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HARMONIZATION OF UKRAINIAN AND EU PORT POLICIES IN THE CONTEXT OF GLOBAL FRAGMENTATION AND POTENTIAL RISKS

ГАРМОНІЗАЦІЯ ПОРТОВИХ ПОЛІТИК УКРАЇНИ ТА ЄС В УМОВАХ ГЛОБАЛЬНОЇ ФРАГМЕНТАЦІЇ ТА ПОТЕНЦІЙНИХ РИЗИКІВ

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In the current context of global fragmentation, geopolitical instability, and intensifying strategic rivalry among leading states, seaports are acquiring a new functional significance – shifting from transport-logistics hubs to instruments of geoeconomic influence, implementation of the energy transition, and security. Responding to external challenges and aspiring to strategic autonomy, the European Union is expanding the scope of its responsibility in the domain of critical infrastructure. In this context, Ukrainian ports, confronted with the consequences of the Russian Federation’s full-scale armed invasion, have gained new importance as part of the future architecture of European security, transport, and energy. Accordingly, there is an objective need for a theoretical reconsideration of the challenges and benchmarks for updating Ukraine’s port strategy, taking into account the EU’s strategic approaches, trends toward regionalization, and the requirements of resilience and digital transformation.

Keywords: seaports, port policy, geoeconomic resilience, strategic autonomy, critical infrastructure, European integration, Ukrainian post-war recovery.

У сучасних умовах глобальної фрагментації, геополітичної нестабільності та зростаючого стратегічного суперництва між провідними державами морські порти набувають нового функціонального значення – від транспортно-логістичних хабів до інструментів геоекономічного впливу, реалізації концепції енергетичного переходу та безпеки. Європейський Союз, реагуючи на зовнішні виклики та прагнучи до стратегічної автономії, розширює зону своєї відповідальності у сфері критичної інфраструктури. У цьому контексті українські порти, що стикаються з наслідками повномасштабного збройного вторгнення Російської Федерації, отримали нове значення як частина майбутньої архітектури європейської безпеки, транспорту та енергетики. Прийняття у 2024 році резолюції Європейського парламенту щодо побудови комплексної європейської портової стратегії із прямим посиланням на українські порти свідчить про зміну статусу України в системі стратегічного планування ЄС. Водночас національна портова політика України, сформована ще у 2013 році і переглянута у 2020, в умовах воєнного стану, нових геоекономічних реалій і цілей європейської інтеграції певною мірою втратила свою актуальність. У зв'язку з цим постає об'єктивна потреба в теоретичному осмисленні викликів та орієнтирів для оновлення портової стратегії України з урахуванням стратегічних підходів ЄС, тенденцій регіоналізації, потреб стійкості та цифрової трансформації. У контексті концепції стратегічної автономії, що стала ключовою складовою глобального політичного дискурсу, маємо зазначити, що на відміну від держав-членів ЄС, які розвивають автономність *в межах інтеграційного блоку*, Україна наразі не має передумов для реалізації власної стратегічної автономії. Доцільним є бачення автономності для України як функціональної, блокової стратегічної автономії, що реалізується через участь у союзних форматах, зміцнення стійкості у критичних секторах, зменшення критичних залежностей через диверсифікацію партнерств і стратегічну індустріалізацію.

Ключові слова: морські порти, портова політика, геоекономічна стійкість, стратегічна автономія, критична інфраструктура, європейська інтеграція, повоєнне відновлення України.

Formulation of the problem. In the contemporary geoeconomic and geopolitical context, the strategic role of ports is gaining increasing importance. Ports are vital to the economy as multimodal nodes in national, regional, and global supply and export chains. They are also becoming centres of sustainable energy, clusters of energy-intensive industry and the circular economy, as well as pillars of geopolitical and geoeconomic resilience and military mobility [16]. All these functions necessitate adequate financing for the modernisation and adaptation of ports, which is likewise critical to counter the rise of threats of both natural and anthropogenic origin, as well as physical and cyber vulnerabilities.

Analysis of recent publications on the problem. A growing body of scholarship examines how geopolitical tension, de-globilization, and strategic-autonomy agendas are reshaping maritime trade and the governance of ports. Conceptual and policy syntheses include Notteboom, Pallis, and Rodrigue's Port Economics, Management and Policy (2022), WTO's World Trade Report 2023 on de-globalization, and UNCTAD's Review of Maritime Transport 2024, each documenting trade fragmentation and its port-sector implications. Empirically, Notteboom and Haralambides (2023) analyse ports' emerging roles as green-hydrogen hubs and as security-sensitive nodes in tense geopolitical settings, while Eurostat (2023) provides traffic and trade baselines for the EU context. On the EU policy side, the European Parliament's Resolution Building a Comprehensive European Port Strategy (2024) and the updated TEN-T Regulation (2024) position ports as dual-use gateways for military mobility and clean-energy supply chains. Draghi's The Future of European Competitiveness (2024) further underlines transport and port infrastructure as levers for resilience and enlargement-linked integration (including Ukraine). Security-investment interfaces have been explored through FDI-screening practice (European Commission, 2023) and case analyses of Chinese stakes in European and African ports (e.g., Yang et al., 2020; Yang, Li & Notteboom, 2022), highlighting data-security, sovereignty, and inland-logistics spillovers. Collectively, these publications motivate the present study's focus on aligning Ukraine's port strategy with EU frameworks under conditions of war-time disruption, supply-chain rerouting, and accelerated energy transition.

Highlighting previously unsolved parts of the overall problem. Ukraine should actively engage in shaping the new architecture of Europe's transport and logistics integration. Ukrainian ports should be regarded as important elements of the single European space, capable of ensuring the resilience of supply chains and supporting the region's energy transition. Their participation in TEN-T development, the deployment of digital solutions, decarbonisation, and the creation of multifunctional logistics hubs should be a strategic priority. Coordinated integration of Ukraine's port infrastructure into the EU transport system will strengthen connectivity, competitiveness, and security across the region. Through active involvement in these processes, Ukraine can reinforce its role as a full-fledged participant in Europe's economic and security space.

In light of the foregoing, there is a need to revise and update the Strategy for the Development of Ukrainian Seaports. The new strategy must not only address post-war needs but also be systematically embedded in the European strategic vision, wherein Ukraine's ports are not peripheral but key nodes of growth, transit, and security.

Formulation of the article's objectives. The Purpose of the study is to formulate strategic guidelines for the development of Ukraine's port policy amid the transformation of European approaches to managing port infrastructure, heightened security risks, tendencies toward the fragmentation of global trade, and the needs of post-war recovery. Research objectives: 1. To characterize the geopolitical and geoeconomic transformations that affect the functional role of ports in global and European dimensions; 2. To analyse the evolution of the European Union's strategic vision regarding port infrastructure and to identify the principal directions for strengthening the security, competitiveness, digitalization, and institutional resilience of European ports; 3. To assess the current state of Ukraine's strategy under conditions of war, infrastructure loss, and the growing significance of ports for the region's defence, energy, and logistics architecture, and to identify the challenges and constraints to its renewal and integration into the EU-wide strategic environment.

An outline of the main results and their justification. In the contemporary geoeconomic and geopolitical context, the strategic role of ports is gaining increasing importance. Ports are vital to the economy as multimodal nodes in national, regional, and global supply and export chains. They are also becoming centres of sustainable energy, clusters of energy-intensive industry and the circular economy, as well as pillars of geopolitical and geoeconomic resilience and military mobility [17].

In recent years, geopolitical tensions and shocks have exerted a growing influence on the dynamics of global trade and shipping networks. Since the 2009 financial crisis, a tendency toward deglobalisation or "slowbalisation" has become evident [18].

Structural factors that previously stimulated trade have weakened, while protectionist tendencies have strengthened: higher tariffs, trade conflicts, and competition for strategic advantages (Fig. 2).

Shifts in the distribution of economic power among countries are reshaping trade networks, leading to new dependencies and rivalries. Geopolitical tensions between leading economies have become a driver of decoupling and trade reorientation. Countries are seeking to reduce their dependence on rival states by fostering the creation or strengthening of new trade alliances [13]. This new trend stems from the development of strategic autonomy policies. This policy reflects an aspiration to safeguard sovereignty in an increasingly globalised and interconnected world while minimising vulnerability to external influences. Its economic components include diversifying trade partners; reducing reliance on a single supplier or country for critical goods; and increasing domestic production in strategically important sectors such as semiconductors, pharmaceuticals, renewable-energy technologies, agriculture, and military equipment. Pursuit of strategic autonomy requires policies that, insofar as possible, balance partnerships with global powers while preserving the capacity to act independently. Implementing such a policy can be highly complex, as illustrated by the European Union's efforts – documented by the European Parliamentary Research Service – to achieve strategic autonomy by reducing dependencies (e.g., on NATO) while maintaining cooperative ties with most non-EU countries [8].

Achieving full strategic autonomy is exceedingly difficult (if not impossible) in a highly interdependent global economy characterised by tightly interwoven supply chains. For example, complete economic decoupling from China is

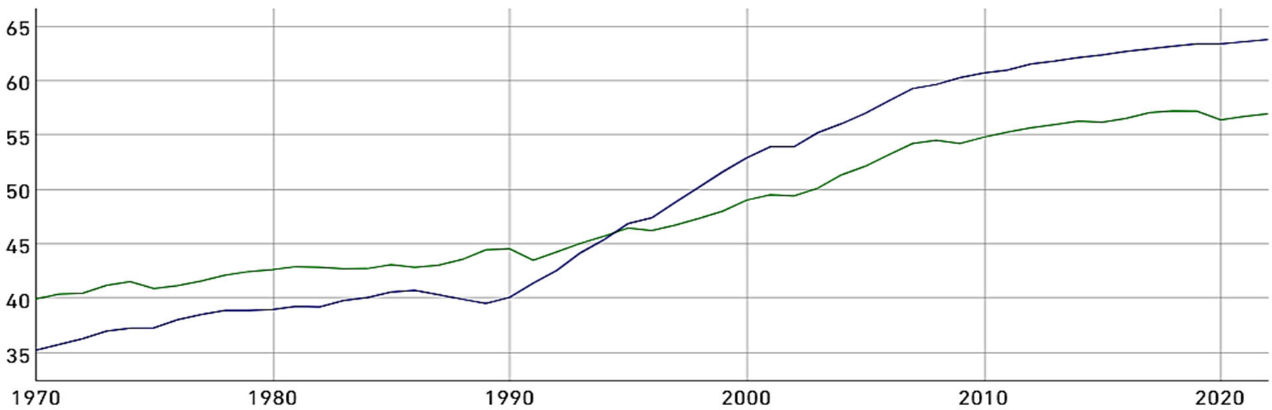

Figure 1. Globalization index KOF (2024)

Source: KOF Swiss Economic Institute, 2024 [15]

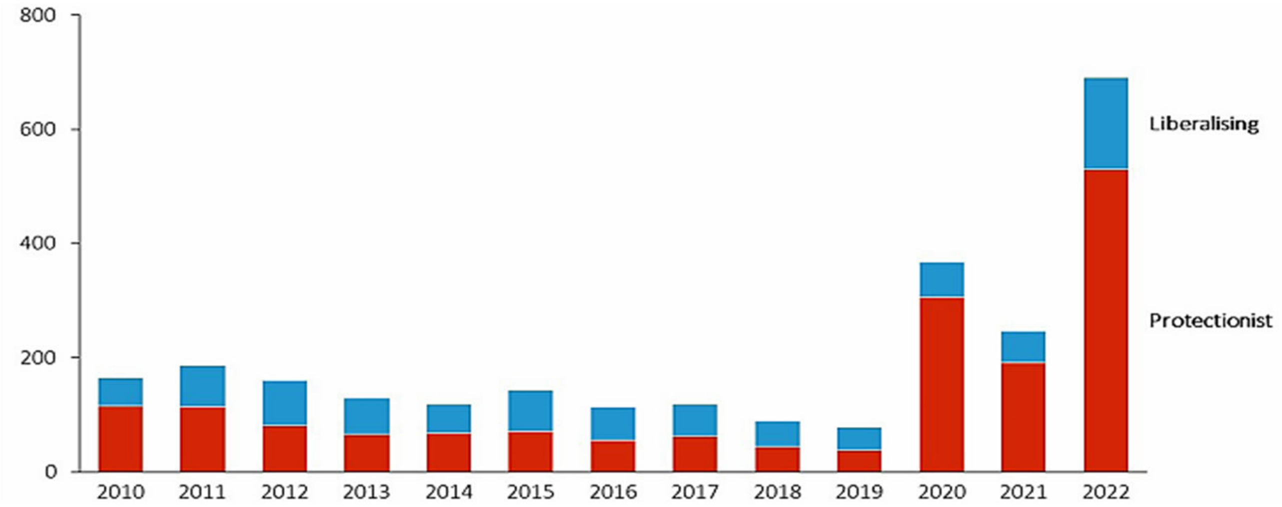

Figure 2. Trade policy interventions 2010-2022

Source: Draghi 2024 [2]

unthinkable and undesirable for any country, given China's dominance in many industrial manufacturing sectors [22; 23]. Moreover, building strategic-autonomy capabilities requires substantial financial resources and time.

The changing geopolitical landscape of countries and regions, together with global economic uncertainty, is prompting companies to de-risk by shortening supply chains and reducing dependence on specific countries. Trade flows and shipping networks are being reconfigured. The World Trade Organization (WTO) highlighted these trends in its World Trade Report 2023, pointing to early signs of trade fragmentation as countries increasingly favour trade with like-minded partners [25]. In addition, UNCTAD suggests a gradual shift in bilateral trade preferences toward countries with similar geopolitical positions [21].

As global tensions rise, questions of ownership and the redistribution of port areas are increasingly tied to geopolitical context, influencing port authorities' decisions on attracting foreign investors or operators. Any investments in port terminals linked to foreign states may trigger a range of geopolitical concerns. Foreign operators' investments in strategic port assets raise fears of potential conflict with long-term national interests. There is also a risk that such operators gain access to critical trade data and technological flows that could be transmitted to third-country state entities and used in unfriendly trade or technology policies. This prompts governments to introduce mechanisms to control data access, transfers, and confidentiality.

Given the potential risks, FDI screening mechanisms are gaining momentum. Countries increasingly require rigorous review of foreign investments in critical infrastructure. In Europe, Regulation (EU) 2019/452 established a cooperation framework for screening inbound FDI, based on common standards and an EU-wide information-sharing network. The Regulation is intended to enhance the EU's capacity to identify, assess, and mitigate potential risks that certain FDI, especially in critical infrastructure and advanced technologies, may pose to the Union's or its Member States' security. In recent years, most EU Member States have amended existing national screening regimes or developed new ones, while EU institutions are already working to review the 2019 FDI Screening Regulation [6].

Beyond providing port services through state-owned or state-linked foreign terminal operators, states can exert geopolitical influence over ports in other ways [16; 26]. First, they may provide direct or indirect financial support for port construction through national development banks or other strategic investment institutions, as well as via subsidies or technical assistance. While such financial or technical support is welcome in principle, it is often extended subject to conditions. Bilateral agreements are typically negotiated and concluded at the intergovernmental level. Concerns persist that such agreements may involve pressure to secure the recipient country's geopolitical alignment. Second, foreign state-owned construction companies may be mobilised to build, service, and operate ports. This raises the issue of vetting foreign port technologies and equipment installed at national facilities, given the potential strategic risks associated with foreign influence. The use of foreign technologies can create critical dependence, heightening vulnerability to supply-chain disruptions or equipment failures [26].

Particular attention is paid to maintaining control over critical assets in sectors such as energy and related infrastructure terminals, pipelines, storage facilities. In such cases, governments may provide state support or incentivise investment on strategic-security grounds, even where this may not be economically justified [14].

Today, the European Union is actively developing strategic approaches designed to strike a fair balance between, on the one hand, strengthening Europe's security and competitiveness, and, on the other, preserving open trade and an attractive investment climate, as well as the resilience of robust supply chains that are vital to European society and the economy.

For the European economy, the port sector is of decisive importance. EU ports handle over 2 million ship calls per year, accounting for roughly 75% of the Union's external trade volumes (Fig. 3) [12].

In the comprehensive report *The Future of European Competitiveness*, prepared by Mario Draghi at the request of the European Commission, it is noted that Europe now faces three large-scale transformations. The first is the need to accelerate innovation and identify new engines of growth. The second is the need to reduce high energy prices while continuing decarbonisation and the transition to a circular economy. The third is that the EU must respond to geopolitical uncertainty in the current global instability, where dependencies turn into vulnerabilities; consequently, in matters of its own security, reliance on third countries is no longer viable [2].

In the transport chapter, the author stresses that "*Transport […] provides vital services for EU citizens and businesses, contributing to the EU's global economic competitiveness and productivity. To maintain leadership in this field amid rising global competition, EU policymakers must act strategically*." In this context, particular attention is devoted to the development of international partnerships and strategic infrastructure as key preconditions for preserving the EU's global influence, notably in matters of climate policy and resilience. As the report states, "*The EU must prepare for future enlargement by further strengthening the 'solidarity lanes' with Ukraine and Moldova – by investing in land and inland waterway infrastructure and ensuring procedures at borders; by integrating Ukraine, Moldova and the six Western Balkan countries into the TEN-T network; and by supporting candidate countries in aligning with European standards and the acquis, with a view to broadening the EU's global engagement. Such cooperation should help position transport as an instrument of integration*" [2].

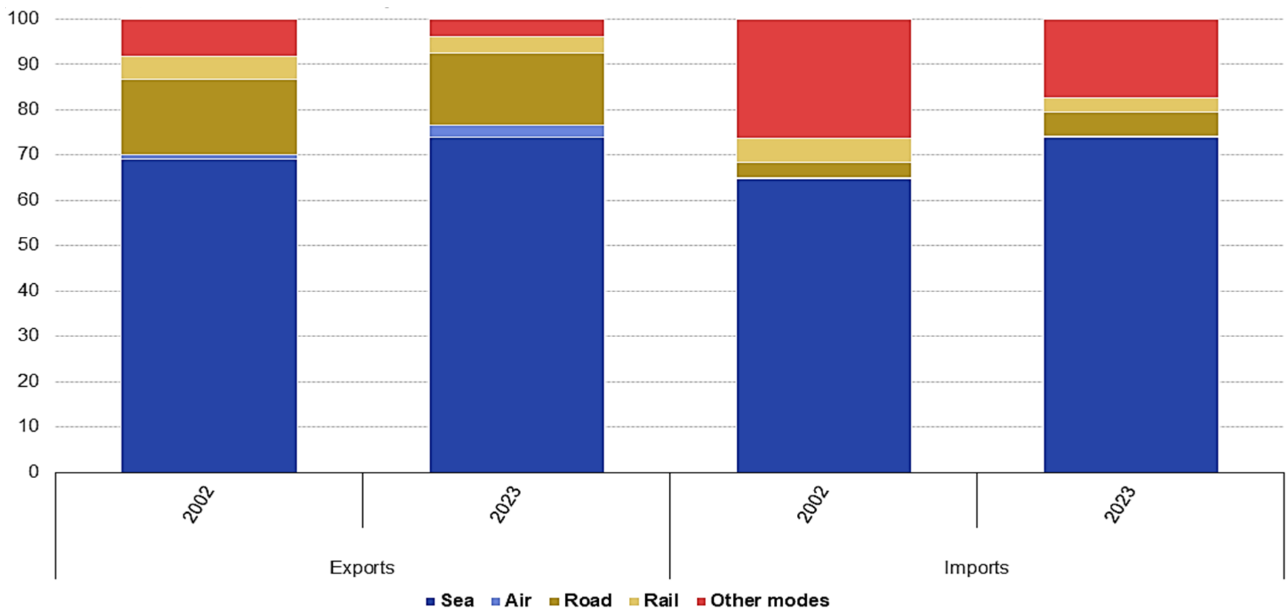

Figure 3. Quantity of extra-EU trade in goods, by mode of transport 2002 and 2023

Source: Eurostat, 2023 [12]

Within this perspective, ports as strategic infrastructure assets emerge not only as logistics centres but also as multifunctional nodes of European integration, strategic autonomy, the energy transition, and resilience.

The EU's governing institutions have developed a substantive regulatory framework that continues to evolve and be updated in response to operational, economic, and legal challenges of both external and internal origin. Unlocking the potential of EU ports was placed at the core of the EU's 2013 framework port policy strategy "Ports: Engines for Growth" [3]. The strategy addressed a range of issues related to structural gaps in port operations, emphasised the need to modernise ports with due regard to environmental concerns, insisted on greater transparency in the use of public funding, and focused on market access and workforce participation. Another important regulatory step towards ensuring the efficient functioning of ports was the adoption, in 2017, of Regulation (EU) 2017/352, which establishes a transparent, fair, and non-discriminatory system for the provision of port services in the EU, as well as financial transparency for ports. The objective of adopting this legal act was to enhance the efficiency, competitiveness, and investor attractiveness of ports by facilitating their integration into Europe's transport and logistics chains [10]. The 2020 Sustainable and Smart Mobility Strategy (SSMS) and the 2021. "New Approach for a Sustainable Blue Economy" року [4; 5] reaffirmed the strategic role of EU ports while placing greater emphasis on sustainability and digitalisation. The 2024 Regulation on the Trans-European Transport Network (TEN-T) recognises the role of ports as cross-border multimodal nodes and transport hubs – gateways for trade, industrial clusters, military mobility, and clean energy and fuels [11]. The Defence White Paper identifies military mobility as a key factor in European security and defence, with ports – designated as primary points of entry – playing a decisive role in the military logistics chain and constituting dual-use, critically important transport infrastructure [7]. This law- and policy-making process is ongoing. These days the European Union has initiated the development of a new Comprehensive European Port Strategy, one of whose chief aims is to ensure the EU's aforementioned strategic autonomy.

In the Political Guidelines for 2024-2029, European Commission President Ursula von der Leyen announced an EU Ports Strategy focused on security, competitiveness, economic independence, and protection. [24] She identified challenges that were also highlighted in the European Parliament Resolution 2023/2059(INI) of 17 January 2024, which calls for a comprehensive European port strategy encompassing the security dimension, particularly risks linked to foreign influence and to digital and physical vulnerabilities, while promoting the competitiveness of ports and supporting their key role in the energy transition and military mobility. In assessing external influence, the Parliament urged the Commission to present a European strategic policy framework aimed at reducing and limiting such influence. It also called for monitoring third-country participation in the port activities of neighbouring states under the European Neighbourhood Policy and enlargement policy. This underscores the need for a common European strategy for ports. EU ports must attract the foreign investment necessary to finance forthcoming transformations and accommodations, while safeguarding key levers of control over individual ports [9].

Ukraine should actively engage in shaping the new architecture of Europe's transport and logistics integration. Ukrainian ports should be regarded as important elements of the single European space, capable of ensuring the resilience of supply chains and supporting the region's energy transition. Their participation in TEN-T development, the deployment of digital solutions, decarbonisation, and the creation of multifunctional logistics hubs should be a strategic priority.

The above-mentioned European Parliament resolution "*Building a comprehensive European Port Strategy*" (P9_TA(2024)0025) explicitly brings Ukrainian ports within the EU's sphere of strategic influence: Point G: Recognises that the Russian Federation's war against Ukraine has revealed unacceptable risks arising from dependence on third countries in strategic sectors, including port infrastructure; Point 2: Calls on the European Commission to monitor third-country participation in the ports of neighbouring states, including those covered by the Neighbourhood and Enlargement policies (Ukraine); Point 9: Requires mandatory screening of third-country investments in TEN-T ports, including those being constructed with the participation of non-EU companies [9]. Accordingly, the de facto inclusion of Ukrainian ports within the EU's sphere of strategic responsibility creates new opportunities for financing, security, and integration.

Since the adoption in 2013 of the Strategy for the Development of Ukrainian Seaports up to 2038, Ukraine's port policy has demonstrated an ambition to achieve regulatory and functional synchronisation with the European Union's framework approaches [19]. In particular, the provisions of that strategy were conceptually aligned with the EU's foundational 2013 document "*Ports: an engine for growth*" (COM(2013)0295), which defined ports as system-forming nodes of economic growth, logistics, and the energy transition. At the time, the Ukrainian port strategy envisaged a shift to the landlord port model; attraction of private investment via concessions; development of multimodal infrastructure; integration with the TEN-T network; and the environmental modernisation of ports [3]. However, the strategic environment has changed substantially over the past decade. Despite the loss of port capacities in Crimea after 2014, the first update of Ukraine's strategy was undertaken only in 2020. That revision partially reflected changes in the geopolitical situation and the reorientation of trade flows. The updated version accounted for Ukraine's new realities – loss of the ports of Crimea; changes in cargo structure (growth in grain exports, energy imports); and the need to develop ports in the Danube region [19].

The impact of the Russian Federation's full-scale invasion in 2022 proved most devastating for maritime transport. Ukraine suffered significant port losses, both material and operational. As a result, logistics chains were disrupted; the role of ports as elements of defence infrastructure increased; and cooperation with the EU on alternative transport routes (Solidarity Lanes) intensified. In this context, the existing strategy has lost its relevance, as it does not encompass new security risks, shipping constraints, shifts in the geography of trade, or post-war recovery needs.

In response to these new challenges, two key documents were adopted in 2024: the Maritime Security Strategy of Ukraine and the updated Transport Strategy of Ukraine to 2030. Both lay the groundwork for a new paradigm of port development that integrates economic, security, and geopolitical dimensions. Specifically, the Maritime Security Strategy of Ukraine (July 2024) designates ports as critical infrastructure; provides for the de-occupation of the coastline, inland waters, and continental shelf; emphasises the restoration of port infrastructure, compensation for damages, and integration with NATO [20]. The updated Transport Strategy to 2030 (December 2024) advances the digitalisation of port processes (a unified ship registry, electronic documentation); alignment with European norms; development of intermodal terminals and logistics clusters; integration with TEN-T and support for multimodal corridors [1].

In light of the foregoing, there is an urgent need to revise and update the Strategy for the Development of Ukrainian Seaports. The new strategy must not only address post-war needs but also be systematically embedded in the European strategic vision, wherein Ukraine's ports are not peripheral but key nodes of growth, transit, and security. Incorporating the provisions of the EP Resolution P9_TA(2024)0025 will, on the one hand, enable gradual legal and institutional harmonisation with EU requirements and, on the other, enhance the competitiveness of Ukrainian ports within the European internal market.

Updating Ukraine's port strategy and aligning it with European approaches is complicated by emerging structural, institutional, and geopolitical challenges, including:

Institutional and managerial challenges: 1) deficit of harmonized standards; 2) multiplicity of stakeholders; 3) insufficient capacity of port authorities.

Geopolitical and security challenges: 1) foreign influence and the risk of strategic dependence; 2) military and critical infrastructure; 3) abuse of ports (smuggling, drug trafficking, cyberthreats).

Financial and economic challenges: 1) high investment needs for modernization, greening, and digitalization of ports – both from the public and private sectors; 2) risk of losing competitiveness; 3) asynchronous EU customs procedures.

Technological challenges: 1) dependence on foreign technologies, especially in the context of smart terminals, scanners, and cyber-equipment; 2) underdevelopment of digital platforms.

Environmental challenges: 1) climate change; 2) deployment of alternative fuels and renewables

War-related challenges:1) Reallocation of budgetary resources (a significant share of public funding is directed to defence rather than the development of port infrastructure); 2) investment risks (foreign investors are cautious about projects in conflict zones); 3) dependence on international assistance; 4) logistics overload (rerouting maritime cargo via the Danube or land corridors creates additional strain); 4) destruction or damage to equipment and IT systems complicates digital transformation;

5) need for adaptive planning; 6) accelerated regulatory revision (war compels the review of objectives, priorities, and timelines embedded in the relevant legal framework); 7) expansion of the security component (cyberthreats, counter-sabotage, and dual-use infrastructure into the strategic framework); 8) rethinking spatial development (emphasis on the development of not only seaports but also inland waterway ports).

Conclusions. All abovementioned new – and in some cases, entrenched – Ukraine-specific challenges must be reflected and addressed in the updated edition of the National Port Development Strategy. Unlike EU Member States, Ukraine cannot pursue full strategic autonomy due to structural reliance on external support. A feasible model for our country is bloc-based functional autonomy, achieved through participation in allied formats (EU, Global Gateway), resilience-building in critical sectors (energy, defence, logistics, cybersecurity), and reducing dependencies through partner diversification and strategic industrialization. Thus, Ukraine's strategic autonomy should be viewed as an element of multilateral interdependence, rather than as an isolated objective – taking into account geopolitical realities, security challenges, and the goals of European integration.

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