ANALYSIS OF THEORETICAL AND PRACTICAL ASPECTS OF LEGAL RESPONSIBILITY AND CRIMINAL JUSTICE AS SDG’S

Tetyana Demyanchuk 1
Oleh Ihnatiuk 2
Olena Perunova 3
Valentyna Boniak 4
Dmytro Pylypenko 5

ABSTRACT

Objective: The study of the article is aimed at determining the main challenges and opportunities that arise before the Ukrainian legal system on the way to integration into the European legal space. The goal is to identify key aspects of reforms in the field of legal responsibility and criminal justice, assess their effectiveness and determine prospects for further development.

Theoretical Framework: Special attention is paid to the analysis of the indices of legal states, the comparative analysis of legislation, which allows assessing the progress of Ukraine in adapting to European standards.

Method: The methodology adopted for this research comprises [concisely describe the study design, including approach, participants, instruments, procedures, etc.]. Data collection was carried out through [explain the specific methods used, such as interviews, questionnaires, observations, among others].

Results and Discussion: The results of the study emphasize the importance of legal reforms for strengthening democracy, the rule of law and the effectiveness of criminal justice in Ukraine. The article highlights the main trends of reforming the legal system, the impact of international norms on Ukrainian legislation and practical aspects of implementing legal changes. The key challenges and opportunities that arise before Ukraine on the way to European integration in the field of justice are characterized.

Research Implications: The article offers recommendations for the further development of legal systems to ensure compliance with the standards and requirements of the European Union.

Originality/Value: The practical significance lies in the disclosure of modern trends in the development of the global legal order in conditions of legal and economic instability.

Keywords: law enforcement, judicial system, corruption, international standards, legal responsibility, criminal justice, European integration, Sustainable development goals (SDGs).

1 Department of Theory of State and Law the National Academy of Internal Affairs, Kyiv, Ukraine. E-mail: demyanchuktanya@gmail.com
2 Interregional Academy of Personnel Management, Kyiv, Ukraine. Email: olegignatuk30@gmail.com
3 Department of Accounting and Taxation, Faculty of Management and Business, Kharkiv National Automobile and Highway University, Kharkiv, Ukraine, Ukraine. E-mail: snezkas79@gmail.com
4 Department of Theory and History of State and Law, Faculty of Training Specialists for Subdivisions of Preventive Activity, Dnipropetrovsk State University of Internal Affairs, Dnipro, Ukraine. E-mail: valentina.boniak@gmail.com
5 Department of Criminal and Law Disciplines, Donetsk State University of Internal Affairs, Kropyvnytskyi, Ukraine. E-mail: morfeuth82@gmail.com
1 INTRODUCTION

The issue of legal responsibility and criminal justice plays a key role in the formation of a fair and effective legal field of any state. It is the basis for ensuring the rights and freedoms of its citizens. Reforming the legal sector is facing countries that are on the path of deep reforms, where ensuring legal responsibility becomes an important element of international integration and cooperation. Analysis of the effectiveness of criminal justice, the mechanisms for ensuring human rights, and the practice of its application is an urgent task for scientific research. Criminal justice and accountability covers a wide range of issues, including corruption, criminal cases and ensuring the independence of the judiciary. An important aspect is the adaptation of national legislation to international standards, which contributes to increasing the level of trust of citizens in the law enforcement system.

The process of European integration of Ukraine occupies a special place in the foreign policy of the state, directing its efforts to strengthen the legislative framework in accordance with European standards and principles. Ensuring legal responsibility and reforming criminal justice is the main requirement, as it is a prerequisite for the country’s integration into the European legal environment. In the process of adapting the legislation of Ukraine, it is necessary to adopt relevant legislative acts and guarantee their effective implementation in practice. It provides for the development and implementation of relevant legislative initiatives, the implementation of judicial reforms, and the improvement of criminal prosecution mechanisms. Execution of court decisions becomes a key task on the way to European integration and contributes to the coordinated work of all branches of government.

Effective use of European legal mechanisms and their implementation in Ukraine is a requirement of the World Bank on the way to ensuring legal
The development of fair criminal justice contributes to the improvement of the general level of legal culture in society. Adaptation to European norms and practices, including international conventions and directives, is carried out through the formal transfer of norms into national legislation. Appropriate understanding allows for the introduction of effective means of combating offenses and significantly increases citizens’ confidence in the legal system. International cooperation and exchange of experience allow Ukraine to take into account the best European practices and avoid potential mistakes in the process of reforming the legal system. Thus, the implementation of European legal mechanisms opens up new opportunities for Ukraine in ensuring justice, efficiency of justice and strengthening democratic institutions.

The purpose of the article is to study the theoretical and practical aspects of legal responsibility and criminal justice in Ukraine in the context of its European integration processes. The problem is to identify the main challenges and opportunities facing the Ukrainian legal system on the way to adaptation to European standards of justice. The main task is to analyze the indices of the rule of law, the international legal practice of European countries and conduct a comparative analysis with Ukraine. The direction of the research is determined by the expediency of the issue of legal responsibility and the need for reforms in criminal justice to achieve the standards of the European Union. The practical value of the study lies in the development of a legal field for the improvement of criminal justice in Ukraine, which will contribute to strengthening the rule of law for further integration of the country into the European legal environment.

2 THEORETICAL FRAMEWORK

Peculiarities of legal responsibility and criminal justice are becoming the subject of growing interest in legal science and changes in the international legal order. The study (Kvasha & Rasim, 2023) emphasizes the importance of reforms in the legal system of Ukraine to achieve compliance with European standards of the rule of law. The work (Leskiv & Kovalchuk, 2023) analyzes the
influence of international standards on the development of criminal justice in Ukraine, and the problems of the fight against corruption and crime. The article (Cohn et al., 2024) explores the theoretical foundations of legal responsibility, based on the principles of justice and legality, and their implementation in Ukrainian legislation and practice. The scientist Shepitko (2023) focuses on the practical aspects of the implementation of legal responsibility in Ukraine. The scientist Bouchagiar (2024) reveals the problems of the legal system in the context of criminal justice. The study (Šipulová & Kosař, 2024) reveals the problems of imperfect legislation and the influence of political factors on justice. The work (Ablamsky et al., 2023) indicates the need to adapt Ukrainian legislation to international standards to fight transnational crime and ensure human rights. An article by Pulyk (2023) highlights the challenges associated with the digitization of criminal justice, including issues of privacy and data protection. The study (Hurtiyeva, 2023) analyzes the impact of the military conflict in Ukraine on the legal system, highlighting the need for special mechanisms to protect the rights of the civilian population. The scholar Wade (2020) provides recommendations and necessary measures for the further development of the legal system and criminal justice to ensure the independence of the judicial system. According to (Frulli, 2023), an important step will be the introduction of the latest technologies to increase the efficiency of justice and ensure the transparency of judicial processes. According to (Mazur & Bortun, 2023), increasing the level of legal education among citizens and the development of legal culture will contribute to strengthening trust in the legal system at all levels. The author (Aebi & Jehle, 2018) considers ensuring access to fair justice for vulnerable population groups, development of human rights protection mechanisms in conditions of military conflict. Research (Baker, 2019) highlights the importance of criminal justice reforms to improve law enforcement effectiveness. The scientist (Enescu, 2023) emphasizes the importance of taking into account international experience and implementing best practices in order to build an effective and transparent justice system. The work (Khan et al., 2023) analyzes the main challenges faced by modern states on the way to reforming the legal system. The article (Bayik, 2023) examines the issue of legal responsibility under international law, paying
attention to the peculiarities of regulation in different jurisdictions. The scientist (Quattrocolo, 2019) highlights the impact of globalization processes on criminal justice using the example of transnational crime and cybercrime. The results (Hogue, 2023) indicate the need for the development and implementation of international legal mechanisms to effectively combat new types of crime. Analysis (Hartel et al., 2023) shows that close cooperation between countries and the use of modern information technologies significantly increases the effectiveness of law enforcement activities at the international level. The article (Ferčíková, 2024) describes the role of civil society and nongovernmental organizations in the process of monitoring the observance of human rights. The author (Hofmarcher, 2024) emphasizes the importance of involving the general public in discussing and solving issues of legal responsibility. The scholar McDougall (2023) examines innovative approaches to criminal justice reform to optimize the investigation of crimes and decision-making in judicial practice. The authors Teslenko & Kochura (2023) emphasize that technological development opens up new opportunities for increasing the efficiency and justice of justice. The study (Wallengren et al., 2023) analyzes the experience of European countries in ensuring legal responsibility and criminal justice. The author Kucheruk (2023) emphasizes the importance of harmonizing national legislation with international norms and standards to strengthen the protection of human rights and ensure the effectiveness of criminal justice. So, the conducted literature review demonstrates a comprehensive approach to the study of theoretical and practical aspects of legal responsibility and criminal justice. There is a need for further research and development of innovative solutions to improve the legal system.

3 METHODOLOGY

The methodology is based on the analysis of theoretical and practical aspects of legal responsibility and criminal justice on the example of Ukraine. In the process of its European integration efforts, a comprehensive approach was chosen, which involves the use of various methodological tools. The initial stage of the study was the collection and analysis of statistical data on the rule
of law and criminal justice obtained from open sources. The reports of international organizations of the European Commission and the World Bank became the basis of the comparative analysis. Special attention was paid to the indices of the rule of law, indicators of the effectiveness of criminal justice, crime statistics and their impact on justice in Ukraine and European countries. The next step was the legal analysis of the legislation, which was carried out through the method of comparative analysis. The appropriate approach made it possible to identify the key aspects of the legal system of Ukraine, its differences and similarities with the legal systems of European countries. An assessment of the implementation and impact of international standards and directives of the European Union on Ukrainian legislation was carried out. The question of the principles of fair justice and the effectiveness of the fight against corruption predicts the effectiveness of criminal justice. For this purpose, scientific and expert publications, official documents and legislative acts were used in accordance with analytical reports of national and international organizations. Research ethics occupies a special place in the work methodology. All actions corresponded to the ethical norms of scientific activity, ensuring the objectivity of the analysis and the absence of any impartial attitude towards the convicts. The study takes into account the trends of judicial practice during 2017-2023 in Ukraine for comparison with the international legal field. It is important for understanding the practical implementation of the principles of legal responsibility and criminal justice.

The proposed methodology made it possible to identify key problematic aspects in the national judicial system and determine directions for further reforms and improvement of legal practice in Ukraine.

4 RESULTS AND DISCUSSIONS

The rule of law is the foundation of a democratic society, ensuring the rights and freedoms of citizens, the limitation of power through its distribution and the independence of the judicial system. In the European Union, the high level of compliance with the principles of the rule of law reflects the maturity of the legal systems of the member states, the ability of society to protect
fundamental human rights and ensure access to fair and independent justice.
This underlines the importance of legal reforms and the constant adaptation of legislation to modern challenges, in particular in response to globalization, digitalization and international integration. The experience of the EU countries serves as an example for other states, emphasizing the need for a balance between the powers of authority and the protection of personal freedoms.

In post-socialist countries, the level of compliance with the rule of law varies, which reflects the difference in the speed and effectiveness of reforms (Lytvyn et al., 2022; Melnyk et al., 2022). The specificity of the countries lies in the legacy of the Soviet legal system, where the need to strengthen institutional independence and the fight against corruption remains relevant. Ukraine is making significant efforts to implement judicial and anti-corruption reforms, seeking to increase transparency and accountability of the authorities. Member countries and candidates for the European Union are making efforts to create an effective legal system capable of ensuring justice and equality before the law for all citizens. To analyze the effectiveness of criminal justice and its further consideration, the index of the rule of law, given in Figure 1, is characterized.

**Figure 1**

*Rule of Law Index Scores for European Union Candidate Countries in 2022*

![Rule of law index scores](image)

Source: Compiled based on Statista, 2024
The received data of the evaluations of the rule of law contain a significant variety of situations among countries. Georgia with a score of 0.6 is higher than a number of countries on the European continent, indicating positive trends in the development of the rule of law and the effectiveness of justice. In contrast, Turkey, with the lowest score of 0.42 among the countries represented, signals significant problems in the field of human rights, freedom of the press and independence of the judicial system. The relevant data highlight differences in the level of the rule of law between countries and the importance of comprehensive reforms to improve the law indices. The practical aspects of legal responsibility and criminal justice in these countries reflect the provision of access to independent and effective justice. A key element in justice reform is the involvement of civil society and the international community in the process of monitoring and implementing changes (Zavhorodnii et al., 2022). The creation of transparent accountability mechanisms, the development of legal education among the population, and the strengthening of institutions will be the key to the successful implementation of the principles of the rule of law in the region.

Ukraine with an index of 0.5 is among the countries with a lower level of the rule of law index. The result indicates the presence of problems similar to those observed in other countries with similar indicators. However, Ukraine is taking active measures to improve its situation in the context of the rule of law through the implementation of judicial and anti-corruption reforms in the conditions of war.

Reforming the legal system of Ukraine is a key aspect of its aspiration for integration into the European Union and compliance with European standards of democracy, human rights and the rule of law. The reform process initiated after the Revolution of Dignity in 2014 covers a wide range of areas, including strengthening the independence of the judiciary. The issue of fighting corruption, reforming law enforcement agencies and improving human rights protection mechanisms continues in 2023 and 2024. An important step was the creation of anti-corruption institutions - the National Anti-Corruption Bureau and the High Anti-Corruption Court, which play a decisive role in detecting and punishing high-level corruption crimes (Omelchuk et al., 2022b). The path of
reforms is not limited to the creation of new structures, it involves complex work on changing legislation, law enforcement practice and legal culture as a whole. The state of the legal environment in Ukraine in recent years is shown in Figure 2.

Figure 2

Ukraine - Legal and Political Environment

![Graph of Ukraine's Legal and Political Environment](image)

Source: Compiled from a report by RightsAlliance, 2023

Ukraine has demonstrated significant progress in bringing its national legislation into line with international standards. The implementation of reforms that ensure greater transparency and independence of the judicial system deserves special attention in this process. The creation of effective legal bodies is a clear indication of the country’s desire to eradicate unconstitutional manifestations and strengthen citizens’ trust in the criminal law enforcement system. Modern challenges are related to the transparency of judicial proceedings and access to fair justice, which remain relevant for further efforts in European integration.

Ukraine’s integration into the European Union presents the country with ambitious tasks, including bringing national legislation into line with European standards in the field of administrative and criminal justice (Omelchuk et al., 2022a; Kussainov et al., 2022). The integration process requires Ukraine to
adopt European norms and practical implementation of the principles of the rule of law. The key factor is guaranteeing the independence of the courts, effective fight against corruption and ensuring the rights and freedoms of citizens. The legal reform process requires time, resources and political will, but its successful implementation will be an important step on Ukraine’s path to the European future, ensuring the creation of a fair and effective legal system.

International cooperation in the field of justice and legal responsibility is a decisive factor in the fight against crime. In the event of a full-scale war after 2022, Ukraine sets itself the goal of integration into the European legal space. The country is actively working on the implementation of international standards in its legislation and judicial practice. Like European countries, Ukraine strives to create an effective criminal justice system based on the rule of law and the protection of basic human rights and freedoms. Cooperation with European and international partners has useful practical experience, which is systematized in Table 1.

Given the peculiarities of legal responsibility and criminal justice, Ukraine and Europe face similar challenges, including ensuring the effectiveness of the judiciary and the independence of the judicial system. Ukrainian reforms in this area are inspired by European practices and are aimed at increasing citizens’ trust in law enforcement agencies. In Europe, emphasis is placed on international cooperation and the development of transnational justice, which requires the countries of the region to constantly adapt their national systems to common European standards. (Hubanova et al., 2021; Sobko et al., 2022) The exchange of experience and best practices between Ukraine and European countries over the past ten years has shaped the improvement of criminal justice.

European experience in the field of justice and legal responsibility demonstrates the diversity of approaches and decisions adopted in different countries of the region. A central element for many European states is ensuring respect for basic human rights and freedoms, which is guaranteed by the European Convention on Human Rights. Institutional mechanisms, such as the European Court of Human Rights, are of primary importance in ensuring
compliance with existing standards. Efforts aimed at harmonizing national legislation with European norms emphasize the commitment of the countries of the region to common legal principles and values. At the same time, international cooperation contributes to the effective fight against transnational crime, going beyond national borders.

Table 1

**Legal Aspects of Legal Responsibility and Criminal Justice in Ukraine and Europe**

<table>
<thead>
<tr>
<th>Legislative aspect</th>
<th>Ukraine</th>
<th>Europe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principles of legal responsibility</td>
<td>Legal responsibility in the criminal law of Ukraine is based on the principles of legality, justice, and the inevitability of punishment.</td>
<td>The principles of legal responsibility in Europe vary by country, but generally include the presumption of innocence, the right to a fair trial, and the principles of proportionality of punishment.</td>
</tr>
<tr>
<td>Application and procedural issues</td>
<td>Procedural aspects of the criminal process are regulated by the Code of Criminal Procedural Law, which includes the rules of pre-trial investigation, ensuring the rights of the parties and the procedure for handling cases in courts.</td>
<td>In Europe, procedural norms vary from country to country, but many of them are written according to the standards laid down in the European Convention on Human Rights. Efficiency, speed of trial and access to legal aid are key.</td>
</tr>
<tr>
<td>Specialized legal institutions</td>
<td>In Ukraine, there are specialized bodies, such as the National Anti-Corruption Bureau of Ukraine (NABU), which fight corruption in the highest echelons of government.</td>
<td>In Europe, there are similar institutions at the national level, as well as European bodies, for example, Europol for coordinating the fight against international crime.</td>
</tr>
<tr>
<td>International cooperation</td>
<td>Ukraine cooperates with international organizations and other countries in the field of justice and the fight against crime, in particular through participation in the conventions of the Council of Europe.</td>
<td>European countries actively cooperate within the framework of the European Union and other international structures, such as Interpol and Europol, to effectively combat transnational crime.</td>
</tr>
</tbody>
</table>

Source: compiled by the authors

European experience in the field of justice and legal responsibility demonstrates the diversity of approaches and decisions adopted in different countries of the region. A central element for many European states is ensuring respect for basic human rights and freedoms, which is guaranteed by the European Convention on Human Rights. Institutional mechanisms, such as the
European Court of Human Rights, are of primary importance in ensuring compliance with existing standards. Efforts aimed at harmonizing national legislation with European norms emphasize the commitment of the countries of the region to common legal principles and values. At the same time, international cooperation contributes to the effective fight against transnational crime, going beyond national borders.

The existing discussion on the practical aspects of criminal justice contains a number of views on the further development of the legal system. The author Kovalenko (2023) notes that Ukraine in the process of its European integration has a significant political and economic perspective, which requires fair criminal justice. The article (Maksymovych & Bronevytsa, 2023) found that the integration of international standards is critical, as EU accession candidates must have an appropriate legal environment. Compared to the study (Nosál, 2023), the obtained results focus on the importance of legal reforms in the field of protection of the principles of rights and freedoms. According to the results (Labuda, 2023), which studies international experience, our own analysis emphasizes the need for deeper localization of international norms in national legislation. According to (Ahmed, 2024), who consider the impact of technological innovation, the study emphasizes the ethical aspects of justice. In contrast to (Harrendorf, 2018), which highlights the role of civil society, our study points to the perspective of the need to strengthen institutional interaction. The results (Imoedemhe, 2023) about the European experience in the field of criminal justice correlate with the conclusions about the process of Ukraine’s adaptation to European practices. The author (Ligthart et al., 2021) emphasizes the importance of ensuring the independence of the judicial system, which corresponds to the need of international bodies and their role in judicial reforms. The article (Butler, 2024) adds to the theoretical aspects of legal responsibility, which helps to deepen the understanding of the practical challenges. Compared with (Vynohrad & Domenyuk, 2023), the study expands the analysis on the indicators of law indices, which indicates the effectiveness of European integration, although there are difficulties with the implementation of legal reforms in Ukraine. Therefore, the discussion on the improvement of legal responsibility and criminal justice is constantly
developing and improving among the countries of the European Union and candidate countries.

5 CONCLUSION

Thus, in accordance with the development of legal responsibility and criminal justice, it can be stated that the successful reform of the legal system in Ukraine is of crucial importance. In order to ensure the rule of law, protect the rights and freedoms of citizens, and further integrate the country into the European space, it is necessary to create legal mechanisms. Efforts aimed at reforming and strengthening the independence of the judiciary are key to creating an effective legal system that takes into account modern innovative technologies. It is important to emphasize that reforms should be based on a comprehensive analysis of existing problems and take into account the best European practices and international standards in the field of human rights and criminal justice. Integration processes with the EU additionally encourage Ukraine to intensify reforms, providing a chance to overcome existing challenges and implement democratic transformations.

In the process of reforming the legal system and criminal justice, Ukraine faces a number of problems and global challenges. These include corruption at high levels of government, limited effectiveness of justice and insufficient protection of human rights, which is exacerbated by the impact of military action. These problems complicate the reform process and can undermine citizens’ confidence in the legal system and state institutions. Modern global challenges of the legal system in the form of transnational crime require internal efforts and active international cooperation from Ukraine. It is aimed at the development and implementation of effective mechanisms for countering these threats at the level of legal legislation. Ukraine needs to focus on creating a strong legal framework that can adapt to modern military conditions, invest in the development of rehabilitation tools and other methods of fighting crime.

Accordingly, it is recommended to carry out measures to monitor the existing legislation for further reform of the legal system and criminal justice.
in Ukraine. It is important to continue work on strengthening the independence of the judiciary and increasing the transparency of the judiciary. It includes ensuring a fair and independent process for the appointment of judges and their accountability. It is also necessary to intensify efforts in the fight against corruption through further improvement of control mechanisms and ensuring the effective activity of anti-corruption bodies. The development of international cooperation in the field of justice and law enforcement activities is an important factor for sharing experience and best practices in the fight against transnational crime and cyber threats (Franzen et al., 2024; Ferrari et al., 2023). Implementation of the proposed measures will allow Ukraine to take a significant step forward on the way to creating an effective, fair and democratic legal system. It will meet European standards and ensure reliable protection of citizens’ rights and freedoms in the face of complex geopolitical challenges.

ACKNOWLEDGEMENTS

We are deeply grateful to my colleagues for their constant support and encouragement. Your valuable insights, constructive feedback, and collaborative efforts have been instrumental in the completion of this project. Thank you for your dedication and teamwork.
REFERENCES


