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СИСТЕМАТИЗАЦІЯ НОРМАТИВНО-ПРАВОВОЇ БАЗИ ЗАБЕЗПЕЧЕННЯ КОНКУРЕНТОСПРОМОЖНОСТІ ВОДНОГО ТРАНСПОРТУ УКРАЇНИ.

Актуальність. Суб’єкти господарювання у сфері водного транспорту можуть отримати конкурентні переваги та забезпечити свою конкурентоздатність за рахунок впровадження інновацій в процес надання транспортних послуг, зниження собівартості транспортних послуг та економії від масштабу, посилення бар’єрів для входу на ринок та виходу з нього, державного регулювання (у т. ч. екологічного) процесів надання послуг у сфері водного транспорту або їх відсутності. Значний вплив на конкурентоспроможність суб’єктів господарювання у галузі водного транспорту має нормативно-правові регулювання у цій сфері та його наслідки, особливо щодо питань встановлення тарифів, цін на послуги та взаємовідносин з основними контрагентами.

Мета та завдання. Мета роботи полягає в проведенні аналізу нормативно-правових актів, які суттєво впливають на конкурентоспроможність водного транспорту України та виявленні на його основі основних проблем у цій сфері. Відповідно до поставленої мети були визначені такі завдання: 1) провести аналіз нормативно-правової бази забезпечення конкурентоспроможності водного транспорту України; 2) систематизувати основні нормативно-правові акти, які суттєво впливають на конкурентоспроможність водного транспорту України; 3) виявити основні проблеми нормативно-правової бази забезпечення конкурентоспроможності водного транспорту України.

Результати. В статті проведено аналіз нормативно-правової бази забезпечення конкурентоспроможності водного транспорту України. До основних нормативно-правових актів, які суттєво впливають на конкурентоспроможність водного транспорту України можна віднести Конституцію України, Кодекс торговельного мореплавства України, Водний кодекс України, Митний кодекс України, Податковий кодекс України, Кримінальний кодекс України, Закон України “Про захист економічної конкуренції”, Закон України “Про транспорт”, Закон України “Про морські порти України”, Закон України “Про перевезення небезпечних вантажів”, Закон України “Про охорону навколишнього природного середовища”, Закон України “Про внутрішній водний транспорт”. Результати проведеного аналізу дозволили систематизувати основні нормативно-правові акти, які суттєво впливають на конкурентоспроможність водного транспорту України за такими критеріями як вид документу, дата прийняття, дата останньої редакції та сфера впливу документу. Це надало можливість виявити основні проблеми нормативно-правової бази забезпечення конкурентоспроможності водного транспорту України.

Висновки. Конкурентоспроможність суб’єктів господарювання у галузі водного транспорту є їх перманентною характеристикою. Вона зумовлює здатність вести вдалу конкурентну боротьбу, успішно протистояти основним конкурентам у деякій визначений період часу. У випадку зміни зовнішніх та внутрішніх факторів бізнес-середовища у галузі водного транспорту також змінюються і їх порівняльні конкурентні переваги по відношенню до інших гравців на ринку транспортних послуг. З огляду на це можна стверджувати, що конкурентоспроможність суб’єктів господарювання у галузі водного транспорту є відносним поняттям, оскільки його можна визначити лише грунтуючись на основі порівняння між собою окремих властивостей підприємства з ознаками інших, аналогічних суб’єктів господарювання. Отримані результати дозволять стверджувати, що однією з основних проблем у цій сфері є звільнення від сплати деяких податків, зборів та обов’язкових платежів, право на яке надається лише окремим суб’єктам господарювання. Наслідки, які зазначають висновки в результаті такого регулювання, потенційного можуть призвести до порушення правил добросовісної конкуренції.
SYSTEMATIZATION OF THE REGULATORY FRAMEWORK OF ENSURING THE WATER TRANSPORT COMPETITIVENESS IN UKRAINE

Topicality. Business entities in the field of water transport can gain competitive advantages and ensure their competitiveness through the introduction of innovations into the process of providing transport services, reducing the cost of transport services and economies of scale, by strengthening barriers to market entry and exit, by the state regulation (including environmental) of the provision of services in the field of water transport. Legal regulation in this area and its consequences have a significant impact on the competitiveness of economic entities in the field of water transport, especially on the issues of setting tariffs, prices for services, and relations with suppliers and consumers of transport services.

Aim and tasks. The purpose of the work is to analyze the regulations that significantly affect the competitiveness of water transport in Ukraine and identify, on its basis, the main problems in this area. Following the set purpose, we identify the following tasks: 1) to analyze the regulatory framework for ensuring the competitiveness of water transport in Ukraine; 2) to systematize the regulations that significantly affect the competitiveness of water transport in Ukraine; 3) to identify the main problems of the regulatory framework to ensure the competitiveness of water transport in Ukraine.

Research results. The article analyzes the regulatory framework for ensuring the competitiveness of water transport in Ukraine. The regulations that significantly affect the competitiveness of water transport in Ukraine include The Constitution of Ukraine; The Merchant Shipping Code of Ukraine; The Water Code of Ukraine; The Customs Code of Ukraine; The Tax Code of Ukraine; The Criminal Code of Ukraine; The Code of Ukraine on Administrative Offenses; The Law of Ukraine “On Protection of Economic Competition”; The Law of Ukraine “On Transport”; The Law of Ukraine “On Ukrainian Sea Ports”; The Law of Ukraine “On Transportation of Dangerous Cargos”; The Law of Ukraine “On Transit of Cargos”; The Law of Ukraine “On Environmental Protection”; The Law of Ukraine “On Inland Water Transport”; The national transport strategy of Ukraine for the period till 2030, and The strategy of Ukrainian inland water transport development for the period till 2031. The analysis results allowed us to systematize the regulations that significantly affect the competitiveness of water transport in Ukraine by such criteria as the type of document, the date of adoption, the date of the latest version, and the scope of the document. This provided an opportunity to identify the main problems of the regulatory framework to ensure the competitiveness of water transport in Ukraine.

Conclusion. The competitiveness of water transport businesses is not their permanent feature. It determines the ability to lead a successful competition, to successfully counter the main competitors in a certain period of time. In the case of changes in external and internal factors of the business environment in the water transport field, their comparative competitive advantages over other players in the market of transport services will also change. Because of this, we can argue that the competitiveness of economic entities in the field of water transport is a relative concept, as it can be determined only based on comparing the individual characteristics of the enterprise with the parameters of other similar entities. The results suggest that one of the main problems in this area is the exemption from certain taxes, fees, and mandatory payments, the right to which is granted only to certain entities. The consequences that usually result from such regulation can potentially lead to a fair competition rules violation.

Keywords: competition, competitive advantages, law, code, regulations, analysis.

Problem statement and its connection with important scientific and practical tasks. The study of approaches to determining the competitiveness and competitive advantages of water transport raises several
fundamental issues related to the economic well-being of economic entities in the shipping field. What exactly determines the competitiveness of water transport? How do businesses in the water transport field get the opportunity to create and use such competitive advantages? What competitive advantages allow an entity to beat competitors in the water transport field? What are the competitive advantages of business entities in the water transport field based on: innovative technologies, unique assets, or the application of an effective management system of the firm's ability to manage effectively? What strategies can be used to ensure the successful acquisition and use of competitive advantages? Unambiguous answers to these questions, in modern business conditions, cannot be given. At the same time, business entities in the field of water transport can gain competitive advantages and ensure their competitiveness through the introduction of innovations into the process of providing transport services, reducing the cost of transport services and economies of scale, by strengthening barriers to market entry and exit, by the state regulation (including environmental) of the provision of services in the field of water transport. Legal regulation in this area and its consequences have a significant impact on the competitiveness of economic entities in the field of water transport, especially on the issues of setting tariffs, prices for services, and relations with suppliers and consumers of transport services.

**Analysis of recent publications on the problem.** In studying the problems of systematization of the regulatory framework of ensuring the water transport competitiveness in Ukraine, was analyzed the scientific results presented in the works of domestic and foreign authors which are devoted to topical issues of sustainable economic development (B. Burkymsky, N. Khumarova, M. Petrushenko, H. Shevchenko [11], business development (O. Laiho, S. Kovalenko, O. Bilousov [2]), transport economics (P. Kelle, J. Song, M. Jia, H. Schneider, C. Claypool [3], S. Ichenko [4; 5], N. Khumarova, N. Maslili, M. Demianchuk, & V. Skribans [5], V. Gryshchenko and I. Gryshchenko [6]), and economic modeling (V. Koval [7], V. Nitsenko, S. Kotenko [8]) in the system of environmental and economic security (V. Gryshchenko, O. Dreval, I. Gryshchenko [9]). Also, we analyzed the articles, which are devoted to the analysis of legal bases of regulation of water transport activity in Ukraine connected with the international transportations (V. Prokopenko [10]); scientific works, which highlight the main problems of transport legislation, which determine the need for its codification, and based on the analysis of foreign experience, the author's vision of conceptual bases of codification of the legislation of Ukraine on transport had resulted (E. Derkach [11]); publications, that provide a comprehensive analysis of the current state and problems of development of the transport sector of Ukraine in light of the threats and risks associated with the crisis, as well as devote considerable attention to stabilizing and optimizing the functioning of the transport sector by increasing competitive advantages and potential possibilities (N. Tanklevska & T. Cherniavska [12]); scientific works, which analyze the modern system of management and regulation of inland water transport in Ukraine, and prospects for its development in the future, provide some suggestions for improving existing legislative initiatives (K. Zatulko [13]), and documents that address theoretical issues and the practical need to ensure legality in the field of water transport and provide a description of certain aspects of legality in terms of both the general theory of law and international norms, which are one of the priorities of Ukraine's integration into the world community, and, also, offer theoretical and practical directions for the legislation improvement in management on the water transport field (V. Bairak [14]).

**Allocation of previously unsolved parts of the general problem.** At the same time, in our opinion, the issues related to the regulatory framework of water transport in Ukraine as a whole remain unresolved. Based on this, a more detailed study needs issues related to the systematization of the regulatory framework to ensure the competitiveness of water transport in Ukraine.

**Formulation of research objectives (problem statement).** The purpose of the work is to analyze the regulations that significantly affect the competitiveness of water transport in Ukraine and identify, on its basis, the main problems in this area. Following the set purpose, we identify the following tasks: 1) to analyze the regulatory framework for ensuring the competitiveness of water transport in Ukraine; 2) to systematize the regulations that significantly affect the competitiveness of water transport in Ukraine; 3) to identify the main problems of the regulatory framework to ensure the competitiveness of water transport in Ukraine.


The Constitution of Ukraine [15] declares that “the state protects competition in business activities. Abuse of a monopoly position on the market, unlawful restriction of competition and unfair competition are not allowed” (Article 42). The Merchant Shipping Code of Ukraine [16] regulates the legal, organizational, economic, and social principles of economic relations arising in the field of shipping and the functioning of seaports.

Table 1

<table>
<thead>
<tr>
<th>Document name</th>
<th>Document number</th>
<th>Date of adoption</th>
<th>Date of the last edition</th>
<th>Sphere of influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Tax Code of Ukraine</td>
<td>2755-VI</td>
<td>December 02, 2010</td>
<td>July 25, 2021.</td>
<td>fiscal</td>
</tr>
<tr>
<td>The Law of Ukraine “On Inland Water Transport”</td>
<td>1054-IX</td>
<td>December 03, 2020</td>
<td>Entry into force January 1, 2022</td>
<td>organizational</td>
</tr>
<tr>
<td>The national transport strategy of Ukraine for the period till 2030</td>
<td>№ 430-p</td>
<td>May 30, 2018</td>
<td>07.04.2021 p.</td>
<td>organizational</td>
</tr>
<tr>
<td>The strategy of Ukrainian inland water transport development for the period till 2031</td>
<td>draft</td>
<td>June 03, 2021</td>
<td>–</td>
<td>organizational</td>
</tr>
</tbody>
</table>

Source: built by the authors based on [15–32]

The Water Code of Ukraine [17], in combination with measures of organizational, legal, economic, and educational impact, will promote the formation of water and environmental law and order and environmental safety of the population of Ukraine, as well as more efficient, scientifically sound use of water and protection from pollution, clogging and depletion.

The Customs Code of Ukraine [18] deals with the regulation of customs formalities in maritime and inland waterway transport (Chapter 30), including a supply (Chapter 34). It regulates the methods and means
of moving goods across the customs border of Ukraine (Article 186); places of customs control on inland waterway and sea transport (Article 209); regulates the rules of customs control of cargo operations in water transport (Article 210); regulates the procedure for customs control of vessels sailing abroad entering the customs territory of Ukraine (Article 211); regulates the rules of customs clearance of fish products (Article 212); establishes rules for customs clearance of vessels sold abroad or purchased or built abroad (Article 213); regulates the rules for granting permits by the customs authority for the departure of vessels sailing abroad (Article 214), etc.

The Tax Code of Ukraine [19] regulates the relations that arise in the field of setting, calculating, and collecting taxes and fees. It determines the full list of taxes and fees paid in Ukraine, as well as the procedure for their administration, in particular, the establishment of rent for the special use of water for water transport (Article 255); the order of payment of the ecological tax (section VIII); determines business transactions that are exempt from taxation (Article 197.3) and establishes special tax regimes (Articles 209.15.4; 209.17.12; 209.17.13) in areas related to the use of water transport, regulates the rules of taxation of goods moving through customs border of Ukraine. Also, the Tax Code defines an exhaustive list of taxpayers, regulates their rights and responsibilities, defines the basic functions and organizational and legal principles of the supervisory authorities, their competence, duties, and powers of their officials in the administration of taxes and fees, establishes responsibility for violation of tax legislation.

The Criminal Code of Ukraine [20] has the task of providing legal protection of the constitutional system of Ukraine, property, human and civil rights, and freedoms, public order, and security, the environment from unlawful encroachments, as well as the prevention of criminal offenses. In particular, protection against illegal seizure of water fund lands (Article 239-2); violation of water protection rules (Article 242); marine pollution (Article 243); violation of the legislation on the continental shelf of Ukraine (Article 244); illegal occupation by fishing, hunting or other aquatic mining (Article 249); carrying out explosive works in violation of the rules of protection of fish stocks (Article 250); violation of traffic safety rules or operation of water transport (Article 276); hijacking or seizure of a sea or river vessel (Article 278); blocking of transport communications, and also capture of the transport enterprise (article 279); forcing a transport worker not to perform his / her official duties (Article 280); failure to provide assistance to the vessel and persons in distress (Article 284); failure of the master to notify the name of his vessel in the event of a collision of vessels (Article 285); illegal carrying out of underwater works on the object of archeological heritage (Article 298, item 1); illegal raising of the State Flag of Ukraine on a river or sea vessel (Article 339); ecocide (Article 441); piracy (Article 446). To carry out these tasks, the Criminal Code of Ukraine determines which socially dangerous acts constitute criminal offenses, as well as what punishment can be applied to the persons who committed them.

The Code of Ukraine on Administrative Offenses [21] aims to protect the constitutional order of Ukraine, the established legal order, property, rights, and legitimate interests of economic entities, rights, freedoms, honor, and dignity of citizens, as well as the prevention of administrative offenses. In particular, protection against violation of the rules of protection of water resources (Article 59); violation of the requirements for the protection of territorial and internal sea waters from pollution and clogging (Article 59-1); violation of water use rules (Article 60); damage to water management facilities and devices, violation of the rules of their operation (Article 61); non-fulfillment of obligations on registration in ship documents of operations with harmful substances and mixtures (Article 62); violation of the rules for the protection of order and traffic safety in maritime transport (Article 114); violation of the rules of use of means of maritime transport (Article 115); violation of the rules on protection of order and traffic safety on river transport and small vessels (Article 116); violation of the rules of release of a vessel for navigation or admission to navigation of persons who do not have a relevant document (Article 116-1); violation of the rules ensuring safety of operation of vessels on inland waterways (Article 116-2); violation of the rules of registration of merchant vessels (Article 116-3); violation of the rules of use of river and small vessels (Article 117); violation of the rules of maintenance of bases (structures) for parking small vessels (Article 118); violation of fire safety rules on sea and river transport (Article 120); driving vessels by persons who are in a state of alcohol, drugs or other intoxication or under the influence of drugs that reduce their attention and speed of reaction (Article 130); violation of the rules of transportation of dangerous substances and objects on transport (Article 133); violation of the rules aimed at ensuring the safety of goods by sea and river transport (Article 136), etc.

The Law of Ukraine “On Protection of Economic Competition” [22] defines the legal basis for support and protection of economic competition, restriction of monopoly in economic activity and aims to ensure the effective functioning of Ukraine's economy through the development of competitive relations.
The Law of Ukraine “On Transport” [23] is devoted to the following issues: 1) ensuring the safety and reliability of transport; 2) restriction of monopoly and development of competition; 3) creation of equal conditions for the development of the economic activity of transport enterprises (Article 8). It regulates the general issues of building the Unified Transport System (Article 21). This law formulates the concept of maritime transport and determines its composition, identifies the lands of maritime transport, determines the conditions of technical supervision of vessels (Articles 24-26). It outlines the concept of river transport and determines its composition, identifies the lands of river transport, determines the general procedure for technical, classification, and navigation supervision of river vessels (Articles 27 - 29). The Law of Ukraine “On Transport” regulates the issues of control over the observance of the legislation on transport, including international cooperation and implementation of international agreements of Ukraine in the field of transport (Article 42).

The Law of Ukraine “On Ukrainian Sea Ports” [24] establishes the legal, organizational, and economic bases of economic activity on the territory of Ukrainian seaports. This Law regulates relations in the field of port activities, namely: 1) determines the basics of state regulation of economic activity in the seaports of Ukraine; 2) establish the procedure for construction, opening, reorganization, and closure of seaports; 3) regulate the procedure for conducting economic activity on the territory of seaports of Ukraine; 4) outlines the legal regime of functioning of port infrastructure facilities in Ukraine.

The Law of Ukraine “On Transportation of Dangerous Cargos” [25] impact aims at determining the legal, organizational, and economic bases of economic activity in the field of transportation of dangerous goods by various means of transport, including water transport. It outlines the basic principles and directions of state policy in the field of transportation of dangerous goods; establishes the legal basis of public administration and safety regulation in the field of transportation of dangerous goods; regulates the responsibility of subjects, their rights, and obligations during the transportation of dangerous goods. Also, this law is designed to ensure the implementation of Ukraine's international obligations in the field of transportation of dangerous goods.

The Law of Ukraine “On Transit of Cargos” [26] defines the basic principles of organization and implementation of transit through the territory of Ukraine of goods by various modes of transport, including sea and inland water transport. In particular, this law defines the features of declaring transit cargo moving by sea and inland water transport.

The Law of Ukraine “On Environmental Protection” [27] declares the legal, social, and economic basis for ensuring the environmental safety of transport, as well as other mobile equipment and means in the interests of present and future generations. In particular, it determines the ecological requirements for the transportation of substances that are toxic and dangerous to human health and the environment.

The purpose of The Law of Ukraine “On Inland Water Transport [28] is to determine the legal, economic and organizational basis for the functioning of inland water transport. Its impact aims to create the most favorable conditions for the development of inland water transport. Also, it directs to meet the needs of businesses and citizens in safe, high-quality, and affordable transportation of goods and passengers. In particular, this law defines the principles of economic relations in the field of inland water transport; sets the rules for the use of vessels, inland waterways, and their coastal lanes for navigation; regulates the legal regime of river ports and terminals, as well as infrastructure related to inland water transport.

The presented draft of "The Strategy of Ukrainian Inland Water Transport development for the period till 2031" [29] is timely and necessary in the framework of the implementation of "The National Transport Strategy of Ukraine for the period till 2030", approved by the Cabinet of Ministers of Ukraine (Order from May 30, 2018 № 430) [30] (in particular in the part of the partial reorientation of freight transportation to inland water transport; reduction of the degree of depreciation of fixed assets of water transport enterprises to 45% in 2030; implementation of the mechanism of economic stimulation of transition of freight and passenger transportations to more ecologically pure water mode of transport), “The National Economic Strategy for the period till 2030”, approved by the Cabinet of Ministers of Ukraine (Decree from March 03, 2021 № 430) [31] (in particular in terms of ensuring the modernization of state transport infrastructure and the inclusion of inland waterways of Ukraine in the regional Trans-European transport network, etc.) and terms of "The Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community, and their member states, on the other hand, ratified by the Law of Ukraine on September 16, 2014. No. 1678-VII [32] (in particular Articles 368 and 369).

At the same time, it is necessary to note some discussion points of the developed draft of "The Strategy of Ukrainian Inland Water Transport development for the period till 2031". In particular, it is necessary to specify the provisions of the strategy draft "to create a single enterprise for inland waterways
maintenance, which would have adequate, stable funding and ensure comprehensive and efficient use of state strategic infrastructure (floodgates' equipment and structures, river hydraulic structures, technical fleet, navigation aids, tools of river information service, etc.), replenishment of the towing fleet for stable operation of floodgates and the development of modern navigation" (page 6, last paragraph), namely, the form of ownership of the inland waterway service entity and the fact that it will be "the single". In this regard, there is a question about the possibility of obtaining, by some private structure (and possibly even a foreign), a monopoly position in this market in Ukraine. That may contradict Article 42 of the Constitution of Ukraine, according to which "...the state protects competition in business activities. Abuse of monopoly position in the market, illegal restriction of competition, and unfair competition are not allowed" and to the norms of the Law of Ukraine "On Protection of Economic Competition", which "determines the legal basis for the support and protection of economic competition, restriction of monopoly in economic activity and aims to ensure the effective functioning of Ukraine's economy through competitive relations". In addition, in our opinion, it would be appropriate to specify the provisions of the draft strategy (p. 10, paragraph 2) "...provides for the creation of the State Fund of Inland Waterways as part of a special fund of the State Budget of Ukraine. In particular, concerning floodgates' equipment and structures, part of the rent for special use of water paid by the entities that use water for hydropower must be directed to its maintenance, reconstruction, repair, technical re-equipment, and protection of navigable hydraulic structures, as well as to the use of such structures for the passage of vessels, because of the construction of hydropower stations and the need to create floodgates.

Given the fact that, as stated in the strategy draft (p. 10, paragraph 3), the need for the maintenance of inland waterways is 4,000 millions of UAH per 5 years what is equal to 800 millions of UAH per year and the rent for the special use of water in recent years ranged from 1108.2 to 1776.5 millions of UAH (tab. 2) it should be directed from 54 to 72% of the total rent for the special use of water to meet the estimated need for funds for the maintenance of inland waterways. The question arises as to what part of the rent for the special use of water is planned to be directed to the needs of financing the above fund and what amount of cash is planned to provide in this way. The next question also arises as to how this will affect electricity tariffs for businesses and household needs.

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent for special use of water, millions of UAH</td>
<td>1108,2</td>
<td>1397,8</td>
<td>1501,0</td>
<td>1776,5</td>
<td>1623,5</td>
</tr>
</tbody>
</table>

Source: built by the authors based on [33; 34].

In our opinion, the item of the draft strategy (p. 7, paragraph 3) "as a result of the Strategy implementation, the Cabinet of Ministers of Ukraine expects that cargo owners (manufacturers/operators) will save more than 50 million US dollars in five years on a new method of inland waterway transportation" needs to be clarified in terms of providing planned calculations on the expected economic effect for cargo owners (manufacturers/operators), taking into account what is stated on page 2 of the strategy draft on "non-competitive working conditions in comparison with other modes of transport, excessive financial, in particular, tax burden", that, in turn, also should be specified. The provisions of the strategy draft (p. 9, paragraph 4) "achieving by 2030 the construction of 30 units of the modern and environmentally-friendly fleet per year, that meets EU standards (has minimal emissions due to the use of advanced technologies, and modern treatment systems on ships), that should give the annual multiplier increase of GDP about 0.1%", need clarification. Also, in paragraph 7.4 of the Action Plan for the implementation of the Strategy for the development of inland water transport of Ukraine till 2031, it is stated that "at least 15 units of the fleet will be built and modernized annually, by the concessional lending from 2023. Unfortunately, these statements are not supported by any planned calculations that could be in the draft strategy or its annexes. Therefore, the question arises as to how many ships are planned to be built by 2030, how many of them are planned to be built each year (broken down by individual years), and on what production facilities these new ships will be built.

According to our calculations, the dependence of changes in GDP [35; 36] on the number of river vessels under the state ship register of Ukraine [37] (fig. 1) may be as follows (tab. 3):
\[ Y = -8.746229 + 0.0062715 X, \]  
(1)

where: \( Y \) – changes in GDP (GDP growth), annual %; \( X \) – the number of river vessels, units.

Due to the low bond density between the variables proves the results of the calculation of such indicators as the coefficient of determination, \( R^2 = 0.1101 \); an empirical correlation, \( R = 0.3318 \); Pearson's correlation coefficients – the coefficients of pairwise correlation of all variables of the model \( r = 0.3318 \) the statistical significance of the dependence of changes in GDP on the number of river vessels can be questioned. This is evidenced by the results of the calculation of such indicators as Fisher's criterion (\( F_{crit} = 2.23 < F_{T} = 4.41 \)), the \( p \)-value of the model (\( p \)-value = 0.153 ≥ 0.05) and Root Mean Square Error (Root MSE) characterizes how densely the data is concentrated around the regression line – the standard deviation of the balances, forecast errors. \( \text{Root MSE} = 6.3278 \) (\( \text{Root MSE} \to 0 \)).

It is clear that to achieve a multiplier GDP growth, in addition to the number of ships built, it is necessary to take into account some other factors that reinforce each other's actions. Unfortunately, in the strategy draft, nor the published annexes to it, we did not find any other indicators, in addition to the above, that were taken into account when calculating the annual GDP growth. Therefore, such debatable points need to be clarified as to why such (about 0.1% of GDP) annual GDP growth is expected, from which period Ukraine will start receiving it, and at the expense of which it is planned to achieve it.

Fig. 1. Inland water transport and changes in GDP of Ukraine

Source: built by the authors based on [35; 36; 37].
Determining the dependence of changes in GDP on the number of river vessels

<table>
<thead>
<tr>
<th>Source</th>
<th>SS</th>
<th>df</th>
<th>MS</th>
<th>Number of obs</th>
<th>20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model</td>
<td>0.170611</td>
<td>1</td>
<td>0.170611</td>
<td>Prob &gt; F</td>
<td>0.1529</td>
</tr>
<tr>
<td>Residual</td>
<td>720.727819</td>
<td>18</td>
<td>40.0404344</td>
<td>R-squared</td>
<td>0.1101</td>
</tr>
<tr>
<td>Total</td>
<td>800.90668</td>
<td>19</td>
<td>42.6266742</td>
<td>Root MSE</td>
<td>0.6278</td>
</tr>
</tbody>
</table>

Source: built by the authors using Stata

The provisions of the strategy draft (page 6, paragraph 6) “to ensure the gradual transition of the share of goods from road and rail transport to inland water transport, the implementation of a proactive program to promote inland water transport, and the development of the river transport market” in terms of promotion of water transport at the expense of the state enterprise for the maintenance of inland waterways The Ukrainian Sea Ports Authority “USPA” (pp 13.1 of the "Action Plan for the implementation of the Strategy for the development of inland water transport of Ukraine till 2031") are also debatable. In addition, the lack of concrete measures to promote inland waterway transport at the "Action Plan for the implementation of the Strategy for the development of inland water transport of Ukraine till 2031" is a matter of concern. That can be the basis for the shadow schemes implementation and the "laundering" of public funds under the slogan of inland water transport promotion. In our opinion, in addition to The Ukrainian Sea Ports Authority (USPA), it is expedient to implicate all shipping companies involved in the field of inland water transportation in the process of promoting inland water transport in Ukraine. That will make it possible to promote inland water transport not only at the expense of state funds but also at the expense of international grant projects and private shipping companies, which have a direct economic interest in increasing the volume of inland water transportation.

**Conclusion and perspectives of further research.** The results of the study suggest that one of the main problems in this area is the exemption from certain taxes, fees, and mandatory payments, the right to which is granted only to certain entities. The consequences that usually result from such regulation can potentially lead to a fair competition rules violation. Which in turn puts in unequal competitive conditions of individual business entities, and this does not comply with the provisions of Article 42 of the Constitution of Ukraine, according to which "the state protects competition in business; abuse of monopoly position in the market, illegal restriction of competition and unfair competition are not allowed". In particular, we can talk about the proposed by the Law of Ukraine On Inland Water Transport, which comes into force on January 1, 2022, the provision of exemption in some seaports, namely only ports Kherson, Olvia, and Mykolayiv, from the payment of port dues. The competitiveness of water transport businesses is not their permanent feature. It determines the ability to lead a successful competition, to successfully counter the main competitors in a certain period of time. In the case of changes in external and internal factors of the business environment in the water transport field, their comparative competitive advantages over other players in the market of transport services will also change. Because of this, we can argue that the competitiveness of economic entities in the field of water transport is a relative concept, as it can be determined only based on comparing the individual characteristics of the enterprise with the parameters of other similar entities.

Further research in this area will make it possible to develop the concept of using the competitive potential of water transport in the economic security system.

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