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EUROPEAN INTEGRATED MODEL OF TRANSPORT SYSTEM MANAGEMENT:A COMPARATIVE LEGAL ANALYSIS

Dilafruz Allanazarova
Independent Researcher, Academy of the
Ministry of Internal Affairs of the Republic of Uzbekistan

Abstract: This article provides a comparative-legal and institutional analysis of the European Union's experience in the public administration of the transport sector. It examines the centralization of transport sovereignty on a European scale, the legal consolidation of the Trans-European Transport Network (TEN-T), and the processes of demonopolization achieved by separating infrastructure from transport operations. Furthermore, the article elucidates the administrative-legal nature of ecological imperatives, the digital transformation of intelligent transport systems (ITS), and social protection mechanisms, scientifically substantiating the prospects for implementing the pragmatic elements of these advanced standards into the national transport legislation of Uzbekistan.

Keywords: Transport management, European Union, administrative integration, Trans-European Transport Network (TEN-T), demonopolization, ecological imperatives, digital transformation, intelligent transport systems, national legislation.

In the context of the rapid digitalization across all global sectors, a comparative legal and institutional analysis of advanced foreign models of public administration in the transport sector constitutes a fundamental prerequisite for the modernization of national legislation. Within the scope of this section, a conceptual analysis is conducted concerning the administrative integration of the European Union, the logistical pragmatism of the Asia-Pacific region predicated on centralized governance, and the North American paradigm characterized by decentralization and reliance upon private capital. The primary objective of this scholarly inquiry is to elucidate the universal principles governing the statutory regulation of infrastructural security, public environmental imperatives, public-private partnerships (PPP), and intelligent transport systems (ITS) across divergent jurisprudential traditions and political-administrative frameworks. Furthermore, it endeavors to establish a robust theoretical and methodological foundation for the implementation of the most optimal mechanisms derived from these international legal standards into the transit potential and national transport legislation of New Uzbekistan.

The administration of the transport system and the statutory regulation of transit corridors within the Member States of the European Union (EU) intrinsically constitute the most complex and multi-tiered institutional architecture globally. The fundamental legal nature of this integrated model is predicated upon the voluntary cession by Member States of a substantial portion of their historical sovereignty over transport affairs to unified supranational structures. Based on the doctrinal postulates advanced by M. Finger and T. Holvad in their research on the evolution of European transport governance, transport policy within the EU has unequivocally departed from the traditional concept of public service, transforming instead into a market-oriented transnational legal space regulated by the Brussels administration[1].

The delegation of transport competences to the supranational level is not merely an exigency of market dynamics; rather, it constitutes the paramount and indispensable legal instrument for the

[1] Finger M., Holvad T. Regulating Transport in Europe. – Cheltenham: Edward Elgar Publishing, 2013. – 280 p.

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eradication of cross-border administrative barriers and the consolidation of fragmented national legislative frameworks into a unified logistical area.

The most salient substantive and administrative manifestation of this public administration paradigm within the transport sector is evidenced in the Trans-European Transport Network (TEN-T) policy. This concept constitutes a complex legislative mechanism engineered to consolidate the continent's fragmented infrastructure into a unified and seamless network of transit corridors. As elucidated in the scholarship of M. Turró, the spatial planning and statutory consolidation of TEN-T transit corridors necessitated overcoming centuries-old national protectionism among Member States, thereby binding them to stringent administrative and financial obligations[2].

While expressing a reasoned dissent from the aforementioned author's propensity to evaluate this phenomenon primarily through the lens of financial planning, it is submitted that the TEN-T network fundamentally constitutes a sui generis institution of administrative law. Within this framework, the infrastructural priorities of the European Commission assert supremacy over domestic land-use and urban planning legislation. This preemptive effect operates as the most robust normative and legal safeguard, precluding major transit corridors from being compromised by parochial political interests and local exigencies.

The national transport legislation of the European Union and Asian jurisdictions is predicated upon the convergence of private and public law. In analyzing the transport legislation of Ukraine and the EU, I. S. Lukasevych-Krutnyk deduces the fundamental conclusion that the approximation of national legislation to international standards constitutes a complex legal evolution; it is not merely the mechanical transplantation of normative acts, but is rather actualized through the conceptualization of public administration bodies within a service-oriented paradigm[3]. It is submitted that the system of administrative governance across international transport corridors must secure the "single window" principle for carriers, not exclusively at the domestic level, but universally across the entire corridor via interstate information exchange.

Another central characteristic of the European Union's transport model is the eradication of monopolies through the statutory unbundling of infrastructure management from transport operations. Notably, the directives promulgated within the framework of the "Railway Packages," aimed at the liberalization of rail transport, have fundamentally transformed the regulatory landscape of the sector. Evaluating this process, researcher C.A. Nash substantiates that severing infrastructure ownership from transport operators constitutes the sole viable trajectory for dismantling national monopolies and stimulating cross-border competition[4]. While concurring with this doctrinal premise, we observe that, from an administrative law perspective, such rigorous bifurcation has precipitated novel complications. Specifically, the apportionment of civil liability during emergency situations and the allocation of traffic safety obligations between the infrastructure manager and multiple private carriers have engendered exceedingly complex contractual collisions. To resolve these conflicts, the EU was compelled to formulate a next-generation legislative framework governing interoperability.

The absolute integration of ecological imperatives into transport law constitutes one of the most contemporary facets of the European governance model. Within the framework of the European Green

[2] Turró M. Going trans-European: Planning and financing transport networks for Europe. – Oxford: Pergamon, 1997. – 374 p.

[3] Lukasevych-Krutnyk I. S. The concept and methods of harmonisation of the private law legislation of Ukraine in the field of provision of transport services with the legislation of the European Union // Journal of the National Academy of Legal Sciences of Ukraine. – 2020. – Vol. 27, No. 2. – P. 91-106.

[4] Nash C. European rail reform and passenger services–the next steps //Research in Transportation Economics. – 2010. – T. 29. – №. 1. – P.204-211.

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Deal, transport administration has been comprehensively subordinated to environmental objectives. According to the scholarly perspectives of the prominent environmental law jurist L. Krämer, the environmental legislation of the EU has expanded to such an extent that administrative transport law has ostensibly forfeited its status as an autonomous domain, devolving into a mere sub-branch of environmental law[5]. We categorically reject this doctrinal postulate; conversely, it is submitted that transport law by no means relinquishes its autonomy. Rather, it internalizes ecological standards as its intrinsic administrative mechanisms. In other words, public administration does not impede mobility, but rather aligns the conduct of carriers with a sustainable trajectory by embedding the "polluter pays" principle into the fabric of transport legislation.

The digital transformation and the subsumption of Intelligent Transport Systems (ITS) into a uniform regulatory framework within the European Union represent the most avant-garde challenge of public governance. Examining the impact of digital technologies on jurisprudence, M. Hildebrandt postulates with apprehension that the deep penetration of intelligent algorithms and artificial intelligence into transport infrastructure undermines traditional legal certainty, as transparent administrative decisions are supplanted by opaque and automated algorithms[6]. In response to such technological skepticism, we emphasize that the EU governance apparatus is not surrendering to algorithmic hegemony. On the contrary, the application of ITS Directives and the General Data Protection Regulation (GDPR) to the transport sector establishes the foundation for the European "code-as-law" paradigm, inherently mandating that every digital management system undergo a rigorous administrative and legal audit prior to its operational deployment.

Securing social protection and labor rights within the administration of the transport system constitutes the most delicate and contentious aspect of the European integrated model. In this regard, the recently adopted "Mobility Package" has generated significant resonance among transport operators and legal scholars. Subjecting this package to critical analysis, the researcher E. Szymańska asserts that the imposition of stricter driver rest periods and the statutory obligation to periodically return heavy goods vehicles to their Member State of establishment are, in essence, a covert protectionist legal instrument devised by Western European states to marginalize Eastern European carriers from the market[7]. While acknowledging the author's apprehensions concerning this acute issue, it is submitted that the paramount objective of public administration in the transport sector is not the facilitation of an absolute liberal market, but rather the preservation of human dignity and road traffic safety. Consequently, such administrative obligations, directed toward combating social dumping, are deemed fundamental public law guarantees that take precedence over transit profitability.

The supreme arbiter ensuring the seamless practical operation of the integrated European transport model is the Court of Justice of the European Union (CJEU). As articulated in the treatises on European law by jurists K. Lenaerts and P. Van Nuffel, it is precisely the CJEU that has served as the genuine catalyst for securing the freedom to provide cross-border services, achieved through the systematic annulment of national restrictions and discriminatory legislation within the transport sector[8].

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[5] Krämer L. Rights of nature in Europe: the Spanish Lagoon Mar Menor becomes a legal person //Journal for European environmental & planning law. – 2023. – Т. 20. – №. 1. – P.5-23.

[6] Hildebrandt M. Smart technologies and the end (s) of law: novel entanglements of law and technology //Smart Technologies and the End (s) of Law. – Edward Elgar Publishing, 2015. – P. 85.

[7] Bartosiewicz A., Gniadkowska Szymańska A., Kucharski A. Sustainable development in the European union countries: panel data evidence from the transport and storage sector //Environmental Sciences Europe. – 2025. – Т. 37. – №. 1. – P.174.

[8] Lenaerts K. et al. European union law. – London: Sweet & Maxwell, 2011. – Т. 3. – 1050 p.

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We unconditionally endorse this doctrinal position; indeed, any administrative reform or directive in transport legislation would be rendered a mere dead letter in the absence of independent judicial review. Furthermore, the jurisprudence of the CJEU constitutes the compelling factor that obligates the European Commission to continuously formulate novel transport legislation.

The integrated model of transport administration within the Member States of the European Union serves to fortify the competitive positions of national transport systems within the global market. According to S. N. Bratanovsky, transport policy is the principal determinant that delineates the capabilities and boundaries for the realization of the State's overriding interests in any given sphere. In foreign practice, optimizing the governance system—taking into consideration federal structures and regional specificities—developing transit capacities via international corridors, and establishing a favorable legal regime for export services collectively enhance the international legal personality of public administration[9].

The integrated model of transport governance within the Member States of the European Union exhibits the profound influence of the French and German schools of administrative law. The German jurisprudential school, pioneered by Lorenz von Stein, defines public administration as "the State in action," conceptualizing it as an autonomous organism coequal with the legislative and judicial branches[10]. Conversely, the French school, influenced by Henri Fayol and Maurice Duverger, construes administration as an institutional system. This tradition has structured transport administration not merely as a corpus of statutory norms, but rather as an institutional organism oriented toward the fulfillment of public needs[11]. The synthesis of these two doctrinal approaches within the single European transport policy ensures the harmonious coexistence of stringent administrative regulations and socio-economic institutions.

In conclusion, addressing the potential applicability of the European Union's model for transport administration and transit corridor regulation to other regions—specifically Central Asia and Uzbekistan—certain Western scholars, notably J.F. Linn, advance a pessimistic hypothesis. They postulate that the robust sovereignty aspirations of Central Asian states, coupled with their skepticism toward international institutions, render the replication of European integrated transport models in this region unfeasible[12]. We categorically refute this hypothesis. While the mechanical transplantation of institutional and political frameworks is indeed both implausible and unwarranted, the highly pragmatic legal methodologies of Europe—namely, the electronic unification of transit documentation and the mechanisms for enhancing the transparency of customs borders via blockchain technology—currently serve as the central strategic paradigm for the ongoing administrative reforms within the transport sector of our Republic.

[9] Братановский С.Н., Остапец О.Г. Государственное управление транспортным комплексом в Российской Федерации: монография. – Москва: РУСАЙНС, 2023. – С. 68

[10] Вольфсон Э. Н. История государственного управления: учеб. пособие. – Кемерово: КузГТУ, 2014. – С. 27

[11] Ibid., pp. 31-32.

[12] Linn J.F. Central Asian Regional Integration and Cooperation: Reality or Mirage? // The Economics of Transition. – 2012. – Vol. 20, No. 3. – P. 405-423.