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Legal mechanisms for ensuring the economic sovereignty of Ukraine under martial law

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Abstract: This study examines the legal mechanisms protecting Ukraine's economic sovereignty under martial law and evaluates their role in maintaining national economic governance during armed conflict. The research applies doctrinal legal analysis, comparative legal analysis, normative legal diagnostics, institutional analysis, and legal stress-testing to assess the effectiveness and resilience of the regulatory framework. The findings demonstrate that economic sovereignty is ensured through the interaction of constitutional guarantees, emergency economic legislation, financial regulation, strategic sector protection, and coordinated institutional governance. Comparative analysis indicates that Ukraine's legal framework corresponds to contemporary approaches to emergency economic governance while reflecting the specific challenges of prolonged military aggression. The study proposes an integrated analytical framework for assessing wartime economic governance and concludes that legal coherence, institutional coordination, and regulatory adaptability are decisive factors in preserving economic sovereignty under martial law. The findings contribute to comparative legal scholarship on emergency governance and provide practical guidance for improving legislative resilience during armed conflict.

Keywords: Economic Sovereignty, Martial Law, Economic Governance, National Economic Security, Constitutional Economic Regulation, Strategic Sector Protection, Wartime Economic Regulation, Ukraine

1. Introduction

The preservation of economic sovereignty has become one of the principal legal challenges confronting states during armed conflict and emergency governance. Military aggression fundamentally transforms economic relations by requiring governments to reconcile constitutional guarantees of economic freedom with exceptional regulatory measures aimed at safeguarding national security, financial stability, and the continuity of essential public functions. Under such circumstances, the legal framework governing economic activity becomes a decisive instrument for maintaining independent economic decision-making while ensuring the continuity of strategic sectors and critical infrastructure. The interaction between constitutional regulation, emergency governance, and sector-specific legal mechanisms is therefore central to the preservation of economic sovereignty during armed conflict. Within contemporary constitutional theory, economic sovereignty refers to the state's legal authority to determine economic policy autonomously while remaining subject to constitutional principles and the rule of law.^{6,7}

Unlike economic security, which focuses primarily on protecting the national economy from internal and external threats, economic sovereignty emphasizes the legal competence of public authorities to regulate economic governance under

⁶ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". *Public Choice*, v. 190, 2022, pp.1-32. <https://doi.org/10.1007/s11127-021-00918-6>

⁷ BJØRNSKOV, C., VOIGT, S., and KHESALI, M. "Unconstitutional states of emergency". *The Journal of Legal Studies*, v. 51, n. 2, 2022, pp.455-481. <https://doi.org/10.1086/718681>

extraordinary constitutional regimes.⁸ The introduction of martial law in Ukraine in 2022 provides a significant example of this transformation, as emergency legislation expanded state regulation of fiscal policy, banking supervision, strategic enterprises, public procurement, and critical infrastructure to preserve effective economic governance during prolonged military aggression.⁹

Although contemporary scholarship has examined emergency governance, constitutional resilience, economic security, and strategic regulation, these issues are generally analysed separately. Existing studies devote limited attention to the integrated legal architecture through which constitutional norms, emergency legislation, institutional coordination, and sector-specific regulation collectively protect economic sovereignty. Consequently, insufficient attention has been paid to the interaction of these legal mechanisms within a unified analytical framework.^{10,11}

This study proceeds from the hypothesis that the preservation of economic sovereignty under martial law depends primarily on the coherence, adaptability, and institutional effectiveness of the legal framework rather than exclusively on macroeconomic performance indicators.

The research aims to investigate the legal mechanisms through which Ukraine protects its economic sovereignty during martial law and to determine how these mechanisms contribute to maintaining national economic governance under conditions of armed conflict.

To achieve this objective, the study examines the constitutional foundations of economic sovereignty, analyses the regulatory framework governing wartime economic relations, evaluates institutional coordination, and assesses the effectiveness and resilience of legal mechanisms through normative legal diagnostics, comparative legal analysis, and legal stress-testing.

The scientific contribution of this research lies in the development of an integrated analytical framework that combines constitutional principles, emergency economic legislation, institutional governance, and sector-specific regulation. By applying the Legal Mechanism Effectiveness Evaluation Matrix (LM-EEM), Comparative Regulatory Analysis Database (CRAD), Economic Sovereignty Scenario Modeling Toolkit (ESSMT), and Institutional Economic Governance Interaction Map (IEGIM), the study offers a transparent methodology for evaluating legal mechanisms protecting economic sovereignty under emergency constitutional regimes.

2.1 Literature review

2.1 Economic sovereignty as a constitutional principle

Recent legal scholarship demonstrates that the concept of economic sovereignty has undergone substantial doctrinal evolution in response to geopolitical instability, armed conflicts, economic globalization, and increasing interdependence between national economies. Whereas classical constitutional theory associated sovereignty primarily with supreme authority over territory and public institutions, contemporary legal scholarship increasingly conceptualizes economic sovereignty as the constitutional capacity of the state to determine and implement economic policy

⁸ KULYK, S. "Legal regime of martial law: theoretical and methodological aspects". *Slovo of the National School of Judges of Ukraine*, v. 1-2, n. (38-39), 2022, pp. 95-103. [https://doi.org/10.37566/2707-6849-2022-1-2\(38-39\)-9](https://doi.org/10.37566/2707-6849-2022-1-2(38-39)-9)

⁹ LABELLE, M. C. "Breaking the era of energy interdependence in Europe: A multidimensional reframing of energy security, sovereignty, and solidarity". *Energy Strategy Reviews*, v. 52, 2024, pp. 101314. <https://doi.org/10.1016/j.esr.2024.101314>

¹⁰ Ibid.

¹¹ MAKAROV, E., and POLILLO, S. "Economic emergencies: Exception, government and the management of the economy". *Journal of Cultural Economy*, v. 18, n. 5, 2025, pp. 753-773. <https://doi.org/10.1080/17530350.2025.2544868>

independently while remaining bound by the rule of law, democratic accountability, and constitutional limitations.¹² This modern interpretation recognizes that economic sovereignty extends beyond ownership or control of economic resources and encompasses the legal authority to regulate strategic sectors, maintain macroeconomic stability, and ensure the continuity of essential public functions during periods of exceptional constitutional governance.¹³

An important conceptual distinction has consequently emerged between economic sovereignty and economic security. Economic security primarily concerns protecting the national economy against internal and external threats, whereas economic sovereignty focuses on the legal competence of constitutionally established public authorities to formulate, implement, and adapt economic policy under changing political and security conditions.¹⁴ This distinction becomes particularly significant during martial law because the preservation of constitutional economic governance depends not solely on economic performance but also on the legal effectiveness of emergency regulatory mechanisms.

Contemporary constitutional scholarship further recognizes that emergency governance should not be understood as a suspension of constitutional legality but as a legally regulated constitutional regime designed to preserve the constitutional order under exceptional circumstances. The authors¹⁵ demonstrate that emergency powers may create significant risks of governmental overreach if institutional safeguards and judicial oversight are weakened. Accordingly, contemporary constitutional doctrine increasingly treats economic sovereignty as an integrated constitutional principle requiring coherent legal regulation, institutional capacity, and effective public governance rather than merely economic independence.

2.2 Emergency constitutional governance under martial law

Similarly, the research¹⁶ argue that constitutional emergencies remain compatible with democratic governance only when exceptional powers are exercised within clearly defined constitutional limits. Developing this approach, Szente¹⁷ emphasizes that emergency constitutional regimes should preserve legality, proportionality, institutional accountability, and the separation of powers rather than replace ordinary constitutional governance. These doctrinal approaches provide the theoretical foundation for analysing the legal regulation of martial law in Ukraine.

Recent scholarship has also expanded the understanding of *economic emergencies* as a distinct category of constitutional governance. Makarov and Polillo¹⁸ argue that economic emergencies require governments to reorganize legal and institutional mechanisms of economic regulation while preserving constitutional legitimacy and democratic accountability. Their analysis demonstrates that

¹² LAVERY, S. "Rebuilding the fortress? Europe in a changing world economy". *Review of International Political Economy*, v. 31, n. 1, 2023, pp. 330-353. <https://doi.org/10.1080/09692290.2023.2211281>

¹³ BILOUSOV, Y., YAKOVIYK, I., YEFREMOVA, K., NOVIKOV, E., and ZHUKOV, I. "Mechanisms of strengthening the economic sovereignty of the state in the context of military operations". *Cuestiones Políticas*, v. 41, n. 78, 2023, pp. 400-416. <https://doi.org/10.46398/cuestpol.4178.28>

¹⁴ Ibid.

¹⁵ BJØRNSKOV, C., VOIGT, S., and KHESALI, M. "Unconstitutional states of emergency". 2022. Ibid.

¹⁶ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". 2022. Ibid.

¹⁷ SZENTE, Z. "Conceptualising state of emergency, constitutional crisis management and their Rule-of-Law requirements". *European Journal of Risk Regulation*, v.16, n.2, 2025, pp. 374-387. <https://doi.org/10.1017/err.2024.101>

¹⁸ MAKAROV, E., and POLILLO, S. "Economic emergencies: Exception, government and the management of the economy". 2025. Ibid.

emergency economic governance should not be interpreted merely as an expansion of executive discretion but rather as the adaptation of constitutional institutions to extraordinary circumstances. This approach is particularly relevant to Ukraine, where martial law has significantly expanded governmental regulatory powers while remaining grounded in constitutional legislation.

2.3 Legal mechanisms protecting economic sovereignty

The legal literature further indicates that effective protection of economic sovereignty depends on the interaction of multiple regulatory mechanisms rather than on isolated legal instruments. Labelle¹⁹ specifically links energy security and strategic infrastructure to the broader protection of economic sovereignty. Lavery²⁰ extends this perspective by emphasizing the role of strategic industries, industrial policy, and economic autonomy under conditions of geopolitical fragmentation. Bilousov et al.²¹ further demonstrate that constitutional regulation, financial governance, strategic sector protection, and institutional coordination collectively influence the effectiveness of economic governance during military operations. Taken together, these approaches indicate that economic sovereignty is sustained through the interaction of constitutional, financial, institutional, and sector-specific legal mechanisms rather than through a single regulatory instrument.

Institutional scholarship likewise stresses that legal effectiveness depends not only on legislative quality but also on institutional capacity to implement emergency measures. Vasylchyshyn, Tytor, and Kekish²² identify institutional resilience as an indispensable component of national security, whereas Bondarenko²³ argues that transparency, legal accountability, and anti-corruption safeguards remain essential even under simplified emergency procedures. These findings demonstrate that emergency governance should strengthen institutional coordination without compromising constitutional guarantees or the rule of law.

Recent comparative legal scholarship provides additional insights into the diversity of emergency economic governance models. Poland and Lithuania have developed comprehensive legal frameworks for protecting strategic infrastructure and ensuring institutional continuity during crises. Israel demonstrates the long-term institutionalization of emergency governance within constitutional structures, whereas Georgia illustrates the legal challenges associated with adapting economic regulation to persistent geopolitical pressure. Although these jurisdictions differ considerably in constitutional traditions and security environments, they collectively confirm that effective economic sovereignty depends upon coherent legislation, institutional coordination, and adaptive regulatory mechanisms rather than upon isolated emergency measures.

The foregoing analysis demonstrates that contemporary scholarship has substantially advanced understanding of individual components of emergency economic governance. Nevertheless, important theoretical and methodological questions remain unresolved.

¹⁹ LABELLE, M. C. "Breaking the era of energy interdependence in Europe: A multidimensional reframing of energy security, sovereignty, and solidarity". 2024. Ibid.

²⁰ LAVERY, S. "Rebuilding the fortress? Europe in a changing world economy". 2023. Ibid.

²¹ BILOUSOV, Y., YAKOVIYK, I., YEFREMOVA, K., NOVIKOV, E., ZHUKOV, I. "Mechanisms of strengthening the economic sovereignty of the state in the context of military operations". 2023. Ibid.

²² VASYLCHYSHYN, O., TYTOR, V., and KEKISH, I. "National security of the state: specifics of provision in regime state of war". *Economic Analysis*, v. 32, n. 4, 2022, pp. 289-297. <https://doi.org/10.35774/econa2022.04.289>

²³ BONDARENKO, O. "Corruption activities in the defence sector in martial law and the post-war period: Characteristics and counteractions". *Analytical and Comparative Jurisprudence*, v. 3, 2023, pp. 323-327. <https://doi.org/10.24144/2788-6018.2023.03.59>

2.4 Research gap

Despite significant advances in constitutional and economic legal scholarship, existing studies remain fragmented. Most analyses examine constitutional emergency powers, financial regulation, institutional resilience, or strategic sectors independently. Limited attention has been devoted to understanding how these legal mechanisms interact as a unified legal system protecting economic sovereignty during martial law.

Furthermore, previous studies have not proposed an integrated analytical methodology capable of simultaneously evaluating constitutional regulation, emergency legislation, institutional coordination, legal resilience, and comparative regulatory effectiveness.

Therefore, this study develops an integrated analytical framework combining the LM-EEM, CRAD, ESSMT, and IEGIM. This framework enables a comprehensive legal assessment of the interaction between constitutional principles, emergency legislation, institutional governance, and sector-specific regulation during martial law.

3. Methods

3.1 Research design

This study employed a qualitative doctrinal legal research design supported by comparative legal analysis, normative legal diagnostics, institutional analysis, and legal stress-testing to evaluate the legal mechanisms protecting Ukraine's economic sovereignty under martial law. The research tested the hypothesis that the protection of economic sovereignty depends primarily on the coherence, adaptability, and institutional effectiveness of the legal framework rather than exclusively on macroeconomic performance indicators.

The analytical framework was developed deductively from contemporary constitutional and legal scholarship concerning emergency governance, economic sovereignty, institutional resilience, legality, proportionality, and regulatory effectiveness.^{24,25,26,27} Consequently, the analytical instruments were established before the evaluation of the Ukrainian legal framework and were not designed around the characteristics of the Ukrainian legal system itself. This approach reduced the risk of circular reasoning by ensuring that the evaluation criteria originated from generally applicable constitutional principles rather than from the object of analysis.

The independent variable was the coherence of the legal framework, operationalised through regulatory clarity, institutional enforceability, economic resilience, and adaptive capacity. The dependent variable was the level of legal protection of economic sovereignty, evaluated through governance continuity, strategic sector protection, financial stability, and critical infrastructure resilience. Four complementary analytical instruments ensured methodological triangulation: the LM-EEM, CRAD, ESSMT, and IEGIM (Table 1).

²⁴ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". 2022. Ibid.

²⁵ BJØRNSKOV, C., VOIGT, S., and KHESALI, M. "Unconstitutional states of emergency". 2022. Ibid.

²⁶ SZENTE, Z. "Conceptualising state of emergency, constitutional crisis management and their Rule-of-Law requirements". 2025. Ibid.

²⁷ MAKAROV, E., and POLILLO, S. "Economic emergencies: Exception, government and the management of the economy". 2025. Ibid.

Table 1. Operationalization of Research Variables.

Variable	Indicators	Analytical instrument
Legal framework coherence	Regulatory clarity; institutional enforceability; adaptability; resilience	LM-EEM
Economic sovereignty protection	Governance continuity; strategic sector protection; financial stability; infrastructure resilience	CRAD, ESSMT, IEGIM

Source: Developed by the authors.

3.2 Data collection

The documentary sample consisted of 42 *normative legal instruments* regulating economic governance under martial law. The number of legal instruments was determined by applying purposive legal sampling. The sample included all constitutional provisions and principal legislative and regulatory acts directly governing wartime economic regulation that satisfied the predefined inclusion criteria. No additional legal instruments meeting these criteria were identified during the review period. The analysed materials included the Constitution of Ukraine, legislative acts governing the legal regime of martial law, banking regulation, fiscal policy, taxation, strategic enterprises, public procurement, foreign investment, critical infrastructure protection, and national security adopted between 2022 and 2025.

The comparative legal analysis examined legislation from Poland, Lithuania, Israel, and Georgia. These jurisdictions were selected through purposive legal sampling because each represents a distinct constitutional approach to emergency economic governance while remaining comparable to Ukraine with respect to national security challenges, emergency regulation, or institutional resilience.

Supplementary legal materials included official policy documents and international legal instruments issued by the European Union, the Council of Europe, the International Monetary Fund, and the World Bank where they were relevant for understanding contemporary approaches to emergency economic governance. Sources were selected according to legal relevance, regulatory authority, and their contribution to the constitutional analysis of economic sovereignty.

3.3 Data analysis

The legal materials were analysed using an integrated methodological framework combining doctrinal legal interpretation, comparative legal analysis, normative legal diagnostics, institutional analysis, and legal stress-testing.

The analysis proceeded in four sequential stages.

During the first stage, constitutional provisions and legislative acts were systematically coded according to predefined analytical categories, including regulatory clarity, institutional enforceability, economic resilience, adaptive capacity, constitutional conformity, and protection of strategic economic interests.

During the second stage, each legal mechanism was evaluated through structured doctrinal analysis using the LM-EEM. The assessment examined whether the relevant legal framework provided sufficient constitutional authority, institutional implementation mechanisms, legal certainty, and regulatory flexibility to ensure effective wartime economic governance.

During the third stage, the CRAD and the IEGIM were applied to identify similarities and differences between Ukrainian legislation and selected foreign legal systems while assessing institutional coordination among constitutional authorities, executive bodies, financial regulators, and national security institutions.

During the fourth stage, the ESSMT evaluated the capacity of the analysed legal framework to preserve constitutional economic governance under predefined

hypothetical emergency scenarios involving financial instability, disruption of critical infrastructure, and external economic pressure. The findings obtained from all four analytical instruments were subsequently compared through methodological triangulation before formulating the final conclusions.

3.4 Reliability and validity

Reliability was ensured through methodological triangulation by combining complementary qualitative legal research methods and applying four analytical instruments that examined the same legal framework from different analytical perspectives.

To enhance analytical consistency, all legal mechanisms were evaluated according to a predefined coding protocol applied uniformly throughout the study. Four evaluation criteria were operationalised.

Regulatory clarity assessed the precision, coherence, accessibility, and legal certainty of statutory regulation.

Institutional enforceability evaluated whether legislation clearly assigned implementation powers, supervisory competences, and legally enforceable institutional responsibilities.

Economic resilience examined the capacity of legal regulation to maintain the continuity of constitutional economic governance under emergency conditions.

Adaptive capacity assessed the ability of legislation to respond lawfully to rapidly changing wartime circumstances while preserving constitutional guarantees.

Each indicator was evaluated using a five-point ordinal scale.

A score of 1 indicated legally ineffective regulation characterised by substantial legislative gaps.

A score of 2 reflected limited legal effectiveness accompanied by significant institutional or regulatory deficiencies.

A score of 3 represented moderate effectiveness where the legal framework provided a functional regulatory basis but demonstrated important implementation limitations.

A score of 4 indicated a coherent and effective legal framework exhibiting only limited regulatory weaknesses.

A score of 5 was assigned exclusively where comprehensive constitutional regulation, institutional implementation, regulatory coherence, and adaptive legal capacity were simultaneously demonstrated.

Scores were assigned through structured doctrinal analysis of constitutional provisions, legislation, and official regulatory acts rather than through subjective preference or quantitative measurement.

The coding and evaluation process was conducted independently by two members of the research team with expertise in constitutional and administrative law. Any differences in preliminary assessments were discussed until consensus was achieved. The final scores therefore represent consensus-based qualitative legal evaluations rather than individual subjective judgments.

3.5 Analytical framework

Four complementary analytical instruments formed the methodological framework of the study.

The LM-EEM evaluated each regulatory mechanism against four predefined legal criteria: regulatory clarity, institutional enforceability, economic resilience, and adaptive capacity. The evaluation followed a structured coding protocol rather than intuitive scoring. The overall effectiveness score represented the arithmetic mean of the four analytical indicators.

The CRAD organised the legal frameworks of Ukraine, Poland, Lithuania, Israel, and Georgia according to constitutional regulation, institutional governance, financial regulation, strategic sector protection, and emergency legislation. Comparative assessment examined legal structure, institutional implementation, regulatory coherence, and the contribution of each legal framework to the protection of economic sovereignty.

The ESSMT assessed legal resilience under three predefined hypothetical scenarios: financial market instability, disruption of critical infrastructure, and external economic pressure. The scenarios were derived from contemporary constitutional scholarship concerning emergency governance and were intended to evaluate legal preparedness rather than predict empirical economic outcomes. Accordingly, the ESSMT constitutes a qualitative legal stress-testing instrument rather than an econometric forecasting model.

The IEGIM analysed institutional architecture by examining legal competences, decision-making hierarchy, coordination mechanisms, accountability relationships, and regulatory continuity among constitutional authorities responsible for wartime economic governance.

For the IEGIM assessment, institutional performance was classified using three qualitative categories: Very High, High, and Moderate. These categories were assigned through structured doctrinal assessment of the same five dimensions: legal competences, decision-making hierarchy, coordination mechanisms, accountability relationships, and regulatory continuity. "Very High" indicates that institutional competences are clearly defined, decision-making responsibilities are hierarchically coherent, coordination mechanisms operate consistently, accountability relationships are clearly established, and regulatory continuity is maintained across the relevant governance functions. "High" indicates that the institutional framework provides clearly defined competences and generally effective coordination and accountability mechanisms, while limited gaps or coordination difficulties remain. "Moderate" indicates that the institutional framework provides a functional basis for governance but contains identifiable limitations in competence allocation, horizontal coordination, accountability, or continuity of implementation. The categories were applied independently to the Coordination and Governance dimensions of the IEGIM.

None of the analytical instruments is intended to generate statistically generalisable findings. Their purpose is to provide structured qualitative legal assessment based on transparent doctrinal criteria.

3.6 Instruments

The analytical instruments were applied sequentially while simultaneously functioning as a system of methodological triangulation (Table 2).

First, the LM-EEM evaluated the legal effectiveness of individual regulatory mechanisms.

Second, the CRAD compared Ukrainian legislation with selected foreign legal systems.

Third, the ESSMT assessed the resilience of legal regulation under predefined emergency scenarios.

Finally, the IEGIM examined institutional interaction and governance capacity.

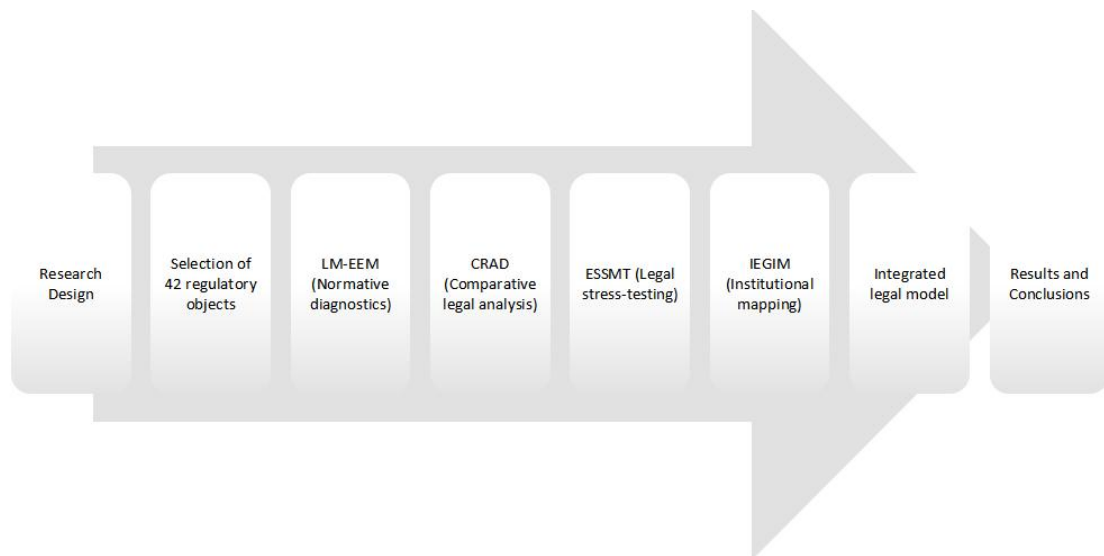
The conclusions presented in the Results section were formulated only where the findings obtained through these complementary analytical instruments demonstrated analytical convergence. This integrated approach reduced the risk of methodological bias and enabled a comprehensive assessment of the legal mechanisms protecting Ukraine's economic sovereignty under martial law.

Table 2. Analytical instruments.

Instrument	Purpose	Output	Results section
LM-EEM	Effectiveness assessment	Effectiveness scores	4.1-4.2
CRAD	Comparative legal analysis	Comparative matrix	4.4
ESSMT	Legal stress-testing	Resilience scores	4.5
IEGIM	Institutional analysis	Governance model	4.3
Integrated analysis	Synthesis	Integrated legal model	4.6

Source: Developed by the authors.

Figure 1 illustrates the methodological sequence adopted in this study.

**Figure 1.** Overall methodological framework of the study.

Source: Developed by the authors.

The research began with the collection of constitutional, legislative, and comparative legal materials, followed by normative evaluation using the LM-EEM. Comparative legal analysis (CRAD), legal stress-testing (ESSMT), and institutional analysis (IEGIM) were subsequently applied. The integrated findings formed the basis for the assessment of Ukraine's legal mechanisms for protecting economic sovereignty under martial law.

4. Results

4.1 Normative diagnostic assessment of the legal framework protecting economic sovereignty

The LM-EEM was applied to evaluate the effectiveness of the principal legal mechanisms protecting Ukraine's economic sovereignty under martial law. Four indicators were assessed: regulatory clarity, institutional enforceability, economic resilience, and adaptive capacity. Each indicator was evaluated on the five-point ordinal scale defined in the methodological framework, and the overall LM-EEM score was calculated as the arithmetic mean of the four indicator scores (Table 3).

Table 3. Normative assessment of the principal legal mechanisms protecting economic sovereignty.

Regulatory domain	RC	IE	ER	AC	LM-EEM
Constitutional guarantees	5	4	4	4	4.25
Martial law regulation	5	5	4	4	4.50
Financial regulation	4	4	4	4	4.00
Strategic enterprise protection	3	3	4	3	3.25
Critical infrastructure protection	4	4	4	5	4.25

Source: Developed by the authors using the LM-EEM and based on the legal instruments cited in the accompanying footnotes.^{28,29,30,31,32}

The LM-EEM assessment demonstrates that the Ukrainian legal framework provides a generally effective legal basis for protecting economic sovereignty under martial law, while revealing meaningful differences among individual regulatory domains. The highest overall score was obtained by the legal regulation of martial law (4.50), followed by constitutional guarantees and critical infrastructure protection (4.25 each). Financial regulation received a score of 4.00, whereas strategic enterprise protection obtained the lowest score of 3.25.

The comparatively high score for martial law regulation reflects the existence of clearly defined constitutional and legislative mechanisms governing the exercise of emergency powers, institutional competences, and regulatory adaptation. Constitutional guarantees also demonstrated a high level of effectiveness, although institutional enforceability and both resilience-related indicators received scores of 4 rather than 5. This indicates that strong constitutional foundations do not eliminate the need for continuous institutional adaptation under prolonged emergency conditions.

Financial regulation demonstrated a consistent assessment across all four indicators, with a score of 4 for regulatory clarity, institutional enforceability, economic resilience, and adaptive capacity. This result indicates a coherent legal framework while also suggesting that further adaptation may be required as wartime financial conditions evolve.

Strategic enterprise protection demonstrated the lowest level of effectiveness, with scores of 3 for regulatory clarity, institutional enforceability, and adaptive capacity and a score of 4 for economic resilience. The resulting LM-EEM score of 3.25 indicates that the principal weaknesses are associated with the clarity and allocation of institutional responsibilities and with the capacity of the regulatory framework to adapt consistently to changing wartime conditions.

Critical infrastructure protection achieved a comparatively high score of 4.25. Its highest value was recorded for adaptive capacity (5), while regulatory clarity, institutional enforceability, and economic resilience each received a score of 4. This

²⁸ VERKHOVNA RADA OF UKRAINE. Letter of the Ministry of Foreign Affairs of Ukraine dated 08/25/2022 No. 72/14-612/1-64473 "On the Termination of International Treaties". 2022. Available at: <https://zakon.rada.gov.ua/laws/show/389-19#Text> (accessed on 21 July 2026).

²⁹ VERKHOVNA RADA OF UKRAINE. On the decision of the National Security and Defense Council of Ukraine of September 14, 2020 "On the National Security Strategy of Ukraine". 2025. Available at: <https://zakon.rada.gov.ua/laws/show/392/2020#n12> (accessed on 21 July 2026).

³⁰ VERKHOVNA RADA OF UKRAINE. About the Strategy of Economic Security of Ukraine for the period until 2025. 2021. Available at: <https://zakon.rada.gov.ua/laws/show/n0048525-21#Text> (accessed on 21 July 2026).

³¹ VERKHOVNA RADA OF UKRAINE. About personal income tax. 2025. Available at: <https://zakon.rada.gov.ua/laws/show/889-15#Text> (accessed on 21 July 2026).

³² VERKHOVNA RADA OF UKRAINE. Letter of the Ministry of Foreign Affairs of Ukraine dated 08/25/2022 No. 72/14-612/1-64473 "On the Termination of International Treaties". 2022. Ibid.

pattern indicates that the legal framework governing critical infrastructure possesses substantial capacity to respond to changing wartime circumstances, although its effective implementation remains dependent on coordination among multiple public authorities.

Overall, the distribution of the LM-EEM scores demonstrates that the principal differences among the analysed regulatory domains concern institutional implementation and adaptive capacity rather than the absence of constitutional foundations. The results therefore distinguish between regulatory areas characterised by relatively mature and coherent legal frameworks and those in which institutional responsibilities and adaptive mechanisms require further development. The distribution of the four diagnostic indicators is presented in Figure 2.

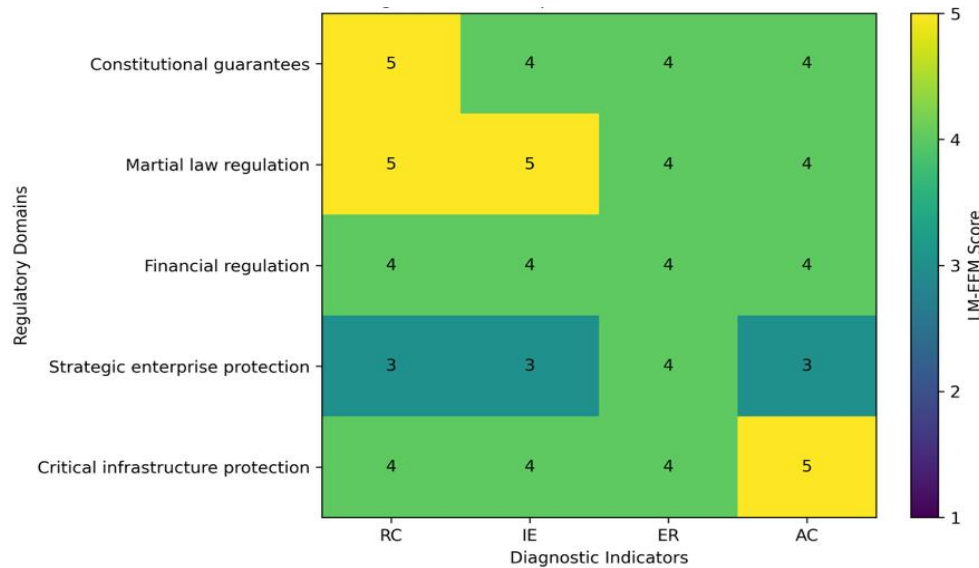


Figure 2. Heatmap of the LM-EEM assessment of principal legal mechanisms.
Source: Developed by the authors using the LM-EEM.

Figure 2 provides a direct visual representation of the indicator-level results reported in Table 3. Regulatory clarity received the highest value of 5 for constitutional guarantees and martial law regulation, whereas strategic enterprise protection received the lowest value of 3. Institutional enforceability followed a similar pattern, ranging from 3 for strategic enterprise protection to 5 for martial law regulation. Economic resilience was comparatively stable across the analysed domains, with values ranging from 4 to 4. Adaptive capacity demonstrated the greatest differentiation, with a score of 5 for critical infrastructure protection and a score of 3 for strategic enterprise protection.

The heatmap therefore confirms that the principal source of differentiation is not the existence of a legal framework as such, but the degree to which the relevant regulatory mechanisms provide clear institutional responsibilities and sufficient capacity for adaptation under wartime conditions. The lowest values are concentrated in strategic enterprise protection, while the strongest combination of regulatory and adaptive characteristics is observed in martial law regulation and critical infrastructure protection.

4.2 Functional structure of legal mechanisms

The normative assessment demonstrates that economic sovereignty is protected through the interaction of constitutional regulation, emergency legislation, financial governance, strategic sector protection, and critical infrastructure regulation. These legal mechanisms operate as an integrated governance system rather than as independent regulatory instruments.

Martial law regulation functions as the central coordinating element linking constitutional authority with sector-specific regulation. Constitutional guarantees provide the legal foundation for the exercise of public authority, while financial regulation supports macroeconomic stability through banking supervision and fiscal regulation. Strategic enterprise protection and critical infrastructure regulation contribute to the continuity of essential economic functions under wartime conditions.

The differentiated LM-EEM scores further demonstrate that these regulatory domains do not contribute to economic sovereignty protection with equal levels of legal effectiveness. Martial law regulation achieved the highest score (4.50), while strategic enterprise protection obtained the lowest score (3.25). Constitutional guarantees and critical infrastructure protection each received 4.25, and financial regulation received 4.00. These differences indicate that the institutional and regulatory mechanisms operate within a common legal architecture but display different levels of regulatory coherence and implementation capacity.

The functional relationships among these regulatory domains and their respective LM-EEM assessments are summarized in Figure 3.

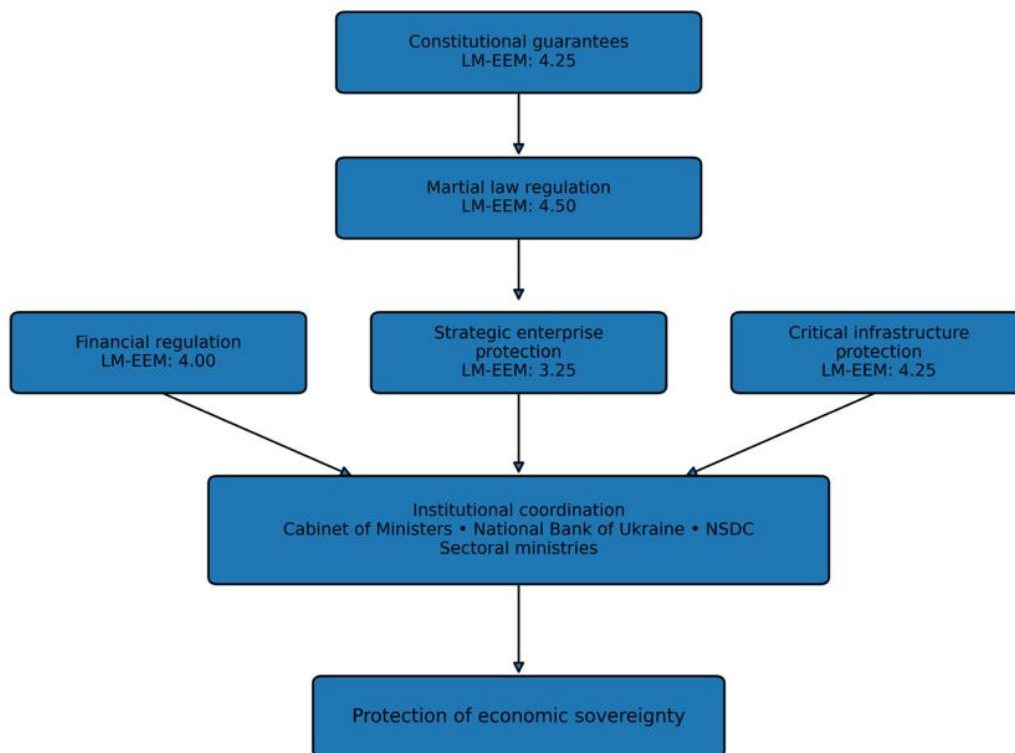


Figure 3. Functional interaction of legal mechanisms protecting economic sovereignty.

Source: Developed by the authors based on the legal and regulatory sources cited in the accompanying footnotes.^{33,34}

Figure 3 illustrates that the protection of economic sovereignty depends on the coordinated functioning of several interconnected regulatory domains. Constitutional guarantees establish the normative foundation, while martial law regulation provides

³³ VERKHOVNA RADA OF UKRAINE. About personal income tax. 2025. Ibid.

³⁴ MINISTRY OF ECONOMY OF UKRAINE. "Statement of the Ministry of Economic Development and Trade on imposition of martial law". 2025. Available at: <https://me.gov.ua/News/Detail/f33e646e-3fd3-4b91-8ede-78ed385e4ba0?lang=en-GB&title=StatementOfTheMinistryOfEconomicDevelopmentAndTradeOnImpositionOfMartialLaw> (accessed on 21 July 2026).

the principal emergency coordination mechanism. Financial regulation, strategic enterprise protection, and critical infrastructure regulation perform complementary sector-specific functions. These mechanisms converge through institutional coordination involving the Cabinet of Ministers, the National Bank of Ukraine, the National Security and Defense Council, and relevant sectoral ministries.

The recalibrated LM-EEM scores provide an additional diagnostic dimension to this functional structure. The highest score for martial law regulation (4.50) indicates the comparatively strong coherence of the central emergency regulatory framework, whereas the lower score for strategic enterprise protection (3.25) identifies a more pronounced area of institutional and regulatory weakness. The resulting pattern supports the conclusion that the effectiveness of economic sovereignty protection depends not only on the existence of individual legal mechanisms but also on their coordinated institutional implementation.

4.3 Institutional coordination of wartime economic governance

Institutional analysis using the IEGIM demonstrates that Ukraine has developed a hierarchical governance system combining constitutional institutions, financial regulators, security authorities, executive ministries, and supervisory bodies. The institutional relationships identified through the IEGIM are summarized in Table 4 and Figure 4.

To ensure transparent interpretation of the IEGIM results, the categories reported in Table 4 represent qualitative assessments rather than numerical scores. "Very High" denotes clearly allocated institutional competences, coherent decision-making authority, stable coordination mechanisms, established accountability relationships, and continuous regulatory implementation. "High" denotes a generally coherent institutional framework with effective coordination and accountability but with limited implementation or coordination gaps. "Moderate" denotes a functional institutional framework in which identifiable limitations remain in competence allocation, horizontal coordination, accountability, or regulatory continuity. The categories are applied separately to institutional Coordination and Governance.

Table 4. Institutional coordination and governance assessment based on the IEGIM.

Institution	Coordination	Governance
Constitutional institutions	Very High	Very High
NSDC	Very High	High
Financial authorities	High	High
Ministries	Moderate	High
Supervisory authorities	Moderate	Moderate

Source: Developed by the authors based on the institutional source cited in the accompanying footnote.³⁵

The IEGIM results indicate that constitutional institutions demonstrate very high levels of both coordination and governance, while the National Security and Defence Council demonstrates very high coordination and high governance effectiveness. Financial authorities demonstrate high levels in both dimensions. Ministries demonstrate moderate coordination but high governance effectiveness, whereas supervisory authorities receive moderate assessments for both dimensions. The pattern indicates that vertical institutional coordination is comparatively strong, while

³⁵ INTERNATIONAL LIBERTY INSTITUTE. Economic Security Index of Ukraine 2024 - ILI research, 2024. Available at: <https://www.ilibertyinstitute.org/index/ekonomichna-bezpeka> (accessed on 21 July 2026).

horizontal coordination among sector-specific authorities remains the principal area requiring further improvement.

Figure 4 presents the institutional interaction structure identified through the IEGIM.

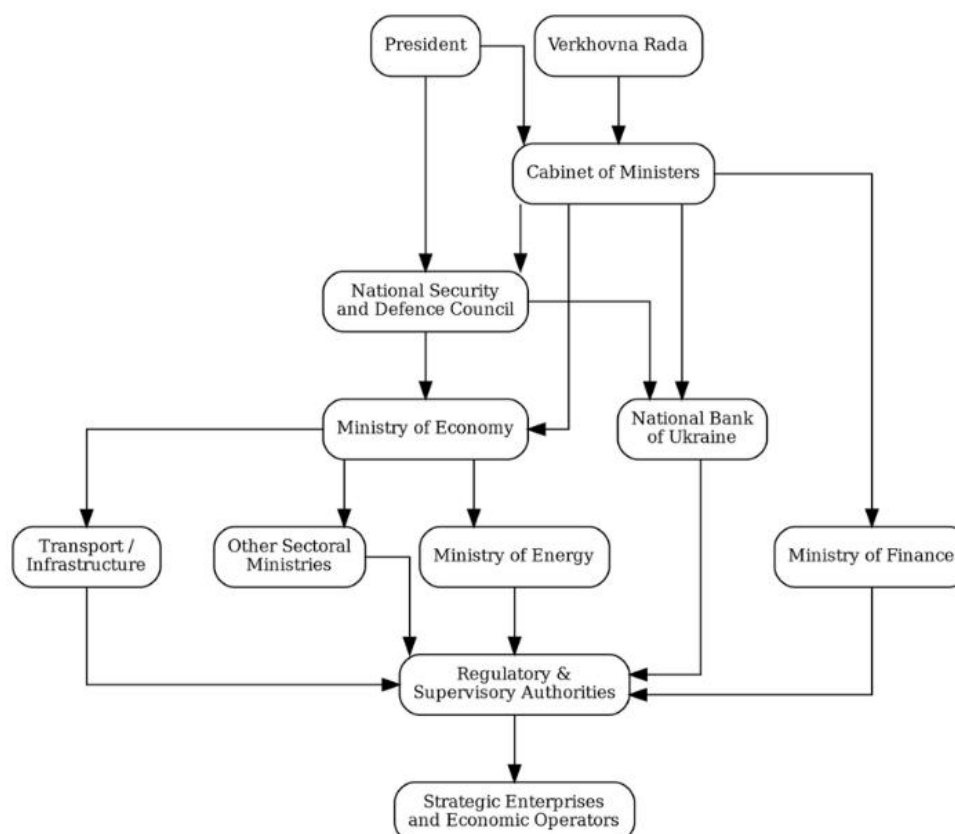


Figure 4. Institutional economic governance interaction map.
Source: Developed by the authors.

The interaction map confirms that institutional effectiveness depends on clearly defined legal competences and stable coordination mechanisms. While vertical decision-making remains highly coherent, horizontal coordination among sector-specific authorities remains comparatively more complex and represents the principal area for future institutional improvement.

4.4 Comparative legal assessment

Comparative analysis using the CRAD evaluated Ukraine's regulatory framework against Poland, Lithuania, Israel, and Georgia. The results of the comparative assessment are summarized in Table 5.

Table 5. Comparative legal assessment of wartime economic governance.

Regulatory dimension	Ukraine	Poland	Lithuania	Israel	Georgia
Constitutional emergency framework	✓✓✓	✓✓	✓✓✓	✓✓✓	✓✓
Financial governance	✓✓✓	✓✓	✓✓	✓✓✓	✓✓
Protection of strategic enterprises	✓✓	✓✓	✓✓	✓✓✓	✓
Critical infrastructure protection	✓✓✓	✓✓✓	✓✓✓	✓✓	✓✓
Institutional coordination	✓✓✓	✓✓	✓✓	✓✓✓	✓✓

Symbol	Meaning
✓✓✓	Comprehensive constitutional regulation supported by permanent institutional implementation and specialised emergency legislation.
✓✓	Comprehensive regulation with partial institutional implementation or limited sectoral integration.
✓	Fragmented regulation or developing institutional framework with significant legislative gaps.

Source: Developed by the authors based on the source cited in the accompanying footnote.³⁶

The comparison demonstrates that Ukraine has developed one of the most comprehensive legal frameworks among the selected jurisdictions. Particularly strong performance was observed in constitutional emergency regulation, institutional coordination, financial governance, and protection of critical infrastructure.

Poland provides valuable experience in strategic infrastructure regulation, Lithuania illustrates preventive resilience planning, Israel demonstrates long-term emergency governance, and Georgia offers examples of legislative adaptation to external geopolitical pressure. Together, these experiences provide useful reference points for future legislative development.

Accordingly, the comparative assessment is summarized in Figure 5, which illustrates the overall level of regulatory development across the five analytical dimensions evaluated through the CRAD.

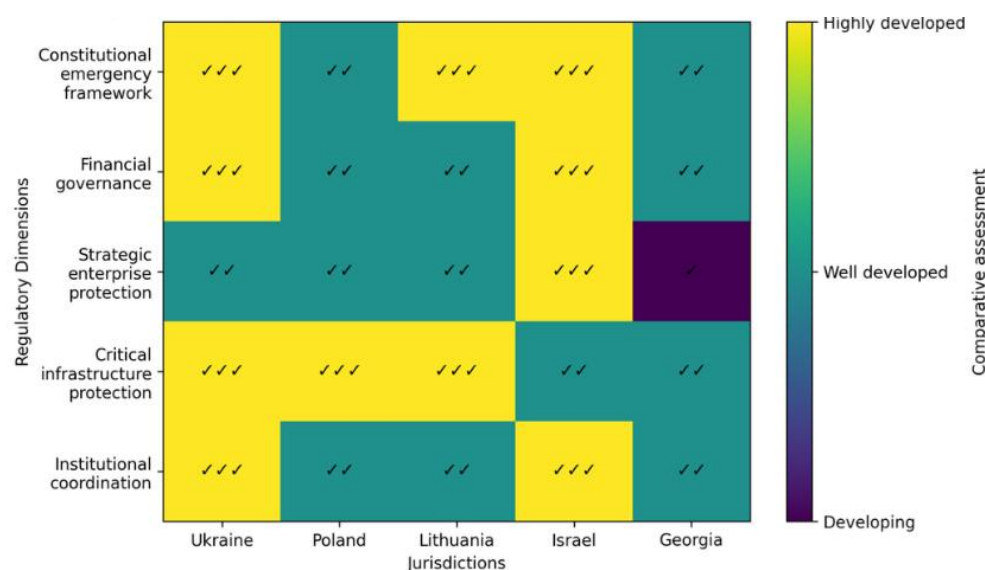


Figure 5. Comparative heatmap based on the CRAD.

Source: Developed by the authors using the CRAD.

The heatmap confirms the high overall level of development of Ukraine's wartime legal framework while highlighting complementary practices that may strengthen post-war legal modernization.

4.5 Legal resilience under crisis scenarios

The ESSMT evaluated the resilience of the Ukrainian legal framework under three simulated crisis scenarios: financial instability, critical infrastructure disruption, and

³⁶ THE WORLD BANK. Open data. 2025. Available at: <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS> (accessed on 21 July 2026).

external economic pressure. The resilience scores generated through the ESSMT are summarized in Table 6.

Table 6. ESSMT assessment of legal resilience under simulated crisis scenarios.

Domain	A	B	C	Index
Constitutional	4	4	4	4.00
Martial law	5	4	4	4.33
Financial	4	4	5	4.33
Strategic	3	3	4	3.33
Infrastructure	4	5	4	4.33

Source: Developed by the authors based on the source cited in the accompanying footnote.³⁷

The ESSMT assessment indicates that the analysed legal framework demonstrates generally high resilience under the simulated emergency scenarios, although resilience differs across regulatory domains. Constitutional regulation and martial law legislation exhibited the greatest capacity to maintain legal continuity under adverse conditions because they provide comprehensive legal authority for emergency governance. By contrast, strategic enterprise protection demonstrated comparatively lower resilience owing to fragmented implementation responsibilities and greater dependence on coordinated administrative decision-making. These findings indicate that legal resilience depends not only on the quality of legislation but also on institutional capacity to implement regulatory measures effectively during prolonged emergencies. The ESSMT results are visualized in Figure 6.

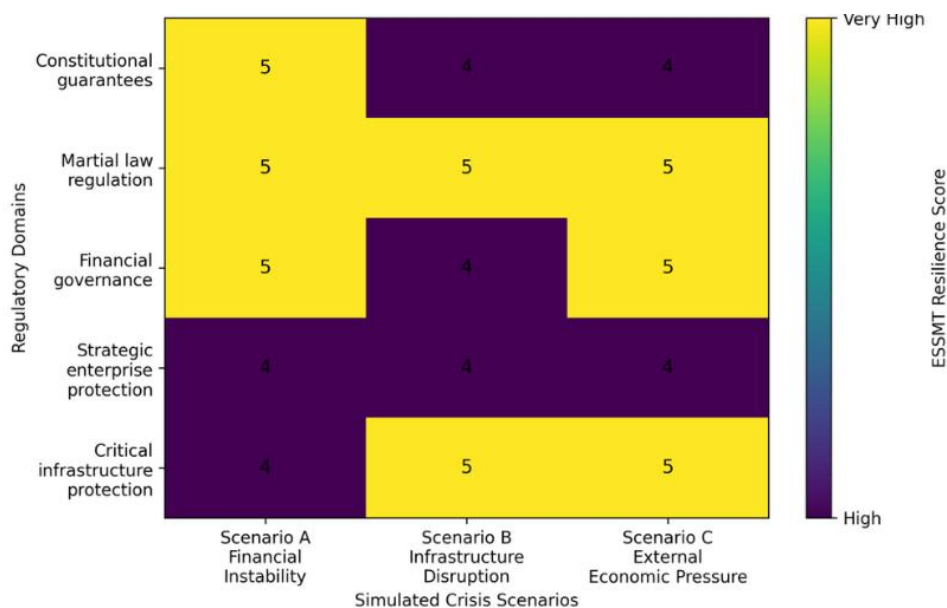


Figure 6. ESSMT heatmap.

Source: Developed by the authors using the ESSMT.

The visualization confirms that legal mechanisms characterized by strong institutional coordination also demonstrate the highest resilience under crisis conditions. These findings support the conclusion that regulatory coherence and institutional capacity are the principal determinants of wartime economic governance.

³⁷ Ibid.

4.6 Integrated model of legal protection of economic sovereignty

The combined findings of the LM-EEM, CRAD, ESSMT, and IEGIM demonstrate that economic sovereignty is protected through the interaction of five mutually reinforcing components: constitutional regulation, emergency legislation, institutional governance, sector-specific regulation, and continuous legal adaptation. The integrated analytical model developed in this study is presented in Figure 7.

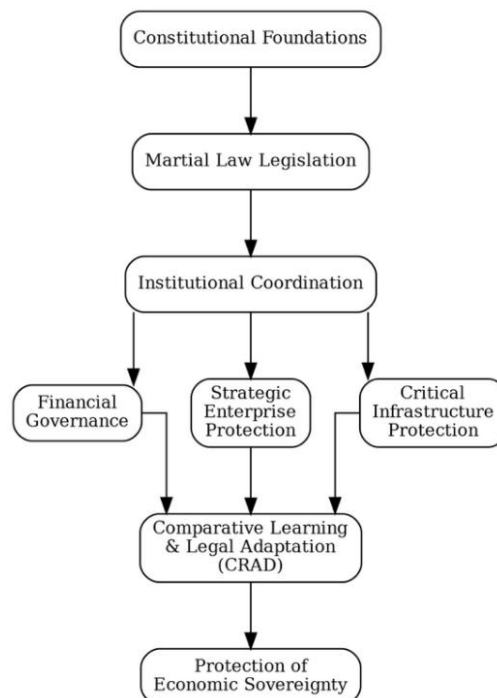


Figure 7. Integrated analytical model of legal protection of economic sovereignty.

Source: Developed by the authors based on the integrated findings of the study.

The integrated model shows that constitutional norms provide the legal foundation of wartime economic governance, while emergency legislation coordinates implementation through institutional interaction and sector-specific regulation. Comparative legal learning further strengthens the adaptability of the regulatory framework. The results confirm the research hypothesis that economic sovereignty under martial law depends primarily on legal coherence, institutional coordination, and regulatory adaptability rather than on macroeconomic indicators alone.

5. Discussion

5.1 Interpretation of the principal findings

The principal contribution of this study is not merely the identification of effective legal mechanisms protecting economic sovereignty but the demonstration that their effectiveness depends primarily on institutional interaction rather than on the existence of individual legislative acts. The results indicate that constitutional regulation alone cannot guarantee the preservation of economic sovereignty during martial law. Rather, effective governance emerges from the coordinated operation of constitutional institutions, emergency legislation, financial regulation, strategic sector protection, and administrative implementation.³⁸

³⁸ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". 2022. Ibid.

An important finding concerns the unequal effectiveness of individual regulatory domains. Although constitutional guarantees and the legal regime of martial law demonstrated comparatively strong legal coherence, the assessment identified lower effectiveness regarding strategic enterprise protection and institutional coordination.³⁹ These differences suggest that the principal challenges of wartime economic governance no longer concern the legal authorization of emergency powers but rather the institutional capacity to implement regulatory measures consistently across multiple public authorities. Consequently, improving administrative coordination may produce greater practical benefits than further legislative expansion.

The differentiated scores obtained through the LM-EEM and ESSMT also demonstrate that the proposed analytical framework possesses practical discriminative capacity. Rather than uniformly confirming the effectiveness of every regulatory mechanism, the framework identifies specific institutional weaknesses requiring further legislative and administrative attention. This finding supports the methodological value of combining complementary analytical instruments instead of relying upon a single evaluative approach.

5.2 Relationship of the findings to contemporary scholarship

The findings generally support recent constitutional scholarship emphasising that emergency governance must remain subject to legality, proportionality, and constitutional accountability rather than becoming an unrestricted expansion of executive authority. However, the present study also refines these conclusions by demonstrating that constitutional safeguards alone do not determine the effectiveness of emergency economic governance. The practical functioning of legal mechanisms depends equally upon institutional coordination and administrative implementation.

At the same time, the findings should not be interpreted as contradicting scholarship warning against the misuse of emergency powers. Recent research emphasizes that emergency regimes may weaken democratic oversight and increase opportunities for governmental overreach.^{40,41} The present findings do not deny these risks. Rather, they indicate that the Ukrainian legal framework has established comparatively robust constitutional safeguards while continuing to face institutional implementation challenges, particularly regarding strategic economic governance and interagency coordination. Consequently, the study supports a balanced interpretation whereby effective emergency governance requires both sufficient governmental capacity and effective constitutional oversight.

The comparative analysis likewise demonstrates that Ukraine's legal framework reflects broader European developments concerning constitutional resilience while simultaneously exhibiting characteristics arising from prolonged large-scale armed conflict.^{42,43} Unlike Poland and Lithuania, whose emergency regulation has developed primarily through preventive legislative planning, Ukraine has been required to adapt its legal framework continuously during active military operations. Israel similarly illustrates the long-term institutionalisation of emergency governance, whereas

³⁹ SZENTE, Z. "Conceptualising state of emergency, constitutional crisis management and their Rule-of-Law requirements". 202. Ibid.

⁴⁰ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". 2022. Ibid.

⁴¹ SZENTE, Z. "Conceptualising state of emergency, constitutional crisis management and their Rule-of-Law requirements". 2025. Ibid.

⁴² MAKAROV, E., POLILLO, S. "Economic emergencies: Exception, government and the management of the economy". 2025. Ibid.

⁴³ WERTHER-PIETSCH, U. "Rethink international intervention. Afghanistan, Mali; now?". *Zeitschrift Für Außen- Und Sicherheitspolitik*, v. 15, n. 1, 2022, pp. 23-38. <https://doi.org/10.1007/s12399-022-00888-7>

Georgia demonstrates the difficulties of maintaining institutional coherence under persistent geopolitical pressure. These differences indicate that constitutional resilience depends upon both legal design and the practical conditions under which emergency legislation operates.

5.3 Theoretical and methodological contributions

The principal theoretical contribution of this study is the conceptualization of economic sovereignty as an integrated legal governance system operating under emergency constitutional conditions.⁴⁴

Rather than treating constitutional law, institutional governance, and sector-specific regulation as independent domains, the proposed framework demonstrates their functional interdependence in protecting national economic autonomy. This conceptualization is derived from the integrated findings of the present study and is operationalized through the four complementary analytical instruments described in the methodology.⁴⁵

Methodologically, the study introduces a structured evaluation framework combining normative diagnostics (LM-EEM), comparative legal analysis (CRAD), legal stress-testing (ESSMT), and institutional interaction mapping (IEGIM). The integration of these complementary approaches provides a transparent and reproducible methodology for assessing legal resilience during armed conflict and may be adapted for comparative studies of emergency governance in other jurisdictions.

The study contributes to constitutional and administrative legal scholarship in two principal respects. First, it conceptualises economic sovereignty as an integrated constitutional system combining constitutional regulation, emergency legislation, institutional governance, financial regulation, and strategic sector protection rather than treating these elements independently. Second, it proposes a transparent methodological framework integrating four complementary analytical instruments capable of evaluating the interaction between legal norms and institutional governance. Although developed within the Ukrainian context, the proposed methodology may also support comparative analyses of emergency economic governance in other jurisdictions experiencing constitutional emergencies.

Although the analytical framework was developed and applied within the context of the Ukrainian legal system, its evaluation criteria derive from generally recognised constitutional principles rather than from country-specific legislative provisions. Future comparative application to additional jurisdictions will provide further opportunities to evaluate its broader analytical validity.

5.4 Practical implications

The findings have practical significance for legislative development and public administration. Although the Ukrainian legal framework demonstrates a high level of effectiveness, further improvements should focus on strengthening coordination among institutions responsible for strategic enterprises, infrastructure protection, and emergency logistics.

The findings suggest several practical priorities for future legislative reform. First, greater attention should be devoted to strengthening horizontal coordination among ministries and regulatory authorities responsible for strategic sectors. Second, clearer legislative allocation of institutional responsibilities may improve implementation consistency during prolonged emergencies. Third, systematic legal review of

⁴⁴ BJØRNSKOV, C., and VOIGT, S. "Emergencies: on the misuse of government powers". 2022. Ibid.

⁴⁵ SZENTE, Z. "Conceptualising state of emergency, constitutional crisis management and their Rule-of-Law requirements". 2025. Ibid.

emergency economic legislation should accompany wartime regulatory adaptation in order to preserve constitutional legality and reduce the risk of regulatory fragmentation. These recommendations may also prove relevant for other states seeking to reconcile emergency economic governance with constitutional guarantees.

Comparative analysis suggests that preventive resilience planning, long-term institutional continuity mechanisms, and enhanced coordination procedures could further improve the adaptability of wartime economic governance. These measures would strengthen legal resilience while preserving constitutional guarantees and the rule of law.

5.5 Limitations and directions for future research

Several limitations should be acknowledged. First, the analytical framework evaluates legal regulation rather than empirical economic performance; consequently, the findings should not be interpreted as direct evidence of macroeconomic effectiveness. Second, the ESSMT employs qualitative legal stress-testing based on hypothetical emergency scenarios rather than quantitative economic forecasting. Accordingly, the resilience assessment evaluates legal preparedness instead of predicting actual economic outcomes. Third, although methodological triangulation and a structured coding protocol were employed to enhance analytical reliability, qualitative legal assessment inevitably involves a degree of interpretative judgment. Finally, the comparative analysis was limited to four jurisdictions selected because of their relevance to emergency constitutional governance. Broader comparative research incorporating additional legal systems would further strengthen the external applicability of the proposed analytical framework.

Future research should combine doctrinal legal analysis with empirical institutional data, administrative practice, and longitudinal assessment of legislative effectiveness in order to evaluate how emergency legal mechanisms perform throughout different stages of armed conflict and post-war reconstruction.

6. Conclusions

This study examined the legal mechanisms protecting Ukraine's economic sovereignty under martial law and evaluated their effectiveness in ensuring the continuity of national economic governance during armed conflict. The findings confirm that economic sovereignty is maintained through the coordinated operation of constitutional guarantees, emergency economic legislation, institutional governance, financial regulation, and the protection of strategic sectors and critical infrastructure.

The integrated application of doctrinal legal analysis, comparative legal analysis, normative legal diagnostics, institutional analysis, and legal stress-testing demonstrated that the Ukrainian regulatory framework is characterized by a high level of legal coherence, institutional coordination, and adaptive capacity. Comparative assessment further showed that Ukraine's legal model is broadly consistent with contemporary approaches to emergency economic governance while incorporating regulatory solutions specifically developed for the challenges of prolonged military aggression.

The research confirms the proposed hypothesis that the preservation of economic sovereignty under martial law depends primarily on the coherence, adaptability, and institutional effectiveness of the legal framework rather than exclusively on macroeconomic performance indicators. The findings indicate that effective wartime economic governance requires not only comprehensive legislation but also coordinated institutional implementation and continuous regulatory adaptation to evolving security conditions.

The principal scientific contribution of the study is the development of an integrated analytical framework combining the LM-EEM, CRAD, ESSMT, and IEGIM. This framework provides a transparent and reproducible approach for assessing legal resilience under emergency constitutional regimes and may be applied in comparative studies of wartime governance and national economic security.

From a practical perspective, the findings support further legislative development aimed at strengthening interagency coordination, improving regulatory flexibility, and enhancing the protection of strategically important sectors while preserving constitutional legality and the rule of law. Future research should extend comparative analysis to additional jurisdictions, incorporate quantitative governance indicators, and examine the evolution of legal mechanisms protecting economic sovereignty during post-war recovery and long-term institutional transformation.

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