

**EUROPEAN INTEGRATION
AS A FACTOR IN TRANSFORMATION OF THE LEGAL
AND ADMINISTRATIVE SYSTEM**

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INTRODUCTION

In the current conditions of geopolitical turbulence and systemic transformations of the global order, Ukraine's European integration is gaining the status not only of a foreign policy priority, but also of an imperative for internal development and national security. Obtaining the status of a candidate for membership in the European Union and opening accession negotiations have formed a new paradigm of state-building, in which European integration acts as the main catalyst for structural changes. This process involves not a mechanical borrowing of norms, but a deep systemic transformation of the legal field and institutions of public administration.

The key mechanism for such transformation is the implementation of the *acquis communautaire*, which requires comprehensive harmonization of national legislation with European directives, regulations and decisions of the Court of Justice of the EU. In parallel, public administration is being reformed, based on the principles of integrity, accountability, digitalization and citizen orientation. These changes are accompanied by significant challenges: the need to overcome institutional inertia, increase the human resources potential of the civil service, ensure the independence of the judiciary and fight corruption. At the same time, European integration opens up unique opportunities for modernizing the economy, attracting investment, strengthening legal certainty, and integrating Ukraine into a single European space of freedom, security, and justice.

1. Theoretical and methodological principles of the impact of European integration on the national system of law and administration

European integration as a political and legal phenomenon is a unique historical process of voluntary association of sovereign states of the continent for the sake of ensuring stability, prosperity and security, which has transformed from purely economic cooperation into a complex multi-level system of governance with its own autonomous legal nature, which has no direct analogues in modern international law. The essence of this phenomenon lies not only in the liberalization of trade or the creation of a common market, but also in the gradual delegation of part of state sovereignty to supranational institutions that are able to make binding decisions directly for member states

and their citizens, which fundamentally distinguishes the European Union from classical international organizations of the intergovernmental type, where decisions usually require ratification by national parliaments.

A scientific understanding of European integration requires an analysis of its evolution through the prism of key stages, starting from the establishment of the European Coal and Steel Community in 1951 and the signing of the Treaties of Rome in 1957, which laid the foundation of the common market, to the Maastricht Treaty of 1992, which officially created the European Union and introduced a three-pillar structure, and the Lisbon Treaty of 2007, which simplified the institutional architecture and gave the Union a single legal personality, finally formalizing it as a subject of international public law with clearly defined competences¹.

The normative basis of European integration is the so-called primary law of the Union, which includes the founding treaties and acts of accession, which perform the function of the constitutional charter of the European Community, and secondary law, which includes regulations, directives, decisions and recommendations issued by the EU institutions within the scope of their powers, with a special place being occupied by the case-law of the Court of Justice of the European Union, which through its decisions has formulated the fundamental principles of the functioning of the European legal area, in particular the principle of the supremacy of EU law over the national legislation of the Member States and the principle of direct effect of the norms of European law, which obliges national courts to apply them directly even in the event of a conflict with domestic norms, as confirmed by landmark cases such as *Van Gend en Loos* and *Costa v. ENEL*.

This construction of the legal system creates challenges for the traditional dualistic concept of the relationship between international and national law, forcing national legal systems to adapt to the requirements of European legislation through a process of harmonization and implementation, which involves not only the mechanical transfer of norms, but also a change in legal culture, judicial practice, and administrative procedures, which is critically important for the formation of a single legal space.

The political and legal phenomenon of European integration is also based on the common values enshrined in Article 2 of the Treaty on European Union, such as respect for human dignity, freedom, democracy, equality and the rule of law, which becomes a mandatory condition for any country that seeks to become part of this space and requires the national system of governance to undergo deep structural reforms to ensure compliance with the 1993 Copenhagen criteria, which cover the stability of institutions, guarantees of

¹ Морозова О.С. Розвиток публічного управління в контексті євроінтеграції: регіональний аспект. Таврійський науковий вісник. Серія : економіка. 2020. № 1. С. 169–177.

democracy, the functioning of a market economy and the ability to assume the obligations of membership, including compliance with the objectives of political, economic and monetary union.

The impact of European integration on the national legal system is manifested in the priority of European standards in the regulation of public relations, which leads to the unification of legal regimes in various areas, from consumer protection to environmental safety and competition, while integration affects the management system through the implementation of the principles of good governance, transparency, accountability and decentralization, which changes the role of the state apparatus from a command to a service-oriented one, focused on providing quality public services to citizens in accordance with European benchmarks.

Methodologically, it is important to understand that European integration is not a static state, but a dynamic process of constant updating of the legal body, known as the *acquis communautaire*, which is constantly expanding and becoming more complicated, requiring domestic lawyers and managers to constantly monitor changes and flexibility in law enforcement, as well as taking into account the theoretical approaches of neofunctionalism and intergovernmentalism, which explain the mechanisms of transferring loyalty from national governments to supranational decision-making centers². In addition, an important aspect is the delimitation of competences between the Union and the Member States, which is governed by the principles of subsidiarity and proportionality, which protect national sovereignty from excessive interference, but at the same time oblige states to act at the European level where this is more effective, which creates a balance between integration and the preservation of national identity.

The formation of the European Administrative Space deserves special attention, which involves the convergence of administrative procedures and public administration standards, which directly affects the organization of executive power in national systems, requiring the implementation of anti-corruption mechanisms and improving the professional competence of civil servants.

Thus, European integration as a political and legal phenomenon acts as a catalyst for the modernization of national legal systems, encouraging them to abandon outdated approaches in favor of modern European standards of lawmaking and law enforcement, which is critically important for countries on the path of European integration, as this ensures not only formal compliance of legislation, but also real integration into the single economic

² Батаренко А.О. Проблеми та перспективи європейської інтеграції України / Науковий вісник Інституту міжнародних відносин НАУ. 2014. № 1. С. 34–37.

and legal space of the continent, where law becomes the main tool for ensuring justice and effective governance.

The current stage of development of the world community is characterized by the strengthening of integration processes, which radically change traditional ideas about state sovereignty and the national legal system³. Globalization and regionalization are two interconnected, but at the same time different in nature phenomena, which necessitate a rethinking of the conceptual foundations of the functioning of law in the context of cross-border interaction. In the context of this study, the analysis of theoretical and methodological approaches to understanding the transformation of the legal system becomes particularly relevant, since law itself is the tool that legitimizes integration processes and ensures their stability.

The transformation of the national legal system is not a spontaneous process, but represents a conscious, purposeful activity of the state to adapt domestic legislation to international standards and norms of supranational law. This requires a deep understanding of the mechanisms of influence of external factors on domestic legal reality, as well as an assessment of the risks and opportunities that integration entails. It is important to distinguish between the concepts of globalization as a worldwide universal process and regionalization, which often acts as an appropriate response of states to the challenges of globalization, allowing them to maintain a certain level of autonomy and take into account the specifics of a particular geographical or political space⁴. It is regionalization in the format of European integration that becomes a key factor of transformation for countries that seek to become part of the European Union, since it involves not only economic cooperation, but also deep legal convergence.

The theoretical understanding of these processes is based on a number of conceptual approaches, among which the leading place is occupied by the theories of legal convergence, harmonization and unification. Convergence of legal systems involves the convergence of national legal orders under the influence of common economic, political and cultural factors, which leads to the formation of universal legal principles. Harmonization, in turn, is a more active process of harmonizing the legislation of different states in order to eliminate contradictions and create a single legal space, which is especially characteristic of European integration. Unification involves the introduction

³ Публічне управління в Україні: проблеми та перспективи розвитку : монографія / П. М. Петровський та ін. ; за заг. ред. В. С. Загорського, П. М. Петровського. Львів : ЛРІДУ НАДУ, 2021. 253 с.

⁴ Куйбіда В. С., Бурик З. Сталий розвиток України: цілі та механізми реалізації : монографія. Київ : НАДУ, 2019. 383 с.

of identical legal norms in different jurisdictions, which often occurs through international conventions or acts of supranational bodies.

It is important to note that in the context of globalization, there is a tendency to blur the boundaries between public and private law, as well as to strengthen the role of soft law, which, although it does not have binding legal force, significantly influences the formation of national policy and administrative decisions. This creates new challenges for the theory of law, which must explain the nature of such norms and the mechanisms for their implementation in the internal legal system without violating the constitutional principles of the state. The methodological complexity lies in the fact that traditional dogmatic methods of legal research often prove insufficient for the analysis of dynamic integration processes, which requires the involvement of comparative law, systemic and sociological methods of cognition.

Regionalization, particularly in the context of European integration, demonstrates a unique model of interaction between national and supranational law. The European Union has set a precedent for the existence of an autonomous legal order that has primacy over the national legislation of the Member States in their areas of competence. This phenomenon, known as the rule of law of the EU, requires national legal systems to be highly flexible and adaptable⁵. A conceptual approach to understanding this process is to recognize that entry into the European legal space does not mean the loss of national identity, but rather its transformation and enrichment through the implementation of European standards of the rule of law, human rights and democratic governance. However, this process is accompanied by a certain tension between the need to fulfill international obligations and the protection of national interests.

Theoretical understanding of this balance is critically important for developing an effective European integration strategy that would ensure not only the formal compliance of legislation with the requirements of the *acquis communautaire*, but also the real functioning of legal institutions in practice. Particular attention should be paid to the principle of direct effect of EU law, which allows citizens to refer to European norms in national courts, which significantly changes the traditional hierarchy of sources of law and strengthens the role of the judiciary in ensuring European integration processes.

The impact of integration processes on the public administration system deserves special attention, since law does not exist in a vacuum, but is implemented through the activities of state institutions. The transformation of

⁵ Публічне управління в умовах інституційних змін : колективна монографія / за наук. редакції Р. В. Войтович та П.В. Ворони. Київ, 2018. 475 с.

the legal system inevitably entails a change in management paradigms, requiring the implementation of the principles of good governance, transparency, accountability and efficiency. European integration stimulates the modernization of the state apparatus, forcing it to act according to the standards adopted in the European Union⁶. This applies to both the procedural aspects of decision-making and the substantive characteristics of state policy.

The conceptual approach to this aspect is to consider law and governance as a single mechanism for ensuring public welfare, where the legal norm serves as the basis for a management decision, and governance is a tool for implementing law. In the context of globalization, governance systems are also influenced by international standards, which leads to the formation of transnational networks of regulation and cooperation between government bodies of different states. This creates a new level of complexity for national governance systems, which must simultaneously respond to internal requests from society and fulfill external obligations. The adaptation of administrative legislation becomes an integral part of legal transformation, since it is through the executive authorities that the main contact of the state with citizens and business occurs in the process of implementing European norms.

For Ukraine, the process of transforming the legal system in the context of European integration has existential significance, since it is viewed not simply as a technical harmonization of legislation, but as a strategic choice of civilizational development. Conceptual approaches to understanding this process in Ukrainian science have evolved from a simple formulation of foreign norms to a deep analysis of the compatibility of legal cultures and the institutional capacity of the state. It is important to realize that the mechanical transplantation of legal institutions without taking into account national specifics can lead to legal nihilism and ineffective regulation. Therefore, modern methodology requires a comprehensive approach that combines comparative legal analysis, a systemic approach and forecasting the consequences of legal reforms. The issue of implementing EU law norms plays a special role, which requires not only changes to the texts of laws, but also changes in the legal consciousness of judges, officials and citizens. This is a long process that requires time, resources and political will.

Thus, the transformation of the legal system in the context of globalization and regionalization is a multidimensional process that encompasses the normative, institutional and cultural levels. Conceptual approaches to understanding this phenomenon must take into account the dynamics of international relations, the specifics of supranational regulation and the

⁶ Стойко О.М. Трансформація політичних інститутів у сучасних перехідних суспільствах: монографія. Київ: Ін-т держави і права ім. В.М. Корецького НАН України; «Логос», 2016. 416 с.

national characteristics of the state's development. For Ukraine, European integration acts as a catalyst for profound systemic changes aimed at building a legal state and an effective system of public administration.

Theoretical understanding of the processes of modernization of the public administration system in the context of Euro-Atlantic integration requires a comprehensive approach that combines regulatory and legal principles with management technologies and political strategies. At the heart of this process is the fundamental transformation of the traditional Weberian model of bureaucracy, which has historically been characterized by rigid hierarchy, formalism and closure, into more flexible, dynamic and result-oriented structures.

Euro-Atlantic standards act not only as an external reference point or political vector, but also as an imperative for internal systemic changes, which dictates the need for a deep review of the principles of the functioning of the state apparatus. The key aspect here is the understanding of modernization not as a mechanical copying of the institutional forms of Western democracies, but as a deep adaptation of the management culture to the requirements of democracy, the rule of law, human rights and efficiency. Integration processes stimulate the transition from a closed system of management to open interaction with civil society and business, which corresponds to the pan-European paradigm of good governance⁷. The theoretical model of the Europeanization of public administration involves not only the harmonization of legislation, but also a change in the mental attitudes of civil servants, the formation of a new ethic of responsible attitude to public resources and orientation towards the needs of citizens.

One of the dominant theoretical approaches, implemented under the influence of European recommendations and analysis of best practices, is the concept of New Public Management. This model focuses on the implementation of private-sector management methods in the public sector, in particular, on customer orientation, performance measurement, competitiveness and delegation of authority. In the context of European integration, this is manifested through the requirements for the optimization of budget expenditures, the introduction of a program-targeted planning method and the creation of specialized executive agencies with clearly defined functions and performance indicators.

The European Union, through technical assistance instruments and expert missions such as the SIGMA initiative, promotes the idea of professionalizing the civil service, where career advancement is based on objective

⁷ Україна на шляху до ЄС: виклики та перспективи : матеріали круглого столу до Дня Європи в Україні (Київ, 9 трав. 2024 р.) : / за заг. ред. Л. Г. Комахи, М. С. Орлів, Ю. Г. Рубана. Київ: ННІ ПУДС КНУ, 2024. 112 с.

competencies and certification results, rather than on political loyalty or patronage ties. This creates the prerequisites for the formation of a stable corps of managers capable of ensuring the continuity of public policies regardless of political cycles and changes in government coalitions.

The implementation of NPM standards allows for increased operational efficiency of government bodies, reduced bureaucratic barriers, and accelerated provision of administrative services, but requires caution to avoid excessive commercialization of public services, which would contradict the social function of the state and the principles of equal access.

In parallel with the managerial approach, the New Public Governance model is developing, which considers the state not as a sole monopolist in decision-making, but as a partner in a complex network of interaction with non-state actors. This theoretical construct is especially relevant for Ukraine in the context of decentralization of power, which is one of the key requirements of European integration and a condition for approaching local self-government standards. The principle of subsidiarity, enshrined in EU law, provides that decisions should be made at the level of government that is closest to citizens if they cannot be effectively implemented at a higher level.

Modernization here consists in shifting the emphasis from vertical administrative control to horizontal coordination, cooperation and network interaction. Mechanisms of public-private partnership, the action of public councils under government bodies, the participation of non-governmental organizations in monitoring the implementation of policies and social dialogue become integral elements of the governance system⁸. Euro-Atlantic standards require ensuring transparency of decision-making, free access to public information and accountability of authorities to society, which is the basis for building trust between the state and citizens, without which sustainable democracy is impossible.

An important component of the theoretical model of modernization is legal approximation, which acts as a tool for harmonizing national legislation with the *acquis communautaire* and other international obligations. This is not only a technical alignment of norms, but also a change in the legal culture of management and administration. European standards require public authorities to act exclusively on the basis of and within the law, to observe procedural guarantees and to ensure effective judicial protection of citizens' rights from illegal actions of the administration.

The institutional capacity of the state is assessed through the prism of the ability to implement and enforce European norms in everyday practice. This

⁸ Публічна політика та суспільні зміни в Україні в контексті євроінтеграції : монографія / авт. кол.: С.О. Телешун, С.В. Ситник, І.В. Рейтерович, О.Г. Пухкал та ін. Київ: НАДУ, 2017. 248 с.

actually means a transition from broad discretionary powers of officials to clearly regulated administrative procedures, which minimizes corruption risks. The introduction of standards for the quality of public services, regulatory policy, environmental impact assessment and strategic environmental assessment is an example of how European integration changes the very logic of management decisions, forcing them to take into account long-term consequences, sustainable development and the interests of all stakeholders.

Separately, it is necessary to single out the influence of Euro-Atlantic security standards on the public administration system, which was especially relevant in the conditions of martial law and Ukraine's aspiration for membership in NATO and the EU. Standardization in the field of security and defense requires the implementation of the principles of democratic civilian control over law enforcement agencies, transparency of defense spending and effective coordination between national security agencies. The theoretical model here combines crisis management with the general architecture of national security, where public administration is considered as a tool for ensuring the stability of the state.

Integration into Euro-Atlantic structures involves the compatibility of management, communication and logistics systems, which directly affects the organizational structure of ministries and departments, forcing to optimize staff and processes. This stimulates the development of interdepartmental interaction and overcoming departmental separatism, which has long hindered reforms in Ukraine⁹. The security component of modernization is closely intertwined with the legal one, as it requires a clear demarcation of powers and responsibilities in the field of national security, respect for human rights even under martial law, and ensuring the rule of law in the activities of law enforcement agencies.

The digitalization of public administration acts as a powerful catalyst for modernization under the influence of European digital strategies and initiatives. The concept of e-government is considered not only as the technical equipment of government bodies with computers, but as a means of radically transforming the interaction between the state and society. European initiatives on the digital single market, interoperability of systems and cybersecurity encourage Ukraine to create compatible digital platforms, such as the "Diya" application, which is becoming a hallmark of digital transformation. Theoretically, this means a transition to the "state in a

⁹ Напльков Ю. В. Ефективність публічного управління в умовах динамічного середовища : дис.... д-ра філософії за спец. 281 «Публічне управління та адміністрування» ; Харків. нац. ун-т міськ. госп-ва ім. О. М. Бекетова ; Міжрегіон. Акад. упр. персоналом. Харків, 2020. 340 с.

smartphone" model, where most administrative services are provided automatically without direct participation of the bureaucracy, which eliminates the human factor from corruption schemes. This reduces corruption risks, increases the speed of service provision and ensures equal access to them for all citizens regardless of their place of residence.

The introduction of digital tools also contributes to the collection of big data for analytics and evidence-based management decisions (evidence-based policy). However, the theoretical model must take into account the risks of digital inequality, the need to protect personal data in accordance with GDPR standards and ensure cyber resilience of critical infrastructure.

The interconnection and interdependence of legal and management systems in the context of European integration processes is a fundamental basis for the transformation of state sovereignty and the construction of an effective model of public administration. The legal system acts as a regulatory framework that defines the boundaries, forms and methods of management activity, while the management system is a dynamic mechanism for implementing legal requirements in practice. In the context of European integration, this dualism takes on a new dimension, since the implementation of European Union law requires not only a formal change in legislation, but also a fundamental restructuring of management procedures, institutional structure and decision-making culture. Harmonization of national legislation with the *acquis communautaire* is impossible without the appropriate adaptation of the state's administrative capacity, since the legal norm remains declarative without effective administrative tools for its implementation.

The European integration vector of Ukraine's development necessitates a transition from the traditional model of public administration, characterized by excessive centralization and bureaucratization, to a model of good governance based on the principles of the rule of law, transparency, accountability and efficiency. The legal system in this context performs the function of a stabilizer, consolidating European standards at the level of laws and by-laws, while the management system must ensure their functional content. The interdependence of these systems is manifested in the fact that any change in management processes favorable to European integration requires legal legitimation, and vice versa, the adoption of new European integration-type legislation requires the creation of appropriate management institutions and procedures¹⁰. For example, the reform of decentralization of power would be impossible without the simultaneous adoption of a package

¹⁰ Україна в європейському науково-освітньому та інноваційному просторі: концепція адаптації та інтеграції в умовах Угоди про асоціацію з Європейським Союзом: монографія / С. В. Іванов, В. І. Ляшенко, І. Ю. Підриччева та ін.; НАН України, Ін-т економіки пром-сті. Київ, 2019. 312 с.

of laws on local self-government and amendments to the Budget Code, which provided communities with real powers and resources for management.

Of particular importance in this relationship is administrative law, which acts as a kind of bridge between regulatory requirements and management practice. European integration requirements for administrative procedures are aimed at simplifying the regulatory environment, reducing corruption risks and increasing the availability of public services. This requires the management system to have a high level of professionalism of civil servants, who must not only know the legislation, but also have the skills of strategic planning, project management and communication with citizens.

The legal status of the civil service is being transformed under the influence of European standards, shifting the emphasis from the punitive and control function to the service component. Such a transformation is possible only if the legal norms regulating the service are synchronized, and management decisions regarding personnel policy and staff motivation.

The principle of the rule of law, which is pervasive to the European legal community, requires the administrative system to strictly observe the law and ensure human rights in the process of exercising its powers. This means that any administrative decision must have a clear legal basis, be substantiated and subject to judicial control. In the context of European integration, this leads to a strengthening of the role of administrative justice as a mechanism for restraining the arbitrariness of the executive branch. The relationship here is manifested in the fact that the effectiveness of judicial protection of citizens' rights from the actions of subjects of power directly depends on the quality of legal regulation of administrative procedures and the level of legal culture of administrators¹¹. The absence of clear legal criteria for making administrative decisions creates room for discretion, which may contradict European standards of legal certainty.

The institutional capacity of public authorities is another aspect where legal and administrative systems are closely intertwined. European integration requires the creation of independent regulatory bodies, anti-corruption infrastructure and specialized agencies, the activities of which should be clearly regulated by law. The legal framework for the functioning of such institutions should guarantee their autonomy from political influence, while the administrative component should ensure their effectiveness and economic efficiency.

¹¹ Трихліб К.О. Гармонізація законодавства України із правом ЄС: досвід країн ЄС. Матеріали XVI Всеукраїнської наукової конференції «Теорія та практика сучасної юриспруденції». Матеріали круглого столу «Історія конституціоналізму в Україні та зарубіжних країнах» (до 100-річчя Конституції УНР 1918 р.). Х.: Асоціація випускників Національного юридичного університету імені Ярослава Мудрого. Харків: 2018. Том 1. С. 97–99.

The imbalance between legal guarantees of independence and real managerial autonomy can lead to the formal existence of institutions without a real ability to influence the situation. Therefore, the European integration process is accompanied by constant monitoring of the compliance of the state's institutional structure with EU requirements, which involves adjusting both the legislative framework and the organizational structure of government bodies.

The digitalization of public administration is becoming a powerful catalyst for changes in the interaction of legal and administrative systems. The introduction of electronic services and e-government systems requires the creation of a new regulatory framework that legalizes digital documents, electronic signatures, and automated decision-making processes. On the other hand, the administrative system must adapt to new technological realities, changing business processes within government bodies. European integration accelerates this process through requirements for digital compatibility and data exchange between Ukraine and EU countries. The legal system must keep up with technological development so as not to hinder administrative innovations, and the administrative system must use legal tools to ensure cybersecurity and personal data protection in accordance with EU regulations.

An important element of interdependence is accountability and control mechanisms. European standards of good governance require the availability of effective instruments of public control, audit and assessment of the impact of regulatory policies. The legal system establishes the obligation of authorities to report on their activities and provide access to public information, while the management system must develop a culture of openness and readiness for dialogue with civil society. Without legal imperatives, the management system may tend to be closed, and without managerial will, legal norms on access to information will remain on paper. European integration increases the requirements for transparency in the use of public funds, which requires the integration of legal norms of anti-corruption legislation with managerial systems of financial control and procurement.

However, in the process of European integration, problems of a gap between the formal adoption of legal norms and real administrative practice often arise. This phenomenon, known as the implementation deficit, indicates insufficient coordination of the pace of reforming the legal and administrative systems. The legislator can quickly adopt laws of a European integration direction, but the administrative machinery remains inert due to a lack of resources, qualifications or political will. Such an imbalance creates risks for the European integration process, since the European Union assesses Ukraine's progress not only by the number of laws adopted, but also by the

real results of reforms and the quality of governance¹². Therefore, ensuring the synchronicity of changes is critically important: legal reform must be accompanied by management training, a change in organizational culture and appropriate resource provision.

Strategic planning in the field of European integration is also based on the close relationship between law and governance. Association agreements and other international treaties establish legal obligations that are transformed into national action plans and management tasks for ministries and departments. The effectiveness of the implementation of these plans depends on how clearly legal norms are translated into the language of management indicators and performance indicators. The lack of a clear legal mechanism for coordinating European integration activities at the executive level can lead to fragmentation of reforms and duplication of functions. Therefore, building an effective European integration management system requires the creation of specialized legal coordination instruments and providing the relevant management structures with the necessary powers for interdepartmental interaction.

2. Mechanisms of transformation of the legal and administrative space under the influence of the EU

The implementation of European Union law, known as the *acquis communautaire*, is a fundamental instrument for harmonizing Ukraine's national legislation with European standards. The *acquis* is a set of rights and obligations common to all EU Member States and includes primary and secondary legislation, decisions of the Court of Justice of the EU, international agreements and declaratory acts. For Ukraine, the process of approximation of legislation is regulated by the Association Agreement ratified in 2014.

This document obliges the Ukrainian side to gradually integrate the *acquis* into its internal legal system, which requires a deep adaptation of legal institutions, rather than mechanical copying of texts¹³. Harmonization is aimed at eliminating legal barriers, creating a predictable regulatory environment and ensuring the rule of law, which is critical for economic cooperation.

The technical implementation process involves several stages, starting with the identification of the *acquis* norms and ending with their implementation through the adoption of laws. The Cabinet of Ministers of Ukraine and the relevant ministries that prepare draft laws, as well as the

¹² Україна 2030: публічне управління для сталого розвитку : матеріали щоріч. міжнар. наук.-практ. конф., м. Київ, 2020 р. : у 3 т. / за заг. ред. А. П. Савкова, М. М. Білинської, О. М. Петрось. Київ : НАДУ, 2020. Т. 2. 252 с.

¹³ Європейська інтеграція та трансформація публічного врядування в Україні: матер. наук.-практ. конф. (19 квітня 2024 р., м. Львів) / упорядн.: Буник М. З., Бліщук К. М., Федорчак О. В, Худоба О. В. Львів: НУ «Львівська політехніка», 2024. 282 с.

Verkhovna Rada of Ukraine, play a key role. An important aspect is compliance with the principle of legal certainty, which requires clarity of wording and the absence of conflicts between new norms and existing legislation. Particular attention is paid to the implementation of EU directives, which require transposition into national law, unlike regulations that have direct effect¹⁴. Ukraine is obliged to ensure not only the formal compliance of the texts, but also the effective functioning of law enforcement mechanisms, which involves the creation of the necessary institutional conditions.

Institutional transformation is an integral part of implementation, as the effectiveness of law depends on the quality of administrative procedures and judicial protection. The European Union regularly monitors progress through the European Commission's annual reports, which assess the level of approximation of legislation in key sectors: energy, competition, environment and justice. The implementation of recommendations, which stimulate reforms in the field of public administration, is often a condition for further integration.

It is worth noting that the creation of independent regulatory bodies, the implementation of European standards in the activities of law enforcement agencies, and the modernization of the judicial system are a direct consequence of the requirements of the *acquis*. This leads to a change in the architecture of the legal space, where national norms are interpreted through the prism of the case law of the Court of Justice of the EU, which increases the level of protection of human rights and business.

The dynamic nature of the *acquis* poses challenges for the national system, as European legislation is constantly being updated. Ukraine must ensure mechanisms for timely response to changes in EU law in order to avoid falling behind. This in turn requires the development of expert potential, improving the skills of civil servants and judges, and establishing communication between Ukrainian institutions and EU structures. Successful implementation contributes to increasing investment attractiveness, as the unification of rules reduces risks for foreign partners.

The implementation of the principles of good governance has become a key element of the transformation of Ukrainian public administration under the influence of European integration. This process is based on the Association Agreement between Ukraine and the EU, which obliges to increase the efficiency of administrative institutions. The concept of good governance of the European Commission defines standards: openness,

¹⁴ Збірник тез II Міжнародної науково-практичної конференції «Публічне управління в Україні: виклики сьогодення та глобальні імперативи». (м. Хмельницький, 18 травня 2023 року). Хмельницький : Хмельницький університет управління та права імені Леоніда Юзькова, 2023. 245 с.

participation, accountability, efficiency. For Ukraine, this is a change in the culture of management, a transition to a service state. The legal foundation is laid in the Strategy for Reforming Public Administration, synchronized with the requirements of the EU and SIGMA. Adaptation of legislation to the *acquis communautaire* requires a review of the powers of government bodies and feedback mechanisms.

The institutional architecture has undergone changes through the new civil service legislation. The 2015 law introduced a professional, politically impartial corps of civil servants based on meritocracy standards. The introduction of the institution of state secretaries of ministries ensures stability of management regardless of political cycles. Accountability is implemented through the publication of decisions, declarations and access to information¹⁵. Administrative appeal mechanisms have been improved, which strengthens citizen control. The National Civil Service Agency monitors compliance with the law. This creates a space where power is limited by law and rights are protected from arbitrariness, which is critical for the rule of law.

Decentralization of power has become a successful reform direction in the context of good governance. The transfer of powers and resources to the community level has brought decisions closer to citizens, increasing participation in self-government. The creation of capable communities has contributed to the effective use of budget funds. The EU has supported the process through financial instruments, emphasizing subsidiarity and proportionality. The reform requires improving inter-budgetary relations and the separation of powers between the executive and local governments¹⁶. The completion of decentralization and the regulation of prefectures is a condition for the implementation of the EC recommendations on candidate status and EU accession negotiations.

The digitalization of services has become a catalyst for efficiency. The "Diya" platform and the ProZorro system are examples of the transformation of the interaction between the state and society. Digital tools minimize corruption risks, reduce service time, and ensure transparency. The concept of "state in a smartphone" corresponds to e-government approaches, reducing barriers. The introduction of registers automates planning. This is a change in the philosophy of services, where the user is at the center, and data is interoperable between departments, which meets the requirements of the EU's digital decade and contributes to the development of an innovative environment.

¹⁵ Ослунд А., Кубілюс А. Відбудова, реформування та вступ України до ЄС; перекл. з англ. Андрія Ковальчука. Львів : Вид-во Старого Лева, 2024. 144 с.

¹⁶ Батаренко А.О. Проблеми та перспективи європейської інтеграції України / Науковий вісник Інституту міжнародних відносин НАУ. 2014. № 1. С. 34–37.

Progress is monitored by the EC in reports on the implementation of the Association Agreement. The EU4Governance program provides technical assistance for the implementation of practices. SIGMA experts from the OECD assess the state of governance, pointing out achievements and problems. Progress in digitalization and decentralization is positively assessed, while attention is drawn to the independence of the civil service. The audit stimulates the authorities to comply with commitments and accelerate initiatives for integration into the European space and harmonization of governance standards in accordance with the enlargement criteria.

Despite the achievements, the implementation of the principles faces the challenges of martial law. The anti-corruption component is critically important, since trust in institutions is the basis of legitimacy. The effectiveness of anti-corruption bodies affects the perception of the quality of governance by partners. Transformation requires the adoption of the Law on Administrative Procedure, which unifies the rules of interaction between citizens and authorities. Integration into the EU requires the real functioning of institutions in accordance with the values of the Union. The continuation of reforms is a condition for accession negotiations and sustainable development in the post-war period, ensuring the stability of the state.

The adaptation of the judicial system and law enforcement agencies of Ukraine to the standards of the Council of Europe and the European Union is a key element of the European integration process, which has a deep theoretical and legal basis. This process is not limited to the mechanical borrowing of norms, but involves the transformation of the structure of justice in accordance with the principles of the rule of law and the independence of the judiciary. The influence of the Council of Europe, in particular through the Convention for the Protection of Human Rights and the practice of the ECHR, forms a basic level of guarantees, while EU standards require institutional capacity. The theoretical aspect of this adaptation consists in changing the legal paradigm from formal legality to substantive justice, where public trust becomes the key criterion.

The 2016 constitutional amendments on justice were the first step in implementing these requirements, consolidating the independence of judges. However, theoretical understanding requires an understanding of the dualism of influence¹⁷. Thus, while the Council of Europe emphasizes the protection of individual rights, the European Union focuses on the functional efficiency of the judicial system as a condition for the functioning of the area of freedom, security and justice.

¹⁷ Конституція України та триада європейських цінностей: погляд у світлі євроінтеграції : збірник матеріалів і тез міжнародної конференції (м. Київ, 28 червня 2023 р.). Київ : ВАІТЕ, 2023. 204 с.

In the context of the judicial system, adaptation involves reforming judicial governance bodies, in particular the High Council of Justice and the High Qualification Commission for Judges. Theoretical and legal analysis shows that ensuring the real independence of judges from political influence remains a key challenge. The Venice Commission and GRECO standards require transparency in selection procedures, disciplinary liability and ethical control.

The introduction of the institution of judicial responsibility should be based on clear criteria that exclude arbitrariness, while guaranteeing the inviolability of judicial independence. An important point is the harmonization of procedural legislation with the requirements for reasonable time limits for the consideration of cases and the right to a fair trial¹⁸. This requires a review of approaches to evidence and ensuring the adversarial nature of the parties. The theoretical model of such adaptation involves a transition from inquisitorial elements to full adversarial nature, which corresponds to Article 6 of the Convention.

The reform of law enforcement agencies is a critical component of the overall transformation. The theoretical and legal aspect here is the separation of functions between different subjects of law enforcement activity, which corresponds to the European model of investigation. The reform of the National Police of Ukraine was an attempt to introduce a citizen-oriented service model that correlates with EU security standards. However, the key element remains the reform of the prosecutor's office, aimed at transforming the prosecutor's office from a general oversight body into a body supporting public prosecution. This meets the requirements of Chapter 23 of the EU accession negotiations "Judiciary and Fundamental Rights". An important issue here is the status of investigative bodies and the need to establish an independent investigation bureau to effectively investigate crimes committed by law enforcement officers. EU standards require effective accountability mechanisms and civilian oversight. The implementation of these norms requires a change in the culture of law enforcement from punitive to human rights-based.

The mechanisms of legal adaptation are based on the Association Agreement between Ukraine and the EU, which defines a roadmap for the approximation of legislation. A special place is occupied by the European Commission's recommendations for accession, where the state of the judicial system is a key criterion. Chapter 24 "Freedom, Security and Justice" requires

¹⁸ Варипаєв О. М., Міносян А. С. Євроінтеграційні процеси в Україні: досвід, реалії, перспективи. International Scientific Discussion: Problems, Tasks and Prospects: Proceedings of the 9th International (Brighton, United Kingdom, December 19–20, 2024). Brighton, United Kingdom, 2024. No. 52(229). P. 210–222.

Ukraine to integrate into European agencies and information exchange systems, which imposes obligations on the protection of personal data.

The theoretical and legal challenge is to ensure the compatibility of the national legal system with the supranational law of the EU without losing sovereignty. This is achieved through the principle of the priority of international treaties in national legislation. Adaptation also affects the anti-corruption infrastructure, the activities of which must meet international standards of independence¹⁹. Monitoring by the EU and the Council of Europe is carried out through regular reports, which form external pressure for internal reforms.

Digitalization and e-government are key drivers of modernization of management processes in the context of Ukraine's European integration, forming a new architecture of interaction between the state, business and citizens. The EU considers digital transformation as a fundamental change in the paradigm of public administration, based on the principles of accessibility and efficiency. The Digital Single Market Strategy has become a guideline for Ukrainian reforms, defining priorities in the field of online services and cybersecurity. The implementation of European standards requires harmonization of legislation with the *acquis communautaire* in the field of electronic communications and trust services.

The Association Agreement between Ukraine and the EU contains obligations on cooperation in the field of information society. Article 150 of the Agreement provides for the development of e-government as a tool for improving the efficiency of governance. Ukraine implements the principles of the Tallinn Declaration of 2017, emphasizing digital sovereignty. Regulatory regulation is carried out through the laws "On Electronic Trust Services" and "On Electronic Communications".

An important aspect is the implementation of EU Regulation No. 910/2014 (eIDAS), which regulates electronic identification, allowing the creation of a single area of trust for cross-border transactions and recognizing Ukrainian electronic signatures at the EU level, which removes technical barriers to cooperation and promotes market integration.

One of the central elements of the transformation is ensuring the interoperability of government information systems. The European Interoperability Framework (EIF) defines the organizational, semantic, technical and legal aspects of system interaction. This approach changes the logic of management processes, shifting the emphasis from control to service

¹⁹ Актуальні проблеми менеджменту та публічного управління в умовах війни та післявоєнної відбудови України: матеріали всеукраїнської наук.-практ. конф. з міжнародною участю : (Київ, 26 грудня 2024 року: тези доповідей). Відп. за вип. А. В. Кулік. Київ : ВНЗ «Київський університет ринкових відносин», 2024. 190 с.

provision²⁰. Personal data protection is a cornerstone of the European model. The General Data Protection Regulation (GDPR) has become a model for reforming Ukrainian legislation.

The Law of Ukraine "On Personal Data Protection" has been amended to meet the requirements, which includes strengthening the rights of data subjects and introducing the institution of an authorized representative. Administrative processes are built taking into account the principle of "privacy by design", when data protection is built into the design stage. This increases the public's trust in electronic government tools and minimizes the risks of unauthorized access to sensitive information in the context of hybrid threats and cyberwar, ensuring a balance between convenience and security.

The practical embodiment of the standards is the "Diya" platform, which aggregates administrative services in a single digital space. The experience of EU countries, such as Estonia with the X-Road solution, was taken into account in the architectural planning of the ecosystem. The mobile application and web portal provide access to documents and services 24/7, which meets EU accessibility requirements. The transformation affects not only the front office, but also the back office of state bodies.

Automation of decision-making processes and the use of real-time registers of real estate, vehicles and civil status acts are changing the management culture. Officials are moving from paper-based office work to working with structured data sets, which increases the speed and transparency of decisions²¹. The introduction of artificial intelligence for data analysis allows optimizing the allocation of resources. This creates conditions for the provision of proactive services, when the state itself offers the necessary support without the user's initiative, which is the highest level of development of e-government.

Open data is a powerful tool for anti-corruption policy and public control, which correlates with the EU values of government accountability. The EU Open Data Directive encourages Ukraine to expand the list of data sets in open data format. The Open Data portal provides access to budget information, procurement through the ProZorro system, and registers of legal entities. This allows civil society to monitor government activities and identify corruption risks. The administrative space becomes more transparent, as the digital footprint of each operation is recorded in the system.

²⁰ Резніков В.В. Державна політика у сфері європейської інтеграції України: теорія, методологія, практика: монографія. Харків : «Діса плюс», 2020. 364 с.

²¹ Журавель Я.В. Вплив євроінтеграційних процесів на покращення ефективності організації діяльності органів виконавчої влади. Порівняльно-аналітичне право. 2020. № 2. С. 34–36.

Such transparency is a prerequisite for integration into the European economic space, where trust in institutions is based on the availability of information. Digitalization of procurement and budget processes makes manipulation at the planning stages impossible. Open data contributes to the development of innovative businesses that use public information to create new services, which stimulates economic growth and the creation of added value in the digital sector of the state economy.

Digital security is a national security priority for Ukraine in the context of European integration. The EU Directive on the Security of Network and Information Systems (NIS2) serves as a guideline for the development of a national cyber defense system. Ukraine implements the norms through cybersecurity legislation, creating structures for responding to incidents. Management processes in government bodies include cybersecurity audits and recovery planning. This is especially relevant in conditions of martial law.

Cooperation with EU agencies such as ENISA allows for the exchange of practices to strengthen digital sovereignty. Despite progress, the transformation faces challenges. Digital inequality remains a problem for vulnerable groups, which requires investment in infrastructure and digital literacy programs. Another problem is outdated information systems that are difficult to integrate with new standards. The data migration process requires resources and qualified personnel²². There is also a risk of excessive data centralization, so the system architecture should be built on the principles of decentralization in accordance with European recommendations to minimize the risks of information loss.

3. Strategic vectors and conceptual model of further system transformation

The process of European integration of Ukraine is not a linear mechanism of simple copying of regulatory acts of the European Union, but is a complex institutional transformation process accompanied by a number of systemic risks and implementation barriers that require deep theoretical understanding. The key problem at the theoretical level is the phenomenon of legal transplant, when the norms of European law are mechanically transferred to national soil without taking into account the specifics of the domestic legal culture and historically formed management practices, which leads to the dysfunction of legal institutions and the formalization of reforms without real substantive content.

This approach creates the illusion of progress, while in fact outdated corruption schemes and ineffective management models are preserved, which

²² Ризики європейського інтеграційного проекту: виклики та можливості для України / І. В. Клименко, І. В. Ус. К. : НІСД, 2012. 88 с.

only adapt to new requirements, remaining essentially unchanged, which is recorded in the reports of international missions and expert assessments²³. Legal theory emphasizes that the effectiveness of implementation depends not so much on the text of the law as on law enforcement practice and the level of legal awareness of the subjects of legal relations, therefore ignoring the cultural context is a critical risk for sustainable transformation.

The institutional capacity of public authorities remains a critical bottleneck in the transformation process, as the implementation of the *acquis communautaire* requires not only legislative changes but also a radical restructuring of the management processes of human resources and the digital infrastructure of the state. Theoretical analysis shows that there is a significant gap between strategic planning at the cabinet level and operational activities at the level of executive bodies of local self-government, which creates the risk of fragmentation of the system and loss of manageability of reforms in conditions of martial law, when security priorities often conflict with the requirements of democratic transparency.

The lack of a clear methodology for assessing the regulatory impact of all new European integration bills leads to the accumulation of legislative conflicts that complicate law enforcement and create an additional burden on citizens, which contradicts the goal of integration aimed at simplifying procedures. The reform of the civil service, although a priority, faces the problem of the outflow of qualified personnel and a low level of motivation, which hinders the implementation of European human resources management standards.

A separate vector of risks is the judicial system, which is a key element of legal transformation, because without an independent and effective court, it is impossible to ensure human rights according to European standards, which is a mandatory condition for EU membership. Theoretical understanding of barriers in this area indicates the problem of public trust in judicial institutions, which is undermined by the influence of the political situation and corruption scandals, therefore, the formal implementation of the recommendations of the Venice Commission without in-depth lustration and changes in the principles of forming the judicial corps will not lead to the expected results.

The risk also lies in the possibility of using European integration rhetoric to legitimize questionable personnel decisions or preserve the influence of oligarchic groups through lobbying for norms beneficial to them in the process of harmonizing legislation, which requires increased public control at all stages of lawmaking. It is important to understand that judicial reform is the most sensitive political area where pressure from external partners can cause

²³ Яворська Г. М. Непевний об'єкт бажання: Європа в українському політичному дискурсі : монографія. К. : ВД Дмитра Бурого, 2010. 136 с.

resistance within the system, which creates the risk of delaying processes and imitating activities.

The economic aspects of the transformation carry the risks of social tension since the adaptation of domestic production to the technical regulations and standards of the European Union requires significant financial investments that are not always available to small and medium-sized businesses, especially in wartime²⁴. A conceptual study of implementation barriers in the economic sphere indicates the need for a gradual transition and the availability of transitional periods for sensitive industries in order to avoid mass bankruptcy of enterprises and the growth of unemployment, which can become a destabilizing factor. In addition, there is a threat of asymmetric integration when Ukraine opens its market to European goods faster than partners provide full access for Ukrainian products, which creates an imbalance in trade relations and slows down the recovery of the national economy necessary for integration.

Strategic risks are also associated with the foreign policy environment and the possibility of changing the priorities of European institutions depending on the geopolitical situation, which requires Ukraine to form a flexible transformation model capable of adapting to changes without losing the main vector of development. It is important to understand that European integration is not an end in itself but a tool for the modernization of the state, therefore the conceptual model of further transformation should be based on the principles of subsidiarity, proportionality and legal certainty, which are pervasive in EU law.

Ignoring these principles at the theoretical level of reform planning leads to centralization of powers and restriction of autonomy of regions, which contradicts the European Charter of Local Self-Government and undermines the foundations of democratic governance that Ukraine has pledged to adhere to. Under martial law, there is a risk of excessive centralization of power, which may complicate further decentralization necessary for European integration.

The social sphere is also undergoing significant transformational changes, which is associated with the need to harmonize labor legislation and social protection standards with European Union directives. Theoretical analysis reveals the risk of conflict between the flexibility of the labor market necessary for economic recovery and the high standards of protection of

²⁴ Малик Я., Париляк О. Плани дій Україна – ЄС як інструменти забезпечення європейської інтеграції : зб. наук. пр. 2015. Вип. 42 «Ефективність державного управління». 2015. С. 13–20.

workers' rights required by European norms²⁵. The demographic crisis, exacerbated by war and migration processes, creates an additional burden on the pension and health care systems, which requires the search for new financial models for ensuring social guarantees.

The implementation of European standards in the field of healthcare and education requires significant budget expenditures, which, in conditions of resource scarcity, can become a source of social tension if transparency in the distribution of funds and the efficiency of their use are not ensured.

The anti-corruption infrastructure, although significantly developed, remains a high-risk area, since the effectiveness of its work depends not only on legislation but also on the political will and independence of law enforcement agencies. Theoretical analysis of barriers in this area indicates the need to complete the formation of all key bodies and ensure their real autonomy from the influence of the executive branch. The risk lies in the possibility of using anti-corruption bodies for political persecution of opponents, which discredits the very idea of combating corruption in the eyes of society and international partners. Therefore, the conceptual model of transformation should provide for mechanisms of public control and international monitoring of the activities of anti-corruption institutions to ensure trust and legitimacy of their decisions.

The conceptual model of the optimal balance between national sovereignty and supranational regulation is based on the principle of voluntary delegation of powers for the sake of common goals of security and prosperity. Sovereignty is not viewed as an isolated category subject to limitation, but as a dynamic system that evolves through the harmonization of legislation with European Union standards.

A key element of the model is the understanding that the implementation of EU law does not mean the loss of statehood, but on the contrary, strengthens the institutional capacity of the national legal system through the introduction of rule of law mechanisms. This is achieved through a mechanism of adaptation, rather than mechanical copying, which allows preserving national identity and taking into account the specifics of domestic processes.

The legal basis for such interaction is the Association Agreement between Ukraine and the EU, which defines the framework for cooperation without direct subordination to supranational bodies at the candidacy stage. The model provides for a gradual approach to the principle of the rule of law of the EU, which will become mandatory after membership, but for now the priority

²⁵ Стратегія та засоби конвергенції системи соціальної безпеки України та ЄС у процесі євроінтеграції : монографія / ред.: Т.Г. Васильців, Р.Л. Лупак. Львів: АТБ, 2018. 303 с.

remains ensuring the constitutional order of Ukraine²⁶. An important aspect is the activity of the Constitutional Court of Ukraine, which acts as an arbitrator in matters of compliance of international obligations with the Fundamental Law of the state. This actually creates a safeguard against potential conflicts of jurisdiction and guarantees that supranational regulation will not violate the fundamental rights of citizens. The principle of subsidiarity, borrowed from EU practice, must be integrated into domestic governance, which means decision-making at the level of government closest to the citizens.

In the field of public administration, the transformation of the system is taking place through the implementation of European standards of integrity, transparency and accountability. This applies to the reform of the civil service, where professionalism and political neutrality become key criteria for effectiveness²⁷. National sovereignty in this context is manifested in the ability of the state to independently form personnel policy, but taking into account the recommendations of EU technical assistance instruments.

The optimal ratio is achieved when supranational norms serve as a guideline for modernization, rather than a directive that ignores local realities. In particular, in digitalization, Ukraine implements interoperability standards and develops its own solutions that can become an export product, demonstrating the two-way integration.

Judicial reform and the security sector are sensitive areas of balancing between the national and supranational. The independence of the judiciary is a requirement of the EU, but the organization of the judicial system remains a state competence. The conceptual model assumes that Ukrainian courts will apply the practice of the European Court of Human Rights and future precedents of the Court of Justice of the EU as a source of law, while maintaining autonomy in interpreting national norms. In the security sector, despite the coordination of EU policy, decisions on the use of armed forces remain the prerogative of national leadership.

European integration promotes the standardization of weapons according to NATO and EU norms, which increases compatibility with partners, but does not limit Ukraine's right to self-defense. EU financial assistance is accompanied by reform conditions agreed with the Ukrainian government, while maintaining the subjectivity of decisions. Thus, the conceptual model is based on a dynamic equilibrium, where national sovereignty acts as a

²⁶ Сучасні проблеми управління. Шлях до сталого миру після війни: держава, бізнес, інновації : зб. матеріалів XII Міжнар. наук.-практ. конф., м. Київ, 24 лист. 2023 р. / уклад.: А.А. Мельниченко, О.А. Акімова, А.М. Іщенко, О.Р. Шиць. Київ : КПІ ім. Ігоря Сікорського, Вид-во «Політехніка», 2023. 224 с.

²⁷ Європейська інтеграція та трансформація публічного врядування в Україні: матер. наук.-практ. конф. (19 квітня 2024 р., м. Львів) / упорядн.: Бунік М. З., Бліщук К. М., Федорчак О. В., Худоба О. В. Львів: НУ «Львівська політехніка», 2024. 282 с.

guarantor of stability, and supranational regulation is an instrument of development.

The effectiveness of the model depends on the flexibility of adaptation mechanisms and the political will to reform the system without losing its identity. EU membership will require deepening integration, which should occur in stages, taking into account the readiness of institutions. The key indicator of the success of the transformation will not be formal compliance with legislation, but a real improvement in the quality of life of citizens.

Integration into the European Union is not only a formal and legal process of harmonizing legislation, but also a profound civilizational challenge, which entails a fundamental transformation of the legal culture of society and the administrative ethics of the state apparatus. Forecasting the development of these components under conditions of full membership is based on the analysis of the implementation of the principles of the rule of law, which are pervasive to the European legal order.

The priority is expected to be the transition from formal compliance with norms to a conscious perception of law as a tool for protecting human dignity and guaranteeing justice. This will require overcoming the legal nihilism that has long hindered the development of democratic institutions, and the formation of a new generation of lawyers and civil servants whose thinking is based on European values.

The influence of the case law of the Court of Justice of the European Union and the European Court of Human Rights will become a determining factor for the national judicial system, contributing to the unification of approaches to the interpretation of norms and ensuring the unity of law enforcement throughout the territory of the state²⁸. The preliminary ruling mechanism will allow national courts to directly seek clarifications on EU law, which will improve the quality of judicial decisions and strengthen the authority of the judiciary in the eyes of citizens, ensuring real protection of violated rights through effective legal procedures.

In the area of administrative ethics, EU membership predicts the introduction of strict standards of integrity and accountability of public administration. The transformation of public administration will take place in accordance with the principles of the European Administrative Space, in particular the recommendations of the SIGMA initiative, which emphasize the professionalization of the service, the depoliticization of positions, and the implementation of meritocratic principles of personnel policy.

A promising vector is the full digitalization of administrative services, which minimizes corruption risks by eliminating direct contact between an

²⁸ Роль і місце України в перспективних європейській та євроатлантичній системах безпеки. Центр Разумкова, 2022, С. 4-9.

official and a citizen in decision-making. Administrative ethics will cease to be a purely declarative concept and will acquire an institutional dimension through effective mechanisms of internal control and independent audit of the activities of government bodies²⁹. It is expected that liability for violations of ethical norms will be strengthened, which will become a deterrent to abuse of official position.

An important element of the projected model is the openness of data and transparency of budget processes, which will allow civil society to exercise effective public control over the activities of the government and local authorities. The implementation of the European Code of Good Administrative Behaviour will become a guideline for the activities of every official, consolidating the right of citizens to an impartial and timely consideration of their cases, which is critically important for restoring trust in government institutions.

The development of legal culture is inextricably linked with increasing the level of legal awareness of the population and accessibility of justice. In the context of European integration, it is predicted that the network of free legal aid will expand and the procedures for applying to court to protect violated rights will be simplified. Educational programs for different segments of the population will be adapted to European human rights standards, which will contribute to the formation of an active civic position. A critically important aspect is the change in the attitude of business to the legal field, where fair competition and compliance with contractual obligations will become the norm, not the exception³⁰. This will create a favorable investment climate, which is a necessary condition for economic growth within the EU single market.

Legal education should become a continuous process covering all levels of education, from school to advanced training of civil servants. The implementation of European anti-discrimination norms will contribute to the establishment of equality of all citizens before the law, regardless of their origin, gender or beliefs. The media will play a key role in popularizing legal knowledge and exposing violations, forming a public demand for compliance with the rule of law, and the Ombudsman institution will receive expanded powers to protect human rights in relations with the administration.

²⁹ Винник Б.Р. Євроінтеграція України в умовах війни: виклики для економічного управління // Україна і світ: гуманітарно-технічна еліта та соціальний прогрес : матеріали всеукр. наук.-теорет. конф. студ. і аспірантів, присвяченої 140-річчю Національного технічного університету "Харківський політехнічний інститут", 18-19 квітня 2025 р. / гол. ред. А. В. Кіпенський ; Нац. техн. ун-т "Харків. політехн. ін-т". Харків, 2025. С. 279-281.

³⁰ Геополітичні та гео економічні зміни, формовані під впливом російської агресії, та оновлення місця України у світовому просторі. – Центр Разумкова, 2022. С. 4-5.

The long-term forecast of the transformation of the system indicates the need for constant monitoring of changes and adjustment of the reform strategy in case of identification of systemic imbalances. EU membership is not a static state, but a dynamic process of constant improvement of the institutional capacity of the state. Risks remain in the area of possible resistance of the bureaucratic system to changes, therefore the key factor of success will be the political will of the state leadership and support for reforms from international partners. Synchronization of national interests with pan-European goals will avoid conflict of jurisdictions and ensure the stability of legal regulation.

Improving the regulatory and legal support for the process of European integration transformation requires a systematic approach based on a clear understanding of the priorities and mechanisms for implementing European Union law. The primary task remains the high-quality implementation of the National Program for Approximation of Ukrainian Legislation to the Legislation of the European Union, which should become not a formal list of laws, but an effective tool for synchronizing legal regimes. The transition from quantitative indicators of adopted acts to qualitative indicators of their implementation and real integration of norms into law enforcement practice is critically important. This involves a deep analysis of each EU directive and regulation for adaptation to Ukrainian realities, avoiding mechanical copying of norms without taking into account the institutional capacity of authorities.

It is also necessary to strengthen expert support for the harmonization process by involving specialists in European law at the stage of preparing draft laws, which will minimize the risks of non-compliance of future norms with the requirements of the *acquis communautaire*. It is important to ensure the stability of legislation and avoid frequent changes that destabilize the legal environment and slow down investment processes.

An important vector of improvement is the implementation of European standards of regulatory policy, in particular the principles of Better Regulation. This requires mandatory regulatory impact assessment (RIA) for all draft laws related to European integration, taking into account economic, social and environmental consequences. The RIA mechanism should be transparent and include public discussion, which will ensure the legitimacy of reforms and take into account the interests of stakeholders. In addition, it is necessary to introduce a system of ex-post evaluation of the effectiveness of already implemented norms in order to timely identify gaps or conflicts in legislation.

This approach will allow creating a flexible legal system capable of quickly responding to changes in EU law and internal challenges. Particular attention should be paid to the unification of terminology and translation of EU acts, since linguistic accuracy is the key to the correct interpretation of

norms by courts and executive authorities³¹. The creation of a single official register of translations of EU legislation into Ukrainian will become the foundation for avoiding legal conflicts and ensuring legal certainty for all subjects of legal relations.

Institutional support for the harmonization process requires a significant modernization of coordination mechanisms between the legislative and executive branches. The Government's Office for Coordination of European and Euro-Atlantic Integration should receive expanded powers to monitor the implementation of obligations under the Association Agreement and the Visa Liberalization Action Plan.

Effective interaction between the relevant committees of the Verkhovna Rada of Ukraine and ministries will allow to accelerate the consideration of draft laws of the European integration direction and avoid legislative delays. It is important to introduce a single information system for monitoring European integration obligations, which would reflect the status of implementation of each norm of EU law in real time. This will ensure transparency of the process for international partners and civil society.

It is also necessary to strengthen the role of permanent representations of ministries on European integration issues, providing them with qualified personnel and methodological support for high-quality preparation of Ukraine's positions during negotiations with the EU and participation in the Commission's working groups.

The transformation of the judicial system and strengthening the rule of law remain key conditions for successful European integration. Improving the regulatory framework in this area should focus on the final stages of judicial reform, in particular on the transparent and competitive selection of judges for the Constitutional Court of Ukraine and the Supreme Court³². The implementation of the Venice Commission recommendations should be enshrined at the level of legislative changes that guarantee the independence, impartiality and professionalism of the judiciary.

It is critically important to ensure an effective procedure for the implementation of the decisions of the European Court of Human Rights, which requires the creation of an effective mechanism for compensation for damage and the elimination of systemic problems in national legislation. Legislative consolidation of the principles of alternative dispute resolution and mediation in accordance with European directives will contribute to the relief

³¹ Яремчук В. Д. Основи права Європейського Союзу та Ради Європи: дефініції, джерела, схеми, таблиці та персоналії : навчальний посібник. Львів: Львівський державний університет внутрішніх справ, 2024. 340 с.

³² Європейський проект та Україна : монографія / А. В. Єрмолаєв, Б.О. Парохонський, Г. М. Яворська, О. О. Резнікова та ін. К. : НІСД, 2012. 192 с.

of the judicial system and increased accessibility to justice. In addition, it is necessary to strengthen the regulatory framework for the digitalization of judicial proceedings, ensuring cybersecurity and protection of personal data of participants in the process, which is consistent with the strategy for the modernization of the judiciary.

Public administration reform is an integral part of legal transformation, since it is the quality of public services that determines citizens' perception of European integration³³. The adoption of the Law of Ukraine on Administrative Procedure will be a fundamental step in regulating relations between citizens and government bodies, introducing European standards of administration.

Regulatory and legal support should contribute to the decentralization of powers, strengthening local self-government and implementing the principle of subsidiarity. It is important to improve the legislation on the civil service, ensuring the meritocratic principle of hiring, promotion and performance evaluation of officials. This requires a clear distinction between political and administrative positions, which will prevent excessive politicization of the state apparatus.

It is also necessary to harmonize the rules for the provision of administrative services by simplifying procedures and implementing the principle of a "single window" at the legislative level in accordance with the EU directives on services in the internal market, which will increase the competitiveness of the economy.

The anti-corruption component of the European integration transformation requires the completion of the formation of the architecture of anti-corruption bodies and increasing the efficiency of their activities. Regulatory and legal support should be aimed at eliminating gaps in the legislation that allow avoiding liability for corruption offenses. It is important to implement the relevant EU directives on the prevention of money laundering and terrorist financing, strengthening control over financial transactions and beneficiaries.

Monitoring and assessment of the progress of the European integration transformation should be systematic and based on objective criteria. The Government's annual reports on the implementation of the National Program for Approximation of Legislation should contain a detailed analysis of achievements and problematic issues, and not just formal statistics³⁴. It is important to involve independent experts and civil society organizations in the process of assessing the effectiveness of the implementation of EU law.

³³ Кіндратець О.М. Євроінтеграція України як фактор «мотивованої» модернізації. Гілея: науковий вісник. 2013. № 72. С. 824–829.

³⁴ Участь України в агенціях і програмах Європейського Союзу: перспективи та можливості / Н. Шаповалова, І. Озимок, Ю. Селянко, О. Татаревський ; Міжнародний центр перспективних досліджень, 2008. 335 с.

The creation of public councils under the authorities on European integration issues will ensure feedback and take into account public expectations. Transparency of the negotiation process and availability of information on Ukraine's commitments to the EU are a necessary condition for maintaining public trust in the course of European integration. It is also necessary to develop inter-parliamentary dialogue and cooperation with EU institutions to exchange best practices and receive methodological support, which will improve the quality of legislative decisions.

In conditions of martial law, the regulatory and legal support for European integration should take into account the specifics of security challenges, without departing from strategic goals. Legislation should provide for mechanisms for temporary derogations only in cases of extreme necessity, with a clear definition of the terms and conditions for restoring the full functioning of legal institutions. It is important to ensure the continuity of the harmonization process even in conditions of crisis, adapting implementation schedules to the real capabilities of the state. Support from international partners and technical assistance should be integrated into national legislation for the effective use of resources for reconstruction and reform. The strategic priority remains to preserve the irreversibility of European integration changes and ensure their resilience to any political or external crises.

CONCLUSIONS

The results of the study found that European integration is a complex and multifaceted process that encompasses theoretical and legal, institutional and managerial, and digital security aspects, each of which has its own challenges and prospects. Ukraine's European integration course has the ability to transform the legal system and public administration architecture more systematically than previous foreign policy vectors, ensure the harmonization of national legislation with the *acquis communautaire*, implement standards of good governance and e-governance, and apply for the status of a candidate and full member of the EU.

In periods of heightened political conflict, particularly under martial law, implementation and institutional reforms are at the epicenter of the struggle for the European choice, actively supporting the demands for the rule of law and institutional capacity, loudly declaring themselves by implementing the recommendations of the European Commission, thereby influencing the political centers of power. In our opinion, the task of the state in this regard is to prevent a decline in reform standards, in particular by adequately responding to the challenges of war, providing for the security of citizens and maintaining a dynamic balance between national sovereignty and supranational regulation in the context of European values.

A key factor for success in the European integration sphere is the need for coordinated cooperation (with direct public participation) between the Government Office for Coordination of European and Euro-Atlantic Integration, ministries and departments in partnership with civil society institutions, a parliamentary committee, advisory and consultative bodies, international organizations, the expert community, and international partners.

It is obvious that there should be a common understanding of effective steps and reforms in the context of European integration for all state-builders: scientists, government structures, executive institutions and citizens themselves as full-fledged subjects of this process. The state should contribute to increasing the role of the rule of law in society, developing legal culture and administrative ethics, acquiring a worthy place in the European community through completing judicial reform, overcoming corruption and ensuring the synchronism of legal and administrative transformations.

SUMMARY

The article provides a comprehensive analysis of the impact of European integration on the national system of law and public administration, focusing on theoretical and methodological principles, mechanisms for the transformation of the legal and administrative space, and strategic vectors for further development. The evolution of European integration as a political and legal phenomenon that forms a supranational legal order and determines the deep adaptation of domestic legislation through the implementation of the *acquis communautaire* is studied. The key instruments for harmonizing norms, institutional changes in the public administration system, and the role of the concepts of New Public Management and New Public Governance in the modernization of administrative procedures and personnel policy are characterized.

Considerable attention is paid to the adaptation of the judicial system and law enforcement agencies to European standards, the implementation of the principles of good governance, decentralization of power, digitalization of public services and anti-corruption infrastructure under martial law. Based on the analysis of systemic risks, implementation barriers and a conceptual model of the relationship between national sovereignty and supranational regulation, conclusions are formulated regarding the need to synchronize legal and administrative reforms.

The purpose of the publication consists in studying the theoretical foundations, transformation mechanisms and strategic directions of harmonizing the national legal system and public administration with the requirements of the European Union, as well as in identifying key challenges, implementation risks and conceptual approaches to ensuring the sustainability

of European integration transformations on the path to full membership in the EU.

The methodological basis is based on philosophical, general scientific methods and methods of a systemic approach, which allows analyzing the relationship between legal transformation and modernization of administrative processes in the context of European integration. The structural-functional approach was used to determine the role of public administration institutions, the judicial system and anti-corruption bodies in the implementation of EU law. The institutional approach was used to analyze the interaction of supranational regulation with national administrative practice, mechanisms for overcoming the implementation deficit and the formation of a conceptual model of the balance of sovereignty. The normative-value approach was embodied in assessing the impact of European standards of the rule of law, good faith and human rights on the formation of a new legal culture and administrative ethics.

The scientific novelty of the publication consists in developing a conceptual model of the optimal balance between national sovereignty and supranational regulation, a comprehensive analysis of implementation risks and barriers to the transformation of legal and administrative systems under martial law, as well as in predicting changes in legal culture and administrative ethics in the context of Ukraine's future membership in the EU.

Conclusions. European integration serves as a strategic guideline for the systemic modernization of the rule of law and effective public administration in Ukraine. Implementing European standards, the state focuses primarily on institutional capacity, professionalization of the civil service and the rule of law, which forms the basis for the progressive development and strengthening of democratic institutions. Political and legal activities are aimed at building a responsible, transparent and accountable society that tolerantly perceives European values and actively integrates into the common legal space. Despite the challenges of martial law, economic restrictions and implementation barriers, the transformation of the legal and administrative space is actively underway.

Key words: European integration, public administration, transformation of the legal system, harmonization of legislation, *acquis communautaire*, rule of law.

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