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## PROBLEMS OF ADAPTATION OF UKRAINIAN LEGISLATION IN ACCORDANCE WITH THE NORMS OF EU LAW

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The relevance of studying the issues of adaptation of Ukrainian legislation to the EU acquis is determined by several key factors. Ukraine continues its path to integration with the EU, which makes the issue of harmonization of legislation with European standards relevant. This requires not only harmonization of laws, but also their effective implementation and enforcement.

Modern globalization trends lead to the establishment of a close political dialogue between countries and regions of the world, as well as deepening of international economic ties. This leads to the integration of countries in order to maintain peace and ensure economic growth. One of the most important associations in the world is the European Union, which aims to promote economic development, improve the welfare and living standards of the peoples of Europe. "European integration is seen as a political and legal phenomenon arising from the desire of the European peoples to join forces in building a common space of peace, rule of law, prosperity, social justice, free trade, unimpeded movement and communication, security and justice" [1, p. 163].

In Ukraine, European integration processes are gaining importance in the political, economic and legal spheres. The desire to become a part of the European Community has become a key development idea for Ukrainian civil society, despite the possible difficulties that may arise in this complex and lengthy process. Law, as a social regulator, is aimed at ensuring adequate coexistence of all members of society and the state, setting the right priorities in the process of transformation of public consciousness and their regulation.

The modern development of our country cannot exist without paying attention to the requirements set by the European Union for Ukraine's further integration into the European political and legal space. A key instrument of this integration is the process of adapting Ukrainian legislation to the EU's *acquis communautaire*, which is a set of regulations that define the rights and obligations of EU member states and ensure their unified interpretation. This process involves adopting the "positive" experience of the EU's legal development, the implementation of which has its own peculiarities for Ukraine, especially against the background of historical challenges, such as the struggle for independence and territorial integrity.

The adaptation of Ukrainian legislation to EU law is determined by the complex tasks and problems that arise in the process of this transformation. The transition to European standards is a key stage for Ukraine on its way to integration with the EU, but this process is accompanied by numerous challenges and difficulties.

One of the main problems is the discrepancy between Ukrainian and European legislation. A large number of Ukrainian laws and regulations do not comply with EU standards, which complicates their implementation and enforcement. This can lead to conflicts and ambiguous understanding of legal norms, which threatens the stability of the country's legal system.

Another problem is the need to accelerate the pace of legislative adaptation. Since the start of the European integration process, a significant number of laws and reforms have been adopted, but not all of them are effectively implemented or comply with European standards. In this regard, there

is a need to improve the mechanisms of control and enforcement of legislation to ensure its rapid and high-quality adaptation.

Another problem is the lack of preparation of administrative bodies and the judiciary to work in accordance with European standards. For successful adaptation, it is necessary not only to adopt new laws but also to ensure their effective implementation and application in practice. Shortcomings in the work of the courts and administrative bodies may result in misapplication of the law or delays in resolving legal issues.

To address these issues, a range of measures must be taken. A key aspect of Ukraine's successful integration into the European Union is achieving a certain level of compliance of Ukrainian legislation with European standards. Harmonization of Ukrainian legislation with modern EU standards will facilitate the development of various spheres of activity of citizens, including political, business, social and cultural spheres. It will also contribute to the country's economic growth within the European Union and help improve the welfare of the population, bring it closer to the living standards of EU member states, and create the preconditions for Ukraine to become an associated member of the EU. This is a strategic foreign policy priority for Ukraine in the medium term. The Concept of Adaptation of Ukrainian Legislation to the EU Norms identifies three stages of this process.

According to O.A. Degtyar, at the first stage it is important to give preference to development in accordance with the requirements set out in the Declaration adopted by the European Council at the Copenhagen Summit in June 1993. This Declaration defines the key criteria for countries intending to join the European Union, including stability in society, the rule of law, protection of human rights and the functioning of a market economy. At this stage of the development of the legal system in Ukraine, efforts should be directed at achieving these goals, as well as at gradual approximation of Ukrainian legislation with the legal acts of the European Union. Priority should be given to work on the priority areas of legislative development. This approach will allow Ukraine to create a legal system that will promote stability, the rule of law, human rights protection and the development of a market economy, which are important components of European standards and requirements for candidate countries to join the European Union [2, p. 26].

The second stage, which is already underway, focuses on specific tasks. These tasks include the revision of Ukrainian legislation in the areas defined in part 2 of Article 51 of the Ukrainian Action Plan on Accession to the European Union in order to bring it closer to the standards of EU legislation. Considerable attention is also paid to the legal framework for the establishment of a free trade area between Ukraine and the EU, as well as preparations for Ukraine's associate membership in the EU.

The third stage of legislative adaptation will depend on the implementation of the Association Agreement between Ukraine and the European Union. This stage will include a period of preparation of an expanded program of harmonization of Ukrainian legislation with EU legislation to ensure Ukraine's integration into the EU's internal market. This will mean a wide range of measures aimed at addressing various aspects of adaptation, which will be a key stage in the process of Ukraine's integration into the European Union [2, p. 28].

Thus, the problems of adaptation of Ukrainian legislation to EU law are complex, but they can be solved through systematic work on improving legislation, strengthening control and training of relevant institutions. It is important to continue reforms in the areas of legislation and justice to align them with European standards. It is necessary to strengthen control over the implementation of legislation and to ensure appropriate training of administrative bodies and courts. International cooperation and exchange of experience with EU member states should be intensified.

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## ИЗБИРАТЕЛЬНОЕ ПРАВО РЕСПУБЛИКИ КАЗАХСТАН НА СОВРЕМЕННОМ ЭТАПЕ

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Современном Казахстане как и в других развитых государствах несмотря на глубокие и многочисленные изменения, происходящие в мире в последние полтора десятилетия, государственный суверенитет по-прежнему является основой конституционного строя большинства государств. И один из важнейших элементов этого строя, является выборы, а то есть политическая жизнь любого гражданина. Политическая жизнь — это совокупность духовных, чувственных, эмоциональных и практических предметных форм политического бытия человека и общества, которая характеризует их отношение к политике и участие в ней.

Современное демократическое государство имеет в своей основе ряд универсальных фундаментальных ценностей, составляющих ядро конституционализма. Свобода выбора является важнейшим фактором интеллектуального совершенствования человека, нормального духовного и нравственного развития каждой личности. Как верно подметил английский теоретик политического либерализма Дж. Милль, идеи которого и поныне определяют развитие конституционного права, способность человека понимать, судить, различать, что хорошо и что дурно, умственная деятельность и даже нравственная оценка предметов упражняются только тогда, когда человек делает выбор[1,14].

Функционирования и развития форм прямой демократии, является высокий уровень политической и правовой культуры, социальной активности граждан Республики Казахстан. Система государственной власти считается устойчивой только при том условии, когда она подкреплена развитыми институтами непосредственного народовластия. Подлинная эффективность власти воплощается в единстве ее представительной и непосредственной форм реализации.

Превращение народовластия в реально существующий политико - правовой механизм обеспечивает легитимность и преемственность власти. В основном такие подходы выражены в идее демократического государства и первичности института прав и свобод человека и гражданина в различных сферах, в том числе и в политической. Базовым содержанием указанной сферы является конституционно-правовое определение свободных выборов, выступающих в качестве выражения власти народа, которая проявляется в системе организации и функционирования государственной власти и местного самоуправления. Избирательные права граждан определяют сферу их политической свободы, автономии и самоопределения. Тем самым обеспечивается содержание и поведение различных политических сил в обществе. Это значит, что политические права относятся к категории юридических явлений, поскольку они связаны не только с политической деятельностью, но и урегулированы избирательным правом, которое по своему содержанию и политико-правовому смыслу закрепляет процесс публично-правовой оценки представительных и исполнительных органов государственной власти и местного самоуправления[2,146].

На современном этапе в Казахстане сложилась организационно-правовая система обеспечения прав, свобод и законных интересов граждан в политической сфере посредством