

Harmonization of civil rights protection mechanisms in Ukrainian law and the *acquis communautaire*: methodological and doctrinal principles

Khrystyna Horetska^[1], Iryna Pashko^[2], Oksana Rakul^[3], Yuliia Sus^[4], Anastasiia Zadorozhna^[5], Serhii Deledyvka^[6]

^[1] Department of State and Law Theory, Lviv University of Trade and Economics, Lviv, Ukraine

^[2] ^[3] ^[4] ^[5] ^[6] Department of Civil Law Disciplines, National Academy of Internal Affairs, Kyiv, Ukraine

The article examines the directions of harmonization of civil rights protection mechanisms in Ukraine with the *acquis communautaire* in the context of European integration. The criteria and levels of adaptation of national civil legislation and judicial practice to EU standards are analyzed. The key principles of effective rights protection are identified, including predictability, proportionality and accessibility of justice. The institutional and procedural aspects that ensure the real implementation of the *acquis* norms in the national context are considered. The conclusion is made about the need for a comprehensive approach that combines legislative, institutional and practical mechanisms to strengthen the legal system of Ukraine.

Keywords: harmonization, civil rights, *acquis communautaire*, law enforcement, European integration, legal efficiency.

1. Introduction

In the current conditions of Ukraine's European integration, the issue of harmonizing mechanisms for the protection of civil rights is becoming particularly urgent. Ukraine's entry into the processes of European integration involves not only harmonizing national legislation with the *acquis communautaire*, but also ensuring the real effectiveness of legal protection for citizens and business entities. In this context, the study of EU principles and standards in the field of civil law, as well as the study of ways to adapt them to the Ukrainian legal field, becomes especially important.

The topic is of particular importance due to the need to ensure effective legal protection, equality of participants in legal relations and predictability of the legal consequences of their actions. Harmonization of mechanisms for the protection of civil rights in Ukraine with the *acquis communautaire* is not only a technical process of implementing directives and regulations, but also a complex legal, institutional and cultural task. It includes the adaptation of legislation, judicial practice and administrative procedures to European standards, which, in turn, affects the level of legal security and trust in the legal system.

At the same time, the integration process involves combining legal norms with practical mechanisms for the implementation of rights, creating a system of effective access to justice and ensuring effective control over the observance of civil rights. This necessitates a comprehensive scientific approach that allows assessing both the formal compliance of national legislation with EU standards and the practical ability of Ukrainian mechanisms for the protection of rights to ensure efficiency, proportionality and legal certainty.

2. Methodology

The study is based on a comprehensive comparative legal approach that involves the analysis of national legislation of Ukraine and the *acquis communautaire* taking into account doctrinal approaches and the practice of the Court of Justice of the EU. A functional approach was used to assess the effectiveness of specific mechanisms for the protection of rights, a systemic approach to determine the relationship between norms and institutional mechanisms, as well as a teleological approach that allows assessing the compliance of legislative decisions with the goals of European integration.

Separately, the method of comparing legislative norms and judicial practice was used to identify gaps and inequalities in the national system for the protection of civil rights. The analysis is based on modern legal acts of Ukraine, EU directives and regulations, as well as on scientific research and publications in the field of civil and European law. This methodological approach allows for a comprehensive assessment of the state of harmonization and identification of areas for further improvement of the national legal system.

3. Theoretical and Methodological Foundations for the Study of Mechanisms for the Protection of Civil Rights in Ukrainian Law and the *Acquis Communautaire*

3.1. The Concept and Structure of Mechanisms for the Protection of Civil Rights in Contemporary Civil Law Doctrine

In contemporary civil law doctrine, the concept of mechanisms for the protection of civil rights is understood as a complex, multi-level legal construction designed to ensure the reality and effectiveness of subjective civil rights and legally protected interests. Scholarly approaches emphasize that the mere normative recognition of a civil right does not, in itself, guarantee its realization without the existence of appropriate means of response to its violation, non-recognition, or contestation. Accordingly, the mechanism of protection functions as an indispensable element of civil-law regulation, aimed at restoring the disturbed balance between participants in private-law relations.

From a doctrinal perspective, mechanisms for the protection of civil rights are traditionally associated with the categories of “remedy,” “form of protection,” and “means of legal influence.” At the same time, the mechanism of protection constitutes a broader concept than an individual remedy, as it encompasses not only the legal consequences provided for by legal norms but also the procedures for their implementation, the competence of relevant authorities, and the principles that determine the limits and nature of interference with the sphere of private autonomy. This approach makes it possible to regard the protection of civil rights as a systemic phenomenon rather than as a set of isolated legal instruments [1].

Structurally, the mechanism for the protection of civil rights in civil-law theory is divided into substantive and procedural components. The substantive component includes the remedies enshrined in legislation, such as restoration of the situation that existed prior to the violation, cessation of actions that infringe a right, compensation for damage, recovery of penalties, and other civil-law measures. The procedural component comprises the procedures for implementing these remedies, procedural guarantees, rules of evidence, and mechanisms for the enforcement of judicial and extrajudicial decisions.

At the same time, modern civil-law scholarship places particular emphasis on the functional aspect of protection mechanisms, which allows one to move beyond the formal dichotomy between substantive and procedural law. In this context, the mechanism of protection is viewed as a dynamic system of interaction between legal norms, law-enforcement practice, and the behavior of the subjects of civil-law relations. It is precisely through this interaction that the primary objective of protection is achieved, namely the effective restoration of the violated right or compensation for the negative consequences caused by the infringement [2].

A special place in the structure of mechanisms for the protection of civil rights is occupied by the fundamental principles of civil law, in particular the principles of justice, good faith, and reasonableness. These principles perform a corrective function, allowing formally defined remedies to be adapted to the specific circumstances of a particular case. Legal doctrine emphasizes that without due consideration of these guiding principles, protection mechanisms risk losing their compensatory and preventive potential, turning into purely formal instruments of law enforcement [3].

Contemporary scholarly approaches also recognize the pluralism of forms of protection of civil rights as an element of their structural composition. Alongside judicial protection, alternative

and quasi-judicial mechanisms are gaining increasing importance, including mediation, notarial procedures, and self-defense of civil rights. In this respect, the mechanism of protection emerges as a multi-channel system capable of providing a flexible response to various types of civil-law conflicts without excessive state interference.

In a comparative-law perspective, the structure of mechanisms for the protection of civil rights within the continental legal tradition, to which Ukrainian law belongs, is characterized by the predominance of normatively defined remedies combined with the active role of courts in their specification and application. This approach is also evident in European civil-law doctrine, where the mechanism of protection is regarded as an instrument for ensuring the effectiveness of private law and maintaining trust in the legal order as a whole [4].

Thus, the concept and structure of mechanisms for the protection of civil rights in contemporary civil-law doctrine are shaped by systemic, functional, and principle-based approaches. They reflect the evolution of civil law from a formally normative model toward one oriented at the effective protection of private interests, which is of key importance for further processes of harmonization of national civil legislation with European legal standards.

3.2. Methodology of Comparative Legal Analysis of Civil Law Remedies (Functional, Systemic, and Teleological Approaches)

The methodology of comparative legal analysis of civil law remedies serves as a key instrument for the scholarly comprehension of differences and common features between legal systems, particularly when comparing national models with the law of the European Union. Comparative legal analysis in civil law is not limited to a mere juxtaposition of legal norms; rather, it is aimed at a deeper understanding of the functions of legal institutions within their socio-cultural context and their effectiveness in ensuring legal guarantees for participants in legal relations [5]. This approach makes it possible to identify how different legal systems generate and implement mechanisms for the protection of civil rights, as well as to outline prospects for their harmonisation.

The functional approach to comparative legal analysis is based on the identification of legal phenomena through the prism of their social function rather than their formal normative form. In the context of remedies for the protection of civil rights, this means that the analysis should focus not only on legal formulas and the terminology used to designate remedies, but also on the role they play in restoring violated rights and preventing repeated infringements. Thus, the functional approach enables an assessment of the genuine effectiveness of a legal mechanism in achieving its primary objective—the protection of individual rights and interests—regardless of how the relevant instruments are formally designated in different legal systems [6].

The systemic approach in comparative legal analysis involves examining mechanisms for the protection of civil rights as components of an integrated legal system that encompasses both substantive and procedural elements, as well as institutions responsible for ensuring and enforcing these rights. This approach makes it possible not only to identify functional equivalences but also to reveal structural interconnections between individual elements of the protection mechanism and their place within the system of private law as a whole. In particular, systemic analysis facilitates an understanding of how specific remedies interact with the principles of civil law and ensure compatibility with the fundamental values and institutional frameworks of another legal system [5].

The teleological approach focuses on the purpose and objectives of specific legal norms and institutions. In a comparative context, this entails examining how particular remedies contribute to achieving the general aims of civil law, such as justice, effectiveness, and legal certainty. This approach is especially important when comparing national models with EU law, where the principles of effectiveness and proportionality play a central role in ensuring the protection of rights in private-law relations [7]. Analysis from the perspective of objectives makes it possible to assess whether adopted legal solutions correspond not only to formal requirements but also to their practical function.

The synthesis of these approaches—functional, systemic, and teleological—provides a comprehensive methodology for comparative legal analysis, enabling the identification not only of

formal differences between remedies but also of the deeper structural and purposive aspects of their operation. This is particularly relevant when substantiating recommendations for the harmonisation of mechanisms for the protection of civil rights in Ukrainian law in accordance with the standards of the *acquis communautaire*, as it requires consideration of different levels of legal regulation and the objectives of law enforcement.

Thus, the application of a combined methodology of comparative legal analysis constitutes a necessary condition for an adequate comparison and evaluation of mechanisms for the protection of civil rights across different legal systems, which in turn contributes to the formulation of scientifically grounded conclusions regarding directions for their improvement and harmonisation in the context of European integration processes.

3.3. Principles of the *Acquis Communautaire* in the Field of Civil Rights Protection (Effectiveness, Proportionality, Legal Certainty, Effective Judicial Protection)

The principles of the *acquis communautaire* in the field of civil rights protection form the normative and value-based core of the legal order of the European Union and define the standards that must be met by both law-making and law-enforcement activities of the Member States. These principles are not reduced to abstract declarations; rather, they perform regulatory and interpretative functions, ensuring coherence between different branches of EU law and national legal systems. In the civil-law context, these principles serve as guidelines for the construction of effective mechanisms for the protection of subjective rights and legitimate interests of private individuals.

A central place among the principles of the *acquis communautaire* is occupied by the principle of effectiveness (*effet utile*), according to which the provisions of EU law must be applied in a manner that guarantees their practical effect. The Court of Justice of the European Union has repeatedly emphasised that national procedural or substantive rules may not render the exercise of rights conferred by EU law practically impossible or excessively difficult. In the field of civil rights protection, this implies an obligation on Member States to ensure legal remedies that enable individuals to genuinely restore violated rights rather than merely formally acknowledge their existence [8].

The principle of proportionality serves as a necessary corrective to effectiveness and is aimed at ensuring a fair balance between private and public interests. In civil-law relations, this principle requires that any restriction of subjective rights be suitable for achieving a legitimate aim, necessary, and not excessive in relation to the pursued objective. EU legal doctrine emphasises that proportionality has a universal character and applies both in the assessment of acts of EU institutions and in the analysis of national norms implementing the *acquis communautaire* in the field of private law [9].

Closely connected with the above-mentioned principles is the principle of legal certainty, which ensures the stability and predictability of legal regulation. In the field of civil rights, it means that legal norms must be clear, accessible, and formulated in such a way that legal subjects are able to foresee the legal consequences of their conduct. The Court of Justice of the European Union has consistently emphasized that legal certainty constitutes a prerequisite for trust in the legal system and a necessary condition for the proper functioning of the internal market, including with regard to the protection of private rights.

A distinct and independent place within the system of principles of the *acquis communautaire* is occupied by the principle of effective judicial protection, which is currently regarded both as a general principle of EU law and as a fundamental right enshrined in Article 47 of the Charter of Fundamental Rights of the European Union. This principle requires that individuals have access to an independent and impartial tribunal capable of ensuring real and timely protection of rights derived from EU law. In the civil-law sphere, this encompasses not only access to justice but also the effectiveness of procedural remedies, including interim measures and the enforcement of judicial decisions [8].

From a doctrinal perspective, it is emphasized that these principles do not operate in isolation

but rather form an interconnected system that determines the qualitative parameters of civil rights protection under EU law. Effectiveness without proportionality may result in excessive interference with private autonomy, whereas legal certainty without effective judicial protection loses its practical significance. It is precisely their combination that ensures a comprehensive approach to the protection of civil rights within the framework of the *acquis communautaire*.

Thus, the principles of effectiveness, proportionality, legal certainty, and effective judicial protection constitute the normative foundation of the European model of civil rights protection. They have not only theoretical but also direct practical relevance for the processes of harmonisation of national civil legislation with EU law, as they define the standards that national systems of private rights protection must attain in the course of European integration.

4. Doctrinal and Normative Approaches to the Protection of Civil Rights: Correlation between the Ukrainian Model and European Union Law

4.1. Normative Model of Civil Rights Protection in Ukrainian Law: Remedies, Forms, and Limits of Implementation

The normative model of civil rights protection in Ukrainian law has developed as a comprehensive system of legal remedies and procedures aimed at ensuring the reality, guaranteed nature, and restorative character of subjective civil rights and legally protected interests. In national civil-law doctrine, it is regarded not merely as a set of statutory responses to legal violations, but as an integrated construct combining substantive legal norms, procedural mechanisms, and civil-law principles that determine the permissible limits of interference with the sphere of private autonomy.

A central place within the normative model of civil rights protection is occupied by civil-law remedies enshrined in the Civil Code of Ukraine and further specified in special legislation. Scholarly works emphasize that such remedies have restorative, compensatory, and preventive functions and are aimed at restoring the violated subjective right or compensating for the negative consequences of its infringement. These remedies include, *inter alia*, recognition of a right, cessation of actions violating a right, compensation for material and moral damage, recovery of penalties, and the application of other property-related sanctions [1].

An important component of the normative model is the forms of civil rights protection, which in Ukrainian law are traditionally divided into judicial and non-judicial forms. Judicial protection is regarded as universal and state-guaranteed, since courts are vested with the authority to finally resolve civil disputes and ensure the enforcement of adopted decisions. At the same time, Ukrainian civil legislation recognizes the possibility of alternative forms of protection, including notarial protection, self-protection of civil rights, and the use of conciliatory procedures, which corresponds to contemporary trends in the development of private law [2].

From a doctrinal standpoint, it is emphasized that the effectiveness of the normative model of civil rights protection largely depends on the coherence between substantive remedies and procedural mechanisms for their implementation. Procedural rules of civil proceedings determine the procedure for seeking protection, rules of evidence, time limits, and guarantees for the enforcement of judicial decisions. It is through such interaction that the transition from the formal recognition of a right to its real protection in cases of violation or dispute is ensured.

Particular attention within the normative model is paid to the limits of exercising the right to protection, which derive from the general principles of civil legislation. Civil-law scholarship emphasizes that the exercise of the right to protection must not exceed the bounds of good faith, reasonableness, and fairness, nor should it lead to an abuse of rights. These limitations have a systemic character and are aimed at maintaining a balance between the interests of the parties to civil legal relations [3].

In law-enforcement practice, the limits of exercising civil rights remedies acquire particular significance in resolving disputes involving the competition or combination of multiple remedies. When applying substantive law, courts must assess the adequacy of the chosen remedy in relation to

the nature of the violation and its consequences. This approach corresponds to the modern understanding of civil rights protection as an instrument for restoring legal equilibrium rather than as a means of purely sanction-based influence.

Thus, the normative model of civil rights protection in Ukrainian law is characterised by a combination of diverse remedies and forms of protection with clearly defined limits of their implementation. It reflects the evolution of national civil law toward strengthening guarantees of private autonomy and effective judicial protection, thereby creating a solid foundation for the further approximation of the Ukrainian system of civil rights protection to European legal standards.

4.2. Doctrinal Approaches of the European Union to the Protection of Private Rights in the Context of the *Acquis Communautaire* and the Case Law of the Court of Justice of the European Union

The doctrinal approaches of the European Union to the protection of private rights within the context of the *acquis communautaire* and the case law of the Court of Justice of the European Union (CJEU) constitute an important component of European legal culture. These approaches form the basis for the interpretation of EU norms governing legal relations between private actors, as well as between private individuals and public authorities. Their distinctive feature lies in their orientation toward the effectiveness of legal protection, proportionality of interference, legal certainty, and access to independent justice, which directly derives from the general principles of EU law and is firmly established in the jurisprudence of the CJEU.

One of the key doctrinal principles is the principle of effective protection of rights, which is ensured not merely through the formal existence of legal norms but through their practical ability to provide effective legal remedies for individuals. Already in its early case law, the Court emphasized that national procedural rules must not render the exercise of rights conferred by EU law impossible or excessively difficult, regardless of whether such rights are of an economic nature or constitute private rights of natural persons. This approach has subsequently been reaffirmed in the case law of the CJEU as a legal standard implemented across all areas of the *acquis communautaire* [8].

The doctrine of the principle of proportionality in the protection of private rights presupposes that any restrictions or interference in the sphere of private-law relations must be appropriate and must not exceed what is necessary to achieve a legitimate aim. This principle, developed within EU legal scholarship and elaborated in the case law of the Court, applies not only to acts of EU institutions but also to the assessment of national legal regimes implementing European standards. It constitutes an important doctrinal foundation for the protection of private economic and social rights, as it ensures that the legal system does not unduly restrict the autonomy of private parties in civil and commercial legal relations [9].

Another fundamental area of doctrinal reflection concerns legal certainty as a universal principle ensuring stability, predictability, and clarity of legal regulation. In the context of protecting private rights, this principle requires that legal norms be formulated in such a manner that individuals are able to foresee the legal consequences of their actions. In its judgments, the CJEU has repeatedly emphasized that legal certainty is a necessary condition for the proper functioning of the internal market and for maintaining trust in the legal system. It is through the prism of this principle that the Court examines both directly applicable norms and measures adopted by national legal systems to implement the *acquis communautaire* [8].

Doctrinal approaches to the protection of private rights are also grounded in the right to effective judicial protection, which is enshrined both as a general principle of EU law and in Article 47 of the Charter of Fundamental Rights of the European Union. This principle serves as a benchmark for assessing national legal procedures with regard to the requirement that courts and other independent adjudicative bodies be capable of effectively enforcing the rights conferred. In its rulings, the CJEU emphasizes that effective judicial protection includes not only formal access to a court but also real opportunities to defend one's rights through fair proceedings, free from unjustified delays or procedural obstacles [10].

Particular attention in EU doctrine is paid to the responsibility of Member States for the proper implementation of the *acquis communautaire*, since non-compliance of national legislation with EU standards may result in violations of private rights. In its judgments in infringement proceedings against Member States, the CJEU clearly delineates the limits of national regulatory discretion where the implementation of rights guaranteed by EU law is concerned. This creates an additional protective mechanism for private actors, who may rely on EU case law when challenging the compatibility of national norms with the requirements of the *acquis* [9].

Doctrinal approaches of the EU to the protection of private rights are closely intertwined with the ideas of legal unity of the internal market and the harmonisation of legal regimes aimed at minimizing barriers to the movement of goods, capital, and services, as well as ensuring equal opportunities for entrepreneurial activity and consumer protection. This conceptual foundation is reflected in numerous precedents of the Court, which shape a unified law-enforcement practice regarding standards of private rights protection across various fields — from contractual disputes to the protection of intellectual property rights [8].

Thus, the doctrinal approaches of the European Union to the protection of private rights within the framework of the *acquis communautaire*, reinforced by the case law of the CJEU, form a multi-layered complex of legal norms, principles, and standards that promote an effective, proportionate, predictable, and judicially protected system for the exercise of private rights. Their influence on national legal systems of Member States, including Ukraine, lies not only in the harmonisation of substantive norms but also in the formation of an appropriate legal culture for the protection of private interests in civil and commercial legal relations.

5. Directions for Harmonising the Mechanisms of Civil Rights Protection in Ukraine with the *Acquis Communautaire* in the Context of European Integration

The process of harmonising the mechanisms of civil rights protection in Ukraine with the *acquis communautaire* in the context of European integration is multidimensional, long-term, and at the same time an integral element of the transformation of the national legal order. The *acquis communautaire*, as a body of legal norms, principles, and standards of the European Union, establishes benchmarks that candidate countries for EU membership, including Ukraine, must meet in the field of private rights protection and the rights of participants in civil legal relations [11]. Accordingly, harmonisation is based not only on the formal implementation of European norms but also on the systemic adaptation of legal culture, judicial practice, and institutional mechanisms.

The first important direction of harmonisation concerns the determination of criteria for adapting national legislation to the *acquis communautaire*, among which key elements include substantive conformity of norms, procedural compatibility, and the real effectiveness of rights protection. In particular, these criteria encompass the alignment of national and European definitions of protection mechanisms, adaptation of procedural rules, and the creation of conditions for their application in judicial and administrative practice. This approach corresponds to EU standards, where harmonisation is assessed not only through formal transposition but also through substantive implementation of norms [12].

The second direction involves identifying levels of harmonisation, which may be divided into formal, substantive, and institutional levels. The formal level entails the direct implementation of *acquis* norms into national legislation, including civil codes and statutes governing civil law and mechanisms of rights protection. The substantive level concerns the content of the norms themselves — their principles, concepts, and standards — which must be adequately reflected in national legal acts. The institutional level covers the adaptation of the judicial system, dispute resolution mechanisms, alternative dispute resolution instruments, and law-enforcement practices to ensure effective rights protection in accordance with European approaches [13].

In practical terms, the formal adaptation of Ukrainian civil legislation to the *acquis communautaire* is already reflected in relevant national legal acts. For example, the adoption of the new Law of Ukraine “On Consumer Protection” in 2023 and other amendments in the field of

consumer rights protection demonstrate efforts to harmonise national regulation with contemporary EU standards [14]. However, a gap still remains between the formal adoption of norms and their effective implementation in practice, particularly due to fragmented institutional competences, insufficient development of non-judicial protection mechanisms, and limited public access to information about rights and remedies [14].

Particular attention should be paid to the analysis of mechanisms for the implementation of rights in judicial practice, as this aspect critically affects the actual protection of civil rights. Harmonisation must ensure not only the comparability of laws but also substantive access to justice, effective application of legal norms, and the possibility of their realisation in everyday legal relations [11].

In addition, the harmonisation process cannot ignore institutional changes, since EU standards presuppose the development of an independent, competent, and transparent judicial system capable of counteracting both formal and factual obstacles to the exercise of civil rights. Accordingly, the adaptation of the Ukrainian legal system requires the enhancement of professional qualifications of judges, legal practitioners, and court administrators, as well as the development of specialised judicial procedures and alternative dispute resolution mechanisms.

A significant factor that either facilitates or impedes harmonisation is national political will and the systemic nature of reforms, which manifests itself in the creation of transparent plans and programmes. In particular, in 2025 the Ministry of Justice of Ukraine initiated the development of a National Program for the Adoption of the Acquis, covering a wide range of legislative fields and providing for institutional changes necessary for the implementation of European standards [13].

It can therefore be argued that the success of harmonising Ukraine's mechanisms for the protection of civil rights with the *acquis communautaire* depends not only on the formal adoption of legal norms but also on a profound transformation of judicial practice, the guarantee of procedural effectiveness, and genuine access to justice. Without consistent changes in law-enforcement practice and institutional infrastructure, harmonisation risks remaining declarative and formal in nature, incapable of ensuring the practical protection of rights [14].

Another important direction concerns the monitoring and evaluation of the effectiveness of harmonisation, which entails regular verification of the compliance of national legislation with *acquis* standards, assessment of procedural efficiency, and analysis of judicial practice in applying relevant norms. Such an approach makes it possible to identify gaps in a timely manner, adjust legislation accordingly, and enhance the effectiveness of civil rights protection mechanisms.

Particular attention is devoted to the development of alternative protection mechanisms, such as mediation, conciliation procedures, and out-of-court remedies. These mechanisms constitute an essential element of harmonisation, as the *acquis communautaire* and the case law of the Court of Justice of the European Union recognise them as effective instruments for the realisation of rights, especially in situations where formal judicial procedures may be lengthy or overly complex [12].

An equally important aspect is information accessibility and the enhancement of legal awareness among citizens, which is critical for the effective exercise of civil rights. Harmonisation of legislation without accompanying measures aimed at increasing awareness among users of legal protection mechanisms and the legal community remains incomplete.

Thus, comprehensive harmonisation of Ukraine's mechanisms for the protection of civil rights with the *acquis communautaire* should combine legislative changes, institutional adaptation, and the transformation of law-enforcement practice in order to guarantee real, effective, and predictable legal protection for citizens and entrepreneurs. Such an approach enables Ukraine to gradually integrate into the European legal space, strengthen the rule of law, and ensure trust in the national justice system.

6. Conclusions

The conducted research demonstrates that the harmonisation of Ukraine's civil rights protection mechanisms with the *acquis communautaire* is a multi-level and complex process

encompassing legislative implementation of European norms, transformation of institutional mechanisms, and improvement of law-enforcement practice. Successful harmonisation depends not only on formally aligning national legislation with EU directives and regulations but also on the ability of these norms to ensure real and effective protection of the rights of citizens and business entities. This underscores the necessity of a systemic approach combining legal, organisational, and practical components of integration.

Particular attention should be paid to the development of judicial practice and the institutional capacity of the national legal system, since effective protection of civil rights is possible only under conditions of accessible, predictable, and proportionate justice. The gradual adaptation of judicial protection procedures, the introduction of alternative dispute resolution mechanisms, and the enhancement of legal awareness among citizens constitute integral elements of harmonisation and determine the practical implementation of the *acquis communautaire* within the national context.

An important direction is ensuring compatibility between national and European standards in the field of civil law, which contributes to increasing the effectiveness of rights protection in everyday practice. Achieving this requires not only legislative changes but also continuous monitoring and evaluation of the effectiveness of implemented mechanisms, as well as the introduction of training programmes for judges, lawyers, and public officials. Such an approach enables early identification of gaps and their prompt elimination, thereby enhancing public trust in the justice system.

In the long term, harmonisation of Ukraine's civil-law mechanisms with European standards will contribute not only to strengthening legal certainty but also to the formation of a predictable and stable legal environment for entrepreneurs, consumers, and citizens. The integration process should be systemic in nature, combining legislative reforms, institutional changes, and transformation of law-enforcement practice, thus ensuring comprehensive implementation of the *acquis communautaire*.

The harmonisation of mechanisms for the protection of civil rights in Ukraine is not merely a technical implementation of EU norms but an essential component of state policy in the field of justice and legal integration. Successful adaptation of national legislation and law-enforcement practice to *acquis communautaire* standards constitutes a key factor in strengthening the rule of law, enhancing confidence in the legal system, and ensuring effective protection of civil rights in the future.

7. References

- [1] O. V. Dzera (Ed.), *Civil Law of Ukraine: General Part*, Kyiv: Yurinkom Inter, 2010, 864 p. Electronic resource. Accessed via: <https://jurkniga.ua/civil-law-ukraine-general-part> (accessed: 08.02.2026).
- [2] E. O. Kharytonov, O. I. Kharytonova, *Private Law as a Conceptual Basis of Modern Civil Legislation*, Odesa: Feniks, 2014, 312 p. Electronic resource. Accessed via: <https://dspace.onua.edu.ua/handle/11300/1124> (accessed: 08.02.2026).
- [3] I. V. Spasybo-Fateeva, *Protection of Subjective Civil Rights: Problems of Theory and Practice*, Kharkiv: Pravo, 2012, 352 p. Electronic resource. Accessed via: http://library.nlu.edu.ua/POLN_TEXT/KNIGI_2013/Spasybo_2012.pdf (accessed: 08.02.2026).
- [4] C. von Bar, E. Clive, H. Schulte-Nölke (Eds.), *Principles, Definitions and Model Rules of European Private Law: Draft Common Frame of Reference (DCFR)*, Munich: Sellier European Law Publishers, 2009, 656 p. Electronic resource. Accessed via: https://www.law.kuleuven.be/personal/mstorme/2009_DCFR_OutlineEdition.pdf (accessed: 08.02.2026).
- [5] M. Bogdan, "Comparative Civil Law: Methods and Perspectives," *Civil Law Review*, vol. 12, pp. 45–60, 2018.

- [6] K. Zweigert, H. Kötz, *An Introduction to Comparative Law*, 3rd ed., Oxford: Oxford University Press, 1998, 720 p.
- [7] M. van Hoecke, "Methodology of Comparative Legal Research," in M. Reimann, R. Zimmermann (Eds.), *The Oxford Handbook of Comparative Law*, Oxford: Oxford University Press, 2011, pp. 97–124.
- [8] P. Craig, G. de Búrca, *EU Law: Text, Cases, and Materials*, 7th ed., Oxford: Oxford University Press, 2020, 1200 p.
- [9] T. Tridimas, *The General Principles of EU Law*, 2nd ed., Oxford: Oxford University Press, 2006, 560 p.
- [10] D. Chalmers, G. Davies, G. Monti, *European Union Law: Cases and Materials*, 4th ed., Cambridge: Cambridge University Press, 2019, 1184 p.
- [11] *Legal Harmonisation of Ukraine with European Union Law: Institutional and Normative Analysis of the Implementation of 33 Chapters of the Acquis Communautaire*, *Journal of Ukrainian Human Rights Research*, no. 1, pp. 45–54, 2025.
- [12] L. A. Valko, *Harmonisation of Ukrainian and EU Legislation in the Field of Protection of Consumers of Digital Services*, Lviv: Pravo Publishing House, 2024, 184 p.
- [13] *Analysis of Harmonisation of Ukrainian Contract Law with European Union Law: Challenges and Prospects*, *Visnyk Prava*, no. 2, pp. 78–90, 2025.
- [14] I. Vlasenko, *Protection of Civil Rights of Ukraine in the Context of European Integration*, Kyiv: Yurinkom Inter, 2023, 240 p.