

MAIN RISKS IN RESTRUCTURING CERTAIN ASPECTS OF THE LEGAL FRAMEWORK OF UKRAINE: COOPERATION WITH THE EU

PRINCIPAIS RISCOS NA REESTRUTURAÇÃO DE CERTOS ASPECTOS DO QUADRO JURÍDICO DA UCRÂNIA: COOPERAÇÃO COM A UE

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Abstract: The purpose of the article is to study the main risks in restructuring Ukraine's legal framework against the background of establishing cooperation with the EU. This goal is achieved by using the method of content analysis of modern scientific works and media reports. The results indicate that the process of harmonisation of Ukrainian legislation with the EU norms has covered various areas, but the Association Agreement does not provide clear deadlines for its implementation, except for the protection of intellectual property rights. Most of the provisions of the agreement and other harmonisation documents are referred to as “soft law”, defining intentions rather than hard obligations of the parties. The lack of effective control over the harmonisation process was its main drawback, and the process was not strictly linked to internal reforms in Ukraine. Also, terminological differences complicate the understanding of the process. The need to harmonise terminology becomes important to ensure clarity and accountability in the context of European integration. The conclusions emphasise that it is important to address the issue of Ukraine's ability to harmonise on its own, the need for full coverage, and the reality of national programmes that may remain only declarations of intent.

Keywords: European integration. Ukraine. Legislation. Harmonisation. Challenges.

Resumo: O objetivo do artigo é estudar os principais riscos da reestruturação do quadro jurídico da Ucrânia no contexto do estabelecimento da cooperação com a UE. Este objetivo é alcançado através da utilização do método de análise de conteúdo de trabalhos científicos modernos e de relatórios dos meios de comunicação social. Os resultados indicam que o processo de harmonização da legislação ucraniana com as normas da UE abrangeu várias áreas, mas o Acordo de Associação não prevê prazos claros para a sua aplicação, exceto no que se refere à proteção dos direitos de propriedade intelectual. A maior parte das disposições do acordo e de outros documentos de harmonização são referidas como “soft law”, que definem as intenções e não as obrigações efetivas das partes. A falta de controlo efetivo

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sobre o processo de harmonização foi a sua principal desvantagem e o processo não estava estritamente ligado às reformas internas na Ucrânia. Além disso, as diferenças terminológicas complicam a compreensão do processo. A necessidade de harmonizar a terminologia torna-se importante para garantir a clareza e a responsabilização no contexto da integração europeia. As conclusões sublinham que é importante abordar a questão da capacidade da Ucrânia para se harmonizar por si própria, a necessidade de uma cobertura total e a realidade dos programas nacionais que podem continuar a ser apenas declarações de intenções.

Palavras-chave: Integração europeia. Ucrânia. Legislação. Harmonização. Desafios.

1. Introduction

In the context of Ukraine's ongoing transformations, cooperation with the European Union is seen as a strategic step to ensure the convergence of the country's legal norms and standards with those of the European Union (EU). However, this ambitious path not only opens up new opportunities but also presents certain challenges that should be carefully considered. In particular, in a country that is actively pursuing political, economic, and legal transformations, the issue of restructuring the legal framework is of crucial importance. Cooperation with the European Union is becoming a critical stage in this process, designed to ensure a high standard of legal norms and recognition of international standards. At the same time, along with the benefits of this strategic partnership, there are significant risks that may affect the sustainability and effectiveness of Ukraine's new legal system.

Research problem

Against the backdrop of Ukraine's integration into the European legal area, several research issues are extremely relevant. First of all, we are talking about the emergence of key risks of the legal harmonisation process, which may become a challenge for the national legal system. It is necessary to carefully analyse and adapt domestic legislation to European norms while ensuring the preservation of national identity and the effectiveness of new legal structures. For this reason, determining the likely public reaction to the introduction of new norms that would be unusual for the Ukrainian environment in the past also remains an important issue.

Research focus

Additionally, there is a need to consider in detail the possible social and economic consequences of changes in legal regulation. The public perception of new legal norms, possible resistance or mismatch with the actual conditions of implementation may affect the success of reforms and cause social tensions. Therefore, it is important to identify and outline the main risks associated with the restructuring of Ukraine's legal framework in the context of cooperation with

the EU. The study of these risks is a key step in developing effective strategies to minimise negative impacts and ensure the sustainable development of the country's legal system.

Research aim and questions

The purpose of the article is to analyse the main risks in restructuring Ukraine's legal framework against the background of deepening cooperation with the EU.

2. Theoretical framework and literature review

Modern researchers have repeatedly drawn attention to the problem of regulating Ukrainian legislation in accordance with EU standards and requirements. This issue is defined as a key one for Ukraine's development and integration into the European legal space. Research in this area is aimed at studying the impact of cooperation with the EU on various areas of the economy, politics, and society in Ukraine, in particular, on the intensification of domestic reforms, the development of civil society, and the resolution of socially important economic issues (see Table 1).

Table 1.

The main aspects of analysis in modern works

Aspects of analysis	Main authors
Analysis of in-depth cooperation with the EU	BEHLYTSYA and SHALOVYNSKA (2019), KORNIENKO; PROTSENKO (2019), GUYVAN (2020), PETRYSHYN & RAHULINA (2023).
Theoretical works on the implementation of the EU legal framework	JANKOVIĆ (2017), CSÖNDES (2019), PAVKOVIĆ and HLUPIĆ RADIĆ (2018), YAVORSKA (2015), DEREVYANKO and TURKOT (2022), MELNYK (2020), PETROV (2021), GAROUPA and GRAJZL (2020).

Overview of the EU legal system for financial institutions and consideration of the dynamics of legal regulation of cryptocurrency in Ukraine	PAVKOVIĆ and HLUPIĆ RADIĆ (2018), KURYLIUK; SLYVKA; KUSHNIR (2021), LENHO (2023), MELNYK (2020), GUYVAN (2020), DEREVYANKO and TURKOT (2022), SHULGIN (2021).
Legal regulation of antitrust legislation	HORBAL; ROMANYSHYN; KOHUT (2016), KURYLIUK; SLYVKA; KUSHNIR (2021)
Legal basis of trade relations between Ukraine and the EU	LENHO (2023), VAN DER LOO; VAN ELSUWEGE; PETROV (2014).
Current challenges in EU-Ukraine cooperation	PETRYSHYN and RAHULINA (2023), BEHLYTSYA and SHALOVYNSKA (2019), KORNIENKO; PROTSENKO (2019), GUYVAN (2020).

Source: compiled by the authors

In particular, BEHLYTSYA and SHALOVYNSKA (2019) analysed the main problems of Ukraine-EU cooperation against the background of Ukraine's integration aspirations. They argue that in-depth cooperation with the EU is a key element aimed at bringing about changes in stability and security in Europe. This intensive engagement not only boosts domestic economic and political reforms but also helps to stimulate civic development. In the course of this partnership, there is a fruitful interaction aimed at supporting the country's development and strengthening its position in the international community (KORNIENKOVA & PROTSENKO, 2019). For this study, theoretical works that analyse the experience of other countries in implementing the EU legal framework are important (JANKOVIĆ, 2017; CSÖNDES, 2019). In particular, the work of CSÖNDES (2019) is aimed at a thorough review of the public policy provision (*ordre public*) laid down in the EU Succession Regulation. The researcher also examined Hungarian inheritance law in relation to the implementation and effects of certain EU articles. Through this dual analysis, the paper attempts to shed light on the complex interplay between the EU Succession Regulation's regulatory framework and the specific nuances of Hungarian inheritance law, identifying any potential points of convergence or divergence. Certain aspects of the legal traditions of Croatia

and Slovenia are described in the context of comparison by GAROUPA and GRAJZL (2020). At the same time, the study by PAVKOVIĆ and HLUPIĆ RADIĆ (2018) aims to provide an in-depth overview of the European Union legal system regulating the activities of credit institutions in the Member States, including the Republic of Croatia. The paper focuses on the single set of rules that forms the legal framework of the EU Banking Union. In particular, the paper examines Regulation (EU) No 575/2013 and Directive 36/2013/EU on access to credit institutions, prudential requirements and prudential supervision. In addition, the study presents Directives 2014/49/EU and 2014/59/EU regulating deposit insurance and the recovery and resolution of credit institutions. To provide context and a comprehensive understanding, the paper also traces the development of regulations in Croatia from 1990 to the present day, covering the legislative efforts made to transpose the above-mentioned EU directives into Croatian law. In this context, the study by YAVORSKA (2015) is also important, detailing the key aspects of the harmonisation of Ukrainian legislation with EU law in the field of financial sector regulation. DEREVYANKO and TURKOT (2022) conducted an in-depth study of the dynamics of legal regulation of cryptocurrency activities in Ukraine. It includes a thorough study of the legal framework governing cryptocurrency transactions. In addition, the study aims to identify ways to improve the current Law of Ukraine's "On Virtual Assets", with a particular focus on the development of provisions relating to the payment of funds to the state budget by owners of virtual assets. An important aspect of this research is the study of the European Union's experience in this area. Therefore, this paper goes beyond mere analysis by putting forward specific proposals for amendments to the key legal acts, namely the Tax Code, the Commercial Code, and the Civil Code of Ukraine. These proposals, as formulated in GUYVAN (2020), are based on EU best practices, offering a comparative perspective for strengthening the regulatory landscape for legal assets in Ukraine. HORBAL; ROMANYSHYN; KOHUT (2016) analyse in detail the peculiarities and principles of the EU competition law and consider the main ways of adapting these principles to Ukrainian legislation in the context of the Association Agreement signed in 2014. The main emphasis was placed on the results of Ukraine's adaptation of European legislation and the impact of this process. At the same time, KURYLIUK; SLYVKA; KUSHNIR (2021) describe the key issues of legal regulation of combating illegal migration in Ukraine and the EU. LENHO (2023) describes the legal framework governing trade relations in Ukraine and the EU, comparing and contrasting the rules in these jurisdictions. MELNYK (2020) discusses the legal aspect of land monitoring in Ukraine with a comparative analysis of the EU experience. In this study, the author identifies the main aspects of regulation and common features of land legislation. At the same time, PETROV

(2021) examines the main issues of legal regulation of administrative procedures in Ukraine and the EU. The researcher demonstrated the main legal achievements of Ukraine in this area based on comparative studies. PETRYSHYN and RAHULINA (2023) examined the key aspects of cooperation between Ukraine and the EU in view of current challenges. According to these scholars, the legal system of the European Union is defined as a comprehensive set of legal norms that covers both traditional and new, effective methods of solving legal problems in the field of human rights. This law is formed based on the best achievements of highly developed legal systems of the countries of the European continent, which are economically and politically advanced, as well as taking into account the areas of law that are unified to achieve the goals and objectives of the European Union (PETRYSHYN & RAHULINA, 2023). In this context, strengthening the process of harmonisation of Ukrainian and European law, including EU law, should create preconditions for the progressive development of various branches of the Ukrainian legal space. Establishing close relations and adapting the best practices of European law to Ukrainian legislation will help improve the justice system and ensure proper implementation of the norms aimed at protecting human rights, developing society, and forming a modern state.

3. Research design and methods

General background

The object of the study is the key aspects of restructuring the legal framework of Ukraine in the context of cooperation with the European Union. The work is based on the content analysis of modern scientific works and media reports. The research was carried out in stages.

Stages and sample procedure of research materials

Stages of the study

The first stage

This stage involved searching and selecting scientific literature and media reports, systematic analysis of scientific articles, monographs, and reports on the topic. This stage also allowed us to define key terms and concepts used in the literature and analyse high-profile events and official media reports on the restructuring of the legal framework.

The second stage

The selected sources were classified and categorised. At this stage, the literature was grouped into thematic categories (legislative changes, challenges for the justice system) and the key aspects emphasised by contemporary authors were identified.

The third stage

At this stage, the content analysis was carried out, which included:

- Study of specific statements, opinions, and assessments in academic papers and the media.
- Identify common and different points of view on the risks of restructuring Ukraine's legal framework in the context of cooperation with the EU.

The fourth stage

The results were synthesised and analysed. This involved identifying the main trends and conclusions that emerge from the scientific literature and the media and identifying unresolved or controversial issues that require further research.

Criteria for selecting sources: relevance: checking the timing of the publication and considering the latest developments, authority: assessing the authors and recognising publications in relevant scientific journals, objectivity: taking into account different points of view, thematic relevance: focusing sources on key aspects of legal framework reform and risks of cooperation with the EU.

4. Results

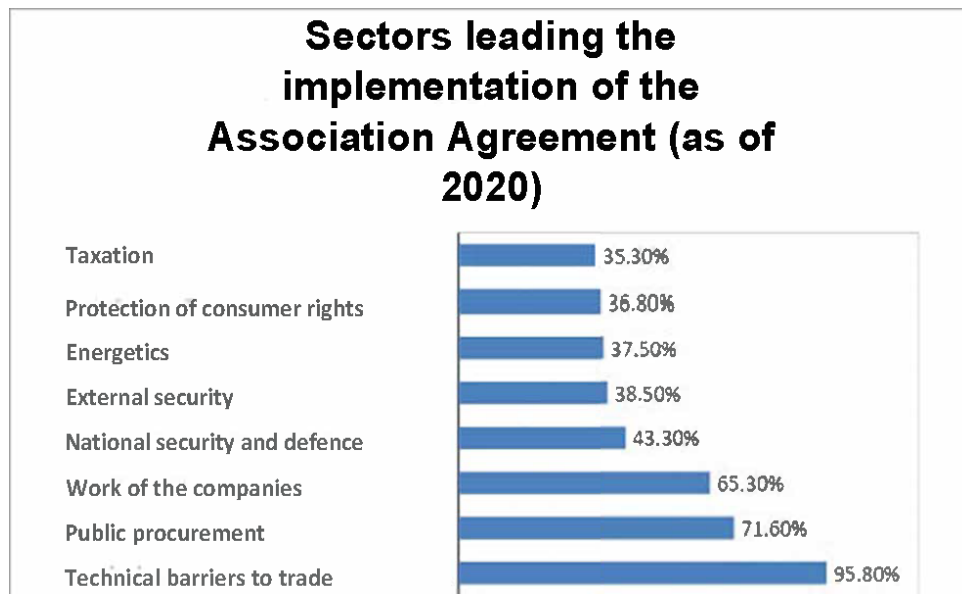
Studying the key aspects and methods of legislative adaptation is a task that is difficult due to its long and dynamic nature. Legislative adaptation is a sequential series of interrelated actions that determine the evolution of the existing legal order and reset the main programme of development of the state's legal system. It is important to bear in mind that adaptation processes are a manifestation of a dynamic approach that differs from the usual statistical and evolutionary dimensions of law. They act as a way of implementing the modernising function of law, which is actualised at a new stage of social progress with renewed vigour. Thus, the adaptation of legislation not only regulates modern challenges but also contributes to the modernisation of the legal system, which is important for efficiency in the face of constant changes in society.

According to the EU-Ukraine Association Agreement (Article 481), the parties have the right to implement a comprehensive review of the objectives in 5 years. Taking into account the results of the monitoring reports, Ukraine has fulfilled 72% of all commitments and improved its overall progress by 9%. Taking into account the 2020 reports, the following aspects of regulation have become the leaders in improving the legislative system: technical barriers to trade, public procurement, company operations, national security, foreign security policy, consumer protection,

etc. It should be noted that in this system, perfect (100%) means that all legislation is adopted and complies with EU norms.

Figure 1.

Sectors leading the implementation of the Association Agreement



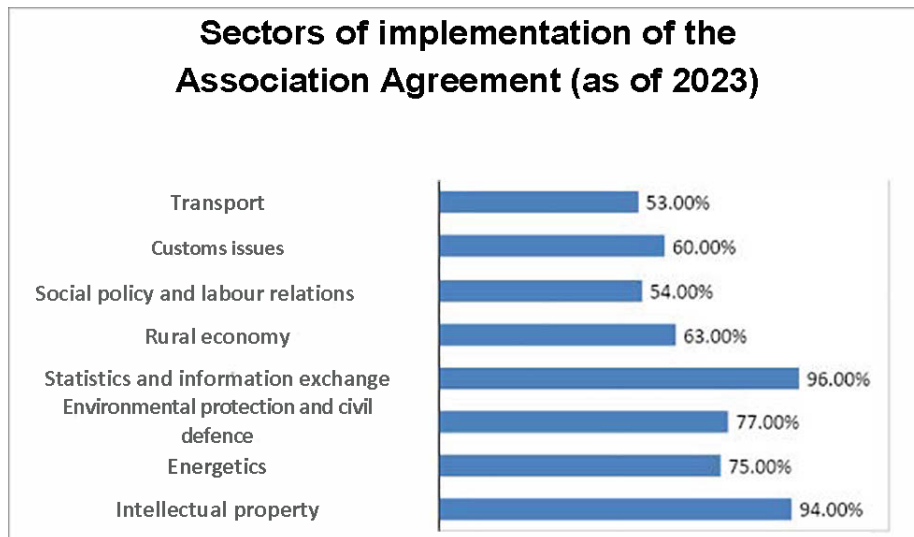
Source: UKRAINIAN CENTRE FOR EUROPEAN POLICY (2020)

In the trade sector, Ukraine's basic (horizontal) legislative framework, along with virtually all sectoral (vertical) legislation, has been fully adapted and implemented in line with the requirements of the Association Agreement and Annex III. More than 90% of outdated USSR standards have been replaced by modern international standards, and the level of harmonisation of national standards has doubled over the past 5 years to 65% (UKRAINIAN CENTRE FOR EUROPEAN POLICY, 2020). Ukraine has made significant progress in implementing many of its commitments by adapting its public procurement system to EU requirements (BURIK et al., 2023). The latest amendments that came into force on 19 April this year further align Ukrainian legislation with these requirements. Ukraine has implemented an important part of the commitments contained in Annexes XXXIV-XXXVI to the Association Agreement. The Corporate Governance sub-sector has developed significantly, with all the tasks from the transposition recommendations being completed at an excellent level. Meanwhile, many Ukrainian companies are voluntarily implementing certain international standards with the support of both

the National Commission for Regulation of Financial Services Markets (NCFSM) and international assistance, in order to improve their image in foreign markets and increase their chances of attracting investment (UKRAINIAN CENTRE FOR EUROPEAN POLICY, 2020). In the Accounting and Audit sub-sector, some clarification is needed at the implementation level, including on the standard standards and guidelines for the preparation of payment reports for certain categories of public interest entities, as well as to strengthen the effectiveness of the established audit control bodies. The field of “Establishment and operation of companies” is marked by a change in the basic legal framework - the adoption of the EU act - Directive No. 2017/1132/EU, which consolidated most of the directives in this sector. This, in turn, led to a review by the responsible authorities of their plans to implement the provisions of the already updated Directive No. 2017/1132/EU. The newly drafted Law on Joint Stock Companies (No. 2493) contains both positive aspects for the transposition of Directive 2017/1132/EU and significant shortcomings. It is important to note that a number of key legal provisions of Ukrainian consumer protection legislation were partially improved in line with the main provisions of the relevant European legal acts before the signing of the Association Agreement, i.e. these legal acts required revision rather than development from scratch. However, in some cases, such partial compliance was perceived by the state authorities as complete and was not taken into account in the course of implementation of the Association Agreement, however, when preparing amendments to the Law on Consumer Protection and other legal documents on consumer protection. At the same time, the sectors that lagged behind as of 2019 were legislation regulating agriculture and customs issues (STEPANENKO, 2021). In areas such as intellectual property, education, transport, information exchange, and statistics, there was no progress at all. Legislation in some of these areas has become a priority for reform in 2020-2022, as of 2023, intellectual property reached 94%, energy - 75%, agriculture - 63% of compliance with EU norms (see Figure 2).

Figure 2.

Sectors of implementation of the Association Agreement



Source: UKRAINFOURM (2023)

Thus, despite the full-scale war, Ukraine has continued to actively develop and adapt its legislation to the EU law. These results are important on the way to improving the dynamics of European integration processes.

However, a significant and little-studied problem is the fact that the process of harmonisation of Ukrainian legislation with the EU legal acts began even before the Association Agreement came into force (2014), covering aspects of competition, labour, and social relations. This period can be characterised as a stage of voluntary harmonisation, characterised by the absence of clear obligations of the parties in this area and Ukraine's unilateral activity to address the issues of harmonisation of its legislation with the European one. Despite the lack of coordination with European integration organisations, this process cannot be considered as completely spontaneous. The Ukrainian state had the opportunity to use the acts of the European Community and analyse the experience of other countries that also harmonised their legislation with European law. For example, the White Paper adopted by the EU Commission in 1995 clearly defined the priority areas of legislative harmonisation for the countries of Central and Eastern Europe (ZAKHARCHUK, 2022). It is clear that the list of priority areas of harmonisation was not enough by itself to give the necessary impetus to this process. To make it possible, it was important to translate at least part of the EU documents into Ukrainian. Given that the legislative acts identified as priorities in the White Paper were almost 8,000 pages long, Ukraine faced a significant technical obstacle to free voluntary harmonisation. The areas of harmonisation of Ukrainian legislation with the EU legal norms covered a wide range of areas, but the Association Agreement did not specify any timeframe for the implementation of the harmonisation process.

The one exception was the area of intellectual property rights protection, in which Ukraine undertook to fulfil all the requirements assumed under the Agreement within five years (UKRAINFORM, 2023). An analysis of the provisions of the Agreement and other harmonisation documents shows that most of them are “soft law”, which defines mainly intentions rather than clear obligations of the parties (TYUSHKA, 2015). This approach emphasises that the progress of legislative harmonisation has been largely dependent on the political will and interests of the parties.

Thus, the main drawback of the harmonisation of Ukrainian legislation with EU law based on the Association Agreement was the lack of effective control over this process by the competent Ukrainian institutions and the European Union. In addition, the harmonisation of legislation was not strictly linked to the process of internal reforms in Ukraine.

The terminological challenge also remains important. Given the constant expansion and deepening of the European integration process and the lack of generally accepted definitions among scholars, different terms are used to describe the legal mechanisms for its implementation. Among them are the terms “approximation”, “unification”, “adaptation”, “aligning”, “convergence”, “coordination”, “transposition”, “incorporation” and “implementation”. As there is no clear hierarchy of these terms and their interrelationships, they are sometimes used interchangeably (PARYZKYI, 2021). Each of these terms is used independently and is associated with different aspects and stages of European integration. Thus, each of them has its own justification and right to be used in the context of certain tasks and needs of the integration process. At the same time, in the Ukrainian context, there is a need to define the terminological issue, as this aspect may be fundamental. It is important to combine it with the aspect of responsibility, as this creates a solid foundation for further transformations.

If we leave the issue of harmonisation at its current state, an additional question arises. It seems that harmonisation in Ukraine may be reduced to permanent bureaucratic red tape and be carried out for its own sake, rather than as a means of achieving a certain perspective - the gradual approximation of Ukrainian legislation to EU standards, as a stage of political integration of state structures. In this context, several key questions arise. Firstly, can Ukraine carry out such a complex process of harmonisation on its own, without appropriate support from the EU? Secondly, is there a need for harmonisation focused on the entire spectrum of legal relations in the EU within the framework of current relations between Ukraine and the EU? The answers to these questions are probably not clear. At this stage, there is a risk that national harmonisation programmes may remain only declarations of Ukraine's positive European integration intentions. Thus, economic

cooperation, the content of which is defined in separate documents, is currently important in Ukraine's relations with the EU. This area can become an important tool on the way to restructuring the legislative framework, which will create appropriate impulses for further harmonisation.

5. Discussion

The study confirms the conclusions about the importance of harmonisation as an effective legal phenomenon that allows Ukraine to integrate into the European legal order (BEHLYTSYA and SHALOVYNSKA, 2019). Researchers who have analysed the process of approximation of Ukrainian legislation to the EU legal system have repeatedly emphasised the problems of formal attitudes to reforms, terminological uncertainty, and other issues that needed to be addressed urgently, but also proposed approaches to improve the efficiency of this process (CARGAS, 2019). Ukrainian officials should significantly update the legislation - there is a complete consensus among scholars on this point (MIKHEIEV and MIKHEIEV, 2021; SHULGIN, 2021). Ukraine's current legal framework is contradictory, unstable, and therefore imperfect. It is important that EU officials pay particular attention to the quality of laws. The EU Council has adopted separate decisions on the rules for their implementation. Accordingly, legal acts must be clear, not ambiguous, without the use of abbreviations, without jargon and phrases that are too difficult to read, etc. We should agree with the researchers who defend the proposed principles and views (LERNER et al., 2021). Additionally, we would like to outline such imperfections in legislative acts as the use of vague references to other documents and stylistic complications that can make it difficult to read the law and understand it by outside readers.

An urgent problem is to overcome imperfections and, in some cases, contradictions in legal acts. Delay in solving problems will have a negative impact on the process of exercising rights and fulfilling obligations by all subjects of public relations and slow down the development of Ukraine as a state governed by the rule of law. It is also important to highlight a number of promising areas for future research:

1. Assessment of the impact of harmonisation on economic development (HAYASHI, 2017). As of today, researchers in Ukraine and the world are unable to assess the specific economic impact of harmonisation, in particular the relationship between the adaptation of legislation and the growth of economic activity, competitiveness of enterprises, and attraction of foreign investment (KHALILOV, 2023). The military aggression of the Kremlin regime, which has caused

enormous damage to the Ukrainian economy and society, adds to the difficulties. For this reason, any forecasts are complicated, as the consequences of the ongoing war are difficult to predict. Against this background, it is difficult to determine the results of changes in the legal field, as the presence of the occupied territories and a large war zone makes it impossible to organise the process of implementing legal novelties throughout Ukraine simultaneously.

2. Analysis of the political aspects of harmonisation (KORNIENKOVA, Karyna; PROTSENKO, 2019). Ukraine's European integration aspirations and the relevant political actions that ensure it in practice have an impact not only on Ukraine's image in the international arena but also have implications for future cooperation with international organisations, EU countries, etc. It is worth agreeing with the researchers (KURYLIUK; SLYVKA; KUSHNIR, 2021) that this area of research is still underrepresented in the scientific literature. The future development of these relationships will also require detailed development.

3. Assessment of the socio-cultural impact of harmonisation (GEVORGYAN and BAGHDASARYAN, 2021; FILIPOVA et al., 2021). The adaptation and unification of the Ukrainian legal framework to the requirements of the European Union is also poorly understood in terms of social consequences (MICELI and MUNGAN, 2021). Researchers have no doubt that the introduction of economic and labour legislation will have important consequences for Ukrainian workers (FILIPOVA et al., 2021). However, changes in the civil and criminal codes and other documents that legally define everyday life will be equally important. This area of research may in the future consider the impact of harmonisation on the socio-cultural landscape of Ukraine, including changes in citizens' rights, social values, and the general climate in society.

4. Defining the role of civil society (PETROV, 2021). European societies are perceived by researchers as having tangible mechanisms of influence on state and political development through appropriate mechanisms of action. Ukrainian society, as far as we can tell, is only at the beginning of the formation of civil society. Certain aspects of legislative harmonisation envisage granting controlling powers to civil society organisations. It is difficult to judge the extent to which Ukrainian society is ready to take on these responsibilities. This process is partly beyond the scope of this study, as it raises much broader questions for sociologists than for legal experts.

5. Future assessment of the effectiveness of the legislative process reform. Research can assess the effectiveness of the legislative process itself in the area of legal harmonisation, identify factors that facilitate or hinder its implementation, and suggest possible ways to improve it. Modern researchers are partially successful in this regard (PARYZKYI, 2021). First and foremost, we are talking about fair scientific assessments of the formalisation of the harmonisation process,

overloading legal texts with references to other documents, and contradictions in terminology and its application. These research observations are quite fair, although they will also require further consideration, since the vector of legal reform in Ukraine and changes in the institutional system, for example, is an under-studied one. The proposed research area could assess the need for legal reform and changes in the institutional system for effective integration and harmonisation of legislation.

Therefore, these areas of research will help to better understand the process of harmonisation of Ukrainian legislation and its impact on various aspects of public life. Although such work is being actively carried out, it is difficult to determine all the consequences of harmonisation, although due to Russian aggression, the introduction of martial law, and its impact on the legal field of Ukraine.

6. Conclusion

The process of harmonisation of Ukrainian legislation with the EU norms has covered a wide range of sectors. In particular, the Association Agreement hardly specifies any deadlines for the implementation of harmonisation, except for the protection of intellectual property rights. The analysis shows that most of the provisions of the agreement and other information on harmonisation relate to “soft law”, which defines intentions rather than clear obligations of the parties. This emphasises that the progress of harmonisation was largely dependent on the political will and interests of the parties. The main drawback of the harmonisation of Ukrainian legislation with EU law is the lack of effective control over this process. This process was not strictly linked to internal reforms in Ukraine. The terminological challenge complicates the understanding of the process, as there is no commonly accepted definition and different terms are used. The need to define and harmonise terminology is important to ensure clarity and accountability in the context of Ukraine's European integration process. The process of legislative harmonisation in Ukraine may turn into an endless bureaucratic red tape, in which harmonisation itself becomes an end rather than a means to a specific perspective of political integration with the European Union. The article raises key questions about the possibility of Ukraine's independent harmonisation, the lack of need for its full coverage, and the possibility of national programmes remaining only declarations of intent.

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