Зарубежный опыт привлечения к уголовной ответственности за гсударственную измену

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Аннотация. Анализируя часть 2 статьи 111 УК Украины, считаем целесообразным обратиться к уголовному законодательству зарубежных стран. Это позволит сравнить общее и разное в регулировании нормы освобождения от уголовной ответственности за государственную измену, выявить положительные и отрицательные черты, а также возможности для приобретения положительного опыта. Так, проанализировав нормы об освобождении от уголовной ответственности за государственную измену таких государств, как Федеративная Республика Германия, Республика Беларусь, Республика Польша и Республика Казахстан, пришли к выводу, что они аналогичны ч. 2 ст. 111 УК Украины, но имеют некоторые отличия. В частности, в Украине одной из причин является непринятие каких-либо действий по исполнению преступного задания иностранного государства, иностранной организации или их представителей, а в законодательстве Беларуси, Германии, Польши основанием является добровольное прекращение преступления, но с дополнительными основаниями. В частности, если лицо было подвергнуто принуждению, если его пришлось отвлечь вредным воздействием и т. д. Кроме того, в Польше вообще отдельно фиксируются основания для увольнения за приготовление и покушение на совершение преступления.
Таким образом, хотя не во всех странах уголовная ответственность предусмотрена законом, предусмотрена возможность освобождения лица от уголовной ответственности за государственную измену, однако такой подход разделяется рядом государств. Сегодня национальная безопасность любой страны находится в опасности, тенденцию регулирования и применения уголовной ответственности можно оценить положительно.

Ключевые слова: преступление, уголовное право, объект преступления, шпионаж, подрывная деятельность, национальная безопасность, территориальная целостность и неприкосновенность.

ON THE SITUATION AND CERTAIN ISSUES OF APPROXIMATING THE LEGISLATION OF UKRAINE ON PAYMENT SYSTEMS TO THE EUROPEAN UNION LEGISLATION

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Abstract. The article highlights the results of research on issues related to determining the state and problems in the field of approximation of Ukrainian legislation on payment systems to that of the European Union. It is emphasized that in legal science there is a variety of approaches to understanding the concept of "approximation of national legislation of Ukraine on payment systems to the EU legislation." Within the context of the European integration processes, the main purpose of approximation of the national legislation of Ukraine on payment systems to the EU legislation is to eliminate fundamental differences in the legal regulation of payment services, create uniform basic approaches to its operation and ensure their protection.

Keywords: approximation of legislation, EU acquis, EU–Ukraine Association Agreement, harmonization of legislation, integration of legislation, legislation on payment systems, National Bank of Ukraine, payment system, payment service, unification of legislation.

The relevance of the topic of this article is determined by the need in clarifying the situation with fulfilment of the obligations taken by Ukraine in the context of the European integration processes in the field of payment systems legal regulation under intensifying globalization and economy internalization, as well as accounting for the tendencies stemming from the world economic crisis and the unfavorable consequences of introducing quarantine restrictions due to the spread of COVID-19. A clear outline of the current problems of approximating the Ukrainian legislation on payment systems to that of the European Union and determining the ways to overcome them is a token of addressing to the urgent issues in law enforcement as well as a means of forming a transparent and clear modern market environment for rendering payment services at the level of the current international standards.

Previous research of the problem. The issues of harmonizing the national legislation of Ukraine with the EU legislation both in general and at the level of specific branches have repeatedly become the subject of different research. Accordingly, they are in the field of vision of both representatives of individual legal sciences and specialists in the general theory of law. The issues of defining the notion, the peculiarities in organizing and operation of payment systems in the European Union and Ukraine, the specifics in the international and the Ukrainian payment services markets organization are studied not only by practicing scientists but are also part of scientific interest for specialists in economic theory and political studies. Such topics were extensively studied in the works by Alisov E.O., Anistratenko O.O., Muzyka-Stefanchuk O.A., Litoshenko A.V., Pozhydayeva M.A, Salo S.M., Stoyan V.I., Trubin I.O., Tsymbaliuk I.V., Chechulina O.O., Yuschishyna L.O., Yamkovyi V.I., et al. In their majority, the scientific publications dwell on the problems which are of applied character, the ones related to individual aspects of payment systems operation as a component of the national banking system, or they highlight the specifics in the contents of individual legal acts of the European Union legislation, while no attempts at carrying out a wholesome, comprehensive research in peculiarities of approximating the Ukrainian legislation on payment systems to that of the EU have been made so far. This is seen as one of the reasons for implementing the foreign experience in Ukraine without sufficient critical thinking and prognostication of possible consequences for the national economy, including its economic security.

Considering the mentioned above, the goal of this article is actuating the issue of adjustment of Ukrainian national payment systems legislation to that of the EU, as well as delineating certain theoretical problems in this area and search for ways to overcome them.

Main material exposition. Since the time of Ukraine's signing the Partnership and Cooperation Agreement with the European Union and its member states in 1994, the integration plays the determining role in political and economic life of the state, it is a component to be considered in making strategic decisions in the issues of forming the state [1]. The adherence to this course is clearly observed in the signed Agreement on Association between Ukraine, on one side, and the European Union, the European Atomic Energy Community and its member states on the other side (hereinafter the Association Agreement) [2]. As a result, Ukraine has undertaken to carry out harmonization of the national legislation with the EU acquis in many areas, financial services included.

In this context, it is needed to take into consideration a wide range of theoretical and applied problems linked with implementation of such obligations due to the fact that harmonizing different legal systems is a complex and long-term process. These peculiarities of the process were accentuated on in various publications. This specifics is addressed to, among other researchers, by Chabah O.M. [3, 49], Shemshuchenko Yu.S. [4, 35], Shnyrkov O.O. [5, 137], Yamkovyi V.I. [6, 33] et al. As Izarova I.O. stresses, the research linked with harmonizing in various branches of juridical science have greatly intensified in Ukraine lately, but the contents of the "harmonizing" as a legal category remains controversial [7, 109].

In this context, a separate problem is the lack of unified understanding of the correlation between similar terms of "approximation", "harmonization", "rapprochement of the Ukrainian legislation with that of the EU", "integration", "unification", etc. This issue is also accentuated on in the works by Ordulya E.Ye. [8, 11], Kubko Ye.B. [4, 20], Mischenko A.V. [9], Yakoviuk I.V. [10, 34] et al.

The authors support the position by Tryhlib K.O. who justly points to the fact that terminology as one of the means of juridical techniques is of next to the chief importance in formulating the texts of regulating-and-legal acts, while terminological inconsistencies lead to collision of norms and erroneous decisions in legal practices. Her thought about the connection between the unification of the applied terminology and the harmonization (adaptation) of Ukraine's legislation, in particular to the European law [11] is also worth attention. Indeed, due to incoordination in terminology, the process of different legal systems approximation slows down and complicates, obstacles arise in understanding the ways of overcoming the collisions and determining the directions in lawmaking.

This verbal diversity is vividly reflected in a given by Tarasov O.V. example of the terms and expressions used in the Agreement on Association of Ukraine with EU that denote the same or similar phenomena: "adapting" (preamble, art. 1, clause 2, para. d); art. 53, cause 2, para. a), and others), "approximation" (art. 59, cause 1, para. c); art. 64, clause 1; art. 66, clause 4 and clause 11; art. 67, clause 2, art. 70, clause 3; art. 84 and others), "rapprochement" (art. 56; art. 352; art. 403; art. 405), "coordination" (art. 57, clause 3), "attaining of correspondence" (art. 56, cause 1), "bringing legislation in correspondence" (art. 56, clause 5), "implementation of the corresponding international standards at the national level" (art. 387, clause 1, para. b)), "implementation" (preamble; art. 8; art. 11, clause 1 and clause 2, para. a); art. 12; art. 16, clause 2, para. i); art. 20 and others), "harmonization" (art. 347, clause 3; art. 405) and others [12, 30-31].

In the Guiding Principles for Ukrainian public management concerning the approximation to the EU law, it is also accentuated that the Association Agreement and various political documents contain such notions as "harmonization", "leveling", "rapprochement". The obligation is laid on Ukraine "to gradually make internal legislation compatible", "to adapt its legislation", "to bring its legislation in correspondence". It is noted, in particular, that in the light of academic research, all these terms should be distinguished to ensure the correspondence of draft laws to the Association Agreement because most of these terms are interchangeable [13]. Nevertheless, in practice the mentioned distinguishing and matching has not been accomplished up to now. In the course of the issuing scientific discussion, different positions based on the vision of the stated problem by different scientists have been expressed, but the final solution has not been achieved yet, which stipulates a need in further scientific research and broadening the discussion of this issue.

In Medvedyev's Yu.L. opinion, it is quite natural that such abundance of terms stipulates the need in a precise clarification of their meaning, defining the differences between them and the expediency of their usage in national regulating-and-legal acts [14, 54]. This vision clearly justifies the need in further scientific research to overcome the current terminological inconsistency and confusion, calls for development of general theoretic approaches to understanding specific scientific categories. This is determined by the needs of law enforcing practices in terms of their matching and interpretation, as well as setting the directions and limits of law-making activities. Only through a clear understanding of the goal, the directedness and the essence of the integration tasks undertaken by Ukraine is their fulfilment possible, including in the area of legal regulation of payment systems, as well as forming favorable conditions for functioning of the national payment services market.

Understanding of the significance and urgency for solving the issue in question is applicable not only to Ukrainian scientists and practitioners. European specialists are also interested in studying this phenomenon. For the European science, this issue has its own history. Thus, as early as the period of the European common market formation, Monaco Riccardo wrote, considering the difficulties in harmonizing the national legislative systems, that "we have explained what the approximation of laws is composed of: to "approximate" certainly means to make a standard approximately similar to another standard taken as a model. Nevertheless, it may so happen that in a particular case some different member states do not have a rule which meets the Common market requirements extensively, so that the model whereof we might draw the inspiration for the appeasement work could not be established in any possible way" [15, 568]. This is to say that even nowadays the issue of removing the discrepancies between legal systems of both individual EU member states and the national legal systems and that of the European Union itself cannot be considered as ultimately settled. It remains topical up to now even despite this phenomenon's repeatedly becoming an object of scientific interest in the context of European integration.

For instance, Małgorzata Paszkowska and Krzysztof Czubocha accentuate on the link of Directives with the phenomenon of harmonization. They believe that the main goal of the directives is not unification of law, but rapprochement of legislation (legislation harmonization) [16, 130]. That is, these authors, in fact, identify harmonization with legislation rapprochement.

Considering the issue on the theory and the concepts of forming the EU in the context of the Polish integration policy, Beata Master singles out the notion of "harmonization" as one of the components of approximation, integration. Nevertheless, apart from mentioning that in the European research harmonization is associated mostly with law, the author does not go into a detailed analysis of this phenomenon [17, 26, 270]. Nevertheless, this does not mean that no attempts have been made to elucidate the peculiarities in legislation harmonizing as a law phenomenon in scientific works.

In particular, Piotr Sylwestrzak views harmonization as a special way of unification of ties between legal systems. Depending on a number of criteria, he distinguishes the following types of harmonization: 1) hard and soft; 2) direct and indirect; 3) complete, optional, partial, and minimal [18, 21-22]. The above attests to considerable attention to the issue in question, the topicality of which does not diminish with time and demonstrates certain achievements in this area that reflect the results of scientific research of many years and scrupulous law-making work.

At the same time, it is impossible to think that the problem has got its ultimate solution. Thus, Uroš Ćemalović points out the difficulties in distinguishing the notions of "approximation" and "harmonization" of national legal systems, which gave rise to an important theoretical problem, and can complicate the defining of the most important intentions of the European legislative body in this area. He accentuates, in particular, on ambiguity of the rapprochement concept in the Agreement on Founding the European Community where different terms are used, and reasonably raises the issue of a possible hierarchy of the notions of "coordination", "harmonization", "integration", and "coexistence" [19, 242]. That is, the problem of terminological ambiguity is not only of national relevance, but is also linked with international relations, enters the international level of legal regulation, represents the need in forming a coordinated international, supranational law order. This stipulates the need in further scientific research in order to develop a clear model of harmonizing national legislation systems with the European Union legislation, to form a general theoretical concept of harmonizing national legislations, which will be adapted to strategic European integration processes.

In this case, it is possible to speak of the experience of both individual countries gained in the process of forming the European Union and the accumulated practices of the EU bodies in all the years of its existence. This issue relates both to the newly accepted EU members and to drafting corresponding agreements on association with the states that share common European civilization values or are targeted at close cooperation with the united Europe through forming free trade zones. To be more precise, the agreements with such states as the Republic of Poland [20, 2], the Republic of Georgia [21, 4], Jordan [22, 3] and others are meant. And while for the countries with the continental system of law this work is easier in terms of common theoretical foundations determined by the peculiarities in the history of the European law evolvement, for the countries with a different legal traditions such work is painstaking. Such a situation gets even more complicated due to considerable differences in economic, cultural, political areas, etc. Nevertheless, the gained experience is worth consolidation, all-sided study and proliferation even if it attests to a rather slow dialogue between "cultures and civilizations" [23, 96, 119-122], because it facilitates overcoming the inconsistencies concerning both the theoretical component of the integration processes and concerning law-making and law enforcement practices in this respect.

In this context, is seems expedient to mention Kuznetsova's N.S. point of view, who believes that the terms "harmonization", "unification", "adapting", "approximation" when matched are often used as the same notion, albeit each having its peculiarity considering the etymological meaning of the term itself, as well as the peculiarities of its usage in practice [24, 67]. Omelchenko A.V. keeps to the same position pointing out that such notions as "legislation adaptation", "legislation harmonization", "legislation implementation", "rapprochement of legislation" reflect in essence the same phenomenon, but are used to define different means and different levels (degrees) of legal systems' approximation [25, 366]. From these methodological positions, let us view the peculiarities of approximating the national legislation of Ukraine on payment systems to the EU acquis.

The term "approximation" refers to financial services in the art. 133 of the official English text of the Agreement on Association of Ukraine with EU [26]. In the official Ukrainian variant of this agreement this term denotes ensuring a gradual bringing up of the current law and future legislation of Ukraine to conformity with the EU acquis [2]. In the Guiding principles for Ukrainian public management concerning approximation to the EU law, it is also stressed that one of the most important requirements set by the Association Agreement is rapprochement of the Ukrainian legislation to that of the EU. This is not new, for Ukraine was also obliged to harmonize its legal order with the EU legislation in accordance with the previous Cooperation and Partnership Agreement. Nevertheless, the extent of rapprochement provided for nowadays is unprecedented and exceeds greatly what was provided for by the Cooperation and Partnership Agreement [13, 9].

Yet, the phrase "will be gradually made compatible with the EU acquis" present in the English text of art. 133 of the Agreement on Association of Ukraine with the EU [26] can be translated in Ukrainian as "will gradually become similar to the EU legislation". The adjective "compatible" can be translated as "consistent", "consonant", "similar". That is, such obligation is possible to be perceived just as a need in ensuring compatibility of the National legislation of Ukraine to the EU acquis, which supposes the absence of insurmountable controversies in legal regulation. Therefore, the provisioned extent of correlation will be somewhat lower, which denotes a less categorical demand concerning unification of different legal systems.

Still again, at such approach there is no correlation between the essence of obligation and the specifics of the mode to implement it. In this case, attention should be paid to the content of art. 2 of the Supplement XVII to the Agreement of the Association of Ukraine with EU, which sets out the main principles and obligations concerning the regulating-and-legal approximation. It is provisioned, in particular, that the norms of the legal acts specified in Appendices XVII-2 – XVII-5 are binding for the Parties according to horizontal adaptation and procedural norms provisioned by Appendix XVII-1 and to the specific agreements provisioned by Appendices XVII-2 – XVII-5. The Parties undertake to ensure complete and full implementation of these provisions. Noteworthy, if a legislative act is an EU Regulation or an EU Decision it should become, as such, a part of the national legislation of Ukraine; if a legislative act is an EU Directive, the competent bodies of Ukraine retain the right of choosing the form and the mode of its implementation [27].

At the same time, Appendix XVII-2, "The Regulations to be Applied to Financial Services" of Appendix XVII to the Agreement on Association of Ukraine with the EU contains special adaptations for each individual act, which are given in the table below.

Table 1.

The provisions of the European Union acts to be applied to areas covered by the approximation regulation	The schedule of fulfilling the obligations
Directive 98/26/EU by the European Parliament and the Council of May 19, 1998 on residual settlements in payment systems and securities settlement systems	The provisions of the Directive are to be implemented within 6 years following the date of entry into force of this Agreement
Directive 2009/44/EU by the European Parliament and the Council of May 6, 2009 which introduces changes to Directive 98/26/EU on residual settlements in payment systems and securities settlement systems and Directive 2002/47/EU on financial security for related systems and credit claims	The provisions of the Directive are to be implemented within 6 years following the date of entry into force of this Agreement
Directive 2007/64/EU by the European Parliament and the Council of November 13, 2007 on payment services in the national market, which brings changes to Directives UA/EU/Appendix XVII-2/ua 10 №№ 97/7/EU, 2002/65/EU, 2005/60/EU and 2006/48/EU and repeals Directive 97/5/EU.	The provisions of the Directive are to be implemented within 5 years following the date of entry into force of this Agreement

Moreover, according to para. 2 of Section II of the All-state program for adapting the legislation of Ukraine to the European Union legislation, adaptation is defined as the process of bringing the laws of Ukraine and other regulating-and-legal acts in line with the acquis communautaire [28]. That is, considering the mentioned afore, it is possible to state that specifics of harmonizing the national legislation of Ukraine on financial services with the EU acquis is to a greater extent characteristic of adaptation than of approximation. It is noteworthy that this process is unilateral due to the fact that mutual coordination of the EU acquis and the national legislation of Ukraine is not provisioned. A variability of possible actions in this case is not provided for.

It should be noted that one of characteristic features of adapting the legislation of Ukraine to that of the European Union is the need in carrying out comparative legal research on correspondence of Ukrainian legislation to the European Union acquis in priority areas. To the latter, banking law and financial services were referred, which was provisioned by Section V of the All-state program for adapting the legislation of Ukraine to that of the European Union [28]. As Mischenko S.V. notes, the development of payment systems in Ukraine evolves according to international practices and, generally, corresponds to European approaches to regulating of payment systems and non-cash payments instruments [29, 27].

Generally speaking, the authors do not mind such position, because it corresponds to the current matter of things. Otherwise, Ukraine would not be able to support the necessary economic ties with its strategic partners and carry out international trade first of with the European Union. To ensure a due level of international economic cooperation, to form conditions for unobtrusive movement of financial resources and investment activity, the necessity of this work for the state is indisputable both in strategic and tactical sense.

The main strategic goal of harmonizing the national legislation of Ukraine on payment systems with that of the EU should be not aspiration for simple mechanical incorporation of corresponding European directives into

Ukrainian regulating-and-legal acts, but a due legal support of formation and functioning of the national payment environment integrated with the European economic zone. To attain this it is necessary to detect possible collisions, primarily principal differences in legal regulation of payment services, formation of unified basic approaches to their operation and securing their protection.

To this effect, the National Bank of Ukraine presented in June of 2019 the Concept of the new model of legislative regulation of payments market and money transfer [30]. The most significant tactical step in this direction, though, was the adoption on June 30, 2021 of the Law of Ukraine "On Payment Services". In the explanatory note to the law, the collective of authors points out that the Law currently regulates only one type of payment services – financial service of money transfer which means the movement of a certain sum of money in order to be accounted to the payee or to be handed out to them in the cash form. The Law of Ukraine "On Payment Services" is aimed at implementation of the corresponding EU Directives' provisions and introduces nine types of payment services, seven of which being financial payment services, while two – non-financial, which are becoming widespread in EU states and need separate regulating, namely:

1) services on crediting cash to customers' accounts, as well as all services related to opening, servicing, and closing of customers' accounts (except online wallets);

2) services for withdrawal of funds from user accounts, as well as all services related to opening, servicing, and closing of customers' accounts (except online wallets);

3) services for payment transactions with the user's own funds from account to the user's account (except online wallets), including:

a) credit transfer;

b) debit transfer;

c) other payment operations, including the use of payment instruments;

4) services for payment operations from/to a customer's account (except payment operations with digital money) on condition that funds for the payment operation are debited to the customer on conditions of credit, including:

a) a credit transfer;

b) a debit transfer;

c) other payment operations (including those with the use of payment instruments);

5) services for emission of payment instruments and/or acquiring of payment instruments;

6) services for money transfer without opening an account;

7) services for emission of digital money and payment operations with it, including opening and servicing of digital wallets.

2. To non-financial payment services pertain:

1) services for initiating a payment operation;

2) services for providing information from accounts [31].

To conclude, it should be borne in mind that very soon Ukraine will have to test in practice the ability of the new law to ensure necessary conditions for economic European integration and the possibility of large-scale improvement of the national financial services area involving, among other things, payment environment modernization, adapting it to current world challenges. In this process it will be needed, on the one hand, to harmonize the inner national legislation acts with the provisions of the new legislative act, to develop new forms and methods of payment services area management, to detect and eliminate possible collisions while, on the other hand, to maintain monitoring of correspondence of the carried out reforms to the spirit of the EU acquis. The foundations for these processes are long-term ties between Ukraine and the European Union in economic, political, and other areas that are manifested, among other things, through the Eastern Partnership policies and due fulfilment of obligations undertaken in accordance with the Agreement on Association between Ukraine from one side and the European Union, the European Atomic Energy Community and their member states on the other side.

References:

1. Ugoda pro partnerstvo i spivrobitnetstvo mig Ukrainoyu i Evropeys`kymy Spivtovarustvamy ta yikh dergavamy-chlenamy. [Partnership and Cooperation Agreement between Ukraine and the European Community and Their Member States. The Official Bulletin of Ukraine. 2006. № 24. Art. 203]. (In Ukrainian).

2. Ugoda pro associatciyu mig Ukrainoyu, z odnieyi storony, ta Evropeys`kym Soyuzom, Evropeys`kym Spivtovarystvom z atomnoyi energiyi i yikh dergavamy-chlenamy [Agreement on Association between Ukraine on the one side and the European Community, European Atomic Energy Community and their member states on the other side. URL: https://zakon.rada.gov.ua/laws/show/984_011.]. (In Ukrainian).

3. Chabah O.M. Pravova garmonizatciya yak neobkhidna skladova evrointegratciynykh protsesiv Ukrainy [Chabah O.M. Legal harmonization as a necessary component of Ukraine's European integration processes. The Legal Bulletin. 2014. № 3 (32). pp. 46-50]. (In Ukrainian).

4. Problemy harmoniatciyi zakonodatel`stva Ukrainu i stran Evropu [The problems of legislations of Ukraine and the European countries. Edited by Ye.B. Kubko, V.V. Tsvetkov. Kyiv: Yurinkom Inter. 2003. 583 p.]. (In Russian).

5. Shnyrkov O.O. Spivrobitnetstvo Ukrainy ta ES u spheri tekhnichnogo regulyuvannya [Shnyrkov O.O. Cooperation between Ukraine and the EU in the field of technical regulation. Topical issues of international relations. 2015. Ed. 126 (part. I). pp. 136-144]. (In Ukrainian).

6. Yamkovyi V.I. Harmoniatciya zakonodavstva Ukrainy z pravom Evropeys`kogo Soyuzu yak odyn z etapiv yogo adaptatciyi do evropeys`kykh pravovykh standartiv [Yamkovyi V.I. Harmonization of Ukraine's legislation with that of the European Union as one of the stages of its adaptation to the European legal standards. Donbas Legal Bulletin. 2018. № 2 (63). pp. 33-39]. (In Ukrainian).

7. Izarova I.O. Teoretychni i practychni zasady garmonizatciyi tcyvil`nogo protcesu Evropeys`kogo Soyuzu ta Ukrainy [Izarova I.O. Theoretical and practical foundations of harmonizing the civil process of the European Union and Ukraine. Dissertation thesis for the Doctor of Legal Sciences degree. Kyiv: NASc of Ukraine; V.M. Koretskyi Institute of State and Law, 2016. 435 p.]. (In Ukrainian).

8. Orduli E.Ye. Harmonizatciya zakonodavstva Ukrainy pro intelektual`nu vlasnist` zgidno z vumogamy Ugody TRIPS. [Orduli E.Ye. Harmonizing the legislation of Ukraine on intellectual property according to the requirements of the TRIPS Agreement. Dissertation abstract for the Candidate of Legal Sciences degree. Kyiv: NDI for Intellectual Property at NAPrN of Ukraine. 2021. 19 pp.]. (In Ukrainian).

9. Mischenko A.V. Pproblema harmoniatciyi zakonodavstva u spheri transportu. [Mischenko A.V. The problem of harmonizing legislation on sphere of the transports. Current issues of legal science and practice: Theses of scientific reports at the all-Ukrainian science-and-practical conference for young scientists and applicants for a scientific degree. Edited by Prof. M.I. Panov. Kharkiv: National Academy of Law of Ukraine. 2007. 349 p. URL: http://library.nlu.edu.ua/POLN_TEXT/SBORNIKI/SB_22.htm]. (In Ukrainian).

10. Yakoviuk I. Adaptatciya i harmonizatciya zakonodavstva v umovakh integratcii: problema spivvidnoshennya. [Yakoviuk I. Adaptation and harmonization of legislation under condition of integration: the issue of correlation. The Bulletin of the Academy of Legal Sciences of Ukraine. 2012. № 4. pp. 29-42]. (In Ukrainian).

11. Tryhlib K.O. Terminologichni kolizii v normotvorchiy diyal`nosti. [Tryhlib K.O. Terminological collisions in law-making activities. Theory and practices of law studies: online scientific professional edition. 2011. Vol 1, № 1. URL: http://tlaw.nlu.edu.ua/article/viewFile/62242/57832]. (In Ukrainian).

12. Tarasov O.V. Adaptatciya, implementatciya tchi harmonizatciya prava ES? [Tarasov O.V. Adaptation, implementation or harmonization of the EU legislation? European integration within the context of current geopolitics: collection of scientific articles on the materials of scientific conference, Kharkiv, May 24, 2016. Edited by A.P. Getman, I.V. Yakoviuk, V.I. Samoscheno, et al. Kharkiv: Pravo PH, 2016. 536 pp.]. (In Ukrainian).

13. GUIDELINES FOR UKRAINIAN GOVERNMENTAL ADMINISTRATION ON APPROXIMATION WITH EU LAW. Kyiv, 2018. 103 p. URL: https://eu-ua.org/sites/default/files/inline/files/a4u_legal_approximation_guidelines_en_2018.10.pdf.

14. Medvedyev Yu.L. Nablygennya prava Ukrainy do prava Evropeys`kogo Soyuzu: ponyatiyno-kategoriyniy aparat ta sposoby uzgodgennya. [Medvedyev Yu.L. Approximation of Ukraine's law to that of the European Union: the notion-and-categorial apparatus and ways of harmonizing. The Bulletin of E.O. Didorenko Lugansk State University of Internal Affairs. 2014. № 1.pp. 52-59]. (In Ukrainian).

15. Citer ce document / Cite this document: Monaco Riccardo. Le rapprochement des législations nationales dans le cadre du marché commun. In: Annuaire français de droit international, volume 3, 1957. Pp. 558-568; doi: https://doi.org/10.3406/afdi.1957.1343; https://www.persee.fr/doc/afdi_0066-3085_1957_num_3_1_1343. P. 568.

16. Małgorzata Paszkowska, Krzysztof Czubocha. Ogólne zasady prawa w systemie prawnym Unii Europejskiej. URL: http://znze.wsiz.rzeszow.pl/z04/7_Malgorzata_Paszkowska_Krzysztof_Czubocha_Ogolna.pdf.

17. Master Beata. Teorie i koncepcje zjednoczeniowe Unii Europejskiej w założeniach programowych oraz w praktyce polskiej polityki integracyjnej. Uniwersytet Śląski w Katowicach. Wydział nauk społecznych. Instytut nauk politycznych i dziennikarstwa. Katowice. 2014. 454 p.

18. Sylwestrzak Piotr. Transpozycja prawa unijnego do polskiego porządku prawnego na przykładzie prawa ochrony środowiska. Praca magisterska. Uniwersytet Wrocławski. Wydział Prawa, Administracji i Ekonomii. Instytut Nauk Administracyjnych. Zakład Prawa Administracyjnego, 2010. Wrocław. URL: https://www.bibliotekacyfrowa.pl/dlibra/publication/30061/edition/35567/content.

19. Ćemalović Uroš. Framework for the Approximation of National Legal Systems with the European Union's Acquis: From a Vague Definition to Jurisprudential Implementation. URL: https://www.researchgate.net/publication/292354679_Framework_for_the_Approximation_of_National_Legal_Systems_with_the_European_Union%27s_Acquis_From_a_Vague_Definition_to_Jurisprudential_Implementation.

20. Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part. URL: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2014:260:FULL&from=en.