

ANALYSING THE PROCESS OF HARMONISATION OF UKRAINIAN LEGISLATION WITH THE EU NORMS: KEY CHALLENGES AND PROSPECTS

ANÁLISE DO PROCESSO DE HARMONIZAÇÃO DA LEGISLAÇÃO UCRANIANA COM AS NORMAS DA UE: PRINCIPAIS DESAFIOS E PERSPECTIVAS

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ABSTRACT

Objective: The purpose of the article is to study the process of harmonisation of Ukrainian legislation with the EU norms, to identify the beginnings of this process and its current state, and to characterise the key challenges and prospects.

Methods: To achieve the study's aim, the thematic analysis method was used to identify the key topics, concepts, and principles of legislative harmonisation found in the scientific literature and laws. A comparative analysis is also used to depict the process of harmonisation of Ukrainian laws with EU norms, which is presented in some modern studies and laws of Ukraine.



Results: The results highlight that the harmonisation of Ukrainian legislation with EU law is a complex and lengthy process that began long before the signing of the Partnership and Cooperation Agreement with the EU. At different stages of harmonisation, different tools and approaches were used, including analysis of the practice of other countries that have harmonised their legislation with EU law. In the process of approximating Ukrainian legislation to EU norms, problems arise in the area of definitions and translations, which complicates the implementation of European law.

Conclusion: The conclusions highlight that an important challenge is to harmonise the interpretation of terms used in the legislation to harmonise the legislation with EU norms.

Keywords: Harmonisation of legislation; Legal integration; Key challenges; Prospects for integration; Ukrainian legislation; Adaptation of norms; EU Acquis communautaire.

RESUMO

Objetivo: O objetivo do artigo é estudar o processo de harmonização da legislação ucraniana com as normas da UE, identificar o início deste processo e o seu estado actual, e caracterizar os principais desafios e perspectivas.

Métodos: Para atingir o objetivo do estudo, utilizou-se o método de análise temática para identificar os principais temas, conceitos e princípios de harmonização legislativa encontrados na literatura científica e nas leis. Uma análise comparativa é também utilizada para descrever o processo de harmonização das leis ucranianas com as normas da UE, que é apresentado em alguns estudos e leis modernas da Ucrânia.

Resultados: Os resultados destacam que a harmonização da legislação ucraniana com o direito da UE é um processo complexo e demorado que começou muito antes da assinatura do Acordo de Parceria e Cooperação com a UE. Em diferentes fases da harmonização, foram utilizadas diferentes ferramentas e abordagens, incluindo a análise da prática de outros países que harmonizaram a sua legislação com o direito da UE. No processo de aproximação da legislação ucraniana às normas da UE, surgem problemas no domínio das definições e traduções, o que complica a aplicação do direito europeu.

Conclusão: As conclusões destacam que um desafio importante é harmonizar a interpretação dos termos utilizados na legislação para harmonizar a legislação com as normas da UE.

Palavras-chave: harmonização de legislações; integração jurídica; principais desafios; perspectivas de integração; Legislação ucraniana; adaptação de normas; Acervo comunitário da UE.

INTRODUCTION

Ukraine's European integration is associated with the introduction of new legal norms adapted to the requirements of the European Union (EU). The functioning of



harmonisation as an important phenomenon of legislative activity is not a new practice, as during the EU's enlargement to the East, new candidate countries had to take into account the legislative norms of the European community when reforming their own legislation. An important milestone for Central and Eastern European countries was the adoption of the White Paper in 1995, a kind of guide to further steps towards EU integration. Thanks to the gradual implementation of the proposed norms, the governments of Lithuania, Latvia, Estonia, Poland, the Czech Republic, Slovakia, and other countries were able to qualitatively rework their legislative systems and reform them in accordance with existing European requirements.

The case of Ukraine is different, as the main actions on European integration are unfolding against the backdrop of Russian aggression: from the conclusion of the Association Agreement in 2014 to the establishment of Ukraine as an EU candidate state in 2022. In view of this, important issues regarding the harmonisation of Ukrainian legislation are to study the history of this process and identify problems and prospects for further research, as the experience of relevant reforms against the backdrop of military operations is quite unique not only on a European but also on a global scale.

Over the past decade, modern scholars have paid increasing attention to the problems of analysing the harmonisation of non-EU legislation or studying the EU accession process of individual countries based on their legal experience (Wulandari et al., 2023). In particular, Oehler-Şincai (2023) highlighted Romania's experience of EU accession through a case study. On the other hand, Pulungan (2023) described Bulgaria's experience of EU accession. These papers are important from the point of view of methodological approach, as they demonstrate the established mechanisms of Eastern European accession to the EU.

In the academic literature, there are many works on political studies of EU countries' relations with Eastern partners (Anderlini, 2023; Fjelstul, 2019). Specifically, the study by Anderlini (2023) focuses on the analysis of Georgia's failure to fulfil a part of the European asset. At the same time, Baltag and Romanyshyn (2023) identified the EU member states' relations with individual Eastern partners within the framework of the Eastern Partnership programme. Through the prism of historical development, PARSHYN and MERENIUK (2023) demonstrate the formation of Ukraine in the context of relations with Western Europe and the perception of certain European traditions and customs in these territories.



Separately, Kaminska (2014) describes in detail the process of negotiations between Ukraine and the EU. First, the researcher describes the negotiations on the Visa Facilitation Agreement in 2008 and then identifies the main points of the 2014 negotiations. The issues of harmonisation of Ukrainian legislation with the EU norms are partially covered in the works of contemporary scholars. According to Lokshyna (2020), the process of harmonisation of Ukrainian laws with EU law was officially launched with the signing of the EU-Ukraine Interim Trade Agreement in 1995. This document was the first official act to emphasise the importance of adapting Ukrainian legislation to EU norms.

In particular, Kravtsova (2021) believes that the harmonisation of European and Ukrainian legislation has had a positive impact on the process of revising and updating Ukrainian laws. In general, the researcher concludes that the development and formation of economic competition in Ukraine depends on the quality of legislative documents. Paraschuk and Chaplia (2022) describe the issues of legal regulation of surrogacy in the framework of harmonisation of Ukrainian laws with EU legislation. The researchers found that there are currently no separate mechanisms for regulating this process in Ukraine, which creates obstacles in the process of harmonising laws. At the same time, Pyrohovska, Rezvorovych, Pavlichenko, Sushytska, Ostashova (2024) described the problem of human rights protection in the context of the development of modern digital technologies. A similar problem was also addressed by Sayed (2022) and Susdarwono, Wiranta, Suwarji (2023). Separately, Reyad (2023) described the relationship between national and international law through the prism of the process of harmonisation of modern Ukrainian legislation. Thus, modern authors have studied various issues of harmonisation of national legislation with EU requirements. However, this topic has not been explored and requires a thorough analysis of not only the general aspects of harmonisation but also a thorough study of the main challenges and prospects on this legal path.

Therefore, the purpose of the article is to analyse the process of harmonisation of Ukrainian legislation with the EU *acquis*, to identify its origins and current state, and to describe key challenges and prospects. The study of this topic is based on the research of official reports, academic literature, and legislative acts of Ukraine aimed at bridging the gap between Ukrainian and European legislation.



METHODOLOGY

Given the purpose of the study, which is to comprehensively analyse the process of harmonisation of Ukrainian legislation in line with EU norms, the work was carried out in stages. In particular, at the first stage, the author searched for scientific literature and the legislative framework, at the second stage, the main criteria for including scientific sources were developed, and at the third stage, the results obtained from the literature and analysis of legislation were synthesised. At the last stage, the data obtained were compared with the results of other scholars, and the main results of the study were developed (see Figure 1).

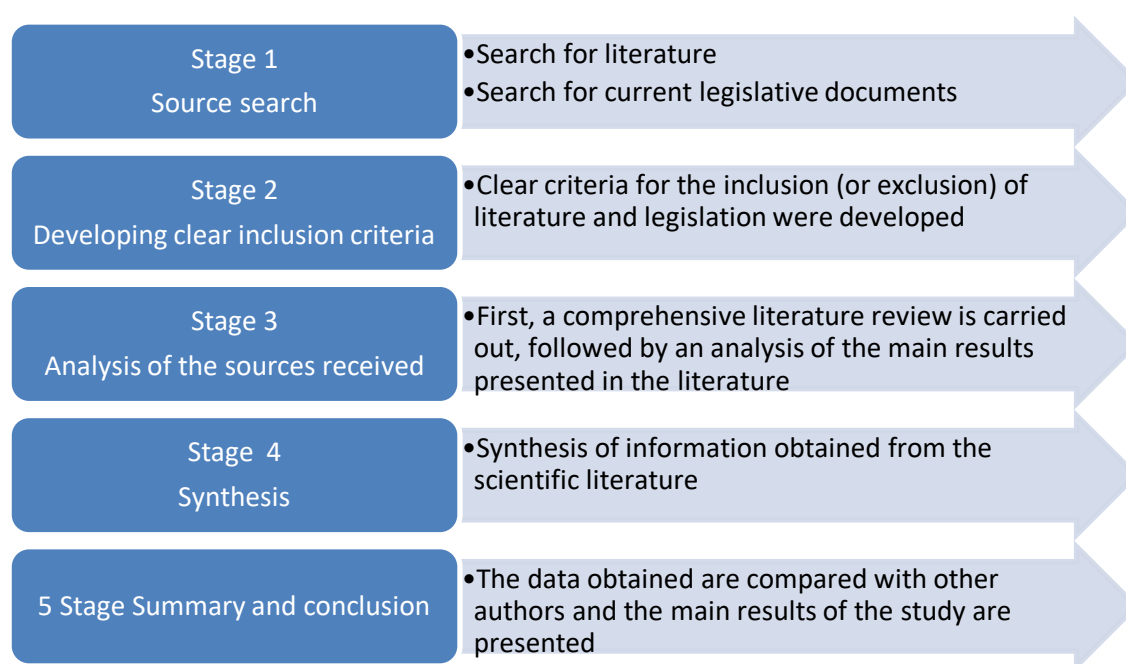


Fig. 1. Data collection

1. Search for literature and legal documents

The data collection process began with a search for relevant scientific literature. For this purpose, important scientific databases were searched using special scientific terms - keywords (Table 1).

Table 1. Literature search by keywords

Keywords.	Key concepts, expressions, or phrases related to the keyword
Legislation of Ukraine	Laws of Ukraine, legislative documents, regulatory documents of Ukraine, norms, Ukrainian legal norms, Ukrainian legal principles, legal acts of Ukraine.
European Union regulations	EU legislation, EU regulations, EU legal standards, EU documents, EU legal norms.
Harmonisation of legislation	Harmonisation of legal acts, harmonisation of laws, harmonisation of legislation, standardisation of legal acts.



After that, the criteria for including sources were made

1. Concerning the process of adaptation of Ukrainian legislation to EU norms
2. Demonstrate the basic principles of EU law
3. Define the main directions of development of Ukrainian law
4. Providing up-to-date information for recent years
5. Inclusion of contemporary literature over the last 9 years.

Based on these criteria, a detailed selection of sources and literature was made.

Data analysis

In order to process the sources, a thematic analysis was used to identify the key topics, concepts, and principles of legislative harmonisation found in the scientific literature and laws. This comprehensive analysis allowed us to identify the main key concepts used in the harmonisation of regulations: common standards and laws, the process of unification of norms, specific strategies, and methods of harmonisation, the presence of mutual compliance, etc.

After that, a comparative analysis of the portrayal of the process of harmonisation of Ukrainian laws with EU norms presented in certain modern studies and laws of Ukraine was used. This analysis helped to clarify how modern Ukrainian legislation interacts with EU norms and principles.

RESULTS

Harmonisation of Ukrainian legislation with the EU norms: key stages

Ukraine signed the Partnership and Co-operation Agreement with the European Communities and their Member States in 1994 (PCA). This step, along with other documents that defined the legal framework for the organisation's cooperation with Ukraine, created the preconditions for the harmonisation of Ukrainian legislation with EU law (Lokshyna, 2020). The harmonisation envisaged by the PCA and other documents had its own peculiarities compared to a similar process in the EU and the EU's relations with other countries. Although the overall goal of harmonisation - creating a single legal environment for market participants - remained common, achieving this goal required levelling differences in national regulations governing this



type of relationship. In the Ukrainian context, harmonisation is also aimed at creating favourable conditions for Ukrainian industrialists and entrepreneurs to access European markets.

The process of harmonisation of the Ukrainian legal framework with the EU legal framework began long before the entry into force of the PCA. First of all, it was about the processes of regulating competition and establishing relations in the labour sector. Researchers qualify this period as a time of voluntary harmonisation. Ukrainian legislators proposed a methodology for using the relevant EU acts and analysed the experience of other countries that have also started the process of harmonising their legislative frameworks with EU legal norms. For example, the White Paper approved by the EU Commission back in 1995 contains a list of clear priorities for the harmonisation of legislative frameworks in Central and Eastern Europe (Trufanova; Yatsenko, 2022). However, the proposed list of priority areas was insufficient for the dynamic development of this area.

When the PCA came into force, the processes related to the harmonisation of Ukrainian legislation with EU law began to take on more distinct forms and a clearer legal basis. The PCA became the legal basis for the start of harmonisation through the mechanisms of approving internal rules that would comply with EU law (Predmestnikov; Gumenyuk, 2019). The areas of harmonisation included intellectual property rights protection, customs, company law, banking, company accounting, taxation and labour protection, competition rules, financial services, health and welfare, nuclear energy, transport, industry, agriculture, energy, money laundering, social services, small and medium-sized enterprises, statistics, and much more.

A significant number of key provisions of the PCA and other regulatory documents that relate specifically to harmonisation fall into the category defined in the academic literature as “soft law”. This means that they characterise and disclose primarily the intentions rather than specific obligations of the parties. An important drawback of the process of harmonisation of Ukrainian legislation with EU law on the basis of the PCA was the lack of oversight of the process by competent and authorised Ukrainian institutions and the European Union. Another important challenge was the lack of linkage between the harmonisation of laws and the process of implementing national internal reforms.

After the successful European integration of Poland, Hungary, and Slovakia, the EU formed a common border with Ukraine, and the process of its European



integration intensified (Kyryliuk, 2021). This required Ukraine to define a clear foreign policy strategy. Thus, the President of Ukraine approved the Strategy of Ukraine's Integration into the European Union on 11 June 1998. Ukraine has set a strategic course for European integration through full EU membership, ensuring comprehensive integration into the European political, economic, and legal space, and creating preconditions for EU accession. The Strategy defined the main directions of the integration process, including the adaptation of Ukrainian legislation to EU legislation and the protection of human rights.

The main instrument for implementing the Strategy was the Programme of Ukraine's Integration into the EU, approved by the President of Ukraine on 14 September 2000. It covered almost all spheres of public life in the country to implement the criteria stemming from the objectives of the economic, monetary, and political union of the EU member states, which were included in the documents proposed and adopted by the EU Council in summer 1993 in Copenhagen, known as the Copenhagen criteria (Amayuelas, 2023). In order to standardise the mechanism of legislative integration, establish relevant institutions and other additional measures necessary for an effective lawmaking process and ensure the implementation of laws, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On the National Programme of Adaptation of Ukrainian Legislation to EU Legislation" on 18 March 2004 (Ukraine. Verkhovna Rada of Ukraine, 2004). Another important step in the development of harmonisation, in particular for the introduction of European human rights standards into Ukrainian judicial and administrative practice, was the adoption of the Law of Ukraine "On the Execution of Judgements and Application of the Practice of the European Court of Human Rights" on 23 February 2006 (Ukraine. Verkhovna Rada of Ukraine, 2006).

Researchers, discussing the evolution of the harmonisation of Ukrainian legislation, note that this process was characterised by "deferred perspectives". Previous bilateral agreements, treaties, and strategies, such as the EU-Ukraine Partnership and Cooperation Agreement (1994), the EU's Common Strategy for Ukraine (1999), the EU-Ukraine Action Plan (2005), and the EU-Ukraine Association Agreement (2014), did not provide clear guidance on the prospects for European integration (Damirchyiev et al., 2019). In general, the EU focused on establishing partnership agreements, which were perceived as tasks to be completed without necessarily joining the EU.



On the other hand, such intensive cooperation led to a new wave of significant updates to the entire legal system of Ukraine, which continues to this day. There are two explanations for this. Firstly, harmonisation of Ukrainian legislation with EU legislation is one of the Copenhagen criteria for integration, and secondly, it is one of the instruments that ensure this integration. Thus, a number of legislative acts of the Cabinet of Ministers of Ukraine and central executive bodies have been adopted, the Association Agreement itself has been updated, and agreements with the EU in certain areas of common interest have been concluded. Finally, on 7 February 2019, European integration was enshrined in the Constitution - the Verkhovna Rada of Ukraine enshrined the irreversibility of Ukraine's European and Euro-Atlantic course and its full membership in the European Union.

The adaptation of Ukrainian legislation covers priority legislative acts of Ukraine, which, in accordance with established EU legislative practices, will facilitate the legal implementation of measures aimed at forming market relations in a competitive environment and a favourable investment climate (Khodieieva, 2021). This is aimed at forming an innovative market infrastructure, tax, financial, and customs systems, a comfortable living environment, preservation of the natural environment, and efficient rational use of natural resources. Particular attention is also paid to the aspect of consumer protection, business development, and the development of priority sectors of the economy (such as transport, agriculture, communications and information, fuel, and energy complexes), including the protection of intellectual property rights and personal data, and labour (Smyrnova; Sviatun, 2020).

In addition, it aims to develop national technical regulations and standards adapted to European and international standards, strengthen economic ties between Ukraine and EU member states, and give special priority to the comprehensive protection of human rights and freedoms. Ukraine currently has the status of a candidate country for accession to the European Union. The first step was taken in February 2022, when Ukraine submitted its application for accession to the European Union. This status was granted in June 2022 following the ratification of the EU-Ukraine Association Agreement and taking into account Ukraine's successful implementation of the EU's requirements for reforms and adaptation of legislation. From a legal point of view, the status of a candidate country for accession to the European Union is determined in accordance with the provisions of the European Union and EU enlargement practices (Poillot, 2017). This status confirms Ukraine's intention to join



the EU and is supported by commitments to fulfil all the necessary conditions set for candidates for membership. These conditions include inter alia, the adaptation of legislation and regulations to EU law.

Harmonisation of Ukrainian legislation with EU norms: challenges and opportunities

Efforts to approximate Ukrainian legislation to EU norms and requirements initially faced a problem with definitions and translations. Due to the lack of consistent translations, Ukrainian lawmakers have found it difficult to implement certain elements of European law. There are also disagreements among scholars. In particular, the text of the Association Agreement, as well as other EU international agreements, does not define the term “harmonisation”. The Agreement uses traditional EU law terms such as “approximation”, “legislative approximation”, “regulatory approximation”, “harmonisation”, and also refers to “adaptation”, “recognition of international principles and standards”, “mutual recognition of norms”, “transposition”, etc. This may mean that the Agreement provides for different ways of implementing the same process, namely the formation of a common legal framework for cooperation actors in Ukraine and the EU member states.

The use of different terms in the Agreement may cause a repeated discussion among scholars and practitioners about their meaning and expediency (Kaplina, 2022). However, this is an objective phenomenon, as the theory of legislative harmonisation has not yet received due attention either in international legal theory or in modern law-making practice. Nevertheless, the aspects of legislative harmonisation remain one of the most relevant and least studied in legal theory, especially in the context of modern EU law.

A problematic episode for the further integration of Ukrainian legislation is the military aggression of the Kremlin regime against Ukraine, which significantly hinders the possibility of prompt and flexible harmonisation. However, the starting point for the post-war development of a sustainable economy will largely depend on the political and legal conditions that will determine the vectors of institutional support for the expected reforms, which are conditioned by Ukraine's status as an EU candidate state. In this regard, the issues of accelerating European integration processes, especially in terms of adapting Ukraine's legislation to the EU *Acquis communautaire* (Fjelstul,



2019), arise in the foreground, and their solution requires taking into account the following factors and features:

First of all, there is a need to overcome the misconception that EU accession is already a done deal and will be finalised in the next one or two years. In fact, the accession process is a very long one, as evidenced by the average statistics presented in the publications of many scholars on EU member states that have gone from a candidate country to a full member of the community (Rieker; Giske, 2023). For example, the Croatian government and legislators managed this task in nine years, while Romania and Bulgaria did it in seven years.

An important factor that will determine the imperatives of the further political and legal model of reforming the organisation of the economy, building the legal system and society in the coming years is the comprehensive adaptation of Ukrainian legislation to the EU Acquis Communautaire. The EU Acquis communautaire includes:

- the foundations and principles of political agreements;
- laws adopted to implement the agreements reached, as well as judgements of the Court of Justice of the EU and the Constitutional Court of Ukraine;
- taking into account EU declarations and resolutions;
- introducing measures to regulate the common policy in the field of foreign and domestic security;
- elements of legislative regulation of justice and internal affairs;
- implementation of international agreements concluded by the EU political community and EU candidate states.

The EU Acquis Communautaire is divided into 35 chapters, and almost the same number of chapters (33) is presented in the Analytical Report expanding the European Commission's analysis of Ukraine's application for EU membership, which was prepared and published (Commission, 2023). Usually, such a report is published once a year, but in the case of Ukraine, an extraordinary short report of 67 pages was proposed and published. The preparation of a full report, which will also assess the chapter on justice and fundamental rights, which was left unassessed in the short report, is only planned.

The following assessment scale has been applied in this analytical report: 1 point corresponds to the initial level, 2 points is an indicator of some compliance with EU law, 3 points is an assessment of moderate compliance, 4 points is good compliance, and 5 points is excellent compliance. Thus, only four out of 32 chapters received a high



score of four, which corresponds to the confirmation of “good compliance” (Commission, 2023). First of all, we are talking about the chapters on customs union, energy, foreign policy, and non-pecuniary cooperation. Instead, five areas received a score of three points (“moderate compliance with EU law”). At the same time, eight chapters received the lowest score of 1 (i.e., Ukraine has not adapted its legislation to EU requirements in many areas). The remaining 15 chapters were rated by European experts at two points, which indicates “some compliance with EU legal standards”. In total, Ukraine received 69 points across 32 chapters, which is an average score of 2.16 (Commission, 2023). For comparison, Montenegro scored 99.5 points, Turkey 94 points, and Albania, which formally started accession negotiations only in 2022, scored 84.5 points.

It should be noted that taking into account the provisions of the EU *Acquis Communautaire* requires much more work than the implementation of the EU-Ukraine Association Agreement. The Association Agreement has been complied with, but the *Acquis communautaire* includes approximately 29,000 acts that need to be implemented into national legislation. In the process of implementing these acts, it is advisable to avoid contradictory or incorrect implementation of European norms in national legislation (DANILYAN et al., 2021). Therefore, it is necessary to abandon the experience of rapid and illogical turns in the legislative field, which causes losses to national interests, does not comply with the principles of the rule of law, and does not contribute to building a sustainable state apparatus.

DISCUSSION

The study demonstrates the long-term evolution and changes in the settlement of the problem of harmonisation of Ukrainian legislation with EU law, the main challenges, and ways to overcome them. In particular, it is proved that legislative initiatives in the field of harmonisation have been going on for quite some time. In fact, the beginnings of the process of harmonisation of Ukrainian legislation coincide with similar practices of all other states that have joined or are seeking to join the EU. On average, it takes 7-8 years from the signing of the Association Agreement to becoming a candidate country for EU membership. The case of Ukraine, which covered this path from 2014 to 2022, was no exception. These results undermine some of the emotional assessments of the Ukrainian government's successes by scholars (Novikova et al.,



2023). The findings point to a familiar process that unfolds according to an agreed scenario.

It is determined that an important obstacle to the harmonisation of Ukrainian legislation with EU norms is a certain lack of control by European officials over this procedure. In general, the conclusions of researchers about the extent to which the lack of clear obligations and functions of the parties in previously concluded agreements can slow down harmonisation are confirmed (Ratushniy, 2017; Pulungan, 2023). The conclusions of other researchers about language barriers (difficulties in translating and adapting certain provisions) to the further harmonisation process are also confirmed (Susdarwono et al., 2023). Obviously, the existing regulatory framework should take into account the translation aspect of the activity in order to correctly reproduce legal terms and concepts, avoiding casuistry and ambiguities. As demonstrated in the results of the proposed study, even the term “harmonisation” itself is difficult to understand, which other scholars change to “adaptation”, “convergence”, etc. (Bytyak et al., 2017). We agree with the conclusions of the researchers (Muraviov, 2019) that we are talking about an identical process, which can be called differently, but in practice, it is implemented in the same way.

Based on the study of the conclusions of European experts on the compliance of Ukrainian legislation with the EU *Acquis Communautaire*, we conclude that careful further harmonisation work is important. In this regard, we should agree with the footnotes of scholars who emphasise that the scores obtained in 2023 (2.16 points) are rather mediocre, although they look quite optimistic at the level of Georgia or Moldova (Anderlini, 2023).

The proposed study has certain limitations, which are caused by certain imperfections of the chosen methodology. First of all, we are talking about the criteria for selecting scientific studies, which covered primarily the English-language scientific literature. The use of this criterion makes it possible that some relevant opinions related to the peculiarities of the harmonisation of Ukrainian legislation with EU law were not included in the author's attention. It is also worth noting that the proposed study covered primarily the most recent scientific literature, although, as the results underline, the harmonisation of Ukrainian legislation began a long time ago, although it has significantly intensified since the signing of the Association Agreement with the EU in 2014. In addition, the military aggression of the Russian Federation continues in Ukraine. This challenge for legislative reform is unique, as other countries' European



integration aspirations were not realised in such extreme conditions. These limitations do not generally affect the level of the results obtained but indicate the importance of further research and interpretation.

First of all, the search for theoretical tools to resolve terminological disputes around such concepts as “harmonisation” can be considered a promising area of research. The proposed topics are extremely important because they will allow to define stable rules, which is important for avoiding difficulties in the use of European legislative experience in Ukraine.

CONCLUSIONS

The harmonisation of Ukrainian legislation with EU law was a complex and lengthy process that began long before the entry into force of the Partnership and Cooperation Agreement with the EU. This process involved creating favourable conditions for Ukrainian producers and service providers to access the European market. Different tools and approaches were used at different stages of harmonisation, including analysis of the practices of other countries that have harmonised their legislation with EU law. However, there were noticeable problems, including the lack of oversight of the harmonisation process by the competent Ukrainian institutions and the European Union. The Strategy for Ukraine's Integration into the EU and the Programme for Ukraine's Integration into the EU were important steps towards the country's European integration. However, some researchers note that this process had “deferred prospects”, i.e. it was aimed at establishing partnership agreements rather than a specific path of European integration.

In the process of approximating Ukrainian legislation to EU norms and requirements, significant problems arise, in particular in the area of definitions and translations. The absence of an agreed translation makes it difficult to implement certain elements of European law. Scholars also have different interpretations of the terms used in the Association Agreement, including the term “harmonisation”. This may lead to further discussions about their meaning and relevance. The military aggression of the Kremlin regime is problematic for the integration of Ukrainian legislation, which complicates harmonisation. However, it is important to understand that the EU accession process is long and requires significant efforts. First of all, it is necessary to overcome the perception of the speed of accession, as this process is a long one. The key factor is the adaptation of legislation to the EU *Acquis communautaire*. In general,



Ukraine has a lot of work to do to adapt its legislation to EU standards, but this is an important step towards European integration.

REFERENCES

AMAYUELAS, Esther Arroyo. A Redefinition of the Principles of the Acquis Communautaire. *In: AMAYUELAS, Esther Arroyo. **The Future of European Private Law**. [S.l.]: Nomos Verlagsgesellschaft mbH & Co. KG, 2023. p. 523-547. ISBN 9783748913078. Available from: <https://doi.org/10.5771/9783748913078-523>. Accessed: 2 Apr. 2024.*

ANDERLINI, Michel Vincent. Implementation Is the Hardest Word: Explaining Georgia's (Non)-Compliance with European Union Acquis. **Problems of Post-Communism**, p. 1-15, 2023. Available from: <https://doi.org/10.1080/10758216.2023.2245546>. Accessed: 2 Apr. 2024.

BALTAG, Dorina; ROMANYSHYN, Iulian. Special issue: the European Union and its Eastern Partnership neighbours - a framework to evaluate performance. **International Politics**, 2023. Available from: <https://doi.org/10.1057/s41311-023-00475-3>. Accessed: 2 Apr. 2024.

BYTYAK Y.; YAKOVYUK I.; TRAGNIUK O.; KOMAROVA T.; SHESTOPAL S. The State Sovereignty and Sovereign Rights: The Correlation Problem. **Man In India**, v, 7, p. 577-588, 2017. Available from: https://www.researchgate.net/publication/322233984_The_State_Sovereignty_and_Sovereign_Rights_The_Correlation_Problem Accessed: 2 Apr. 2024.

COMMISSION Analytical report on Ukraine's alignment with the EU acquis. 2023. Available from: https://neighbourhood-enlargement.ec.europa.eu/commission-analytical-report-ukraines-alignment-eu-acquis_en. Accessed: 2 Apr. 2024.

DAMIRCHYIEV, M. I.; KOMAROV, V. V.; KOMAROVA, T. V. Protection of Ukrainian business in the European Union competition law. **Financial and credit activity: problems of theory and practice**, v. 4, n. 31, p. 105-111, 2019. Available from: <https://doi.org/10.18371/fcaptop.v4i31.190806>. Accessed: 2 Apr. 2024.

FJELSTUL, Joshua C. The evolution of European Union law: A new data set on the Acquis Communautaire. **European Union Politics**, v. 20, no. 4, p. 670-691, 2019. Available from: <https://doi.org/10.1177/1465116519842947>. Accessed: 2 Apr. 2024.

KAMINSKA, Joanna. Between Europeanisation and National Commitments: Negotiating New Agreements between the EU and Ukraine. *In: KAMINSKA, Joanna. **Poland and EU Enlargement**. New York: Palgrave Macmillan US, 2014. p. 73-104. ISBN 9781349497331. Available from: https://doi.org/10.1057/9781137452238_3. Accessed: 2 Apr. 2024.*

KAPLINA, Oksana. Prisoner of war: special status in the criminal proceedings of Ukraine and the right to exchange. **Access to Justice in Eastern Europe**, v. 5, no. 4-2, p. 8-24, 2022. Available from: <https://doi.org/10.33327/ajee-18-5.4-a000438>. Accessed: 2 Apr. 2024.



KHODIEIEVA, Nataliia. Protection of the Right to Information on One's Health - A Non-Jurisdictional Form of Protection. **International Journal of Criminology and Sociology**, v. 10, p. 630-635, 2021. Available from: <https://doi.org/10.6000/1929-4409.2021.10.73>. Accessed: 2 Apr. 2024.

KRAVTSOVA, I. A. Harmonisation of Ukrainian legislation on vertical concerted actions with the competition legislation of the European Union. *In*: LEGAL SCIENCES: RESEARCH AND EUROPEAN INNOVATIONS. **Legal sciences: research and European innovations**. [S.l.]: Baltija Publishing, 2021. Available from: <https://doi.org/10.30525/978-9934-26-074-2-34>. Accessed: 2 Apr. 2024.

KYRYLIUK, Olha. Fabricated frames as a way of erasing historical memory (based on the discourse of Russia's aggression against Ukraine). **Journal of Language and Linguistic Studies**, v. 17, no. 2, p. 1423-1437, 2021. Available from: <https://www.jlls.org/index.php/jlls/article/view/2609/770> Accessed: 2 Apr. 2024.

LOKSHYNA, Iuliia. Harmonisation of the Ukrainian legislation with the legislation of the European Union with regard to trade defence. **Studia Iuridica**, v. 82, p. 174-188, 2020. Available from: <https://doi.org/10.5604/01.3001.0013.9618>. Accessed: 2 Apr. 2024.

MURAVIOV, Victor. Principles and values of the European Union and the legal order of Ukraine. **Actual Problems of International Relations**, no. 138, p. 97-105, 2019. Available from: <https://doi.org/10.17721/apmv.2018.138.0.97-105>. Accessed: 2 Apr. 2024.

NOVIKOVA, I.; ZABARNA, E.; VOLKOVA, O.; FEDOTOVA, I.; KOROLKOV, V. Economic perspectives of post-war reconstruction: challenges and opportunities for the sustainable development of Ukraine. **Financial and Credit Activity Problems of Theory and Practice**, v. 3, n. 50, p. 298-307, 2023. Available from: <https://doi.org/10.55643/fcaptop.3.50.2023.4091>. Accessed: 2 Apr. 2024.

OEHLER-ȘINCAI, Iulia Monica. Romania: A Case of Differentiated Integration into the European Union. **Comparative Southeast European Studies**, v. 71, no. 3, p. 333-356, 2023. Available from: <https://doi.org/10.1515/soeu-2022-0050>. Accessed: 2 Apr. 2024.

PARASCHUK, Liliia; CHAPLIA, Ivanna. Problematic aspects of legal regulation of the surrogacy agreement in the context of harmonisation of Ukrainian legislation with the legislation of the European Union. **Aktual'ni problemi pravoznavstva**, v. 1, n. 1, p. 70-76, 2022. Available from: <https://doi.org/10.35774/app2022.01.070>. Accessed: 2 Apr. 2024.

PARSHYN, Illia; MERENIUK, Khrystyna. A Modern View of the European Vector of the Military Development of Ukrainian Lands in the 13th-14th Centuries: Prospects for Future Historiographical Studies. **Future of Social Sciences**, [S. l.], v. 1, n. 3, p. 61-78, 2023. Available from: <https://futurity-social.com/index.php/journal/article/view/14>. Accessed: 2 Apr. 2024.

POILLOT, Elise. The European Court of Justice and General Principles Derived from the Acquis Communautaire. **Oslo Law Review**, v. 4, n. 01, p. 67-77, 2017. Available from: <https://doi.org/10.5617/oslaw980>. Accessed: 2 Apr. 2024.



PREDMESTNIKOV, Oleh; GUMENYUK, Vitaliy. Harmonisation of economic and legal mechanisms for deepening EU-Ukrainian relations. **Baltic Journal of Economic Studies**, v. 5, no. 1, p. 174, 2019. Available from: <https://doi.org/10.30525/2256-0742/2019-5-1-174-181>. Accessed: 2 Apr. 2024.

PULUNGAN, Eska Dwipayana. The Widening of European Union to Post Soviet Countries: Case Study of Bulgaria Acceptance and Ukraine Accession. **Sang Pencerah: Jurnal Ilmiah Universitas Muhammadiyah Buton**, v. 9, n. 3, p. 790-801, 2023. Available from: <https://doi.org/10.35326/pencerah.v9i3.2922>. Accessed: 2 Apr. 2024.

PYROHOVSKA, V.; REZVOROVYCH, K.; PAVLICHENKO, I.; SUSHYTSKA, Y.; OSTASHOVA, V. Human Rights Protection in the Context of Information Technology Development: Problems and Future Prospects. **Future Economics&Law**, [S. l.], v. 4, n. 1, p. 38-51, 2024. Available from: <https://www.futurity-econlaw.com/index.php/FEL/article/view/200>. Accessed: 2 Apr. 2024.

RATUSHNIY, Serhiy. Legal Harmonisation Issues within the Context of the Ukraine-EU Association Agreement Implementation. **Legal Regulation of the Economy**, v. 16, p. 201-211, 2017. Available from: <https://doi.org/10.33111/lre.2017.16.201>. Accessed: 2 Apr. 2024.

REYAD, Shamsan. Relationship between international and national law and issues of their harmonisation. **Uzhhorod National University Herald. Series: Law**, v. 2, n. 78, p. 390-397, 2023. Available from: <https://doi.org/10.24144/2307-3322.2023.78.2.63>. Accessed: 2 Apr. 2024.

RIEKER, Pernille; GISKE, Mathilde T. E. EU(ropean) Differentiated Defence Integration. In: RIEKER, Pernille; GISKE, Mathilde T. E. **The European Union in International Affairs**. Cham: Springer Nature Switzerland, 2023. pp. 63-91. ISBN 9783031445453. Available from: https://doi.org/10.1007/978-3-031-44546-0_4. Accessed: 2 Apr. 2024.

SAYED, R. Assessing the Influence of Artificial Intelligence on Business Development Strategies: A Sectoral Analysis. **Law, Business and Sustainability Herald**, [S. l.], v. 2, n. 4, p. 4-17, 2022. Available from: <https://lbs herald.org/index.php/journal/article/view/41>. Accessed: 2 Apr. 2024.

SMYRNOVA, K.; SVIATUN, O. Eu-ukraine association agreement implementation coordination mechanism. **Actual Problems of International Relations**, v. 142, p. 50-61, 2020. Available from: <https://doi.org/10.17721/apmv.2020.142.1.50-61>. Accessed: 2 Apr. 2024.

SOKH, K. Ya; HULTAI, M. M. Implementation of normative legal acts of the European union into the national legislation of Ukraine. **Juridical scientific and electronic journal**, v. 6, p. 82-84, 2022. Available from: <https://doi.org/10.32782/2524-0374/2022-6/18>. Accessed: 2 Apr. 2024.

SUSDARWONO, E. T.; WIRANTA, A.; SUWARJI. Harmonising Sustainability: Integrating Javanese Tri Dharma Sambernyawa Philosophy into Regional Governance for Blue Economy Advancement. **Future Philosophy**, [S. l.], v. 2, n. 4, p. 24-42, 2023.



Available from: <https://futuraity-philosophy.com/index.php/FPH/article/view/59>.
Accessed: 2 Apr. 2024.

The influence of historical traditions on the formation of legal consciousness of the Ukrainian people. **Revista Notas Históricas y Geográficas**, v. 26, p. 144-165, 2021. Available from: <https://www.revistanotashistoricasygeograficas.cl/index.php/nhyg/article/view/330>.
Accessed: 2 Apr. 2024.

TRUFANOVA, Yuliia; YATSENKO, Khrystyna. Inheritance agreement: harmonisation with the law of the European Union. **Aktual'ni problemi pravoznavstva**, v. 1, n. 2, p. 115-120, 2022. Available from: <https://doi.org/10.35774/app2022.02.115>. Accessed: 2 Apr. 2024.

UKRAINE. Verkhovna Rada of Ukraine. **LAW OF UKRAINE**. On the State Programme for Adaptation of Ukrainian Legislation to the Legislation of the European Union. 2004. Available from: <https://zakon.rada.gov.ua/laws/show/1629-15?lang=en#Text>.
Accessed: 2 Apr. 2024.

UKRAINE. Verkhovna Rada of Ukraine. **LAW OF UKRAINE**. On the Execution of Judgements and Application of the Case Law of the European Court of Human Rights. 2006. Available from: <https://zakon.rada.gov.ua/laws/show/3477-15?lang=en#Text>.
Accessed: 2 Apr. 2024.

WULANDARI, L. P.; APSARI, D. D.; HAPSARI, A. Development of Educational Media for Adolescent Reproductive Health. **Future Medicine**, [S. l.], v. 2, n. 4, p. 17-27, 2023. DOI: 10.57125/FEM.2023.12.30.03. Available from: <https://futuraity-medicine.com/index.php/fm/article/view/51>. Accessed: 2 Apr. 2024.

