;</li> <li>- develop gas reserves (also in the black Sea reserves);</li> <li>- develop invest policy for the concrete infrastructure projects;</li> <li>- reducing dependence on external borrowed resources;</li> <li>- formation and implementation of a geostrategic based on the priority of national interests;</li> <li>- rivers' potential: Danube, Dniro. <i>EU Danubestategy</i>;</li> <li>- devise insurance and legal protections to investors</li> </ul>	<ul style="list-style-type: none"> <li>- expansionist policy and geopolitical pressure from Russia;</li> <li>- Ukraine is between regional economic (EU and the Russian Federation) and military-political centers of global power (NATO and the Russian Federation);</li> <li>- financial dependence on international support;</li> <li>- growth of external public debt and big level of corruption;</li> <li>- deep depreciation of the state's fixed assets, their technical condition;</li> <li>- inefficient management in the state.</li> </ul>

Sources: Compiled by author based by the information Kopachinska (2021).

The deepening of multi-level relations between Ukraine and the EU should take into account these factors and direct joint efforts to form a common effective political and economic space in order to have synergetic high result in promotion an economically vibrant strategically secure of Europe and Ukraine as a part of EU.

**Black Sea potential.** EU was interested in the partnership of the Black Sea Region especially when Romania and Bulgaria, countries that have the access to the Black Sea became the EU's members. The Black Sea lies on the crossroads of Europe, Central Asia and the Middle East and is important strategically market, through which pass energy and transport routes, borders with rich of oil Caspian region and that can connect West and East.

According this the first EU's interest of the Black Sea region is the process EU enlargement and strengthening EU's position in the Black Sea region thanks to Moldova and Ukraine.

The second EU's interest is the protection its interests in the Black Sea region and neighbor regions, that are vital important for security and implementation foreign policy plans of the EU, including the strengthening of the political and economic influence of the European Union in this region. Examples of it can be the new pipelines from the Central Asia countries through the Black Sea region in by passing Russia and the TRACECA strategy.

TRACECA is an international program with the aim of strengthening of economic relations, trade and transport communication in the countries of the BSR, South Caucasus

and Central Asia. In September 1998 TRACECA, countries signed the "Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor" (MLA) with the aim of implementing in full their geopolitical and economic potentials. Today the TRACECA route comprises the transport system of the 13 member-states of the "Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor" (MLA TRACECA): Azerbaijan, Armenia, Georgia, Iran, Kazakhstan, Kyrgyzstan, Moldova, Romania, Bulgaria, Tajikistan, Turkey, Ukraine and Uzbekistan.

There are four Pan-European transport international corridors through Ukraine:

- № 3 (Brussels-Aachen-Cologne-Dresden-Wroclaw-Katowice-Krakov-Lviv-Kyiv, length of 1640 km, from which 694 km are railways and 611 km are highways across Ukraine);

- № 5 (East-West: Venice-Trieste/Koper-Ljubljana-Maribor-Budapest-Uzhhorod-Lviv-Kyiv, total length of 1595 km, from which 266 km of highways and 338.7 km of railways pass through Ukraine);

- № 9 (Helsinki-Vyborg-St.Petersburg-Pskov-Gomel-Kyiv-Liubashivka-Chisinau-Buharest-Dimitrovgrad-Alexandropoulos, total length of 3400 km, of 1496 km of railways and 996 km of highways in Ukraine);

- № 7 by water (The Danube River Northwest-Southeast: Austria-Hungary-Croatia-Serbia-Romania-Bulgaria-Moldova-Ukraine) - 2,300 km (1,429 mi).

The TEN-T project, within the limits of the TRACECA program, supports the creation by 2030 of a new transport

Table 2

№	Europe	Ukraine
1	<b>Economic Benefits</b>	
	<ul style="list-style-type: none"> <li>- strengthening of the zone of influence in the Black Sea region along with Bulgaria and Romania;</li> <li>- frost-free Black Sea ports create favorable conditions for business in connecting West and East;</li> <li>- creation new transport and trade corridors, connecting West and East through Ukraine bypassing Russia;</li> <li>- construction of new pipelines with the countries of Central Asia bypassing Russia;</li> <li>- exit through the Black Sea to the oil-rich Caspian Sea;</li> </ul>	<ul style="list-style-type: none"> <li>- macroeconomic stability;</li> <li>- the creation of a developed market with the establishment of European standards, a single currency (in the case of Ukraine joining the EU);</li> <li>- new sales markets;</li> <li>- increasing competitiveness;</li> <li>- increasing efficiency of the transport logistics;</li> <li>- increasing access to technology;</li> <li>- additional investments in the economy;</li> <li>- realization of the transit potential;</li> <li>- increasing the export and IT-export;</li> <li>- reducing of customs tariffs;</li> <li>- a single standard certification with EU process</li> </ul>
2	<b>Geo-economic Benefits</b>	
	<ul style="list-style-type: none"> <li>- maintenance of the role of the EU as a financial and political giant in the global world along with the USA, Russia and China by access to the raw material base, natural resources, industry complex and critical infrastructure facilities;</li> </ul>	<ul style="list-style-type: none"> <li>- perception of Ukraine as an important subject of political relations;</li> <li>- increasing the importance of Ukraine's role in global economic system;</li> </ul>
3	<b>Geopolitical Benefits</b>	
	<ul style="list-style-type: none"> <li>- to consolidate the EU by moving the borders of the EU to the east; expanding the identification within Europe;</li> <li>- transatlantic goal, increasing the balance of interests with the USA;</li> <li>- strengthening forms of energy security;</li> </ul>	<ul style="list-style-type: none"> <li>- stability of the state and policy;</li> <li>- geopolitical identity of Ukraine;</li> <li>- anticorruption policy;</li> <li>- weakening of Russia's external influence on Ukraine;</li> </ul>
4	<b>Military Benefits</b>	
	<ul style="list-style-type: none"> <li>- strategically security of Europe;</li> </ul>	<ul style="list-style-type: none"> <li>- support and technical assistance during an armed conflict;</li> <li>- collective security;</li> <li>- improvement the security of the BSR region;</li> </ul>
5	<b>Social Benefits</b>	
	<ul style="list-style-type: none"> <li>- global food security;</li> <li>- mitigating demographic challenges;</li> </ul>	<ul style="list-style-type: none"> <li>- opening borders and new opportunities for people;</li> <li>- increasing the standard of living;</li> <li>- establish sustainable logistic processes in terms of the social and environmental impacts</li> </ul>

Sources: Compiled by author

system in the EU: the Mediterranean corridor № 6 (Gdansk – Odessa International Transport Corridor (Ukraine)).

Now there are two transit oil lines bypassing Russia. First is through Ukraine: Azerbaijan (oil producer) - Georgia – Ukraine- Moldova- Romania (Europe). The second is the Baltic: Norway, USA, and Finland- Lithuanian (of Klaipeda) on the Baltic Sea.

The role of Ukraine for EU in the Black Sea region gives economic benefits advantages, first, in transport communications and in the field transit of energy carriers.

In addition, through the abovementioned EU's interests we can identify the third important EU interest in the development relations with Ukraine, in particular in the realizing the Black Sea and Danube potential. This is the possibility to develop a long Baltic line to Ukraine by the waterway and create the Baltic-Black Sea Union. In case if we prolong Baltic transit line to Ukraine (current end-point of Baltic transit line is Poland) we can have full circle of transit from West (Scandinavian countries) through Ukraine, Georgia, Azerbaijan or Kazakhstan to East and can be used not only for oil transit, but also for other cargo transportations. For Ukraine this project also solve great questions: increase export and transit potential, can improve the relationship between Belarus and Ukraine, between Poland and Ukraine, helps in the perception of Ukraine as an important subject of political relations, increase the importance of Ukraine's role in global economic system and reduce the pressure from Russia.

The promotion of regional cooperation can be regarded as a logical extension of the European integration rationale of pooling resources, coordinating action, and building confidence through enhancing transnational cooperation. Modern challenges in The Black Sea region requires coordinated actions between involved EU's countries and Ukraine on the nation level and on the EU-Ukraine's partnership level. This initiative should focus on promoting a multi-stakeholder, comprehensive synergy in the Black Sea for all involved partners (Guidelines for an EU Initiative, 2006).

**Danube potential.** Among possibilities of the realizing, the Black Sea potential is realizing the Danube's potential, Europe's second longest river, which flows through much of central and southeastern Europe to the Black Sea (Ukraine). The Danube region is considered the most heterogeneous European region. The countries, that are the parts of this region have significant differences in the fields of innovation and information, society, infrastructures, competitiveness and others fields.

The EU strategy for the Danube Region – EUDR was designed to jointly solve the challenges ahead by EU member states and non-EU states that located in the same geographic region, including Ukraine and Moldova.

Pursuing ambitious goals, Priority Direction 1A – Internal shipping focused on increase of river cargo transportation, on improvement of navigation taking into account features of each sector of the Danube River and its navigable tributaries, on the created effective waterway management infrastructure.

Giurgiulesti International Danube's Port (in Romania) is becoming part of solution to regional food security concerns. Overall year-on-year volumes moving through Giurgiulesti International Free Port have more than doubled so far in 2022, reaching 804,029 tons, says the port operator, Danube Logistics. The operator, Danube Logistics, constructed a cargo terminal in 2011, as well as a berth for a grain terminal, a mixed-gauge railway terminal, port infrastructure, a warehouse, storage areas and office buildings (The FINANCIAL2022).

That is why according to the EU Danube strategy it is important to develop multimodal transport services and infrastructures for it in the Danube's region between Ukraine – EU's countries as a direction of ensuring sustainable development of the transport system of Ukraine and new economical possibilities and interests for EU and Ukraine. These questions were also discussed on the fifth German-

Ukrainian Business Forum Rebuild Forum that was 24<sup>th</sup> October 2022 in Berlin.

One of the examples of it can be a family business Ukrainian organization Nibulon from Mykolaiv region by the Vadaturskyys' Family. Organization is responsible for grain production and exports, logistics, shipping, infrastructure construction, and shipbuilding. Nibulon's logistics includes 1 million tons by rail in 2020/21. In addition, 15.04.2022 after Russia's invasion Nibulon made the decision to build a transshipment terminal on the Danube and 15.09.2022 first barge loaded (Logistics 2022).

To date, there is a consensus that the dynamic balance among its three components determines sustainable development in the global dimension and in any society: economic, social and environmental and its question in the context of transport system and transport trade corridors.

The EU Danube strategy is a part of the Black Sea region strategy and is a real key for EU – Ukraine profitable partnership with interests according the “drivers” that were discussed above.

In order to achieve development for Ukraine and stability for EU, it is important at first for both sides to answer honestly for two questions. First question is for EU: is the EU ready to grant Ukraine the status of a member of the EU, not just a candidate? In addition, if so, how long will this process take? The second question for Ukraine: is whether Ukraine is ready to say goodbye to an unprecedented orientation towards the CIS countries and whether it is fully aware of and ready for clear integration into the EU and how much time is needed for Ukraine to join the EU for Ukraine itself.

Answering these fundamental questions is an important first step for determining the future of the relationship between the EU and Ukraine. However, it is also necessary to clearly outline the range of interests of each of the parties and to develop a clear and understandable plan for the future for both partners. Such a plan is necessary to achieve synergistic effects of Ukraine's long-awaited and difficult path to EU membership. The result of the successful EU-Ukraine partnership could be the formation of a common political and economic space, taking into account the interests of both sides, along with an in-depth analysis of possible challenges and threats and the search for ways to solve these tasks.

Therefore, it is important for the European Union to be guided by geopolitical and geo-economics expediency, and for Ukraine to strive to become a member of the EU, but having its own integral idea of its role, priorities and model of political and economic development in the geopolitical space of the world. One of the important steps in this direction is that Ukraine joined to the Common Transit Convention and the Convention on the Simplification of Formalities in Trade in Goods on 1 October 2022 that helps cargo goods move much more easily between the EU and Ukraine and the common transit countries.

**Conclusions.** The EU-Ukraine partnership is mutually beneficial and should be based on concretely understanding interests in order to realize the Black Sea and Danube potentials. It has long-term perspectives and possibilities to connect West and East in an efficient way. It is important to develop the EU Danube strategy as a part of the Black Sea development. Good examples of development and cooperation in EU strategy for the Danube region are Giurgiulesti International Port<sup>1</sup>, successfully managed by German businessperson Matias von Tucher.

In addition, there are perspectives for the creation of the Baltic-Black Sea region and the full circle of transit from West (Scandinavian countries) through Ukraine, Georgia, Azerbaijan or Kazakhstan to East and can be used not only for oil transit, but also for other cargo transportations.

<sup>1</sup> Video about this project can be found following the link: <https://www.youtube.com/watch?v=kPOxSaD8xRU&themeRefresh=1>

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