

## Implementation of international standards in civil law and procedure in Ukraine

### Nataliia Grabar\*

PhD in Law, Associate Professor  
Lviv State University of Internal Affairs  
79007, 26 Horodotska Str., Lviv, Ukraine  
<https://orcid.org/0000-0001-5533-6765>

### Khrystyna Maikut

PhD in Law, Associate Professor  
Lviv State University of Internal Affairs  
79007, 26 Horodotska Str., Lviv, Ukraine  
<https://orcid.org/0000-0002-2196-4023>

### Ulyana Vorobel

PhD in Law, Associate Professor  
Lviv State University of Internal Affairs  
79007, 26 Horodotska Str., Lviv, Ukraine  
<https://orcid.org/0000-0003-0480-5394>

### OIha Dilai

Doctor of Law, Associate Professor  
Lviv State University of Internal Affairs  
79007, 26 Horodotska Str., Lviv, Ukraine  
<https://orcid.org/0000-0003-2872-5567>

### Mariia Vovk

PhD in Law, Associate Professor  
Lviv State University of Internal Affairs  
79007, 26 Horodotska Str., Lviv, Ukraine  
<https://orcid.org/0000-0002-8740-8222>

**Abstract.** The relevance of this work is determined by Ukraine's urgent need to ensure effective protection of human rights in the context of European integration and martial law by adapting civil law and procedure to international standards. The full-scale invasion by the Russian Federation has exacerbated the problem of protecting the rights of the civilian population and compensating for damage caused by armed aggression. This brings to the fore the issue of the rapid adaptation of civil liability mechanisms and procedural guarantees to the standards of humanitarian and international private law, including the effective enforcement of court decisions and the transnational recognition of claims for compensation. The aim of this work was to develop a comprehensive, phased model for the implementation of these standards, taking into account European requirements. The study uses comparative legal analysis and IDEFO functional modelling. Based on the IDEFO model, it has been established that there are three key interrelated stages: harmonisation of legislation, institutional transformation and continuous monitoring of implementation. Aspects such as the reform of judicial governance bodies, the digitisation of judicial proceedings, and the introduction of compensation mechanisms for violations of the right to a reasonable time were analysed, and the results of the comparative experience of European Union countries were summarised. It was established that the systematic implementation of the proposed steps will significantly improve the compliance of Ukrainian civil procedure with international requirements and strengthen

**Suggested Citation** ————— **Article's History:** Received: 15.08.2025 Revised: 14.11.2025 Accepted: 29.12.2025 Published: 02.01.2026

Grabar, N., Maikut, Kh., Vorobel, U., Dilai, O., & Vovk, M. (2025). Implementation of international standards in civil law and procedure in Ukraine. *Social & Legal Studios*, 8(4), 38-49. doi: 10.32518/sals4.2025.38.

\*Corresponding author



the trust of society and international partners in the legal system. The practical value of the work lies in the fact that the results obtained can be used by legislators, judicial authorities, relevant ministries and educational institutions in the development of regulations, planning of reforms and training of lawyers

**Keywords:** international law; civil procedure; harmonisation of legislation; functional modelling; IDEFO

### Introduction

The relevance of the chosen topic lies in the fact that, as a result of the full-scale invasion by the Russian Federation, profound and radical transformations are taking place in the national legal system. The latter concern both the country's aspirations to join the European Union and the need to ensure effective protection of human rights and freedoms. Currently, Ukraine is at a critical stage in its development as a state, which is reflected in the fact that the level of compliance and adaptability of national regulatory and legal norms to international standards directly affects not only the stability of the legal system, but also economic stability and the restoration of confidence in the judiciary in the country. No less critical in this context is the strategic level of security. Thus, the implementation of the provisions of the European Convention on Human Rights, EU directives and Council of Europe standards in the field of civil justice is not only a formalised strategic task, but a critical need to ensure an adequate level of justice, especially in the context of martial law, humanitarian crisis and subsequent reconstruction processes.

In the context of full-scale war with Russia, European integration and judicial reform, Ukraine must urgently adapt its civil legislation and processes to international standards. Ukraine's accession to the Council of Europe in 1995 and the ratification of the European Convention on Human Rights (ECHR) in 1997 made European norms part of national law. Subsequently, the Association Agreement between Ukraine and the European Union (2014) established the obligation to harmonise procedural law with EU law and the Conventions of the Hague Conference. Against this backdrop, a broad judicial reform took place in 2016-2017: a new court system was introduced and the requirements for the selection of judges were raised (European Commission, 2023).

The pandemic and the invasion have further complicated access to justice and ensuring reasonable time limits for proceedings. These challenges underscore the need for further implementation of Council of Europe and EU standards (in particular, standards of fair trial, alternative dispute resolution, consumer protection, etc.) into the Ukrainian system. These standards refer, first and foremost, to the Council of Europe's guarantees of fair trial, enshrined in the European Convention on Human Rights (1950) and elaborated in the practice of the European Court of Human Rights, in particular the right of access to a court, the right to have a case heard by an independent and impartial court, publicity, equality of arms and adversarial proceedings, proper reasoning of court decisions, and consideration within a reasonable time. In addition, the Council of Europe's instruments on the management of time and the quality of justice are taken into account, in particular the approaches of the European Commission for the Efficiency of Justice and the Centre for the Management of Judicial Time, and, in terms of alternative dispute resolution, Recommendation of the Committee of Ministers No. (2002)10 (2002) on mediation in civil matters and the European Union's legal framework for mediation and out-of-court settlements. This adaptation is enshrined in the Constitution of Ukraine (1996) – ratified

treaties are part of national legislation. Thus, in view of the war and integration into the EU, Ukraine must make efforts to implement the European Convention on Human Rights, Council of Europe standards and EU directives into its civil legislation and processes. The aforementioned standards of fair trial, alternative dispute resolution and consumer protection refer, first of all, to the guarantees of the European Convention on Human Rights, in particular the right to a fair and public hearing within a reasonable time by an independent and impartial court, as well as the right to an effective remedy. They also refer to the Council of Europe's standards on the organisation of court proceedings, the management of time limits and the efficiency of courts, including the European Commission Saturn Guidelines on the Efficiency of Justice (2020) and Recommendation of the Committee of Ministers No. (99)19 (1999) on civil matters and the proper enforcement of court decisions.

Contemporary scientific research in the field of civil law and procedure in Ukraine forms a multidimensional understanding of the mechanisms for protecting rights and their adaptation to international standards in the context of war and European integration. Thus, I. Hobechiya (2020) emphasises the importance of civil legal capacity of legal entities in the field of legal services as an institutional prerequisite for access to justice and the realisation of the right to judicial protection. While a significant body of research is devoted to the problems of compensation for damage caused by armed aggression and the need to develop special compensation mechanisms taking into account international approaches (Hnativ *et al.*, 2024). In the context of martial law, the consequences of non-fulfilment of civil law obligations, the limits of civil liability and the role of force majeure in law enforcement are also analysed (Kopeltsiv-Levytska *et al.*, 2022). The institutional dimension of the implementation of international standards is revealed by K. Rezvorovych *et al.* (2023) through the experience of self-government of the bar in EU countries and professional ethics as an element of ensuring fair justice, as well as by O.I. Kravchenko (2021) through the study of the interaction between the state and civil society, in which the judiciary acts as a key guarantor of human rights protection.

The substantive legal aspect of the implementation of international standards is revealed in the study by T. Hoffmann (2017), where the Europeanisation of private law in Ukraine is analysed through a comparison in the field of contract law. The author shows that convergence with European approaches is not limited to the mechanical borrowing of norms, as the decisive factor is the harmonisation of concepts, principles and the logic of regulating obligations. A separate area of implementation is the digitalisation of justice and related standards. T. Tsvina (2020) examines online courts and online dispute resolution through the prism of the international standard of access to justice, analysing international experience and its suitability for borrowing. Expanding on this line of thought, A. Denysova *et al.* (2022) focus on the right to a fair trial, drawing on the practice of

the European Court of Human Rights and analysing implementation mechanisms in Ukraine.

The issue of judicial reforms, their focus and impact on guarantees of fair trial is raised by O. Boryslavska (2021). The author interprets reforms in Eastern European countries as a phenomenon that can simultaneously declare the right to a fair trial and create risks for the independence of the judiciary. This source is significant for the topic of the article in that it shows the implementation of international standards as a process that is sensitive to the balance between efficiency and independence, between managerial changes and guarantees of impartiality.

O. Shtefan (2022) directly analyses the problems of reforming Ukraine's civil procedural legislation and the difficulties of its practical implementation. This source allows to move from the general level of standards to the applied level of legislative changes and their functioning in the judicial system. The normative content of international standards of civil procedure is revealed by L. Lichman *et al.* (2022), analysing the principle of reasonableness as a component of international standards. The transnational aspect of the implementation of international standards in the civil sphere is reflected in the work of L. Doroshenko *et al.* (2024), devoted to the recognition and enforcement of foreign court decisions in Ukraine. The authors analyse problematic aspects of procedures and law enforcement that are directly related to private international law and mutual recognition standards.

The aim of the study was to develop scientifically grounded recommendations for the phased implementation of international standards in Ukrainian civil law and procedure. The object of the study was the system of regulatory, institutional and procedural mechanisms that ensure the approximation of Ukrainian civil legislation and judicial proceedings to the requirements of the European Union and the Council of Europe.

### Materials and methods

A comprehensive source base was examined in the course of the study, combining normative legal and analytical materials. The first group includes the Constitution of Ukraine (1996), in particular the provisions on the place of ratified international treaties in the national legal system, the Civil Procedure Code of Ukraine (2004) as the key procedural act, as well as relevant legislative changes in the field of civil rights, including Law of Ukraine No. 3320-IX (2023), which reflects the direction of modernisation of private law regulation. The second group of sources comprises international agreements and obligations. The third group consists of analytical reports and programme materials of international organisations and partners, which specify expectations regarding institutional changes and the implementation of standards.

To analyse such a complex process as the implementation of international standards, it is advisable to use functional modelling according to the IDEF0 methodology. IDEF0 (Integration Definition for Process Modelling) is a method for constructing process models developed for the analysis and communication of the functional components of a system (Create IDEF0 diagrams, 2023). It represents any process in the form of function blocks with incoming and outgoing information flows, as well as control and mechanism (resource) links. In this way, IDEF0 formalises answers to the questions: which functions the system performs, which

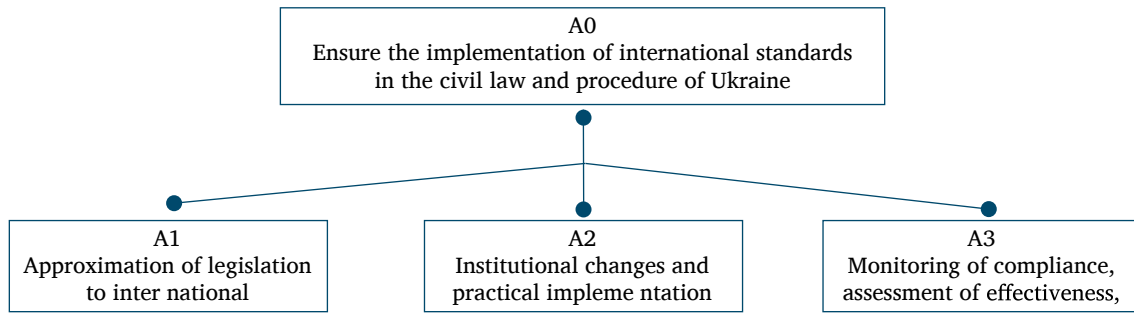
resources are involved and by whom, and which control conditions are satisfied. Such an approach helps to organise the research, involve experts in the discussion, and clearly define the scope of the analysis.

The expert survey was conducted at the stage of constructing and refining the hierarchy of the IDEF0 model, when the objective A0 and the decomposition of stages A1, A2, and A3 were being formed. It was carried out online in the format of a structured question-and-answer form with a section for open comments, and the alignment of positions was ensured through several rounds of review using the Delphi method. In total, 40 experts were involved, including scholars in the field of civil law and procedure, judges or retired judges, advocates, and specialists from public authorities connected with law-making and judicial policy, which made it possible to combine academic, practical, and administrative perspectives. Respondents were asked about the list of key functions and sub-functions of implementation, their logical sequence, the identification of inputs, outputs, control conditions, and resources for each block, the identification of the main responsible actors, as well as typical barriers and performance evaluation criteria at each stage. The sample was formed purposively according to the criteria of relevant experience and participation in reform or law enforcement activities. Contact details were obtained from open official sources and professional networks, as well as through recommendations according to the snowball principle. During the organisation and conduct of the expert survey, generally recognised ethical principles of sociological research were observed, in particular voluntary participation, informed consent, respondent anonymity, and the confidentiality of the data obtained, in accordance with the provisions of the ICC/ESOMAR International Code of Conduct for Market, Public and Social Research and Data Analysis (2016).

It should be noted that the implementation of international standards is a complex and multi-stage process involving a large number of participants (legislators, judges, representatives of ministries, and international institutions) and measures (drafting legislation, training personnel, monitoring the implementation of innovations). In this context, IDEF0 modelling makes it possible to divide this process into a number of functional blocks. Accordingly, the graphical "box-and-arrow" form enables the detection of points of intersection between processes and key actors. This was particularly important during the phased implementation of norms. IDEF0 also provides hierarchical detailing of each stage (serving as the main function) and sub-stages (sub-functions), while maintaining a controlled level of complexity (three to six elements per level).

### Results

In the context of the study, the key objective was identified together with experts and designated as A0: "Ensure the implementation of international standards in the civil law and procedure of Ukraine." To achieve this, a number of stages were identified, forming the set  $A = \{A1, A2, A3\}$ . Thus, this set constitutes the hierarchical structure of the IDEF0 model. It should be noted that such a format represents a necessary step for the systematic presentation of the process of implementing international standards, as it allows tasks to be clearly structured, the logic of their execution to be established, and the coordination of actions of all involved stakeholders to be ensured (Fig. 1).



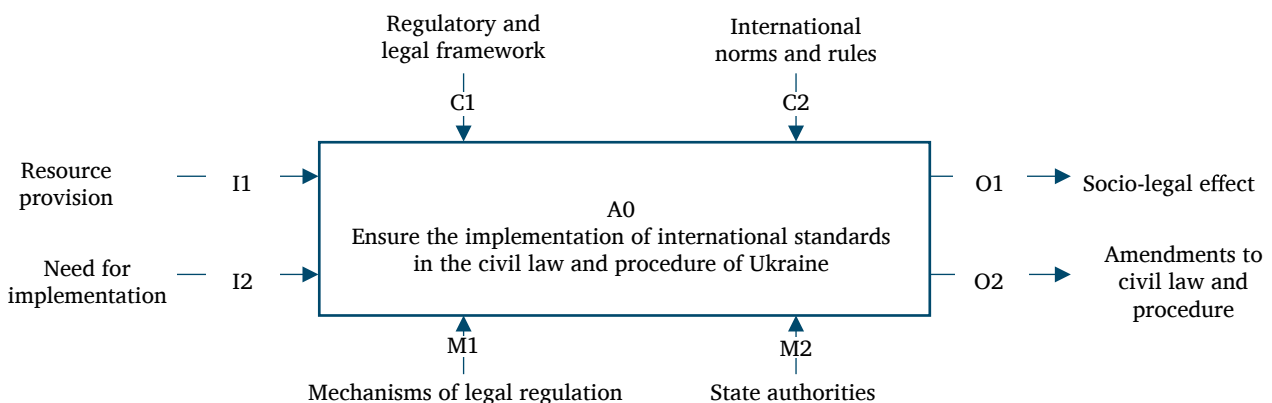
**Figure 1.** Hierarchical structure of the IDEF0 model for ensuring the implementation of international standards in the civil law and procedure of Ukraine

Source: developed by the authors

In order for the construction of the hierarchy of functions of legislative harmonisation to rely not only on abstract concepts but also on the existing regulatory model, the study applied formal legal, system-structural, and comparative legal methods to key normative sources governing the adaptation of Ukrainian legislation to European Union standards. The international legal foundation is provided by the Partnership and Cooperation Agreement between Ukraine and the European Communities and their Member States (1994), which establishes the obligation of gradual legislative approximation and directs it towards specific areas, allowing harmonisation to be treated as a legally conditioned function rather than merely a theoretical construct. The national framework is detailed in the Concept of Adaptation of Ukrainian Legislation to the Legislation of the European Union (1999), which establishes a phased approach, organisational mechanisms for law-drafting and coordination, and instruments for planning and methodological support. The nationwide programme of 2004 defines adaptation as the alignment of laws and subordinate acts with the *acquis*, the concept of which is explained in the glossary of European Union law, and also directly provides for an institutional mechanism and annual action plans covering comparative legal studies, translation of *acquis* acts, and preparation of a glossary. This justifies the allocation of the relevant sub-functions within the harmonisation block of the IDEF0 model (Law of Ukraine No. 1629-IV, 2004; European Union, n.d.). Current administrative practice complements this framework with a self-screening procedure, within which more than 80 bodies have been

involved and approximately 28,000 acts of European Union law have been processed, as well as reports prepared for 34 negotiation chapters. This forms the current evidentiary basis for the prioritisation and decomposition of harmonisation functions (Government Office for Coordination of European and Euro-Atlantic Integration of Ukraine, n.d.). Additionally, the orders of the Cabinet of Ministers of Ukraine concerning action plans for 2024 and 2025 to implement the recommendations of the European Commission within the Enlargement Package establish parameters for timeframes, responsible actors, and control, which are necessary for correct hierarchical structuring (Order of the Cabinet of Ministers of Ukraine No. 133-r, 2024; Order of the Cabinet of Ministers of Ukraine No. 300-r, 2025).

The next step is the formation of the actual context diagram of the IDEF0 model for ensuring the implementation of international standards in the civil law and procedure of Ukraine, which, similar to a “black box” model, includes the following elements: C (controls), M (mechanisms), I (inputs), and O (outputs). It should be noted that such a structure creates a comprehensive understanding of the system’s boundaries, its subordination to external conditions (normative acts, international obligations), the resources used (institutions, specialists, technical means), as well as the specific changes expected at the output (adapted legislation, new procedures, and increased legal compliance). Accordingly, the IDEF0 context diagram for ensuring the implementation of international standards in the civil law and procedure of Ukraine is presented in Figure 2.



**Figure 2.** IDEF0 context diagram for ensuring the implementation of international standards in the civil law and procedure of Ukraine

Source: developed by the authors

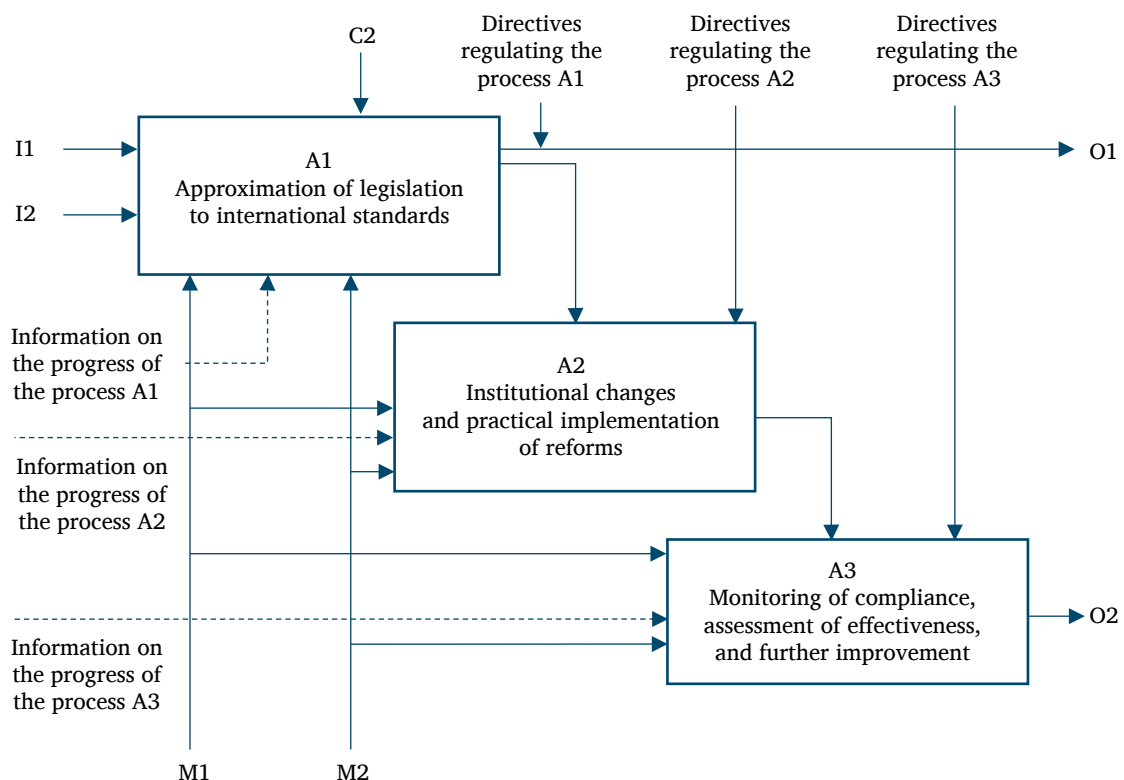
Thus, the key processes for achieving A0, “Ensure the implementation of international standards in the civil law and procedure of Ukraine”, include:

A1. Approximation of legislation to international standards. At this stage, the state regulator carries out legal analysis and revision of the existing national norms in order to identify discrepancies between the requirements of the EU, the Council of Europe, and international treaties. In accordance with the obligations under the Association Agreement, Ukraine implements the adaptation of its legislation to EU legal norms, gradually bringing the existing constitutional and sectoral acts closer to European legal standards (European Union, 2020). In particular, this involves the adoption of domestic regulatory acts aimed at implementing the provisions of EU and international law, as well as amendments to the existing codes and laws. Upon completion of this stage, Ukrainian legislation will be more consistent with the standards of the EU and the Council of Europe, thereby forming a solid legal foundation for the effective implementation of tactical and strategic changes.

A2. Institutional changes and practical implementation of reforms. This stage enables the creation of new organisational and institutional preconditions for the real implementation of the adopted norms and standards in everyday judicial practice. After the laws have been

updated, it is necessary to ensure that the new rules operate effectively; for this purpose, institutions, procedures, and approaches to the administration of justice are reformed. Ukraine introduces modern European practices in the organisation of the judicial system and the legal professions, enhances the professional capacity of judges and advocates, and modernises the infrastructure of justice. The aim of this stage is to move from the formal adoption of standards to their practical application, so that citizens’ rights are genuinely protected at the level expected within the European community.

A3. Monitoring of compliance, assessment of effectiveness, and further improvement. Following normative and organisational changes, the state must establish mechanisms for the continuous monitoring of their implementation, assess the effectiveness of the innovations, and adjust policy where necessary. This includes the collection of statistical data on court performance, the analysis of judicial practice for compliance with precedents, and parliamentary and public oversight of the implementation of reforms. It is important to ensure the sustainability of reforms: to prevent new norms from remaining merely declarative, effective measures of accountability for non-compliance are introduced, and further training and the exchange of experience with the EU are encouraged (Fig. 3).



**Figure 3.** First-level decomposition of the IDEF0 context diagram for ensuring the implementation of international standards in the civil law and procedure of Ukraine

Source: developed by the authors

A distinctive feature and advantage of the IDEF0-based functional methodology is that each process can be broken down into detail. This is called decomposition of the second, third, and so on, levels. Thus, within the framework of this study, detail A1, “Approximation of legislation to international standards”:

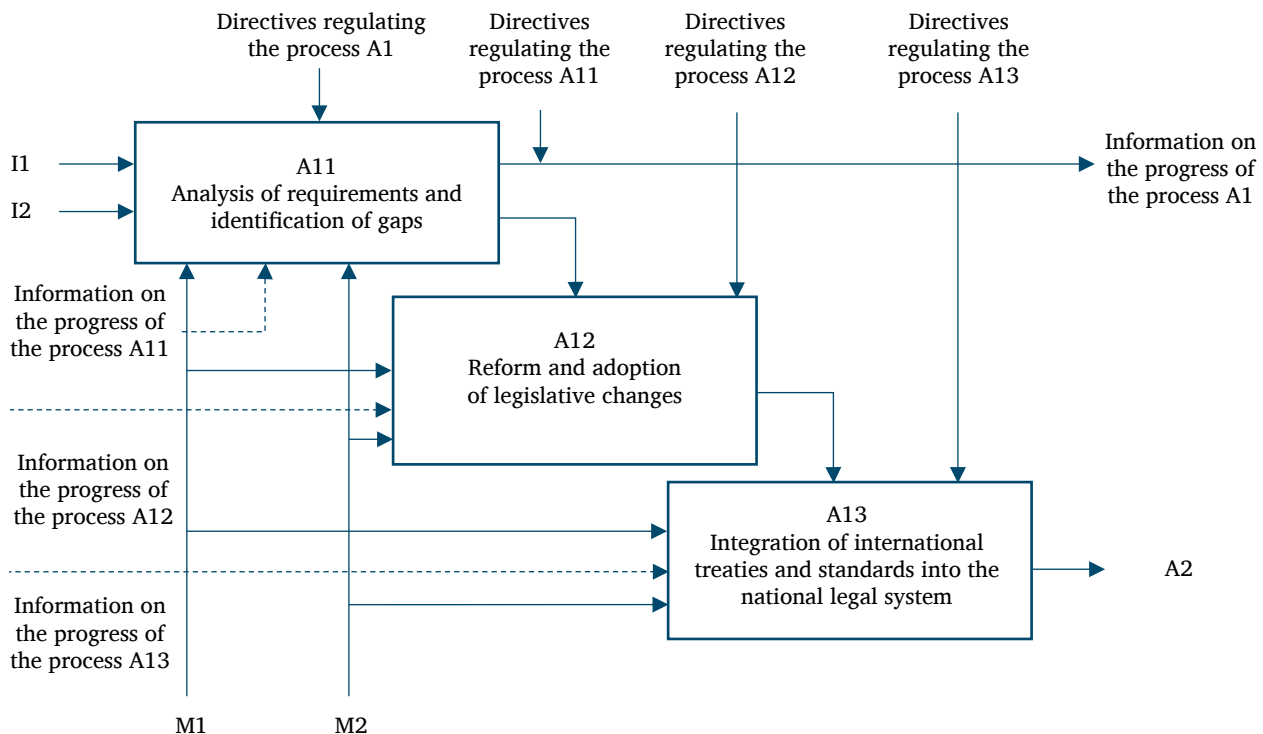
A11. Analysis of requirements and identification of gaps. At the beginning of implementation, a thorough analysis of the compliance of national law with international standards is carried out, including a study of the EU acquis, Council of Europe recommendations, and the practice of the European Court of Human Rights. In this work, the acquis of the

European Union refers to the norms and principles of European Union law in the field of justice and fundamental rights, as well as instruments of civil judicial cooperation governing jurisdiction, recognition and enforcement of judgments, service of procedural documents, taking of evidence, mediation and out-of-court settlement of disputes. The Council of Europe's recommendations are specified through standards of fair trial and independence of judges, as well as the European Commission for the Efficiency of Justice's methodological approaches to the timing and quality of case handling, while the practice of the European Court of Human Rights was analysed primarily within the framework of the application of Articles 6 and 13 of the European Convention on Human Rights (1950), with an emphasis on access to court, reasonable time limits and the enforcement of court decisions. Thus, Ukrainian authorities, together with European experts, should identify problem areas, such as excessive length of court proceedings, difficulties in enforcing court decisions, and limited access to justice. In cooperation with the Council of Europe, an expert review of procedural legislation should be carried out, for example, an analysis of the new Civil Procedure Code of Ukraine (2004) to identify the reasons for excessive length of proceedings. Identifying such gaps and shortcomings lays the foundation for a targeted update of the regulatory framework in line with European criteria for fair, effective and accessible justice.

A12. Reforming and adopting legislative changes. Based on the analysis, Ukraine is developing and implementing specific legislative reforms that bring civil law and procedure closer to international standards. This step includes

amending the Civil Code, adopting new laws and ratifying international agreements. Thus, by updating its legislation, Ukraine can implement the provisions of the European Convention on Human Rights (1950) (Article 6 on the right to a fair trial, Article 13 on effective legal remedies, etc.) and move closer to the EU *acquis* in the field of justice. Assessing the amendments already adopted to the Civil Procedure Code of Ukraine (2004), i.e. the legislative approximation to international standards and the *acquis* of the European Union, cautious but mainly incremental progress can be noted, which partly corresponds to the approach of the European Commission, where the priority is to increase legal certainty and the effectiveness of rights protection. On the positive side, Law of Ukraine No. 3320-IX (2023) introduced digital items into the list of objects of civil rights and defined them in the code, which forms the private law basis for the circulation of digital goods and is a step towards modern European approaches in private law.

A13. Integration of international treaties and standards into the national legal system. In the context of this stage, it is important to accede to existing international treaties and subsequently implement their provisions and norms into the national legislative system. In general, the integration of the most effective international legal instruments will enable Ukraine to optimally and flexibly implement international rules and approaches that have long proven their effectiveness in EU countries into the national system. As a result, this will contribute to the unification of legal norms and increase confidence in Ukrainian court decisions abroad (Fig. 4).



**Figure 4.** Second-level decomposition (A1) of the IDEF0 context diagram for ensuring the implementation of international standards in the civil law and procedure of Ukraine

Source: developed by the authors

In a similar manner, process A2 “Institutional changes and practical implementation of reforms” is further detailed:

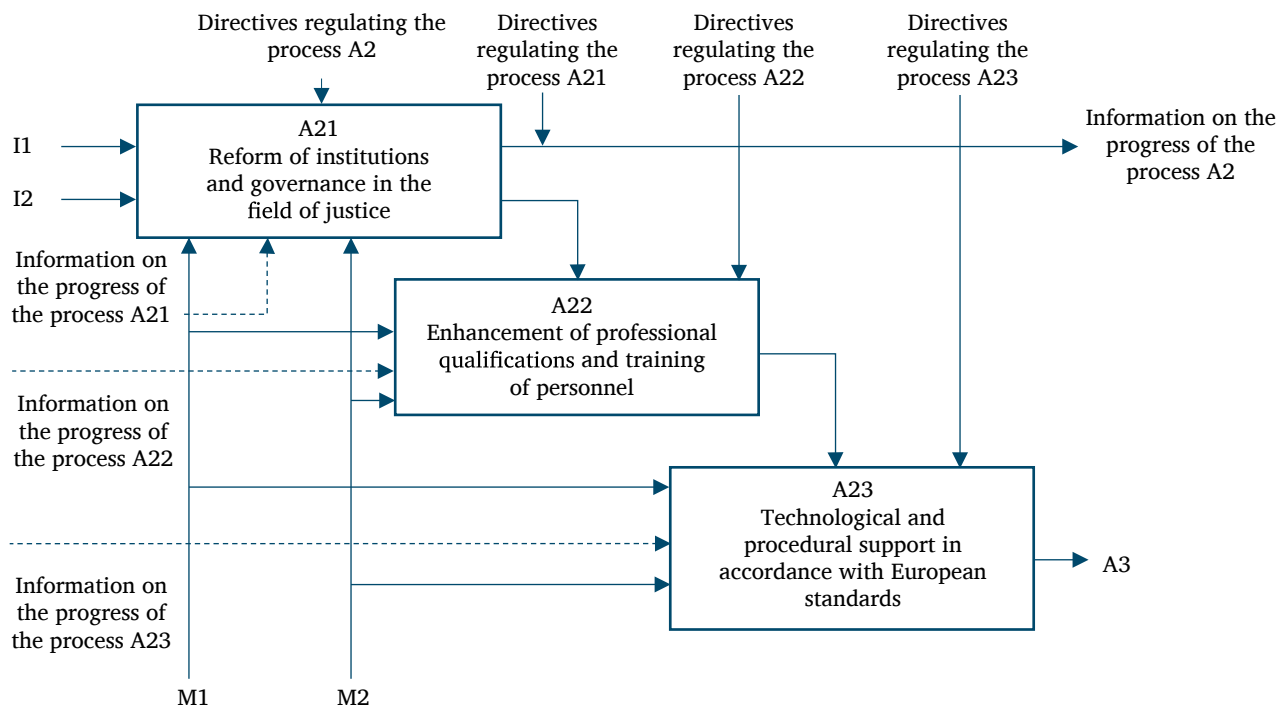
A21. Reform of institutions and governance in the field of justice. In order to implement the new standards as

effectively as possible, Ukraine must fundamentally update the structure and bodies responsible for the administration of justice and the protection of citizens' rights. In accordance with current European recommendations concerning the independence of the judiciary, the system of court governance itself requires reform. For this purpose, a new Supreme Court is established and the court system is streamlined to three instances. Another important step has been the revision of the procedures for the selection and evaluation of judges (European Commission, 2022). In this context, it is also necessary to reform the system for the enforcement of court decisions. To this end, the state must develop a new strategy and corresponding legislation on compulsory enforcement, based on the practices of EU Member States. All these measures are aimed at building the institutional capacity of Ukraine's legal system to comply with international standards at all stages and in all areas of judicial activity.

A22. Improvement of professional qualifications and training of personnel. The successful implementation of modern standards is impossible without the proper preparation of those who apply these standards in practice – judges, lawyers, and court staff. One of the challenges identified during the assessment of the system is the limited awareness among legal professionals of international and European law. Recommendations of international experts also emphasise the development of “soft skills”: the

ability to draft judicial decisions, use alternative dispute resolution methods, and possess foreign language skills in order to access legal sources (Reforming Ukraine's Judiciary..., 2024). In order to overcome the existing gaps, large-scale educational programmes and training initiatives should be introduced in cooperation with European partners. For example, with the support of the Council of Europe, seminars should be conducted on the application of the Convention for the Protection of Human Rights and the case-law of the Strasbourg Court in civil matters; EU projects (such as Twinning) involve experts from Member States to facilitate the exchange of experience.

A23. Technological and procedural support in accordance with European standards. In order for Ukraine's judicial system to reach the level of efficiency and transparency accepted in Europe, modern technological solutions must be introduced and procedural practices optimised. In particular, in response to challenges such as the COVID-19 pandemic and martial law, Ukraine is actively adopting the experience of European countries in the digitalisation of justice. With the support of CEPEJ (the European Commission for the Efficiency of Justice), practical guidelines should be developed for conducting remote court hearings using videoconferencing, with particular attention paid to ensuring compliance with the principle of a fair trial in the context of online proceedings (Fig. 5)



**Figure 5.** Second-level decomposition (A2) of the IDEF0 context diagram

for ensuring the implementation of international standards in the civil law and procedure of Ukraine

Source: developed by the authors

Finally, the last process, namely A3 “Monitoring compliance, evaluating effectiveness and further improvement”, should be detailed:

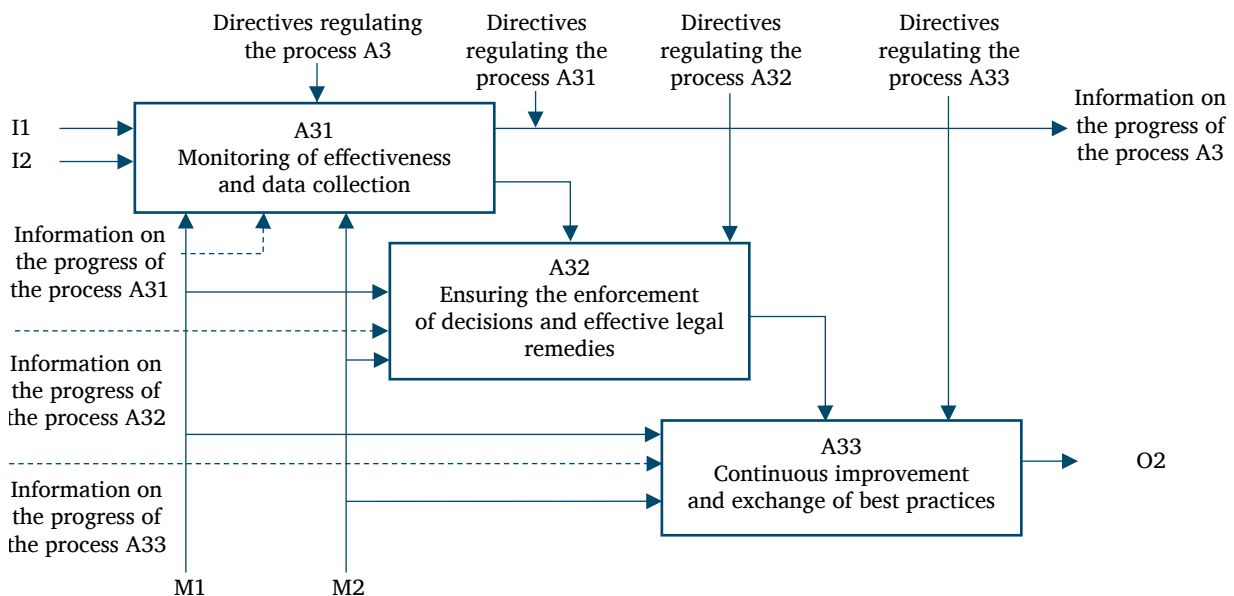
A31. Monitoring effectiveness and data collection. After the implementation of reforms, the establishment of a system for assessing their effectiveness becomes crucial. With the support of European partners, Ukraine is intro-

ducing quantitative and qualitative indicators of judicial performance, making it possible to measure progress in achieving international standards. In particular, CEPEJ standards on statistical reporting should be taken into account: the average length of proceedings, the judicial workload rate, the percentage of enforced court decisions, and similar indicators. The systematic collection of information

and the openness of such data (through reports of the High Council of Justice, the Ministry of Justice, and independent studies) make it possible to objectively assess whether the implemented standards are functioning properly. This approach is consistent with European principles of public accountability and serves as a basis for evidence-based decision-making.

A32. Ensuring the enforcement of judgments and effective legal remedies. Another important direction is guaranteeing that Ukraine fulfils its obligations under judgments of the European Court of Human Rights and provides citizens with effective remedies in cases of rights violations. Drawing on the practice of Council of Europe member states (for example, in Italy the so-called “Pinto Law” (Law of Italy No. 89, 2001) introduced compensation for excessively long judicial proceedings), the Ukrainian authorities should introduce two types of remedies: compensatory (financial redress for delays) and acceleratory (procedures aimed at expediting the consideration of cases).

A33. Continuous improvement and exchange of best practices. In this context, Ukraine should participate in the most effective pan-European initiatives such as e-CODEX. This will make it possible to ensure optimal cross-border data exchange in civil matters and to introduce modern cybersecurity standards for judicial systems. It should be noted that national independent institutions will also play an important role in this process. In particular, this concerns civil society and the academic community, which are able to monitor developments and contribute to the formulation of reform strategies for outdated mechanisms. All these activities should likewise rely on comparison with and adaptation of EU experience. In view of this, the entire implementation process cannot be limited to the formal fulfilment of a list of requirements, but must also involve the adoption of a course of continuous improvement of the national legal system. This approach is intended to ensure the maintenance of a consistently high level of compliance with standards in the long term, as well as readiness for prompt response and adaptation to new challenges and requirements (Fig. 6).



**Figure 6.** Second-level decomposition (A3) of the IDEF0 context diagram for ensuring the implementation of international standards in civil law and procedure in Ukraine

Source: developed by the authors

In summary, within the framework of the study, the use of IDEF0 functional modelling proved important for constructing a comprehensive, logically structured model for the implementation of international standards in the civil law and procedure of Ukraine, taking into account the challenges of wartime, real institutional constraints, and the state’s obligations to the EU. The study not only conceptualises the problem but also proposes an algorithm of actions with specific stages and control mechanisms, making it a unique resource for legislators, reform experts, educational programmes, and technical assistance projects.

## Discussion

It would be appropriate to compare the results obtained with studies that propose other models of harmonisation and legal transfer, as this would show how the logic of the phased model proposed in this paper differs, as well as

which elements can be borrowed or refined. In this study, the implementation of international standards is presented as a managed process with sequential stages covering legislative approximation, institutional transformation, and continuous monitoring of implementation based on IDEF0 functional modelling. Thus, for example, a comparison with the approach of V. Komarov and T. Tsvina (2021) demonstrates a different logic of harmonisation, which can be conditionally called conventional-precedential. The authors focus on the influence of the European Convention on Human Rights and the practice of the European Court of Human Rights on civil proceedings in Ukraine, i.e. the mechanism of transfer of standards is implemented through judicial interpretation, changes in procedural guarantees and stabilisation of approaches in law enforcement. The study by A. Potapenko *et al.* (2021) proposes yet another model of legal transfer, focused on the level

of judicial decision in a specific case. The authors analyse the implementation of international standards through the criteria for determining an effective civil law remedy by a national court, i.e. the focus shifts to the micro level of judicial protection of rights, its adequacy, proportionality and effectiveness.

The use of the work of V. Alkema *et al.* (2024) is methodologically justified if the implementation of standards in the context of martial law is considered as a task of institutional stability. Although the study focuses on the sustainability and strategic management of the economic and social security of enterprises, it demonstrates the managerial logic of adapting systems to prolonged crisis conditions, when continuity of operation, resource support and resilience become key. The work of M. Bani-Meqdad *et al.* (2024) examines cyber threats in the human rights system, particularly in terms of intellectual property. Although this issue is tangentially relevant to civil law, current study focuses on the fundamental institutional level of legal regulation (e.g., rules for the enforcement of decisions, guarantees of a fair trial) rather than on a specific legal institution or electronic environment.

In the context of the results obtained, it is advisable to correlate the proposed model for the implementation of international standards with scientific approaches that highlight individual elements of this process. In particular, the institutional focus of the IDEF0 model is consistent with studies that emphasise the role of legal entities in the provision of legal services and their civil legal capacity as a prerequisite for real access to justice and effective judicial protection (Hobechiya, 2020). The substantive legal dimension of implementation related to the protection of property rights is reflected in works devoted to compensation for damage caused by armed aggression, which justify the need for special mechanisms for compensation and adaptation of civil legislation to military conditions (Hnativ *et al.*, 2024), as well as in studies of the consequences of non-fulfilment of civil law obligations during martial law, which raise the issues of liability, force majeure and the stability of civil turnover (Kopeltsiv-Levytska *et al.*, 2022). The institutional transformations laid out in block A2 of the model correspond to the European experience of self-government of the bar and professional ethics as a component of fair justice (Rezvorovych *et al.*, 2023), as well as with scientific conclusions on the need to deepen interaction between the state and civil society in order to increase trust in the judiciary (Kravchenko *et al.*, 2021). The procedural and technological dimension of implementation is confirmed in works on the digitisation of justice and the activities of the European Court of Human Rights, where digital tools are seen as a means of improving the efficiency of case consideration and enforcement of court decisions (Tsybulska *et al.*, 2022). Finally, the issue of the invalidity of legal transactions and the analysis of judicial practice in a comparative legal dimension complement the proposed model, since it is the quality of substantive legal constructs and their consistency with European approaches that influence the effectiveness of the entire implementation mechanism (Yanovytska *et al.*, 2023).

A comparison of the research results with the scientific approaches presented confirms that the implementation of international standards in Ukrainian civil law and procedure should be viewed as a complex and interrelated process that

encompasses substantive, institutional, procedural, and enforcement elements and requires a systematic rather than a fragmented approach. Thus, unlike existing works, this study is interdisciplinary, systematic and practical in nature, and the use of the IDEF0 model allows to move from conceptual considerations to instrumental planning of adaptation processes suitable for implementation within the framework of state legal policy.

## Conclusions

The study proposed a model reflecting the process of implementing international standards in civil law and the process in Ukraine, i.e. bringing national legislation and judicial practice into line with the norms and principles adopted by the EU, the Council of Europe and the international community. The topic was determined by Ukraine's European integration course and the need to ensure effective protection of human rights in accordance with international obligations. The study was conducted under certain constraints: in particular, the lack of up-to-date statistical data on the impact of reforms on judicial practice and difficulties in accessing complete judicial practice due to martial law and the reform of judicial bodies. Despite this, alternative sources – official reports, international reviews, expert assessments – were used to fill in the information gaps. Methodologically, functional modelling (IDEF0 method) was used to visually represent and systematise the process of implementing standards, which made it possible to structure the complex stages of reform and trace the logical relationships between them.

The study analysed all components of the implementation process (from the stage of drafting laws to their practical application and evaluation of effectiveness). It was determined that the first (regulatory) stage established the qualitative and quantitative changes required for the regulatory framework in the context of compliance with international standards. In this context, gaps were identified by highlighting the need for a comparative analysis, after which a series of reforms are expected to be adopted (updating procedural codes, ratifying important conventions, adopting laws to implement ECHR decisions). The second (institutional) stage includes measures to ensure the implementation of new norms. In practice, this will manifest itself in the processes of reorganising the judicial system (creating effective judicial bodies, specialising judges, and radically reforming the executive service), improving the professional competence of judges and lawyers through training in European law. Equally important is the introduction of technological innovations such as e-justice and mediation. All of the above steps are aimed at fundamentally modernising the justice infrastructure and bringing it closer to European standards. The third stage, called monitoring and improvement, involves assessing the effectiveness of the reforms and implementing measures to ensure their sustainability. In practice, this involves the systematic collection of data and performance indicators from courts that have already demonstrated positive trends (reduction in case processing times, reduction in unfulfilled decisions).

Despite covering the main issues, some aspects of the implementation of international standards remain open and require further study. First and foremost, a promising area is the quantitative assessment of the impact of the reforms: further research could analyse in more detail the statistical

indicators of court performance (e.g., workload dynamics, percentage of decisions enforced, level of public trust in the courts) before and after the implementation of key changes in order to measure the effectiveness of each measure. Judicial practice deserves special attention: an in-depth analysis is needed of how Ukrainian courts apply the new rules on a daily basis and whether practice has become more uniform and consistent with European practice.

## Acknowledgements

None.

## Funding

The study was not funded.

## Conflict of interest

None.

## References

- [1] Alkema, V., Hryhoruk, P., Skhidnytska, H., & Sylkin, O. (2024). Resilience and strategic management: Ways to ensure economic and social security of Ukrainian enterprises during long-term warfare. *Clio. Journal of History, Human Sciences and Critical Thought*, 9, 740-767. doi: 10.5281/zenodo.14567108.
- [2] Association Agreement between Ukraine and the European Union. (2014, December). Retrieved from <https://www.kmu.gov.ua/storage/app/sites/1/uploaded-files/ASSOCIATION%20AGREEMENT.pdf>.
- [3] Bani-Meqdad, M.A.M., Senyk, P., Udod, M., Pylypenko, T., & Sylkin, O. (2024). Cyber-environment in the human rights system: Modern challenges to protect intellectual property law and ensure sustainable development of the region. *International Journal of Sustainable Development and Planning*, 19(4), 1389-1396. doi: 10.18280/ijstdp.190416.
- [4] Boryslavska, O. (2021). Judicial reforms in Eastern Europe: Ensuring the right to a fair trial or an attack on the independence of the judiciary? *Access to Justice in Eastern Europe*, 1(9), 122-142. doi: 10.33327/AJEE-18-4.1-a000049.
- [5] Civil Procedure Code. (2004, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/1618-15#Text>.
- [6] Constitution of Ukraine. (1996, June). Retrieved from <https://www.president.gov.ua/documents/constitution>.
- [7] Create IDEF0 diagrams. (2023). Retrieved from <https://surl.li/jozwol>.
- [8] Denysova, A.V., Blaga, A.B., Makovii, V.P., & Kaliuzhna, Y.S. (2022). The right to a fair trial: The European Court of Human Rights case-law and its implementation in Ukraine. *Prawo i Więź*, 2(40), 109-125. doi: 10.36128/priw.vi40.385.
- [9] Doroshenko, L., Verba, O., Drogoziuk, K., Hofman, O., & Shcherbakova, N. (2024). Peculiarities of recognition and enforcement of foreign judgments in Ukraine: Problematic aspects. *Amazonia Investiga*, 13(82), 276-287. doi: 10.34069/AI/2024.82.10.22.
- [10] European Commission Saturn Guidelines on the Efficiency of Justice. (2020). *Declaration CEPEJ*. Retrieved from <https://rm.coe.int/cepej-declaration-on-lessons-learned-cepej-2020-8rev/16809ede8b>.
- [11] European Convention on Human Rights. (1950, November). <https://www.echr.coe.int/documents/d/echr/convention ENG>.
- [12] European Union. (2020). *Government office for coordination on European and Euro-Atlantic integration. Association Agreement implementation report*. Retrieved from <https://surl.lt/cefqfb>.
- [13] European Union. (n.d.). *Acquis*. Retrieved from <https://eur-lex.europa.eu/EN/legal-content/glossary/acquis.html?utm>.
- [14] European Commission. (2022). *Commission Opinion on Ukraine's application for membership of the European Union*. Retrieved from <https://surl.lt/nbxpsx>.
- [15] European Commission. (2023). *Commission staff working document. Ukraine 2023 report*. Retrieved from [https://enlargement.ec.europa.eu/system/files/2023-11/SWD\\_2023\\_699%20Ukraine%20report.pdf#:~:text=proceedings%20as%20well%20as%20violation,of%20the%20judiciary%20and%20law](https://enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_699%20Ukraine%20report.pdf#:~:text=proceedings%20as%20well%20as%20violation,of%20the%20judiciary%20and%20law).
- [16] Government Office for Coordination of European and Euro-Atlantic Integration of Ukraine. (n.d.). *Report on the initial assessment of the progress in the implementation of the European Union legal acts (EU acquis)*. Retrieved from [https://eu-ua.kmu.gov.ua/wp-content/uploads/Zvit\\_EN.pdf?utm](https://eu-ua.kmu.gov.ua/wp-content/uploads/Zvit_EN.pdf?utm).
- [17] Hnativ, O., Yanovytska, H., Senyk, S., & Pasailiuk, I. (2024). *Peculiarities of compensation for damages and losses caused as a result of the armed aggression of the Russian Federation against Ukraine*. *University of Western Australia Law Review*, 51(1), 116-132.
- [18] Hobechiya, I. (2020). The concept and signs of civil legal personality of legal entities in the field of providing legal services under the legislation of Ukraine. *Evropsky Politicky a Pravni Diskurz*, 7(6), 335-344. doi: 10.46340/eppd.2020.7.6.43.
- [19] Hoffmann, T. (2017). Europeanisation of private law in Ukraine: Comparisons in the field of law of obligations. *Problems of Legality*, 138, 55-69. doi: 10.21564/2414-990x.138.105313.
- [20] ICC/ESOMAR International Code of Conduct for Market, Public and Social Research and Data Analysis. (2016). Retrieved from <https://surl.li/vrlyhe>.
- [21] Komarov, V., & Tsvina, T. (2021). The impact of the European Convention on Human Rights and the case law of the European Court of Human Rights on civil procedure in Ukraine. *Access to Justice in Eastern Europe*, 1(9), 79-101. doi: 10.33327/AJEE-18-4.1-a000047.
- [22] Komarov, V.V., & Tsvina, T.A. (2021). International standard of access to justice and subject of civil procedural law. *Journal of the National Academy of Legal Sciences of Ukraine*, 28(3), 197-208. doi: 10.37635/jnalsu.28(3).2021.197-208.
- [23] Kopeltsiv-Levytska, Y., Andrusiv, U., Syiploki, M., Shcherbakova, N., & Mykolaiets, V. (2022). *Consequences of failure to comply with civil legal obligations during the war*. *Ad Alta-Journal of Interdisciplinary Research*, 12(2), 96-99.
- [24] Kravchenko, O.I., Dudchenko, O.S., Kunenko, I.S., Spodynskyi, O.O., & Delia, O.V. (2021). Aspects of expanding the interaction between the state and civil society. *Cuestiones Politicas*, 39(71), 108-125. doi: 10.46398/cuestpol.3971.05.
- [25] Law of Italy No. 89 "On the Provision for Fair Compensation in the Event of Violation of the Reasonable Time Limit for Proceedings and Amendment of Article 375 of the Code of Civil Procedure". (2001, March). Retrieved from <https://www.unionediritiumani.it/wp-content/uploads/2012/07/legge-pinto-aggiornata.pdf>.

- [26] Law of Ukraine No. 1629-IV “On the National Program for Adapting Ukrainian Legislation to the Legislation of the European Union”. (2004, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/1629-15#n16>.
- [27] Law of Ukraine No. 3320-IX “On amendments to the Civil Code of Ukraine to expand the scope of civil rights”. (2023, August). Retrieved from <https://zakon.rada.gov.ua/laws/show/3320-20#Text>.
- [28] Lichman, L., Dryshliuk, A., Murzenko, M., & Boiko, V. (2022). Principle of reasonableness in international standards of civil proceedings. *International Journal of Law, Crime and Justice*, 69, article number 100529. doi: 10.1016/j.ijlcrj.2022.100529.
- [29] Order of the Cabinet of Ministers of Ukraine No. 133-r “On Approval of the Action Plan for Implementing the Recommendations of the European Commission Presented in the Progress Report on Ukraine Within the Framework of the 2023 European Union Enlargement Package Cabinet of Ministers of Ukraine”. (2024, February). Retrieved from <https://ips.ligazakon.net/document/kr240133?an=1>.
- [30] Order of the Cabinet of Ministers of Ukraine No. 300-r “On Approval of the Action Plan for Implementing the Recommendations of the European Commission Presented in the Progress Report on Ukraine Within the Framework of the 2024 European Union Enlargement Package Cabinet of Ministers of Ukraine”. (2025, March). Retrieved from <https://ips.ligazakon.net/document/kr250300?an=13>.
- [31] Partnership and Cooperation Agreement between Ukraine and the European Communities and their Member States. (1994). Verkhovna Rada of Ukraine. (1994, June). Retrieved from [https://zakon.rada.gov.ua/laws/show/998\\_012#Text](https://zakon.rada.gov.ua/laws/show/998_012#Text).
- [32] Potapenko, A.V., Pylypenko, S.A., Korolenko, V.M., & Melnyk, I.S. (2021). Implementation of international standards for determining an efficient civil law remedy by a national court. *International Journal of Criminology and Sociology*, 10, 412-422. doi: 10.6000/1929-4409.2021.10.49.
- [33] Recommendation of the Committee of Ministers of the Council of Europe to Member States of the Council No. (99)19 “On Organising Mediation in Criminal Matters”. (1999, September). Retrieved from [https://zakon.rada.gov.ua/laws/show/994\\_828#Text](https://zakon.rada.gov.ua/laws/show/994_828#Text).
- [34] Recommendation of the Committee of Ministers to member States No. (2002)10 “On Mediation in Civil Matters”. (2002, September). Retrieved from <https://surl.li/oujrz>.
- [35] Reforming Ukraine’s judiciary – EU accession, democracy, and the rule of law. (2024). Retrieved from <https://revdem.ceu.edu/2024/10/02/reforming-ukraines-judiciary/#:~:text=crucial%20for%20future%20judges,fits>.
- [36] Resolution Cabinet of Ministers of Ukraine No. 149 “On the Concept of Adaptation of Ukrainian Legislation to the Legislation of the European Union”. (1999, August). Retrieved from <https://zakon.rada.gov.ua/laws/show/1496-99-%D0%BF#Text>.
- [37] Rezvorovych, K., Vovk, M., Koretskyi, S., Shupyana, M., & Alonkin, O. (2023). Self-governance structures in EU nations: Drawing lessons for Ukraine’s bar systems. *Amazonia Investiga*, 12(70), 210-219. doi: 10.34069/AI/2023.70.10.19.
- [38] Shtefan, O. (2022). Reform of civil procedural legislation of Ukraine and problems of its implementation. *Teisė*, 124, 183-194. doi: 10.15388/Teise.2022.124.16.
- [39] Supporting Ukraine in the execution of judgments of the European Court of Human Rights (2023). Retrieved from <https://surl.li/oxsapa>.
- [40] Tsvina, T. (2020). Online courts and online dispute resolution in terms of the international standard of access to justice: International experience. *Problems of Legality*, 149, 62-79. doi: 10.21564/2414-990x.149.201782.
- [41] Tsybulska, O., Prytuliak, V., Shcherbak, S., Verba, O., Kozhevnikova, A. (2022). Digitalization of the ECtHR activities in inheritance cases and in compulsory enforcement of jurisdictional decisions: International-legal aspect. *Amazonia Investiga*, 11(58), 168-176. doi: 10.34069/AI/2022.58.10.18.
- [42] Yanovytska, H., Yanovytska, A., Andrusiv, U., Mykhayliv, M., & Kravchyk, M. (2023). Invalidity of transactions: Analysis of grounds and civil legal consequences. *Revista Juridica Portucalence*, 34, 53-79. doi: 10.34625/issn.2183-2705(34)2023.ic-03.

## Імплементація міжнародних стандартів у цивільне право та процес України

### Наталія Грабар

Кандидат юридичних наук, доцент  
Львівський державний університет внутрішніх справ  
79007, вул. Городоцька, 26, м. Львів, Україна  
<https://orcid.org/0000-0001-5533-6765>

### Христина Майкут

Кандидат юридичних наук, доцент  
Львівський державний університет внутрішніх справ  
79007, вул. Городоцька, 26, м. Львів, Україна  
<https://orcid.org/0000-0002-2196-4023>

### Уляна Воробель

Доктор філософії в галузі права, доцент  
Львівський державний університет внутрішніх справ  
79007, вул. Городоцька, 26, м. Львів, Україна  
<https://orcid.org/0000-0003-0480-5394>

### Ольга Ділай

Доктор юридичних наук, доцент  
Львівський державний університет внутрішніх справ  
79007, вул. Городоцька, 26, м. Львів, Україна  
<https://orcid.org/0000-0003-2872-5567>

### Марія Вовк

Кандидат юридичних наук, доцент  
Львівський державний університет внутрішніх справ  
79007, вул. Городоцька, 26, м. Львів, Україна  
<https://orcid.org/0000-0002-8740-8222>

**Анотація.** Актуальність роботи зумовлена нагальною потребою України гарантувати ефективний захист прав людини в умовах євроінтеграції та воєнного стану шляхом адаптації цивільного права і процесу до міжнародних стандартів. Повномасштабне вторгнення російської федерації загострило проблему захисту прав цивільного населення та відшкодування шкоди, завданої збройною агресією. Це висуває на перший план питання оперативної адаптації механізмів цивільної відповідальності та процесуальних гарантій до стандартів гуманітарного і міжнародного приватного права, включно з ефективним виконанням судових рішень і транснаціональним визнанням позовів щодо компенсації. Метою роботи було формування цілісної, поетапної моделі впровадження цих стандартів з урахуванням європейських вимог. У дослідженні застосовано порівняльно-правовий аналіз, функціональне моделювання IDEF0. На підставі моделі IDEF0 встановлено, що ключовими є три взаємопов'язані етапи: гармонізація законодавства, інституційні перетворення та безперервний моніторинг виконання. Було проаналізовано такі аспекти, як реформування органів суддівського врядування, цифровізація судочинства, впровадження компенсаційних механізмів за порушення права на розумний строк, а також узагальнено результати порівняльного досвіду держав Європейського Союзу. Встановлено, що саме системна реалізація запропонованих кроків істотно підвищить відповідність українського цивільного процесу міжнародним вимогам, зміцнить довіру суспільства та міжнародних партнерів до правової системи. Практична цінність роботи полягає в тому, що отримані результати можуть бути використані законодавцями, органами судової влади, профільними міністерствами й освітніми установами під час розроблення нормативних актів, планування реформ і навчання правників

**Ключові слова:** міжнародне право; цивільний процес; гармонізація законодавства; функціональне моделювання; IDEF0