Thus, the EU has developed a comprehensive regulatory landscape aimed at fostering fair competition and innovation while ensuring data protection, platform accountability, secure data use, and trustworthy artificial intelligence.

The international development strategy of Ukrainian enterprises in the EU digital market should be based on the proactive implementation of regulatory compliance. This requires a comprehensive set of measures, including preliminary regulatory audits, personal data protection in accordance with European standards, compliance with the regulatory framework governing digital markets, and the assessment of risks and transparency requirements related to artificial intelligence systems. Embedding these requirements into the design and development of digital products can help mitigate regulatory barriers and facilitate their effective scaling across the European Union.

REFERENCES

1. Eurostat. ICT sector – value added, employment and R&D : Statistics Explained. URL: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=ICT_sector_-_value_added,_employment_and_R%26D

2. Regulation (EU) 2016/679 (General Data Protection Regulation) : Regulation of the European Union of 27.04.2016 № 2016/679. URL: https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng

3. Regulation (EU) 2022/1925 (Digital Markets Act) : Regulation of the European Union of 14.09.2022 № 2022/1925. URL: https://eur-lex.europa.eu/eli/reg/2022/1925/oj/eng

4. Regulation (EU) 2022/2065 (Digital Services Act) : Regulation of the European Union of 19.10.2022 № 2022/2065. URL: https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng

5. Regulation (EU) 2023/2854 (Data Act) : Regulation of the European Union of 13.12.2023 № 2023/2854. URL: https://eur-lex.europa.eu/eli/reg/2023/2854/oj/eng

6. Regulation (EU) 2024/1689 (Artificial Intelligence Act) : Regulation of the European Union of 13.06.2024 № 2024/1689. URL: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32024R1689

7. World Bank. GDP (current US$) : World Development Indicators. URL: https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?locations=EU-CN-US

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LEGAL FRAMEWORK FOR ENSURING THE ECONOMIC SECURITY OF THE STATE UNDER CONTEMPORARY CHALLENGES

Against the backdrop of large-scale changes in the global economic environment, the escalation of military threats, instability in international markets, disruptions to supply chains, increasingly intense technological competition, and the proliferation of cyber threats, the importance of national economic security has become increasingly evident. For Ukraine, the consequences of the full-scale war, the need to ensure national economic stability, protect critical infrastructure, maintain investment potential, and establish a legal framework for post-war recovery further exacerbate these challenges.

At the same time, the nature of contemporary threats to economic security is complex and extends far beyond the scope of traditional economic crimes. These threats include dependence on critical resources and technologies, disruptions to supply chains, cyber risks, economic coercion, unlawful influence over strategic enterprises, and the use of economic instruments to pursue geopolitical objectives. Therefore, there is an urgent need to improve the legal and regulatory mechanisms for preventing and responding to such threats.

This issue is particularly important in the context of Ukraine's European integration. The European Union is gradually developing a comprehensive economic security system that combines such elements as the protection of critical supply chains, technological and cybersecurity, the protection of critical infrastructure, and the mitigation of economic dependencies. In this context, aligning Ukrainian

legislation with the relevant European models is an important prerequisite for strengthening national economic stability and deepening Ukraine's integration into the European economic area.

The European Economic Security Strategy (Joint Communication of the European Commission of 20 June 2023) identifies four categories of risks related to: (1) the resilience of supply chains; (2) physical security and cybersecurity of critical infrastructure; (3) technology security and technology leakage; and (4) the use of economic dependencies as a "weapon" or economic coercion. The risk of the use of economic dependencies as a "weapon" or economic coercion is defined as the risk that third countries may take measures affecting trade or investment in order to compel the EU, its Member States, and EU businesses to change policies falling within the scope of legitimate policymaking (Section 2 of the European Economic Security Strategy) [2].

Among the priorities of the European Economic Security Strategy, one of the key objectives is to protect against common economic security risks through more effective use of existing instruments, such as trade defence instruments, rules on foreign subsidies, 5G/6G security, foreign direct investment screening mechanisms, and export controls, as well as the new instrument for countering economic coercion (Section 1) [2].

It is important to note that each of these protection mechanisms has a specific focus on identifying and preventing particular risks in the economic sphere that may arise as a result of the activities of various subjects of law.

To systematize the understanding of the types and specific application of the relevant legal instruments for ensuring economic security according to the criterion of the subjects involved, scholars [1] propose classifying certain acts of secondary European Union law as follows:

1. Legal instruments for preventing risks and countering threats to economic security arising from the actions of third countries. [1] Among the legal instruments belonging to this classification group, particular attention should be paid to the provisions of Regulation (EU) 2023/2675 of the European Parliament and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries [5].

2. Legal instruments for preventing risks and countering threats to economic security arising from the actions of natural or legal persons from third countries with targeted support from such countries through the provision of subsidies. [1] This classification group includes the provisions of Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market [4].

3. Legal instruments for preventing risks and countering threats to economic security arising from the actions of natural or legal persons from third countries, as well as business entities established under the law of an EU Member State but directly or indirectly controlled by a natural or legal person from a third country. [1] The legal instruments in this classification group are most clearly represented by the provisions of Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the European Union [3].

Thus, an analysis of EU secondary legislation demonstrates that the contemporary legal system of economic security is a complex, multi-level system of preventive and protective mechanisms designed to address risks based on their source and the nature of potential threats. Its key characteristic is a shift in focus from addressing existing economic threats towards their early identification, assessment, and mitigation.

In particular, EU legal mechanisms address economic pressure from third countries, prevent the adverse effects of foreign subsidies on the competitive environment, and regulate foreign investments that may pose risks to security and public order. Accordingly, depending on the subject matter and the way in which a risk arises, different legal instruments are employed, including monitoring and assessment, investigations, screening, restrictive and corrective measures, as well as mechanisms of international coordination.

An important feature of this system is the combination of national and supranational laws and regulatory acts, which ensures consistency in the economic policies of EU Member States and enables a coordinated response to external economic threats. At the same time, the scope of legal regulation is gradually expanding to cover not only direct actions by foreign actors but also the activities of private entities, provided that such activities are directly or indirectly associated with foreign influence or pose a risk to internal markets.

Given Ukraine's need to align its national legislation with European economic security standards, the EU experience is particularly important. First, this involves establishing mechanisms for controlling foreign subsidies, screening foreign investments, countering economic coercion, and assessing risks arising from foreign control over strategically important enterprises. At the same time, the harmonization of Ukrainian legislation with EU law should take into account not only the existing EU regulatory framework but also its future direction of development.

Thus, the European approach demonstrates a shift towards a risk-oriented legal framework for economic security, in which the early identification of potential threats, assessment of their scale, and adoption of appropriate legal response measures are of crucial importance. The implementation of a similar system in Ukraine would contribute to enhancing the stability of the national economy and establish an appropriate legal foundation for Ukraine's integration into the European economic area.

REFERENCES

1. Ustymenko V.A., Dzhabrailov R.A., Sieriebriak S.V. Pravove zabezpechennia ekonomichnoi bezpeky: systemnyi pidkhid YeS ta yoho vrakhuvannia u natsionalnomu zakonodavstvi [Legal Framework for Economic Security: The EU's Systemic Approach and Its Incorporation into National Legislation]. Analitychno-porivnialne pravoznavstvo – Analytical and Comparative Jurisprudence. 2025. DOI: 10.24144/2788-6018.2025.06.1.81.

2. Joint Communication to the European Parliament, the European Council and the Council on «European Economic Security Strategy». JOIN/2023/20 final. 20.06.2023. Eur-lex. Access to European Union Law. URL: https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52023JC0020

3. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union.Eur-lex. Access to European Union Law. URL: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02019R0452-20211223

4. Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market.Eur-lex. Access to European Union Law. URL: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02022R2560-20221223

5. Regulation (EU) 2023/2675 of the European Parliament and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries. Eur-lex. Access to European Union Law. URL: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02023R2675-20231207