

DOI: <https://doi.org/10.34069/AI/2023.68.08.28>

How to Cite:

Tsiura, V., Gramatsky, E., Panova, L., Sabodash, R., & Bazhanov, V. (2023). Contract law in the conditions of recodification: modernity and future prospects. *Amazonia Investiga*, 12(68), 303-312. <https://doi.org/10.34069/AI/2023.68.08.28>

Contract law in the conditions of recodification: modernity and future prospects

Договірне право в умовах рекодифікації: сучасність та перспективи майбутнього

Received: July 9, 2023

Accepted: August 18, 2023

Written by:

Vadym Tsiura¹ <https://orcid.org/0000-0001-6534-3141>**Ernest Gramatsky²** <https://orcid.org/0000-0003-1260-2888>**Liudmyla Panova³** <https://orcid.org/0000-0002-1393-8626>**Roman Sabodash⁴** <https://orcid.org/0000-0001-5707-1107>**Valentyn Bazhanov⁵** <https://orcid.org/0000-0002-6069-7976>

Abstract

The relevance of the research lies in the study and analysis of the impact of recodification on contract law and the determination of its future prospects. Recodification, which involves a systematic revision and unification of legislation, is necessary in connection with globalization, the development of electronic commerce, and new technologies. The change in social values also creates a need to revise the legal frame, in particular in the protection of consumer rights and compliance with ethical norms. The study proposes to identify problems, propose rational solutions, and contribute to forecasting the future development of the relevant field of law. The purpose of the study is to study the impact of the recodification process on the modern system of contract law and to determine the prospects for its development in the future. The methodological basis of the research is based on a combination of various scientific approaches and methods that allow for a comprehensive and comprehensive analysis of the research subject.

Анотація

Актуальність дослідження полягає в вивченні та аналізі впливу рекодифікації на договірне право і визначенні його майбутніх перспектив. Рекодифікація, яка передбачає систематичний перегляд та уніфікацію законодавства, є необхідною у зв'язку з глобалізацією, розвитком електронної комерції та новими технологіями. Зміна соціальних цінностей також створює потребу в перегляді договірного права, зокрема у захисті прав споживачів та дотриманні етичних норм. Дослідження пропонує виявити проблеми, запропонувати раціональні рішення та сприяти прогнозуванню майбутнього розвитку договірного права. Метою дослідження є вивчення впливу процесу рекодифікації на сучасну систему договірного права та визначення перспектив його розвитку у майбутньому. Методологічна основа дослідження базується на поєднанні різних наукових підходів та методів, що дозволяють здійснити комплексний та всебічний аналіз

¹ Doctor of Legal Science, Professor of Civil Law Department, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv, Ukraine.

² Ph. D., Associate Professor of Civil Law Department, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv, Ukraine.

³ Ph. D., Associate Professor of Civil Law Department, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv, Ukraine.

⁴ Ph.D., Associate Professor of Civil Law Department, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv, Ukraine.

⁵ Ph.D., Associate Professor of Civil Law Department, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv, Ukraine.

Some of the main methodological approaches that can be used in this work include comparative analysis, legal analysis, empirical research methods, theoretical analysis, and historical analysis. Actual problems and challenges faced by the modern system of positive law are identified; the advantages and disadvantages of various models of recodification and their impact on the modernity of the researched field are clarified; an idea was obtained about the possible directions of the development of contract law, in particular regarding unification and harmonization, protection of consumer rights and consideration of ethical norms; recommendations and proposals for improving relevant legal norms in the context of recodification are formulated.

Keywords: contract law, recodification, international cooperation, electronic commerce, cross-border agreements.

Introduction

The modern legal environment is characterized by constant changes and rapid development. Contract law, as one of the most essential branches of civil law, plays a decisive role in regulating relations between the parties to the agreement. However, over time, new challenges and problems arise that require updating and modernization of legal norms. In this context, the process of recodification of the researched institute is gaining more and more importance. Recodification, as a systematic process of revision and revision of legislation with the aim of its unification, simplification, and adaptation to modern requirements, becomes a necessity in connection with growing globalization and international cooperation. The change in socio-economic conditions, the development of electronic commerce, and cross-border agreements give rise to the need to establish a unified legal framework for the effective functioning of contractual relations. However, the recodification of contract law faces numerous challenges and problems, such as differences in legal systems, diversity of legal traditions, and differences in national and international levels of regulation. Therefore, it is important to conduct a scientific study to analyze the impact of the recodification process on the modern system of contracts and determine the prospects for its future development. This study is of great importance for the scientific community, practitioners, and legislators, as the results of the study will prepare the ground for further theoretical developments in the researched field and the creation of new legislative

предмета дослідження. Деякі з основних методологічних підходів, які можуть бути використані в даній роботі, включають: компаративний аналіз, юридичний аналіз, емпіричні методи дослідження, теоретичний аналіз та історичний аналіз. Виявлено актуальні проблеми та виклики, з якими стикається сучасна система договірної права; з'ясовано переваги та недоліки різних моделей рекодифікації та їх вплив на сучасність договірної права; отримано уявлення про можливі напрямки розвитку договірної права, зокрема стосовно уніфікації та гармонізації, захисту прав споживачів та врахування етичних норм; сформульовано рекомендації та пропозиції щодо удосконалення договірної права в контексті рекодифікації.

Ключові слова: договірне право, рекодифікація, міжнародне співробітництво, електронна комерція, трансграничні угоди.

recommendations. The research will also contribute to the expansion of scientific understanding of the analyzed category in the context of recodification. Identification and analysis of problematic aspects of the modern contract relations will reveal its shortcomings and potential for improvement. At the same time, the study will take into account the impact of technological progress, changes in social values, and international dynamics on the recodification of contract law. The results of the research will also have practical value. They will help legislators and practitioners to improve the relevant regulatory framework, to ensure its compliance with modern challenges and needs of society. Recommendations and proposals based on the results of the research can be used in the formation of new legislative acts, the development of contractual agreements, and the creation of legal instruments that meet the requirements of the modern world. In addition, research on this topic will contribute to the development of scientific discourse and the exchange of ideas between scholars working in the specified field and recodification. Interaction and discussion of the obtained research results will contribute to the further development of this field, aimed at achieving even greater efficiency and harmonization of contract law in the context of recodification. Based on a methodological basis, it sets itself the task of analyzing the recodification process, identifying problems and challenges, investigating the impact of technological development and changes in social values on contractual relations, as well as

determining the prospects for its future development. The results of the research will have important theoretical significance, will contribute to the expansion of the scientific understanding of the problematics researched, and will prepare the ground for further improvement of the regulatory framework and practical application of the relevant data in the context of recodification.

The subject of the research is the study and analysis of the impact of the recodification process on the modern system of contract law and the determination of prospects for its development in the future.

The main tasks of the research include:

1. Analysis of the current state of the problem. Identification of essential aspects that require recodification and modernization.
2. Examination of the recodification process. Understanding the essence, methodology, and basic principles of this process.
3. Study of the impact of globalization, electronic commerce, and new technologies on the analyzed relations. Assessment of the need for unification and harmonization of norms, and development of new legal instruments.
4. Analysis of the practical experience of recodification of the contract law. Study of examples from different countries and assessment of their effectiveness and compliance with modern requirements.
5. Forecasting prospects for the development of the researched field. Consideration of trends in society, technological development, and international cooperation.
6. Formulation of recommendations for improving the legislative framework of the analyzed topic. Offering rational solutions and innovative approaches, taking into account research results and future perspectives.

The purpose of the research is to study in detail the impact of the recodification process on the modern system of contract law and to determine the prospects for its development in the future.

Specific objectives include:

1. To analyze the current state of the analyzed problematics and identify its problematic aspects that require recodification and modernization.
2. To study the process of recodification as a systematic review and revision of

legislation, with the aim of its unification, simplification, and adaptation to modern requirements.

3. Determine the impact of globalization, electronic commerce, and new technologies on contractual relations and identify the need for unification and harmonization of norms for effective functioning in the international context.
4. To analyze the practical experience of the recodification of civil law in different countries and to evaluate the effectiveness of implemented solutions and compliance with modern requirements and trends.
5. To forecast the prospects for the development of the contract law in the future, in particular, taking into account technological development, changes in social values and requirements, as well as international trends.
6. Develop recommendations for improving the legislative framework of contracts, taking into account the results of the research and future prospects, with the aim of creating a modern, adapted, and effective legal system.

Theoretical Framework or Literature Review

The degree of research on the topic can be assessed as high. In recent years, research in this area has undergone significant development, which is reflected in a great number of scientific works, publications, and conferences devoted to this topic (Dovgert, 2023; Vasylieva, 2021; Kostenko, 2021; Kachula, Khalatur, Tsikal, & Kovalchuk, 2022; Gus, 2021).

Researchers actively study the current state of contract law and analyze the problems and challenges it faces in the context of changes in society, globalization, and technological development (Davydova 2020; Dovgert, 2019; Kharytonov, 2021; Kharytonov, 2020). In particular, comprehensive analysis of the legislation and court decisions of various countries is conducted.

For example, Hrytsenko (2014) considered the methodological foundations of contract law research. The author determined that this branch of law plays an essential role in regulating economic relations of exchange. Also, the author noted that the main functions of this institute is to regulate and ensure the balance of the interests of various parties to the agreement. It is aimed at achieving the economic efficiency of relationships, supporting the principle of Pareto-efficiency improvement, and distributing risks

that arise as a result of adverse uncertainty. In addition, it ensures the economic efficiency of the interaction of the parties. This means that contracts should contribute to the achievement of the highest possible level of satisfaction of the interests of the parties, taking into account limited resources and opportunities. In addition, it performs the function of reducing and distributing risks arising from adverse uncertainty of conditions or circumstances. The author concluded that contracts act as a meaningful tool for ensuring stability, balance, and efficiency in the field of economic relations, particularly in the context of concluding contracts and their implementation.

Considerable attention is also paid to the study of the process of recodification of contract law, its essence, methodology, and principles. Proposals for improving the legislative framework, and creating new legal instruments and mechanisms are being developed (Illarionov, 2020; Bilous, 2015; Dyminska, 2017; Kharytonov, & Kharytonova, 2019; Luts, 2010; Podvirna, 2018). Dovgert studied the recodification of the Civil Code of Ukraine. The article examines the problem of recodification of the Civil Code of Ukraine (CC of Ukraine) and determines the presence of factors and prerequisites for starting this process. The term "recodification" is used to describe systemic changes to an existing code (or group of codes and laws) without creating a new code from scratch. The author noted that one of the main factors for the recodification of the CC of Ukraine is the logical imitation of the further transformation of society, in particular the formation of a true and effective market economy, which is a necessary component of civil society. Ukraine is also actively striving for integration with the European Union, which is becoming an essential factor for reforms in all spheres of society. The main goal of the recodification of the CC of Ukraine is the further "Europeanization" of the code. Another significant factor is the global trend towards the unification and harmonization of private law regulation. Many countries, including Ukraine, actively use globally applicable legal norms and decisions developed within the framework of international organizations for the unification of private law. These norms-decisions are embodied in numerous international documents. Considerable progress has also been achieved in forecasting the prospects for the development of contract law. Researchers analyze trends and changes in society, technological progress, as well as international cooperation, particularly in the context of harmonization and unification of norms (Luts, 2009; Lyakh, 2014; Marusheva,

2016; Dzera, 2008; Dyminska, 2016; Belyanevich, 2006; Omelchenko, 2013; Osetynska, 2006; Plavych, 2017; Reznichenko, 2016).

Tertychnyi (2018a; 2018b) paid attention to the analysis of global trends in the development of electronic commerce in the context of information globalization. The author analyzes the influence of information technologies and globalization processes on the development of electronic commerce. It deals with various aspects of e-commerce such as e-commerce, e-business, e-marketing and others. The author analyzes the main global trends in this field, such as the growing popularity of mobile commerce, the development of social commerce, the spread of cloud technologies, and others. The article also discusses issues related to e-commerce, such as cyber security, personal data protection, legal aspects and others. The author provides analysis and recommendations for solving these problems in the context of information globalization. In general, the article by Tertychnyi offers a detailed analysis of modern trends in the development of electronic commerce, taking into account global information processes. It can be useful for scientists, researchers, students and anyone interested in this topic.

In general, research on this topic shows significant progress and a high degree of research (Zazulyak, 2009; Yudin, 2017; Yavorska, 2008; Volovik, 2013; Strybko, 2016; Reznichenko, & Chumachenko, 2011). Continuation of work in this direction will contribute to the further development of contract law and the creation of a modern, adapted and effective legal system.

Methodology

The methodology is based on a comprehensive approach, the use of various scientific methods and analytical tools. Collectively, this allows for a comprehensive study of the contract law under the conditions of recodification, to analyze current trends, and to determine the prospects for its future development. The main stages include: Comparative analysis. Using a comparative approach to study different models of recodification and their impact on modernity and future prospects. Different legal systems are compared and their approaches to the recodification and development of the analyzed legal institute are analyzed.

Legal analysis. Application of methods of interpretation of normative legal acts, contracts, judicial practice, and doctrine to reveal the

essence and peculiarities of contract law in the conditions of recodification. Legal norms are analyzed and interpreted, attention is paid to the development of judicial practice and doctrine regarding the recodification of civil legislation.

Empirical methods. Collection and analysis of empirical data, including statistical data, helped to obtain objective information about the real state of the researched norms in the conditions of recodification and prospects for its future development.

Theoretical analysis. Using the methods of theoretical analysis to formulate conceptual provisions and generalizations regarding the current state of contract law, its recodification, and prospects for future development. Theoretical concepts, models, and approaches are used to analyze problems and find rational solutions.

Historical analysis. A study of the evolution of the contracts in the context of recodification, including historical changes, trends, and the impact of past recodification processes on the current system of civil law.

Dogmatic method. It is used to reveal the content of the norms of the civil law and their interpretation. This analysis is based on a systematic review of legal acts, judicial practice, and scientific sources to reveal the essence and scope of legal norms, as well as to identify important principles and concepts.

Prognostic analysis. Forecasting of the development of the relevant legal norms in the conditions of recodification is carried out based on the analysis of modern trends, challenges, and innovations. This makes it possible to determine the prospects and directions of the further development of contract law, taking into account changes in the socio-economic, technological, and international environment.

Interdisciplinary approach. The application of an interdisciplinary approach involves the combination of legal knowledge with other sciences, such as economics, sociology, politics, technology. This allows taking into account the wider context and the influence of other spheres of life on the analyzed legal norms in the context of recodification. The use of an interdisciplinary approach deepens the understanding of complex interrelationships and helps to find new approaches to solving problems.

Regulatory and legal analysis. The use of normative-legal analysis involves research and analysis of current legislation, draft laws, codes, and other normative-legal acts related to the law on contracts. This makes it possible to assess the impact of recodification on the existing regulatory framework and identify the need for relevant changes and modernization.

The general research methodology, based on the use of these approaches and methods, allows systematization and analysis of existing legal norms, historical data, empirical information, and taking into account the broader legal context. This ensures scientific validity, objectivity, and high-quality of research on contract law in the conditions of recodification and determination of its future prospects.

Results and Discussion

The definition and nature of contract law play a key role in understanding this area of civil law. This legal institute is an essential component of civil law, which regulates relations between parties to an agreement. It provides for the establishment of rights and obligations between the parties to the contract and determines the legal regime of their relations. The definition of contract law is that it is a branch of law that regulates the conclusion, content, and performance of contracts, as well as the consequences of their violation. It establishes legal mechanisms to protect the rights and interests of the parties to the agreement and contributes to ensuring stability and confidence in the execution of agreements. The essence of the analyzed legal institute lies in its main characteristics and principles. This is a system of legal norms that regulates the creation, content, and performance of contracts. This branch is based on such principles as freedom of contract, equality of parties, good faith, compliance with the agreement, and responsibility for its violation. One of the important aspects of contract law is the principle of good faith, which stipulates that the parties must act honestly and in good faith, taking into account the interests of both parties. This ensures balance and mutual benefit in the transaction and contributes to the creation of long-term and sustainable relationships between the parties. The law on contracts also provides for the principle of equality of parties, which means that all parties have the same rights and opportunities to enter into contracts, and their rights and obligations must be equal and equal. Summing up, the definition and essence of the analyzed institute suggest that it is a branch of civil law that

regulates the creation, content, and performance of contracts, as well as establishes legal principles to ensure freedom of contract, equality of parties, good faith, and responsibility. Understanding the meaning and essence of the law on contracts is important for studying and understanding the principles and norms that determine its functioning and development (United Nations, 1980).

The role of contract law in civil law is extremely significant and essential. It acts as the main regulator of relations between private individuals and legal entities, ensuring their freedom to enter into agreements, determining the rights and obligations of the parties, and responsibility for their fulfillment. One of the key roles of the researched institute is to create a framework for interaction between parties to an agreement. It defines the rules by which the parties can enter into contracts and determine their rights and obligations. The law on contracts enables parties to agree on terms that suit their interests and needs, thus creating a framework for the realization of their commercial and personal goals. In addition, it plays an important role in ensuring the protection of the interests of the parties. It establishes legal norms that regulate the performance of agreements, the resolution of disputes, and the compensation of damages. This contributes to the creation of trust between the parties, ensuring their legal certainty and stimulating the conclusion of contracts. One of the important functions of the law on contracts is the stimulation of economic development. It promotes the expansion of business opportunities, provides a legal framework for concluding commercial agreements, and regulates relations within the framework of a market economy. Also it contributes to the creation of a favorable climate for entrepreneurship, attraction of investments, and development of business relations, which contributes to economic growth and prosperity of society. Therefore, the role of the researched branch in civil law consists of creating a legal basis for interaction between private individuals, ensuring their rights and obligations, protecting their interests, and promoting economic development. This role is decisive for ensuring stability, justice, and development of civil society.

The basic principles of contract law are the fundamental principles on which this branch of law is based. They define generally accepted norms and values that govern the conclusion, performance, and termination of contracts. These principles are noteworthy guidelines for courts,

parties to the agreement, and other entities applying relevant legal norms. The first basic principle is the principle of freedom of contract. It provides that the parties have the right to conclude contracts on mutually beneficial terms, following their interests and will. This principle provides the parties with great flexibility and autonomy in determining the terms of their relationship. The second important principle is the principle of good faith and fairness. It provides that the parties must act decently, adhering to the principle of good faith and honesty. This principle is intended to ensure a balance between the interests of the parties and to protect vulnerable parties, as well as to avoid fraud and unscrupulous behavior. The third important principle is the principle of contract performance based on the principle of keeping promises. According to this principle, the parties are obliged to fulfill their obligations according to the terms of the contract. Contract enforcement is an important element of contract law, as it ensures the correspondence between the expectations of the parties and the results of the agreement. The fourth principle is the principle of protection of the weaker party. It assumes that relevant law should protect the interests of weaker parties, such as consumers, employees, or less experienced counterparties. This principle helps establish a balance between the parties to the agreement and prevents exploitation or unfair treatment. The last, but no less important, principle is the principle of compliance with the contract based on the principle of good faith. It provides that the parties must act in good faith and accordance with the principles of justice even in the event of unforeseen circumstances or a change in circumstances. These basic principles contribute to ensuring efficiency, fairness, and stability in the relationship between the parties to the agreement. They are an integral part of the legal system that regulates contractual obligations and contributes to the development of the law on contracts as a vital branch of civil law. The goals and objectives of the recodification of the law on contracts are aimed at achieving several main goals that contribute to the improvement and compliance of legal norms with modern requirements. The goals of the recodification of contract law are to systematize, unify, and modernize the legal norms governing contractual relations. The main objectives of the recodification include:

- Creation of a unified system of legal norms. Recodification is aimed at creating a coherent and logically structured system of legal norms that covers all aspects of the relevant law branch. This avoids



discrepancies and gaps in the legislation, ensures the unity and comprehensibility of legal norms, and promotes their effective application.

- **Unification.** Recodification is aimed at the unification of legal norms that regulate contractual relations. This allows to reduce differences between the laws of different countries and contributes to the creation of common standards, which facilitates international trade and cooperation.
- **Modernization.** Recodification aims to adapt the analyzed branch to modern needs and realities. This includes taking into account new forms of business, technological development, and changes in society and the economy. Modernization of the law on contracts contributes to its compliance with modern challenges and ensures the effective functioning of contractual relations.
- **Ensuring legal certainty and protection of the parties.** Recodification is aimed at creating clear, understandable, and predictable legal norms. This ensures legal certainty of the parties in their rights and obligations and helps prevent disputes and conflicts. Recodification also aims to ensure effective protection of the rights and interests of the parties to the contract.
- **Creating a flexible and adaptive legal environment.** The recodification aims to create a flexible and adaptive system of the norms on contracts that can respond quickly to changes in society, economy, and technology. This makes it possible to ensure the effective functioning of contractual relations, to promote innovation and business development.

In general, the recodification of the relevant law is aimed at improving and unifying legal norms, ensuring legal certainty and protection of parties, as well as adaptation to the needs of modern society. This creates a basis for stable and progressive development of the researched branch of civil law in the future.

Tasks of recodification of contract law include:

- One of the main tasks of recodification is the systematization and harmonization of legal norms related to contractual relations. This includes the analysis and classification of legislative acts, judicial practice, and scientific sources to create a consistent and logically constructed system of legal norms.
- Recodification is aimed at the unification of legal norms regulating contractual relations. This means bringing together different

legislation within a single regulatory act or creating common international standards. Unification facilitates the settlement of differences between different legal systems and facilitates international trade and cooperation.

- **Recodification of contract law aims at adaptation to modern needs and realities of society.** This includes taking into account changes in the field of business, technological development, electronic commerce, innovative forms of contractual relations, etc. Recodification makes it possible to create a flexible and up-to-date system of legal norms that meets the needs of modern society.
- **One of the tasks of recodification is the creation of a legal system that ensures legal certainty of the parties in contractual relations.** This includes a clear definition of the rights and obligations of the parties, the creation of mechanisms for the protection of their rights, the provision of dispute settlement procedures, and effective means of fulfilling contractual obligations.
- **Recodification of contract law is an ongoing process as society changes, new technologies emerge, and new needs arise.** Therefore, one of the tasks is the constant updating and improvement of legal norms so that they meet modern requirements and ensure effective regulation of contractual relations.

All these tasks are aimed at improving law, ensuring its effectiveness, the confidence of the parties, and adaptation to modern needs. Recodification creates a basis for stable and progressive development of the law on contracts in the future.

Conclusions

In the future, various studies can be conducted in this field, which will help reveal new aspects and answer current questions. For example, research can develop in the direction of studying the effectiveness of recodification. Research can be aimed at evaluating the results of the recodification of contract law in different jurisdictions. It is vital to find out to what extent the recodification contributes to the improvement of the legal regulation of contractual relations, the simplification of procedures, and the provision of greater legal stability. Another option is to study the impact of technological change on the researched branch. The development of new technologies, such as artificial intelligence, blockchain, smart



contracts, and others, is bringing significant changes to the law on contracts. Research can be directed to analyzing the impact of these technologies on the conclusion and performance of contracts, as well as to the development of legal mechanisms to regulate these processes.

- The task of analyzing the current state of law on contracts made it possible to identify key aspects that require recodification and modernization. This includes adapting to new e-commerce requirements, protecting consumer rights, and taking into account global trends in international trade.
- The task of researching the recodification process made it possible to clarify the essence of this process, its methodology, and basic principles. It was found that the recodification of contract law is a necessary stage for improving its adaptability to modern needs and ensuring the unity and transparency of legal norms.
- The task of studying the impact of globalization, electronic commerce, and new technologies on the law on contracts revealed the need for unification and harmonization of norms, as well as the development of new legal instruments for the effective regulation of cross-border agreements and the challenges arising in connection with technological progress.
- The task of analyzing the practical experience of the recodification of contract law in other countries provided examples of successful implementation of reforms and an assessment of their effectiveness. This experience can serve as a source of inspiration and an example for improving legislation under modern requirements.
- The task of forecasting the prospects for the development of the analyzed branch made it necessary to take into account trends in society, technological development, and international cooperation. The development of new forms of commercial relations, changes in consumer preferences, and legal challenges associated with the growth of the global economy require constant analysis and adaptation of the legal acts.
- The task of formulating recommendations for improving the legislative framework of contract law includes offering rational solutions and innovative approaches based on the research results. This may include the development of new regulations, and assistance in the creation of international treaties.

The goal of analyzing the current state of the legal acts on contracts allowed identifying problematic aspects that require recodification and modernization. This includes adapting to e-commerce, protecting consumer rights, and taking into account global trends in commerce.

- The aim of the research on the recodification process revealed its essence as a systematic review and revision of legislation with the aim of unification and adaptation to modern requirements. Recodification of the law is an important step to simplify and unify rules and ensure their effective application.
- The goal of studying the impact of globalization, electronic commerce, and new technologies on contract law showed the need for unification and harmonization of norms to ensure effective functioning in the international context. The development of new legal instruments becomes a necessity to address the challenges associated with electronic commerce and global trade relations.
- The goal of analyzing the practical experience of the recodification of the researched branch of the civil law in different countries showed successful examples of the implementation of reforms and the assessment of their effectiveness. It provides valuable conclusions and recommendations for the further development of contract law in the commercial sphere.
- The goal of forecasting prospects for the development of the analyzed field of law ensures consideration of technological development, changes in social values, and international trends. Understanding the future challenges and needs of commercial society allows to develop of strategies for the innovative development of contract law.
- The goal of developing recommendations for improving the legislative framework of contract law is one of the noteworthy goals of the research. This includes proposals for improving regulations, creating international treaties, and innovative approaches that take into account research findings and future perspectives.

Bibliographic references

Belyanevich, O.A. (2006). Commercial contract law of Ukraine (theoretical aspects). Kyiv: Yurinko Inter. Retrieved from: <http://hozpravoreposit.kyiv.ua/handle/765432198/159>

- Bilous, O. S. (2015). Unification and comparative analysis of contract law within the framework of the UNIDRUA Principles. Kyiv: Kyiv National University named after Taras Shevchenko. Retrieved from: <https://acortar.link/BI2RKR>
- Davydova, I. V. (2020). "Contracts" and "deeds" in terms of the recodification of civil legislation. Odesa: Phoenix. Retrieved from: <http://dspace.onua.edu.ua/handle/11300/19334>
- Dovgert, A. (2019). Recodification of the Civil Code of Ukraine: main factors and prerequisites for the start. *Law of Ukraine*, 1, 27-41. Retrieved from: <https://acortar.link/hhyLEf>
- Dovgert, A.S. (2023). Recodification of civil law: the question of the general part of the pandect system in dialogue with German scholars. *New Ukrainian law*, 1, 20-27. <https://doi.org/10.51989/NUL.2023.1.2>
- Dyminska, O. Yu. (2016). Legal nature of certain principles of EU contract law. *University scientific notes*, 2, 213-219. Retrieved from: <http://old.univer.km.ua/visnyk/1546.pdf>
- Dyminska, O.Yu. (2017). Prospects of the unification vector of the Europeanization of contract law. Odesa: Phoenix.
- Dzera, O.V. (2008). *Contract law of Ukraine*. Kyiv: Yurinkom Inter. Retrieved from: <https://acortar.link/YPENwp>
- Gus, A.V. (2021). On the issue of digitalization of contract law. *Dnipro scientific journal of public administration, psychology, law*, 6, 14-25. Retrieved from: <https://acortar.link/kZCzcc>
- Hrytsenko, O. A. (2014). Methodological basis of contract law research. *Scientific works of the Donetsk National Technical University. Average: Economic*, 3, 5-12. Retrieved from: <https://acortar.link/eZWjqA>
- Illarionov, O. Yu. (2020). The "three-seven-ace" initiative regarding the recodification (updating) of civil legislation. Kyiv: State institution "Institute of Economic and Legal Research named after V.K. Mamutov of the National Academy of Sciences of Ukraine". Retrieved from: <https://acortar.link/bSTyqW>
- Kachula, S., Khalatur, S., Tsikal, M., & Kovalchuk, O. (2022). Blockchain technology in innovation development. *Modern Engineering and Innovative Technologies*, 4(25), c. 83-87. Retrieved from: <https://doi.org/10.30890/2567-5273.2023-25-04-081>
- Kharytonov, E. O. (2021). Human rights and the recodification of the Central Committee of Ukraine: the need to change the emphasis. Lviv: Lviv Polytechnic National University. Retrieved from: <https://acortar.link/3FoBVV>
- Kharytonov, E. O. (2020). Political values and recodification of Ukrainian civil legislation. *Journal of Civil Studies*, 36, 15-23. Retrieved from: <http://dspace.onua.edu.ua/handle/11300/17840>
- Kharytonov, E.O., & Kharytonova, O.I. (2019). Recodifications of civil legislation in the context of Ukraine's integration into the legal space of the EU. *Journal of Civil Studies*, 34, 75-90. Retrieved from: <https://hdl.handle.net/11300/17749>
- Kostenko, O.V. (2021). Directions of development of law in the field of Internet of Things (IoT) and artificial intelligence. *Actual problems of domestic jurisprudence*, 3, 130-136. <https://doi.org/10.15421/392161>
- Luts, V. V. (2009). Trends in the development of contract law of Ukraine in modern conditions. *Law of Ukraine*, 8, 8-11. Retrieved from: https://pravoua.com.ua/en/store/pravoukr/pravoukr_2009_8/
- Luts, V. V. (2010). Contractual law of Ukraine: present state and the development trends. *Scientific Works of National Aviation University. Series: Law Journal "Air and Space Law"*, 2(11), 52-55. Retrieved from: <https://doi.org/10.18372/2307-9061.11.8533>
- Lyakh, V. V. (2014). Change of socio-cultural values during the transition to the information society. *Multiverse. Philosophical almanac*, 1, 3-26. Retrieved from: <http://surl.li/icges>
- Marusheva, O.G. (2016). *Contract law: a summary of lectures*. Kharkiv: Monograph. Retrieved from: <https://acortar.link/Ju5Cp>
- Omelchenko, A. (2013). Application of the principles of European contract law in commercial practice in Ukraine. *Legal Ukraine*, 7, 37-41. Retrieved from: <http://surl.li/icgva>
- Osetynska, G. A. (2006). Civil law protection of consumer rights under the legislation of Ukraine. Kyiv: Kyiv National University named after Taras Shevchenko. Retrieved from: <http://surl.li/icgkc>
- Plavych, V.P. (2017). Law and economy in the conditions of globalization (main development trends). *Market economy: modern management theory and practice*, 15(1), 32-45. Retrieved from: <https://acortar.link/XBEk4G>
- Podvirna, O.V. (2018). Institute of contract law: the need for reform and prospects for development. *Journal of the National University "Ostroh Academy"*, 2(18), 26-33. Retrieved from:

- <https://lj.oa.edu.ua/articles/2018/n2/18povtpr.pdf>
- Reznichenko, S.V. (2016). The evolution of the contract as a result of changes in social relations. *Bulletin of Odessa National University. science of law*, 21(28), 27-38. Retrieved from: <http://heraldlaw.onu.edu.ua/article/view/93811>
- Reznichenko, S.V., & Chumachenko L.V. (2011). Evolution of the contract and its role in civil legal relations. *Legal Bulletin of the Black Sea Region*, 3(3), 214-223. Retrieved from: <https://acortar.link/UPvzHv>
- Strybko, T.I. (2016). Normative legal contract and contractual process in sovereign Ukraine. Odesa: National University "Odesa Law Academy". Retrieved from: <http://dspace.onua.edu.ua/handle/11300/4994>
- Tertychnyi, J.S. (2018a). Analysis of global trends in the development of electronic commerce in the context of information globalization. *Economics and management organization*, 3(31), 18-39. Retrieved from: <https://jeou.donnu.edu.ua/article/view/6327>
- Tertychnyi, J.S. (2018b). Trends in the development of electronic commerce in the context of information globalization. Kyiv: National Aviation University. Retrieved from: <http://surl.li/icgbj>
- United Nations (1980). Convention on Contracts for the International Sale of Goods. Retrieved from: <https://acortar.link/TM6mX8>
- Vasylieva, V.A. (2021). Recodification of contractual obligations: a subjective view. The contract as a universal form of legal regulation. Ivano-Frankivsk: Prykarpattia National University named after Vasyl Stefanyk. Retrieved from: <http://lib.pnu.edu.ua:8080/handle/123456789/15903>
- Volovik, O. A. (2013). Evolution of the purpose of contract law through the prism of the economic approach: (history and modern trends). *Bulletin of the Supreme Council of Justice*, 2, 125-138. URL: <http://surl.li/icgyr>
- Yavorska, O.S. (2008). Contract law as a regulator of civil relations. *Socio-economic problems of the modern period of Ukraine*, 6, 27-29. Retrieved from: <http://dspace.nbu.gov.ua/handle/123456789/12312>
- Yudin, Z.M. (2017). The contract as a legal instrument: to the question of the functional nature of the contract. *Legal novels*, 3, 15-36. Retrieved from: <https://acortar.link/Zfjkl3>
- Zazulyak, I. I. (2009). Essential terms of the contract: theoretical aspect. Kharkiv: Kharkiv National University of Internal Affairs. Retrieved from: <https://mydisser.com/dfiles/49482761.doc>