

PRIORITIES FOR THE DEVELOPMENT OF THE SOCIAL FIELD IN UKRAINE AND ITS LEGAL REGULATION IN THE CONTEXT OF ADAPTATION TO EUROPEAN STANDARDS.

PRIORIDADES PARA EL DESARROLLO DEL ÁMBITO SOCIAL EN UCRAÑA Y SU REGULACIÓN LEGAL EN EL CONTEXTO DE LA ADAPTACIÓN A LOS ESTÁNDARES EUROPEOS.

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Abstract: A functioning democratic regime that can meet the basic needs of citizens and guarantee material security for the vulnerable and most vulnerable segments of the population is the primary foundation of the European path of development of Ukraine. The purpose of this paper is to analyse the key goals of the state social policy of Ukraine in the context of the implementation of European Union standards and examine the current state of implementation of declared social and legal principles on the

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territory of the Ukrainian state. The leading methods of the study were methods of analysis and generalisation, through which the existing conflicts of the normative foundation in the field of social protection were identified, and a comparison method, the use of which demonstrated the existing shortcomings of the development strategy. Investigating social priorities, the authors identify the main strategic goals of state social regulation, the main omissions of modern social policy, and the primary causes of the current social crisis. Therewith, the current state of the legislative social framework is investigated and an objective assessment of the implementation of European legislation in the national regulatory field of Ukraine is provided. Therewith, positive trends in establishing social justice by declaring gender equality and overcoming discrimination and integrating information systems into the provision of social services were analysed, and practical recommendations for successful euro adaptation, the decisive task of which is to improve the quality of life of Ukrainian citizens, were provided.

Keywords: European integration course, social policy, social security, socio-economic viability, state of implementation.

Resumen: *Un régimen democrático funcional que pueda satisfacer las necesidades básicas de los ciudadanos y garantizar la seguridad material de los segmentos vulnerables y más vulnerables de la población es el fundamento principal del camino europeo de desarrollo de Ucrania. El propósito de este documento es analizar los objetivos clave de la política social estatal de Ucrania en el contexto de la implementación de los estándares de la Unión Europea y examinar el estado actual de implementación de los principios sociales y legales declarados en el territorio del estado ucraniano. Los métodos rectores del estudio fueron métodos de análisis y generalización, a través de los cuales se identificaron los conflictos de fundamento normativo existentes en el campo de la protección social, y un método de comparación, cuyo uso demostró las deficiencias existentes de la estrategia de desarrollo. Al investigar las prioridades sociales, los autores identifican los principales objetivos estratégicos de la regulación social estatal, las principales omisiones de la política social moderna y las principales causas de la actual crisis social. Además, se investigó el estado actual del marco social legislativo y se proporcionó una evaluación objetiva de la implementación de la legislación europea en el campo regulatorio nacional de Ucrania. Se analizaron las tendencias positivas en el establecimiento de la justicia social mediante la declaración de la igualdad de género, la superación de la discriminación y la integración de los sistemas de*

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información en la prestación de servicios sociales. También se ofrecieron recomendaciones prácticas para una euro adaptación exitosa, cuya tarea decisiva es mejorar la calidad de vida de los ciudadanos ucranianos.

Palabras clave: *Curso de integración europea, política social, seguridad social, viabilidad socioeconómica, estado de implementación*

Summary. *I. Introduction. II. Materials and methods. III. Results. IV. Discussion. V. Conclusions. References*

I. INTRODUCTION

Throughout the history of the foreign policy relations of Ukraine, continuous dialogue with the international society has always been the key to the social, economic, and cultural modernization of the Ukrainian people. Realizing the strategic value of international partnership at the end of the last century, the government of the country relentlessly chose the vector of European rapprochement, the priority of which was to ensure the European integration of the Ukrainian state. Since 2014, the country has chosen a course of step-by-step transformation processes to ensure favourable conditions for the stability of the political system and achieve a liberal democracy with reliable systems of checks and balances, in particular, independent media and civil and political rights (Janse, 2019; Moreira y Oliveira, 2022).

Immediately after the beginning of a full-scale war on the territory of Ukraine, joining the European alliance gradually turned into a national idea, which received a record high support among the population of the country and finally declared the inevitability of the European integration path (Reuters, 2022). At the moment, full membership in the Union requires not only the formation of a long-term springboard for trade cooperation or public solidarity but also deep sectoral integration, which will demonstrate the already existing positive trends. Among other things, this refers to focusing the attention and resources of the Ukrainian government on the development of social relations.

By providing answers to the questionnaire of the European Union (EU), Ukraine once again declared itself a democratic, social, legal state, where a person is emphasizing as the highest social value, and their fundamental rights and their guarantees characterize the content and direction of the Ukrainian activities (European Integrational Portal, 2022).

This provision clearly reflects the priority directions of the development of the country – improving the standard of living, respecting the social freedoms of every citizen, especially the most vulnerable segments of society, empowering women, and ensuring gender equality (Presidency of Ukraine, 2019). In addition to approaching the European model of regulation, in the long term, the internal political strategy of Ukraine aimed at raising the social sector will not only guarantee the formation of high living standards for the Ukrainian population but also ensure the emphasizing of the socio-economic situation in the state.

Since the field of social relations has a huge number of diverse aspects, starting with the appointment of social assistance and ending with countering domestic violence, such subjects attract the attention of a considerable number of researchers (Aliyeva, 2022; Nieuwenhuizen, 2022). For example, exploring the directions of improving the pension system of Ukraine, O.V. Grytsyna et al. (2021), concluded that in addition to the full launch of the pension savings system, the state should also make efforts to develop a non-state pension provision, which is an investment resource for the Ukrainian economy (Grytsyna et al., 2021). However, according to Vintoniak (2023), the key to successful European integration is a detailed study of the practice of the European Court of human rights, which will help the Ukrainian legislator to better understand the specific features of social security relations.

The question of approaching European standards is also raised by Orlovska (2022), emphasizing that the principles of international unification should become both a reference point for state social policy and a kind of barrier against hasty politically determined steps of the state. In turn, analysing the state of gender policy in Ukraine, Perevalova and Gariaieva (2021), noted that, despite considerable success in ensuring gender equality, the legal aspect of regulating this area of relations is in dire need of further improvement since not all national acts can be fully applied in practice. Therewith, highlighting the problem of gender justice in social work, Topchii et al. (2022), stressed the need to overcome the existing wage imbalance associated with the involvement of mainly women in its performance and expand the list of “male” professions, with the inclusion of social work in it.

Despite the considerable scientific base, the social field is an extremely dynamic industry that requires continuous research, and therefore the purpose of this study is to analyse the priority directions of development

of the social policy of Ukraine in the context of its European integration path.

II. MATERIALS AND METHODS

The methodological basis of the study consists of methods of analysis, generalisation, and comparison. The method of analysis provided an opportunity to examine the current level of life in Ukrainian society and the international legal obligations of Ukraine to maintain the functioning of the current social protection system and identify defining omissions in the state regulation of social relations. The mentioned method also allowed for establishing the fundamental factors of an effective mechanism of social protection through the analysis of their legal regulation in the acts of the European Union, which were ratified by the Ukrainian parliament or the consent to be bound by which was never granted. In particular, the analysis included both the examination of international agreements (Convention for the Protection of Human Rights and Fundamental Freedoms, 1950; European Social Charter, 1996; Convention about equal treatment and equal opportunities for workers men and women: workers with family responsibilities, 1981; Convention on the Rights of the Child, 1989; Convention on the Elimination of All Forms of Discrimination Against Women, 1979; International Convention on the Elimination of All Forms of Racial Discrimination, 1969; European Code of Social Security (Revised), 1990) and the internal legal framework (Decree of the President of Ukraine No. 722, 2019; Law of Ukraine, 2006, 1999, 2016, 2003, 2021, 2021, 2022).

The authors focused on the Association Agreement between Ukraine, the European Union, and the European Atomic Energy Community (2014), and the Programme of Ukraine's integration into the European Union of 2000 (2000) to identify the process of bringing Ukrainian legislation in line with the acts of the European Union. Therewith, the order of the Ministry of Social Policy of Ukraine No. 90 "On the approval of the Strategic Plan of the Ministry of Social Policy of Ukraine for the 2022 budget year and the two upcoming budget periods (2023-2024)" (2022), Law of Ukraine No. 2017-III "On state social standards and state social guarantees" (2000), and Law of Ukraine No. 2671-VIII "On social services" (2019) were considered in detail. For its part, the method of generalisation allowed identifying the components of the modern social policy of Ukraine, its compliance with international standards in the field of social security and the impact of the interstate alliance on the construction of a national strategy for human development. Therewith, the generalisation method was used

both to identify political and legal shortcomings that play a key role in strengthening the material support of Ukrainian citizens and reflect positive trends in the process of adapting the social protection system to European standards and generally accepted social guarantees. Therewith, using the comparison method, the socio-economic crisis in Ukraine was characterised and the advantages of the European social security system were demonstrated by comparing the economic indicators of Ukraine with similar indicators of the countries of the European Union and other candidate countries for joining the Union (Fjelstul, 2019).

In addition to legal acts, the necessary materials for the study were the papers of German, Turkish, Lithuanian, Italian, Spanish, British, American, Portuguese, Swedish, Finnish, Chilean, Brazilian, and Ukrainian researchers. The authors also used the following integral indicators: The Human Development Index for 2021 (2022), Gross national income per capita for 2021 (2021), the Gender Inequality Index for 2021 (2021), and the Global Gender Gap Report for 2022 (2022). Ultimately, the scientific materials and statistical data used are intended to become the foundation for further studies in the field of development of social protection of the Ukrainian population, and the recommendations made to strengthen social assistance should act as a means of radical transformation of state social regulation.

III. RESULTS

Overcoming poverty, forming high living standards, raising human potential, inviolability of fundamental human rights – ensuring each of these categories has always been, is, and will be a priority commitment of the European Union countries to their citizens, and therefore it is quite logical to concentrate the efforts of the Ukrainian state on improving the social policy strategy. Notably, from the very beginning of bilateral relations between the EU and Ukraine, the social protection of its civilian population has played a leading role in strengthening the political dialogue between the parties. In particular, according to the association agreement between Ukraine, the European Union, and the European Atomic Energy Community of 2014, cooperation in the field of gender equality and non-discrimination, social involvement and unity, and ensuring decent wages were determined among the leading areas of full integration (Association Agreement between Ukraine, the European Union, and the European Atomic Energy

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Community, 2014), since, undoubtedly, it is the effectiveness of social tools that primarily affects the quality of human life within the country.

The effectiveness of the European social security model is clearly demonstrated by the annual international rating of the United Nations Development Programme (United Nations Development Programme [UNDP], 2022). According to the published report for 2021-2022, each of the EU member states, with the exception of Bulgaria, is classified as “very high human development”, while Ukraine ranked only 77th with an indicator of 0.773, which qualifies as “high human development”. Therewith, it is impossible not to recall that Ukraine has remained the poorest country in Europe for several years in a row, where the gross national income per capita in 2021 was 4,120 US dollars, which is nine times lower than the average of the European Union countries, which in the same year was 37,779 US dollars (The World Bank, 2021). In addition, Table 1 shows the unsatisfactory economic results of Ukraine in comparison with all states that currently have the status of candidate countries for EU membership.

Table 1

GNI per capita of candidate states for European Union membership in 2021

Candidate states for European Union membership	GNI per capita (US dollars)
Montenegro	9,340
Serbia	8,460
Bosnia and Herzegovina	6,810
North Macedonia	6,190
Albania	6,110
Moldova	5,370
Ukraine	4,120

Note. Adapted from *GNI per capita, Atlas method (current US\$)*, by The World Bank, 2021.

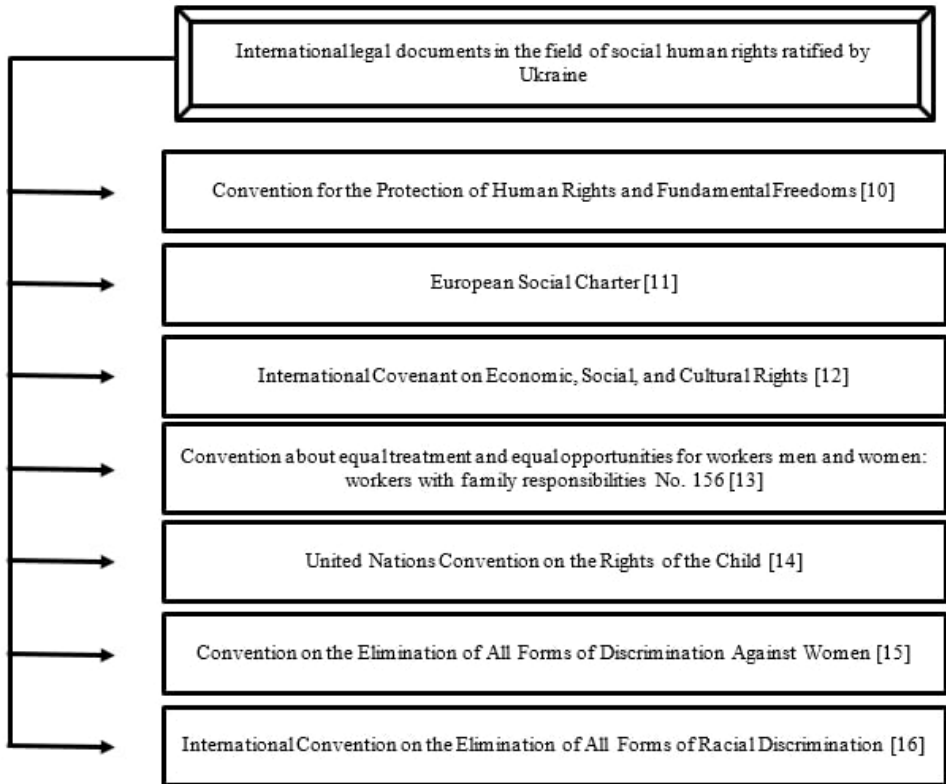
Thus, it can be seen that the standard of living of Ukrainian citizens is characterised by a rather serious social crisis, which requires comprehensive reform. The aggravation of the social situation in the state is also indicated by the discrepancy between state standards and the real needs of citizens, since even the cost of living, which is determined by the basic state social standard (Law of Ukraine, 2019; UNDP, 2021), is not able to

provide the necessary degree of functioning of Ukrainian society, which is emphasised by the first deputy minister of social policy (World Economic Forum [WEF], 2022; Kout, 2023). Undoubtedly, it is impossible to reject such factors as the excessively high inflation rate caused by the military conflict in eastern Ukraine, and then a large-scale invasion in early 2022, but it is the presence of these factors that make it necessary to establish additional benefits, costs, and social support for the most vulnerable segments of the population because the social protection system is “the glue that can hold society together, combining risks and building solidarity” (Razavi, 2022, p. 269).

It should be emphasised that an essential guarantee of social protection is its legal regulation, which is of particular importance in the process of interaction between Ukrainian legislation and European Union law and is a key element of the integration process. Unlike other cross-border legal systems, the EU legal means system is deeply integrated into the internal legal mechanism of the alliance member states [36], and therefore the implementation of the *Acquis Communautaire* concept, also known as the property of the interstate community, remains not only an opportunity for gradual modernisation of the Ukrainian legal field but also a core component of euroadapational activities. The legislative framework of Ukraine is characterised by a considerable number of normative acts designed to ensure a decent level of life for the population, and this refers to both international conventions and the internal Ukrainian legal foundation. Figure 1 illustrates a list of international agreements, the recognition of the legal force of which proclaims social justice as a strategic guideline for the social policy of Ukraine.

Figure 1

International legal documents in the field of social human rights ratified by Ukraine.



Note. Compiled by the authors.

All these legal instruments represent substantial levers of influence on ensuring the implementation of fundamental social human rights, but one of the key interstate agreements that proclaim defining guarantees of social protection needs a more detailed consideration – the European Social Charter (revised) (1996). Having ratified the charter in 2006, Ukraine recognised a number of social standards as generally binding, the most important task of which is to guarantee the modification of Ukrainian legislation on maternal and child health, working conditions, social integration, overcoming discrimination. However, it should be emphasised that the process of giving legal force to the provisions of the charter was accompanied by certain comments, since Ukraine did not assume a number

of radically important obligations, such as: the right to social and medical care, the right of employees to protect their rights in the event of bankruptcy of their employer, and the introduction of a collective complaint procedure (Law of Ukraine, 2006).

Therewith, the issue of improving migration law is more acute than ever, but the country has not yet ratified a single paragraph regulating the right of migrant workers and members of their families to protection and assistance (European Social Charter, 1996). In addition, the implementation of the right to social security, as defined in Art. 12 of the European Social Charter, remains almost the most controversial since this benefit is “the cornerstone of the European system of social rights and is defined as one of the most complex rights of the Charter” (Razavi, 2022; Lukas, 2021). The main purpose of this provision is to establish a social security system or maintain its functioning, but so far, the Ukrainian government does not have effective mechanisms for implementing this norm, because the existence of a huge number of social benefits is characterised by the lack of clear legal regulation, and rather extensive social legislation has many contradictions and legal conflicts. For example, according to the Ukrainian legislative framework, health insurance is a type of mandatory state social insurance (Law of Ukraine, 1999), but today neither the organisational nor financial aspects of this type of insurance have been determined in any way. In 2016 the Verkhovna Rada of Ukraine received a draft of the relevant law to eliminate this gap, which was withdrawn in 2019, and the issue of health insurance has not yet received a proper settlement (Law of Ukraine, 2020). In the context of adapting the national legal framework to the *Acquis Communautaire* norms, these factors play a substantial role, as in accordance with the Programme of Ukraine’s integration into the European Union (2000), the state has pledged to ensure the adoption of the Law “On mandatory state health insurance” (2003) more than 20 years ago.

Thus, it can be concluded that, although the de jure state tries to build domestic legislation on generally recognised principles, the de facto current regulatory situation in the country does not comply with the articles of the charter and cannot guarantee the observance of enshrined rights, which the international community has repeatedly drawn attention to (Council of Europe, 2019). Therewith, it is appropriate to note that the full accession of Ukraine to the provisions of the charter is impossible without recognition of another fundamental EU act in the field of social protection – the European Code of Social Security (1990). Since 2016, Ukraine has been a signatory to

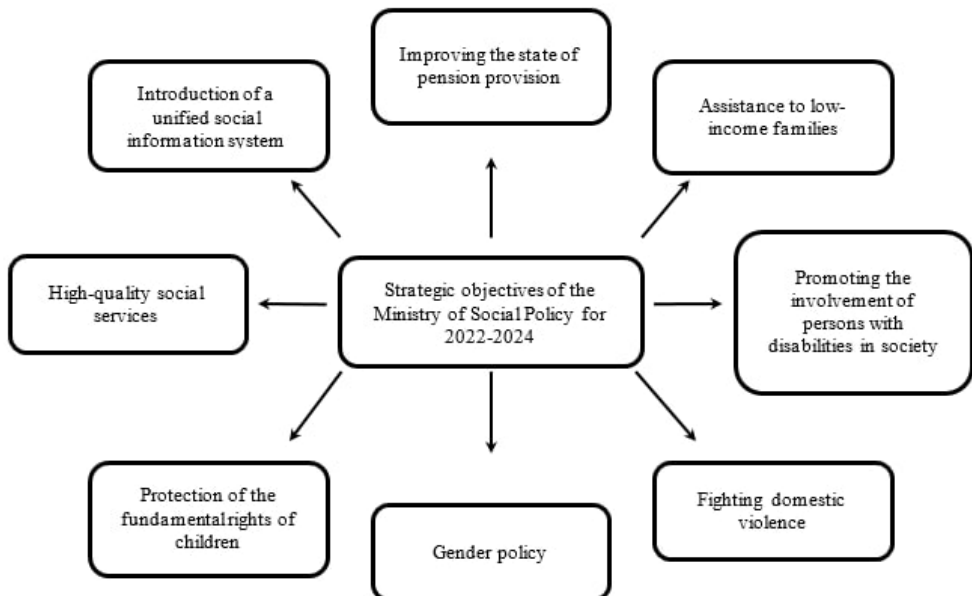
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this agreement, but for almost 7 years since then it has not confirmed compliance with its obligations by ratifying the Code.

However, it is also necessary to consider the fact that it is internal regulation that provides all the core issues of the social field since only the government of the country has the authority to set national policy priorities. The European pillar of social rights may lead to some strengthening in the social dimension of the EU, but this largely depends on the goodwill of governments and public authorities (Manfredi, 2021). The leading institution of Ukraine, which is designed to ensure the implementation of national social activities, is the Ministry of Social Policy. Due to the fact that the mentioned field of relations is not limited only to the regulation of socio-economic support, the Ministry of Social Policy is responsible for improving the financial situation and living conditions of every Ukrainian citizen in general, providing humanitarian assistance, protecting the family, childhood and motherhood. Outlining the priority areas of development, the Ministry has set a certain list of key goals for current budget periods, which is clearly demonstrated in Figure 2, and it is advisable to focus on some of them in more detail.

Figure 2

Strategic goals of the Ministry of social policy of Ukraine for 2022-2024



Note. Compiled by the authors.

Evidently, the concept of declaring equal opportunities for women and men occupies not the last place in the social protection system of Ukraine, thereby ensuring coordinated activities to establish gender objectivity. Inequality between men and women is considered the oldest form of social injustice [40], and therefore its overcoming in the political and social field is a key element not only of the transformation of Ukrainian consciousness, overcoming stereotypes and bias, but also the key to rapprochement with international society. Although social aspects such as gender equality played a secondary role at the beginning of the functioning of the European Economic Community (Gunnarsson and Spangenberg, 2019), the situation changed dramatically at the beginning of the 21st century, and since then the European Court of human rights has repeatedly noted in its decisions that achieving gender equality is one of the main goals of the member states of the Council of Europe (Mendzhul, 2020; Msoosa et al., 2022). Notably, Ukraine is indeed conducting an enhanced campaign to overcome sexual injustice.

As of 2021, the indicator of the Gender Inequality Index (UNDP, 2021) in Ukraine is 0.2, which is twice the best indicator of the same indicator in 1991. It is substantial that according to the above results, Ukraine is ahead of such countries as Moldova (0.205), Bulgaria (0.21), Hungary (0.221), Georgia (0.28), and Romania (0.282). However, despite this, according to the Global Gender Gap Index for 2022 (2022), Ukraine ranked 81st, losing seven positions compared to 2021, which is explained by the presence of extremely unsatisfactory indicators in the category of “political empowerment” (Mykhailova, 2022). Thus, the focus of the Ukrainian authorities on ensuring equal rights and opportunities for women and men is seen as a completely appropriate solution, since already having success in this area, it is important to increase the existing achievements. In addition, according to the results of researchers (Levchenko et al., 2020), gender policy is able to guarantee not only social development but also the annual economic growth of Ukraine (GDP growth) can be accelerated by 7% (7.53 billion US dollars), if the employment rate of women is equal to that of men (Pavlenko, 2023; Giuliani, 2021).

An equally important category is the promotion of inclusion of persons with disabilities in society. According to the Ministry of Social Policy, as of 2020, 2.7 million people in Ukraine have disabilities (Order of the Ministry of Social Policy of Ukraine, 2020), which determines the continuous development of the social protection system for this category of citizens. In this case, the integration of persons with disabilities requires not

only economic assistance or the introduction of a special employment procedure, but also mental, cultural, informational, and educational changes in the functioning of society (Jukšs, 2021). Creating appropriate living conditions for people with disabilities should be accompanied by a complete rethinking of the concept of “person with disabilities” – it is not restrictions and violations that come to the fore, but the person themselves. A similar policy is implemented by the countries of the European Union, which determine the main areas of social protection-assistance in everyday life, humanisation and stimulating barrier-free society, and support for income and living standards (Halytskyi and Gryshova, 2019).

The well-being of Ukrainian citizens with disabilities depends not only on the legal regulation of their public life, but also on building a favourable environment: information education on disability issues, the functioning of specialised elevators and ramps, or even the establishment of polling stations in an accessible way for people with disabilities. No country can call itself democratic until the most vulnerable segments of the population have effective protection of their freedoms, and therefore the issue of supporting people with disabilities will always be relevant both within the international society and at the internal level. Thus, each mentioned aspect of social protection, when properly regulated, is the key not only to political but also economic stability, which brings Ukraine closer to recognition in the international arena.

IV. DISCUSSION

Affecting economic, political, and civil rights, the social protection paradigm occupies a primary place in the internal policy system of the country. As proved above, social relations have a fairly extensive structure, since they are based both on the interaction of citizens with society and on the material, educational, or psychological needs of individuals. Kyrlyuk and Ryabokon (2021) note that social infrastructure plays an important role in solving such social problems as bringing the well-being of urban and rural populations closer together, levelling regional differences in the standard of living of the public and strengthening unity in the way of life of different social groups and segments of the population (Kyrlyuk and Ryabokon, 2021). In turn, Sepúlveda (2014), an expert in the field of law, considers social protection not just another political alternative that countries can adopt or ignore, but rather a legal obligation and a means of achieving diverse goals, as, for example, focusing on the social benefits of each person can help to gain political and public consensus within the state.

Therewith, while emphasising the advantages of developing the social field, it is also advisable to recall the diametrically opposite position, which raises doubts about the value of the functioning of the social protection system. Thus, Piachaud (2015) suggested that social services are important, but perhaps their importance is somewhat exaggerated because although spending on social insurance and social assistance has increased substantially in many countries of the world, poverty has also increased. Thus, having considered several opinions, it is necessary to highlight some interim results. First, overcoming poverty and the gap between social classes are indeed constant priorities of state social policy, which leads to the concentration of resources on preventing material insecurity. And even though recent estimates show that the poverty rate is likely to return to 2019, when about 682 million people (8.5% of the world's population) live below the extreme poverty line, there are reasonable grounds to believe that in the absence of social relations, the indicators should have contained substantially worse data than can be observed at present (Christensen, 2023). Secondly, it seems quite evident that the issue of social policy and respect for fundamental social freedoms concerns every society, regardless of the level of economic growth or well-being of the population, and therefore the main question is not the expediency of the existence of additional guarantees, which is an indisputable fact, but the effectiveness of the functioning of social mechanisms and their responsible use (Sadagat, 2021).

An indisputable tool for adapting and optimising the social field towards the EU is the declared European integration course, which “will allow Ukraine to change priorities in national policy, reviewing the priority of the Sustainable Development Goals of Ukraine and ways to achieve them” (Buryak et al., 2022). However, according to O Kapitan and Nesterenko (2021), joining the European Union is a consequence of positive changes, not their cause, and therefore it is worth deducing Ukraine's own concept of social protection, analysing the existing experience of EU countries. According to the authors, both concepts are complementary, because the European rapprochement, which does not cause any doubts, is a priority guide for reforming not only the social field but also the radical reorganisation of the state development strategy.

Therewith, it is necessary to remember that the social policy of each country is based on the corresponding social needs of their citizens, and in Ukraine, there are substantially more of them than in any other country in Europe, which determines the existence of its own model of social security. Here it is necessary to agree with the position of Dundar (2019), who

stressed that based on the fact that the cause of modification in the welfare state is not just globalisation, each state should develop policies and tools that best fit its social structure to adapt it to the transformation process. Thus, the adjustment of the plan of activities of social institutions in accordance with European standards is a core component for improving coordination and cooperation, and the established system of social protection is the basis for potential entry into the ranks of the international alliance (Pakhomova et al., 2023).

Notably, perhaps the most controversial issue among researchers in the examination of the social complex of Ukraine is the functioning of the pension system because the level of pension provision, like no other payment, demonstrates the state of public well-being. Therewith, the procedure for granting and the amount of this type of insurance has always been a subject of discussion during negotiations between Ukraine and the European Union. In particular, to guarantee a standard of living for the elderly, the state assumed the responsibility not only to modify the current solidary payment system but also to introduce a mandatory mechanism for pension savings in the early 2000s (Presidency of Ukraine, 2000). Fulfilling its obligations, the country accepts Law of Ukraine No. 1058-IV “On Mandatory State Pension Insurance” (2003), where it establishes a three-tier pension system at the legislative level, which still has no practical implementation. A country with a total number of pensioners of almost 11 million people, where the average pension as of 01.10.2022 is 4539 UAH (pension Fund of Ukraine, 2022). For example, in Lithuania the corresponding payments are 220 euros, in Romania – 175 euros, in Poland – 400 euros (Migrant, 2023), that certainly needs a funded level, which, according to Mykhailova (2022), is necessary to increase the complex coefficient of salary replacement with pension as the main indicator of the sufficiency of pension payments.

The former minister of social policy of Ukraine Pavlo Rozenko (2023) came to similar reflections, who noted that without a quick reform of the pension structure “in 10-15 years even larger pension crisis will occur”, while in the pre-war period, the prime minister of Ukraine repeatedly drew attention to the substantial economic benefits of creating this savings mechanism (Government Portal, 2021). Admittedly, it is necessary to consider the fact that the war made its own adjustments to the process of introducing a funded system that should have started working in early 2023 – the birth rate has worsened, the number of working people has been extremely reduced due to migration, and the percentage of elderly people has not undergone substantial changes. However, the authors fully support

Tarasenko (2019), who noted that exorbitant inflation rates and the budget deficit of the Pension Fund are not the only reasons that make it impossible for such a system of savings to function, also the lack of clear legal regulation, the meagre level of income of citizens and the weak development of financial institutions. Although the reform of the pension system is now considered an almost unattainable task in practice, focusing the attention of the Ukrainian authorities on the legal regulation of pension provision is a good start.

Thus, Ukrainian legislation is one of the central gaps in Ukraine's European integration policy. Despite years of work towards the implementation of European standards, the state not only caused a gap between the internal framework and EU law but also failed to achieve the unity of the National Legal foundation into an integral, inviolable structure. For example, according to the standards of the Council of Europe and the European Union, social protection is classified as a single system, which, in addition to social insurance, also includes other forms of social security, including state aid, and special additional protection for a certain category of the population (Zhuravel et al., 2022; Kovács, 2022). In this case, it is noteworthy that Ukraine still does not have a generalised codified act regulating the social protection of Ukrainian citizens. Therewith, it is necessary to understand that further development of social relations is impossible without full recognition of key international acts – the European Social Charter (1996) and the European Code of Social Security (1990). Even despite that the European Charter moves between the rank of fundamental principles and rules, having a higher character than customary law, but without the authority to order states to comply with the relevant decisions, this document is the declaration of social freedoms of the EU, which builds primary principles and guarantees of social protection, which makes it one of the defining acts in the system of law of the interstate Union and is binding on the entire European community (López and Marcuello-Servos, 2018).

However, despite the above-mentioned regulatory shortcomings, it cannot be fully stated that there are no positive developments in the regulation of social protection tools. Realising that one of the most widely used measures to reduce social exclusion is the proper organisation and availability of social services (Cizikiene and Urmanaviciene, 2018), at the beginning of 2019, the Ukrainian legislator finally approved the Law of Ukraine No. 2671-VIII “On social services” (2019). Anttonen (2017) emphasises that this type of service not only increases the well-being of

citizens, regardless of their position in the labour market but is also a means of integrating people into society and compensating for the loss or lack of opportunities and resources. Therefore, considering the fundamental importance of the concept of providing social services, over the past few years, national standards have come into force, which, for example, define a detailed procedure for providing support during inclusive education (Law of Ukraine, 2021), the organisation of care and upbringing of children in conditions close to family (Law of Ukraine, 2021), indicators of the quality of physical support for disabled persons with visual impairment (Law of Ukraine, 2022).

Therewith, to further improve the mechanism for receiving and providing diverse categories of social services, the country has a unified information system of the social field, on the subsystem of which the registration of social service providers has already been digitalised (Order of the Ministry of Social Policy of Ukraine, 2023). López and Marcuello-Servós (2018), note that digitalisation affects not only user behaviour and social exclusion processes but also government agencies that are in the midst of an intensive digitalisation process. The author fully supports these opinions since such innovations will potentially contribute both to increasing the transparency of social protection bodies through the elimination of corruption risks and the development of relations in the social field in general.

Thus, it is worth summarising that, although adaptation to European standards is taking place gradually, many innovative changes have already been introduced that require further investigation. Focusing on the European model of regulation, Ukraine mainly does not create mechanisms for implementing it, while losing promising tools for social regulation. For successful integration, the state must commit itself to creating an effective social protection system, which will be accompanied by a holistic regulatory framework.

V. CONCLUSIONS

Thus, summarising all the above, the development of social relations directly affects the quality of life of society, since the indicator of the effectiveness of its functioning can be both an increase in the economic potential of the state and an increase in poverty. The countries of the European Union are skilfully demonstrating the effectiveness of the European regulatory model, which is aimed at investing in human capital,

and although the government of Ukraine is doing everything possible to implement such a concept, there are still substantial shortcomings.

First of all, these are gaps in the national legal foundation, which is a key element of euroadapational activities. Having an extensive legislative framework, Ukraine has not yet created a complete social protection system that would guarantee the right to health insurance or the introduction of a system of pension savings. In addition, the completion of the *Acquis Communautaire* procedure is not possible until Ukraine ratifies the fundamental legal acts in the field of social protection and a number of leading legal provisions that can substantially improve the level of social security. However, the successful decisions of the Ukrainian authorities, in particular, the definition of strategic development goals, cannot be ignored. Already having positive achievements in the fight against discrimination, Ukraine directs resources to establish gender equality and promote the full involvement of people with disabilities in society. The establishment of gender justice, the proclamation of the idea of barrier-free relations with vulnerable segments of the population, and the efforts towards material support for the elderly – each of these categories is the core of European social values, and therefore the course of their implementation on the territory of Ukraine in the future can become the root cause of social and economic growth in the international arena.

Therewith, it should be remembered that although European experience and generally recognised standards are effective tools for reforming social policy, Ukraine should create its own regulatory model, being able to adapt to the urgent needs of its population. Changes in legislative acts will not have any impact without creating proper mechanisms for their implementation, and therefore the state should focus on improving the Ukrainian concept of social protection: reducing social and economic inequality, improving the information literacy of citizens, forming a well-coordinated structure of social protection, and creating conditions for strengthening human capital. Thus, the priorities of social transformation and their compliance with European standards were examined, but this subject is extremely diverse and therefore requires further additional research.

REFERENCES

- Aliyeva, S. (2022). The embodiment of the feminine issue in cultural models. *Ad Alta- Journal of Interdisciplinary Research*, 12(1), 298-302.
- Anttonen, A. (2017). *Challenges and dilemmas in the provision of social services*. Edward Elgar Publishing.
- Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part*. (2014). <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29>
- Buryak, E., Redko, K., Chornovol, A., & Orlenko, O. (2022). Socio-economic aspects of the sustainable development of Ukraine in the conditions of war (European integration aspects). *Scientific Notes of Lviv University of Business and Law*, 34, 135-143.
- Christensen, Z. (2023). *Economic poverty trends: global, regional, and national*. <https://devinit.org/resources/poverty-trends-global-regional-and-national/>
- Cizikiene, J., & Urmanaviciene, A. (2018). The aspects of provision of social services considering the social exclusion dimensions in the context of rational choice theory. *Eurasian Journal of Social Sciences*, 6(1), 29-36. <http://doi.org/10.15604/ejss.2018.06.01.004>
- Council of Europe. (2019). *European Social Charter. European Committee of Social Rights. Conclusions 2019*. <https://rm.coe.int/european-committee-of-social-rights-conclusions-2019-ukraine-ukr-/16809e21f3>
- Dundar, E. (2019). *Social policy and the welfare state. Public Economics and Finance*. IntechOpen.
- European Integrational Portal. (2022). *Ukraine's answers to the EU Questionnaire on the Application for Membership. Part I. Volume II*. https://eu-ua.kmu.gov.ua/sites/default/files/inline/files/ukraine_questionnaire_part_1_vol_2.pdf
- European Social Charter (revised)*. (1996). https://zakon.rada.gov.ua/laws/show/994_062#Text
- Fjelstul, C. (2019). The evolution of European Union law: A new data set on the Acquis Communautaire. *European Union Politics*, 20(4), 670-691. <https://doi.org/10.1177/1465116519842947>
- Giuliani, A. (2021). The dual dimension of the European Social Charter and its effects on the rules on the protection against unlawful dismissals. *Italian Labour Law e- Journal*, 2(14), 139-155. <https://doi.org/10.6092/issn.1561-8048/13483>

- Government Portal. (2021). Denys Shmyhal: *Economic effect from the introduction of a funded pension scheme is expected at UAH 477 billion by 2030*. <https://www.kmu.gov.ua/en/news/denis-shmigal-ekonomichnij-efekt-vid-zaprovadzhennya-nakopichualnoyi-pensiyi-477-mlrd-grn-do-2030-roku>
- Grytsyna, O., Bozhanova, O., Sholudko, O., Tofan, I., & Kolodiy, A. (2021): Pension reform in Ukraine and its prospects. *Economics Bulletin*, 2(74), 52-59. <https://doi.org/10.33271/ebdut/74.052>
- Gunnarsson, A., & Spangenberg, U. (2019). Gender equality and taxation policies in the EU. *Intereconomics*, 54, 141-146. <https://doi.org/10.1007/s10272-019-0812-5>
- Halytskyi, O., & Gryshova, R. (2019). World experience of implementation of the state policy of support of persons with disabilities and its implementation in Ukraine. *Investment: Practice and Experience*, 6, 122-127. <http://doi.org/10.32702/2306-6814.2019.6.122>
- International Covenant on Economic, Social and Cultural Rights*. (1966). https://zakon.rada.gov.ua/laws/show/995_042#Text
- Janse, R. (2019). Is the European Commission a credible guardian of the values? A revisionist account of the Copenhagen political criteria during the Big Bang enlargement. *International Journal of Constitutional Law*, 17(1), 3-65. <http://doi.org/10.1093/icon/moz009>
- Jukšs, V. (2021). Peculiarities of employee professional development in the world, European Union, and Latvia. *Insights into Regional Development*, 3(4), 80-100. [http://doi.org/10.9770/IRD.2021.3.4\(6\)](http://doi.org/10.9770/IRD.2021.3.4(6))
- Kapitan, O., & Nesterenko, A. (2021). The influence of European integration processes on the development of the social sphere of Ukraine. *Scientific Notes of Lviv University of Business and Law*, 29, 260-266.
- Kout, A. (2023). *The cost of living in Ukraine is 2.5 lower than the real one, – deputy head of the Ministry of Social Policy*. <https://ubr.ua/ukraine-and-world/society/prozhitochnyj-minimum-v-ukraine-v-2-5-raza-menshe-realnogo-zamglavy-minsotspolitiki>
- Kovács, A. (2022). Ransomware: a comprehensive study of the exponentially increasing cybersecurity threat. *Insights into Regional Development*, 4(2), 96-104. [https://doi.org/10.9770/IRD.2022.4.2\(8\)](https://doi.org/10.9770/IRD.2022.4.2(8))
- Kyryliuk, V., & Ryabokon, I. (2021). Role of social sphere in ensuring quality of working life. *VUZF Review*, 6(3), 66-77. <https://doi.org/10.1093/icon/moz009>
- Law of Ukraine. (2003). *On Mandatory State Pension Insurance*. <https://zakon.rada.gov.ua/laws/show/1058-15#Text>

- Priorities for the development of the social field in Ukraine and its legal regulation in the context of adaptation to European standards.*
- Law of Ukraine. (1999). *On mandatory state social insurance.* <https://zakon.rada.gov.ua/laws/show/1105-14#Text>
- Law of Ukraine. (2006). *On the ratification of the European Social Charter (revised).* <https://zakon.rada.gov.ua/laws/show/137-16#Text>
- Law of Ukraine. (2000). *On state social standards and state social guarantees.* <https://zakon.rada.gov.ua/laws/show/2017-14#Text>
- Law of Ukraine. (2019). *On social services.* <https://zakon.rada.gov.ua/laws/show/2671-19#Text>
- Law of Ukraine. (2016). *On mandatory state social health insurance in Ukraine.* <https://ips.ligazakon.net/document/JH3UD1BA>
- Law of Ukraine. (2021). *On the approval of the State standard of social support services during inclusive education.* <https://zakon.rada.gov.ua/laws/show/z0072-22#Text>
- Law of Ukraine. (2022). *On the approval of the state standard of social services for physical support of persons with disabilities and visual impairment.* <https://zakon.rada.gov.ua/laws/show/z0711-22#Text>
- Law of Ukraine. (2021). *On the approval of the State standard of social services for the care and upbringing of children in conditions close to family ones.* <https://zakon.rada.gov.ua/laws/show/z0856-21#Text>
- Levchenko, K. B., Zhukovska, H. G., Levchenko, K. B., Ostapenko, O., & Suslov, O. I. (2020). *Gender policy in legal documents. Part 1.* Conference for Security and Cooperation in Europe.
- López, A., & Marcuello-Servós, C. (2018). E-social work and digital society: Re-conceptualizing approaches, practices, and technologies. *European Journal of Social Work, 21*(6), 801-803. <http://doi.org/10.1080/13691457.2018.1520475>
- Lukas, K. (2021). *The revised European social charter.* Edward Elgar Publishing.
- Manfredi, M. (2021). Enhancing economic and social rights within the internal market through recognition of the horizontal effects of the European charter of fundamental rights. *European Papers, 6*(1), 293-309. <https://doi.org/10.15166/2499-8249/467>
- Mendzhul, M. (2020). Problems of the implementation of the principle of gender equality (comparative legal aspect). *Constitutional and Legal Academic Studies, 2*, 44-51.
- Migrant. (2023). *The amount of pensions in European countries.* <https://migrant.biz.ua/dovidkova/emigracia/pensii-v-krainakh-ievropy.html>

- Moreira, J., & Oliveira, C. (2022). Quantifying for qualifying: A framework for assessing gender equality in higher education institutions. *Social Sciences*, 11(10), 478. <https://doi.org/10.3390/socsci11100478>
- Msosa, S., Ntshangase, B., & Mlambo, C. (2022). Gender parity among researchers in science, technology, engineering, and mathematics. *Entrepreneurship and Sustainability Issues*, 9(4), 243-261. [http://doi.org/10.9770/jesi.2022.9.4\(13\)](http://doi.org/10.9770/jesi.2022.9.4(13))
- Mykhailova, I. (2022). Problems of reforming the pension system Ukraine in the conditions of European integration [Conference]. *Materials of the All-Ukrainian Scientific and Practical Conference*. Liha-Pres.
- Nieuwenhuizen, C. (2022). Female social entrepreneurs in Africa creating social value through innovation. *Entrepreneurship and Sustainability Issues*, 9(4), 225-242. [http://doi.org/10.9770/jesi.2022.9.4\(12\)](http://doi.org/10.9770/jesi.2022.9.4(12))
- Order of the Ministry of Social Policy of Ukraine. (2020). *For persons with disabilities*. <https://www.msp.gov.ua/timeline/invalidnist.html>
- Order of the Ministry of Social Policy of Ukraine. (2022). *On the approval of the Strategic Plan of the Ministry of Social Policy of Ukraine for the 2022 budget year and the two upcoming budget periods (2023–2024)*. <https://www.msp.gov.ua/documents/6220.html>
- Order of the Ministry of Social Policy of Ukraine. (2023). *The registration of social service providers has been digitized*. <https://www.msp.gov.ua/news/22710.html>
- Orlovska, I. (2022). The European pillar of social rights as a guideline for the social policy of Ukraine in the conditions of the European vector of development. *South Ukrainian Law Journal*, 4, 40-46.
- Pakhomova, T., Hryhorieva, V., Omelchenko, A., Kalenyk, M. & Semak, L. (2023). The formation of digital competence by means of information and communication technologies among students of higher education. *Eduweb. Revista de Tecnologia de Informacion y Comunicacion en Educaci3n*, 17(2), 78-88. <http://doi.org/10.46502/issn.1856-7576/2023.17.02.7>
- Pavlenko, V. (2023). *Why the European Commission gave Ukraine one point for social policy*. <https://texty.org.ua/articles/109148/chomu-yevropejska-komisiya-postavyla-ukrayini-odynycyu-za-socialnu-polityku/>
- Pension Fund of Ukraine. (2022). The average size of the assigned pension payment and the specific weight of pensioners according to the size of the assigned monthly pensions in their total number as of October 1, 2022: <https://www.pfu.gov.ua/2154348-serednij-rozmir-pryznachenoyi-pensijnoyi-vyplaty-ta-pytomu-vagu-pensioneriv-za-rozmiramy-pryznachenyh-misyachnyh-pensij-u-zagalnij-yih-chyselnosti-stanom-na-01-10-2022-roku/>

- Priorities for the development of the social field in Ukraine and its legal regulation in the context of adaptation to European standards.*
- Perevalova, L., & Gariaieva, G. (2021). Legal principles of regulation of state gender policy in Ukraine. *Law and Innovative Societies*, 1(16), 136-143.
- Piachaud, D. (2015). The future of social policy. Changing the paradigm. *Asia & the Pacific Policy Studies*, 2(1), 1-7. <http://doi.org/10.1002/app5.69>
- Presidency of Ukraine. (2019). *Decree of the President of Ukraine No. 722 “On the Sustainable Development Goals of Ukraine for the period until 2030”*. <https://zakon.rada.gov.ua/laws/show/722/2019#Text>
- Presidency of Ukraine. (2020). *Program of Ukraine’s integration into the European Union*. <https://ips.ligazakon.net/document/U1072>
- Razavi, S. (2022). Making the right to social security a reality for all workers. *The Indian Journal of Labour Economics*, 65, 269-294. <https://doi.org/10.1007/s41027-022-00378-6>
- Reuters. (2022). *Record number of Ukrainians support joining EU, backing for NATO membership falls – poll*. <https://www.reuters.com/world/europe/record-number-ukrainians-support-joining-eu-backing-nato-membership-falls-poll-2022-04-05/>
- Sadagat, A. (2021). Gender relations in socio-cultural terms in Azerbaijan. *Voprosy Istorii*, 5(2), 170-177. <http://doi.org/10.31166/VoprosyIstorii202105Statyi47>
- Sepúlveda, M. (2014). *The rights-based approach to social protection in Latin America*. ECLAC – Social Policy Series. <https://repositorio.cepal.org/handle/11362/37517>
- Tarasenko, V. (2019). Perspectives of implementation of the defined contribution pension system. *Scientific Bulletin of the International Humanitarian University*, 38, 103-105.
- The World Bank. (2021). *GNI per capita, Atlas method (current US\$)*. https://data.worldbank.org/indicator/NY.GNP.PCAP.CD?end=2021&most_recent_value_desc=false&start=2021&view=map&year=2021
- Topchii, H., Lytvynenko, A., & Ivzhenko, I. (2022). Gender policy in Ukraine: modern transformations. *Scientific Perspectives*, 1(19), 233-245.
- United Nations Development Programme [UNDP]. (2021). *Gender inequality index*. <https://hdr.undp.org/data-center/thematic-composite-indices/gender-inequality-index#/indicies/GII>
- United Nations Development Programme [UNDP]. (2022). *Human Development Report 2021/2022*. https://hdr.undp.org/system/files/documents/global-report-document/hdr2021-22pdf_1.pdf
- Verkhovna Rada of Ukraine. (1950). *Convention for the Protection of Human Rights and Fundamental Freedoms*. https://zakon.rada.gov.ua/laws/show/995_004#Text

Verkhovna Rada of Ukraine. (1969). *International Convention on the Elimination of All Forms of Racial Discrimination*.
https://zakon.rada.gov.ua/laws/show/995_105#Text

Verkhovna Rada of Ukraine. (1979). *Convention on the Elimination of All Forms of Discrimination Against Women*.
https://zakon.rada.gov.ua/laws/show/995_207#Text

Verkhovna Rada of Ukraine. (1981). *Convention about equal treatment and equal opportunities for workers men and women: workers with family responsibilities No. 156*. https://zakon.rada.gov.ua/laws/show/993_010#Text

Verkhovna Rada of Ukraine. (1989). *Convention on the Rights of the Child*.
https://zakon.rada.gov.ua/laws/show/995_021#Text

Verkhovna Rada of Ukraine. (1990). *European Code of Social Security (Revised)*.
https://zakon.rada.gov.ua/laws/show/994_651#Text

Vintoniak, K. (2023). Directions of improving the legal regulation of the pension system during the European integration. *New Ukrainian Law*, 1(6), 55-61.

World Economic Forum [WEF]. (2022). *Global Gender Gap Report*.
https://www3.weforum.org/docs/WEF_GGGR_2022.pdf

Zhuravel, V., Epel, O., Yehorova-Lutsenko, T., Didychenko, M., & Dyachenko, O. (2022). Social security and protection in the context of European integration in Ukraine. *Jurídicas CUC*, 18(1), 397-420.
<https://doi.org/10.17981/juridcuc.18.1.2022.16>.