

LEGAL HARMONISATION OF UKRAINE WITH EUROPEAN UNION LAW: INSTITUTIONAL AND NORMATIVE ANALYSIS OF THE IMPLEMENTATION OF 33 CHAPTERS OF THE ACQUIS COMMUNAUTAIRE

Dir Ihor

DOI: <https://doi.org/10.61345/1339-7915.2025.4.3>

Annotation. In the context of Ukraine obtaining candidate status for membership in the European Union, the legal harmonisation of national legislation with the *acquis communautaire* has become particularly relevant. Given the institutional challenges, martial law, and complex geopolitical conditions, a comprehensive analysis of Ukraine's progress in fulfilling its legal obligations within the framework of European integration is essential. Special attention is paid to both normative reforms and the actual steps toward legal implementation of EU standards across all 33 technical chapters of the *acquis*.

The purpose of the article is to conduct a systemic institutional and normative analysis of Ukraine's implementation of the *acquis communautaire* based on the European Commission's reports for 2023 and 2024, with a focus on legal adaptation mechanisms, institutional transformations, and the substantive dimension of legal approximation to EU law.

The research uses a comparative legal method, which made it possible to compare the state of *acquis* implementation over two consecutive periods. In addition, a normative-analytical approach was applied to assess the content of legislative changes in Ukraine and their compliance with the core requirements of EU law. The novelty of the study lies in its integrated legal analysis not only of the content of national reforms but also of the dynamics of institutional capacity-building for *acquis* implementation.

The study found that the most significant progress was achieved in the fields of public procurement, energy, competition, justice, customs policy, and common security policy. In many cases, the implementation of EU law has taken place not only at the legislative level but also through subordinate regulations, administrative instructions, and the establishment of specialised bodies. Meanwhile, such areas as the free movement of workers and capital, and regional policy demonstrate slower harmonisation due to legal and institutional barriers. The analysis confirms that Ukraine has transitioned from political declarations to the legally binding adaptation of the *acquis*, enhancing its readiness for accession negotiations.

In conclusion, the article argues that the success of Ukraine's further legal approximation to the EU depends significantly on its ability to ensure sustainable implementation, effective institutional oversight, and the development of administrative and judicial review mechanisms. It is proposed that legal harmonisation be viewed not merely as a formal accession requirement but as a tool for deep transformation of public governance, rule of law, and the legal state in Ukraine.

Key words: *acquis communautaire*; legal harmonisation; EU directives implementation; institutional capacity; Ukraine-EU integration; EU law; European Commission evaluation; legal approximation.

1. Introduction.

The European Commission's 2023 and 2024 reports on Ukraine provide a detailed analysis of the country's progress towards accession to the European Union. Both documents have a similar

structure, covering key aspects such as the functioning of democratic institutions, the rule of law, economic criteria and the ability to take on the obligations of membership. However, the 2024 report reflects significant progress compared to the previous year.

2. Analysis of scientific publications.

The issue of the implementation of the *acquis communautaire* in the context of Ukraine's European integration has been widely reflected in the scientific works of Ukrainian and European researchers. In particular, important conceptual principles of Ukraine's legal approximation to EU law were highlighted in the works of O. Shumylo, I. Kresina, O. Yevteeva, O. Malinovska, as well as in intergovernmental analytical reports of the Center for Political and Legal Reforms and the Institute for Economic Research and Policy Consultations. In foreign literature, the issues of implementing the *acquis* in candidate countries were considered by B. Mayer, P. Krejci, M. Emerson and other researchers, who emphasized the importance of institutional and legal readiness for the effective application of EU law.

3. The aim of the work is a comprehensive study of the pace, content and legal features of the adaptation of Ukraine's national legislation to the *acquis communautaire* within the framework of the negotiation process for accession to the European Union. Particular attention is paid to the comparative analysis of data from the annual reports of the European Commission for 2023 and 2024, the assessment of the state's institutional capacity to implement the *acquis*, the legal compliance of adopted acts with EU law and the identification of areas that demonstrate the highest and lowest dynamics of convergence.

4. Review and discussion.

Despite the large number of general works on the process of European integration, there is a lack of a systematic legal analysis of the specific state of implementation of the *acquis* in 33 technical chapters based on the annual reports of the European Commission, which determines the scientific novelty of this study.

1. Free movement of goods. In 2023, Ukraine had an initial level of harmonization with EU technical regulations. In 2024, significant progress was observed in the direction of convergence with European standards, in particular through preparations for the conclusion of the ACAA Agreement. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

2. Free movement of workers. As of 2023, Ukraine was only partially compliant with EU standards in the field of worker mobility. In 2024, there was little progress, in particular in the administration of coordination mechanisms. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. Comprehensive legislation at the level of laws and by-laws is required, following the methodology for the transformation of EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

3. Right of establishment and services. The initial level of implementation in 2023 was expanded in 2024 through deregulation initiatives and attempts to adapt regulations to EU directives. In 2024, the focus is on implementing the relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with the new norms and the formation of administrative capacity to implement policies

in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

4. Free movement of capital. Due to martial law in 2023–2024, currency restrictions remained in place, which hindered progress in this area. Although there is a political will to adapt, reforms are limited by objective factors. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

5. Public procurement. Significant progress in 2023 thanks to the Prozorro system was continued in 2024 - further approximation to EU directives took place, especially in the area of transparency of procedures. In 2024, the main focus is on the implementation of the relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

6. Corporate law. In 2023, there was partial compliance with EU standards. In 2024, updated rules on corporate reporting and mergers were adopted. In 2024, the focus is on implementing the relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with the new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

7. Intellectual property. In 2023, basic institutional mechanisms were ensured. In 2024, the practical implementation of copyright protection and patenting in accordance with the *acquis* was improved. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

8. Competition policy. In 2023, only partial alignment with EU legislation was observed. In 2024, the role of the AMCU was strengthened and state aid was improved. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

9. Financial services. In 2023, the sector was only partially compliant with EU requirements. In 2024, the adaptation of financial supervision and banking regulation continues. In 2024, the focus is on implementing the relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

10. Digital transformation and media. In 2023, Ukraine took basic steps in digitalization. In 2024, the Law on Media was adopted, which is in line with EU directives. In 2024, the main focus is on the implementation of relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation.

In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Considerable attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

11. Agriculture. In 2023, the management system did not yet comply with EU policy. In 2024, adaptation to the requirements of the common agricultural policy began. From a legal point of view, a sufficient regulatory framework has not yet been formed in the area that complies with the *acquis communautaire*. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

12. Phytosanitary policy. In 2023, the presence of a basic control system was noted. In 2024, import control was improved, in particular for grain products. From a legal point of view, a sufficient regulatory framework has not yet been formed in the area that complies with the *acquis communautaire*. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

13. Fisheries. The fisheries sector remained at an early stage in 2023. In 2024, the first institutional steps towards approximation with the EU were taken. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for the transformation of EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

14. Transport. In 2023, the Common Aviation Area Agreement was signed. Its implementation, including security requirements, continues in 2024. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. Comprehensive legislation at the level of laws and by-laws is required, following the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

15. Energy. Synchronization with ENTSO-E was carried out in 2023. In 2024, the regulatory framework was strengthened and decarbonization measures were launched. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the sector. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for the transformation of EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

16. Taxation. Reforms have been launched in 2023. Harmonization of excise duty and VAT rates continues in 2024, taking into account preparations for BEPS. In 2024, the focus is on implementing relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure effective supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

17. Economic policy. In 2023, macrostability was achieved. In 2024, it is maintained thanks to EU support and currency regulation. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

18. Statistics. In 2023, basic statistical bodies were operational. In 2024, methodological integration with Eurostat was strengthened. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

19. Social policy. In 2023, it partially complied with EU requirements. In 2024, new acts in the field of employee protection were adopted. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in this area. It is required to develop comprehensive legislation at the level of laws and by-laws, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

20. Industrial policy. In 2023, there was weak coordination. In 2024, the preparation of a national industrial strategy began. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

21. TEN-T. Integration into the EU transport networks began in 2023. In 2024, the implementation of TEN-T projects in Ukraine continues. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the field. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

22. Regional policy. In 2023, there is no clear strategy for EU-oriented regional development. In 2024, the first analysis of institutional capacity was carried out. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

23. Judicial system. In 2023, the restart of the High Council of Justice and the High Qualification Commission of Judges of Ukraine continued. In 2024, the selection was completed, and the independence of the judiciary was increased. From a legal point of view, a sufficient regulatory framework that complies with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

24. Security and law enforcement. In 2023, harmonization has only just begun. In 2024, cooperation with FRONTEX was strengthened, migration management was improved. In 2024, the main focus is on the implementation of relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine must ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

25. Science. In 2023, Ukraine participated in the Horizon Europe program. In 2024, scientific mobility and access to EU infrastructure were expanded. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the field. The

development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

26. Education and culture. Participation in Erasmus+ is ensured in 2023. Recognition of diplomas and cooperation in the field of culture are intensified in 2024. From a legal point of view, a sufficient regulatory framework that complies with the *acquis communautaire* has not yet been formed in this area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

27. Ecology. Directives partially implemented in 2023. Progress in implementing environmental legislation and climate policy in 2024. In 2024, the focus is on implementing relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine needs to ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

28. Consumers and health. In 2023, there was only basic harmonisation. In 2024, acts on consumer protection and product safety were adopted. In 2024, the main focus is on the implementation of relevant EU directives, which requires accurate translation of the *acquis*, adoption of framework laws that comply with EU law, and preparation of a large volume of secondary legislation. In addition, Ukraine must ensure the effectiveness of supervision of compliance with new norms and the formation of administrative capacity to implement policies in this area. Considerable attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

29. Customs Union. In 2023, the process of adapting the Customs Code continued. In 2024, key amendments to the legislation in accordance with the EU were adopted. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

30. External relations. In 2023, the adaptation of foreign trade continued. In 2024, Ukraine fully aligned its positions with the EU trade policy. In 2024, the main focus is on the implementation of relevant EU directives, which requires accurate translation of the *acquis*, the adoption of framework laws that comply with EU law, and the preparation of a large volume of by-laws. In addition, Ukraine must ensure the effectiveness of supervision over compliance with new norms and the formation of administrative capacity to implement policies in this area. Significant attention is paid to compliance with the principles of the rule of law and the independence of institutions that ensure law enforcement.

31. Common Security Policy. In 2023, Ukraine supported the EU's political statements. In 2024, practical compliance was achieved on sanctions and security. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

32. Financial control. In 2023, basic institutional control was in place. In 2024, external audit and cooperation with OLAF were strengthened. From a legal point of view, a sufficient regulatory framework in line with the *acquis communautaire* has not yet been formed in the area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

33. Budgetary provisions. In 2023, the need for harmonization was noted. In 2024, Ukraine began preparations for integration into the EU own resources system. From a legal point of view, a sufficient regulatory framework that complies with the *acquis communautaire* has not yet been formed in this area. The development of comprehensive legislation at the level of laws and by-laws is required, in compliance with the methodology for transforming EU law into the national system. The priority is not only the adoption of acts, but also the creation of implementation procedures, including mechanisms for control, judicial protection of rights and administrative appeal.

5. Conclusions.

Ukraine is at the stage of gradual legal harmonization with the European Union. In 2024, the focus shifted from assessing general compliance to specific legal steps: implementing directives, developing oversight and control mechanisms, and establishing accountable institutions. There remains a need to strengthen the regulatory technique and the effectiveness of the application of EU law within the Ukrainian legal system. The implementation of obligations requires not only legislative activity, but also consistent institutional practice.

References:

1. European Commission. 2023 Communication on EU Enlargement policy. *European Commission*. URL: https://enlargement.ec.europa.eu/document/download/bb61ea6d-dda6-4117-9347-a7191ecef3f_en?filename=SWD_2023_699%20Ukraine%20report.pdf (date of access: 18.04.2025).
2. European Commission. 2024 Communication on EU Enlargement policy. *European Commission*. URL: https://enlargement.ec.europa.eu/document/download/1924a044-b30f-48a2-99c1-50edeac14da1_en?filename=Ukraine%20Report%202024.pdf (date of access: 18.04.2025).

Ihor Dir,

Extraordinary and Plenipotentiary Ambassador of Ukraine

Honored Lawyer of Ukraine

Ph.D., Associate Professor

Doctoral Candidate at Uzhhorod National University

E-mail: ihor.dir@uzhnu.edu.ua

ORCID: 0000-0001-9829-4294