

STABILIZATION MEASURES IN THE DE-OCCUPIED TERRITORIES OF JUVENILE PREVENTION UNITS FOR THE PROTECTION OF CHILDREN'S RIGHTS

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INTRODUCTION

Today, Ukraine is taking the most necessary measures to ensure the protection of children. In today's environment, when the world is facing a number of global challenges, ensuring the observance of children's rights and freedoms is particularly important. Military aggression against Ukraine is a gross violation of international law and the rights of the child.

International and national normative instruments provide obligations for states to ensure respect for the fundamental rights of the child, even in emergency situations such as martial law. This means that parties to the conflict must act in a way that avoids or minimizes violations of children's rights. Unfortunately, under martial law, the Russian Federation violates all children's rights, despite the prohibitions of international law.

In these circumstances, the activities of the Ukrainian police are particularly aimed at protecting the rights and freedoms of the youngest Ukrainians. During martial law, the activities of juvenile prevention units are of particular importance in protecting the rights of children in the de-occupied territories. They carry out important work in ensuring the safety and protection of young people in conflict situations.

Today, there is a need to study the specifics of the activities of juvenile prevention units to protect children's rights in the de-occupied territories, as the existing legal acts in most cases do not correspond to the current situation. The state authorities are forced to quickly develop new rules of conduct that would meet the challenges that have arisen and are arising in the activities of the National Police in protecting children's rights. This process is ongoing.

The purpose of this study is to identify problematic issues related to the protection of children's rights in the de-occupied territories and to provide proposals for improving related legal relations.

To achieve this goal, it is necessary to solve the following main tasks: to analyze the regulatory and legal support for the activities of juvenile prevention units under martial law; to identify current challenges and threats faced by children in the de-occupied and occupied territories; to

characterize the types of violations of children's rights in Russia since the beginning of hostilities; to identify the priority needs of children under martial law in the de-occupied territories; to analyze and provide proposals for improving the activities of juvenile prevention units

1. The relevance of stabilization measures in the de-occupied territories of juvenile prevention units for the protection of children's rights

The protection of children's rights is a top priority for both our country and many foreign countries. The work of state authorities to ensure the rights and freedoms of children in Ukraine during the legal regime of martial law is a priority, as children are the most vulnerable category of people, they depend on the decisions of adults, and there are many cases when they cannot seek help on their own as a result of violations of their rights, as they do not have the skills and understanding to protect their interests, and often children experience mental and physical suffering on their own.

When protecting children's rights under martial law, all actors involved in the protection of the youngest Ukrainians should apply a set of international and European standards and national regulations in their activities. We consider it necessary to detail the legal acts in this area.

The Convention on the Rights of the Child, 1989 (on the involvement of children in armed conflict)¹. States participants shall take all possible measures to ensure that persons under the age of 15 years do not take a direct part in hostilities"; States Parties shall refrain from conscripting any person under the age of 15 years into the armed forces; when recruiting from among persons who have attained the age of 15 years but who have not yet attained the age of 18 years, States Parties shall give preference to older persons; During armed conflicts, States Parties shall take all feasible measures to ensure the protection and care of children affected by armed conflict; States Parties shall take all appropriate measures to promote the physical and psychological recovery and social integration of a child who is a victim of any form of neglect, exploitation or abuse, torture or any cruel, inhuman or degrading treatment or punishment or armed conflict."

Convention relative to the Protection of Civilian Persons in Time of War (Geneva Conventions relative to the Protection of War Victims, 1949)². In conflicts, the parties should agree to conclude local agreements

¹ The Convention on the Rights of the Child of 20 November 1989. Bulletin of the Verkhovna Rada of Ukraine (VRU). The Convention was ratified by the Resolution of the Verkhovna Rada of Ukraine No. 789-XII of 27.02.91. URL: http://zakon1.rada.gov.ua/laws/show/995_021.

² Convention relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949. Bulletin of the Verkhovna Rada of Ukraine (VRU). URL: https://zakon.rada.gov.ua/laws/show/995_154#Text.

on the evacuation of the sick, wounded, elderly, children and mothers from the cordoned-off areas. Parties to the conflict should allow the unimpeded passage of packages of food, clothing and supplements for children under 15 years of age. The parties to the conflict should work to provide care for children under 15 who have been orphaned or separated from their families due to the war. Parties to the conflict will support neutral countries in taking in children during the conflict. In situations of occupation, the state is obliged to take all necessary measures to facilitate the identification of children and the registration of their family relationships. If local institutions are unable to provide for the upbringing and education of children, the occupying power is obliged to take all necessary measures to support them, especially those who have lost or been separated from their parents due to the war.

The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007³ aims to prevent and combat sexual exploitation and sexual abuse of children; protect the rights of child victims of sexual exploitation and sexual abuse; and promote national and international cooperation in combating sexual exploitation and sexual abuse of children. To ensure effective implementation by states of its provisions, it establishes a special monitoring mechanism.

The Convention on the Civil Aspects of International Child Abduction, 2006⁴ establishes a procedure to ensure the return of children who are illegally removed or retained to their country of habitual residence.

Among the national legal acts that regulate the activities of police officers in working with children during martial law are the following:

Law of Ukraine "On the National Police" of 02 July 2015, No. 580-VIII.⁵ The police, in accordance with its tasks, carries out the search for a child in enforcement proceedings in cases provided for by law or a court decision; within its competence, as defined by law, monitors compliance with the requirements of laws and other regulatory legal acts on guardianship, care for orphans and children deprived of parental care, takes measures to prevent child neglect, child abuse, and social patronage of children who have served a sentence of imprisonment; establishes

³ The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007. The Convention was ratified with declarations by Law No. 4988-VI of 20.06.2012. Bulletin of the Verkhovna Rada of Ukraine (VRU). URL: https://zakon.rada.gov.ua/laws/show/994_927#Text

⁴ The Convention on the Civil Aspects of International Child Abduction, 2006, ratified on 29.04.2011. Bulletin of the Verkhovna Rada of Ukraine (VRU). URL: https://zakon.rada.gov.ua/laws/show/995_188#Text.

⁵ On the National Police: Law of Ukraine of 2 July. 2015, No. 580-VIII. URL: <https://zakon.rada.gov.ua/laws/show/580-19?lang=en>.

Law of Ukraine "On Protection of Childhood" of 26 April 2001, No. 2402-III⁶. Defines additional tasks for the National Police of Ukraine. Particular attention should be paid to Article 24, which states that in case of establishing the fact of child abandonment, police officers are obliged to immediately notify the guardianship and custody authorities at the child's location.

Order of the Ministry of Internal Affairs of Ukraine "On Approval of the Instruction on the Organization of Work of Juvenile Prevention Units of the National Police of Ukraine" of 19 December 2017, No. 1044.⁷ Regulates the main tasks and powers of juvenile prevention units; peculiarities of keeping preventive records of children by the units; organization of measures to establish the whereabouts of a missing child; organization of work and implementation of measures to prevent and combat domestic violence committed by and against children; main areas of interaction with other authorized bodies and units of the NPU, public authorities and local self-government bodies, united territorial communities, international organizations, and international organizations.

Thus, the analysis of international legal acts shows that the protection of children's rights and welfare during military conflicts has become part of the life of the international community, as the content of international law regulates and covers all children's rights. Children growing up under martial law are protected by international law and most national legislation. Parties to the conflict are obliged to comply with international humanitarian law, but given the realities of today, the aggressor country's side does not comply with the generally binding international norms at all. Examples of this include the abduction of children, recruitment of children to participate in armed conflicts, obstruction of the evacuation of children to safer areas and the import of humanitarian aid to the occupied territories, and numerous cases of torture and sexual violence.

During the war, the role of juvenile prevention specialists became extremely important. Today, the staff of the Juvenile Prevention Service has a very difficult mission: to return the stolen childhood of young Ukrainians, help them get used to a new life and do everything possible to make this world safe for them. Every day, the service's employees study new practices of juvenile protection. The category of children with whom the lawyers work is quite diverse: children from institutional settings, boarding schools, specialized children's homes, children who move with their relatives or other persons accompanying them to safer cities.

⁶ On Protection of Childhood: Law of Ukraine of 26.04.2001 No. 2402-III. Bulletin of the Verkhovna Rada of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2402-14>.

⁷ On approval of the Instruction on the organization of work of juvenile prevention units of the National Police of Ukraine: Order of the Ministry of Internal Affairs of Ukraine of 19.12.2017 No. 1044. URL: <https://zakon.rada.gov.ua/laws/show/z0686-18>

Today, the age group of children with whom juvenile inspectors work and protect the rights of children varies: these are children from birth to adulthood. Each category of children requires an individual approach, so it is necessary for the YO to cooperate with other institutions that also have knowledge of the specifics of working with children. Such entities include social services, children's services, practicing psychologists, various international, public and volunteer organizations, and local governments. In order for a child to feel safe, this cooperation must be integrated. It is also necessary to provide practical psychological assistance to the child in order to bring the child out of the state in which he or she is. Such interaction is based on partnership and is aimed at meeting the needs of territorial communities and fulfilling the tasks assigned to juvenile prevention units [⁸, p. 94-97].

Interaction of juvenile prevention units with other units of the National Police in the protection of children's rights.

District police officers. *Order of the MoIA of 28.07.2017 No. 650 "On Approval of the Instruction on Organization of Activities of District Police Officers and Community Police Officers"⁹:*

- carrying out preventive (prophylactic) activities aimed at preventing children from committing criminal and administrative offences, identifying the causes and conditions that contribute to this, and taking measures to eliminate them within its competence;

- in cooperation with the children's services of the regional, Kyiv and Sevastopol city state administrations, district, district administrations in the cities of Kyiv and Sevastopol, take measures to establish the child's identity, place of residence, information about parents or persons in loco parentis, other relatives, and their place of residence (stay) in case of a report of a child left without parental care;

- If a child is found separated from his or her family, DPOs and LEAs shall immediately notify the guardianship and custody authority at the place of discovery of the child and, additionally, the territorial authority of the State Migration Service of Ukraine if the child is a foreigner or stateless person;

- in case of an immediate threat to the child's life or health, on the basis of a decision of the district, district in Kyiv and Sevastopol state administrations, the executive body of the city, district council, the service for children's affairs, together with representatives of the healthcare

⁸ Organization of the activity of juvenile prevention units: a manual. O.I. Bezpalova, G.V. Dzhagupov, V.S. Makarenko and others. Ministry of Internal Affairs of Ukraine. Kharkiv National University of Internal Affairs. Kharkiv. KHNUIA. 2022. C. 204

⁹ On approval of the Instruction on organization of activities of district police officers and community police officers: Order of the Ministry of Internal Affairs of Ukraine of 28.07.2017 No. 650. URL: <https://zakon.rada.gov.ua/laws/show/z1041-17>.

institution, take measures to remove the child from the parents and temporarily place him or her in accordance with the current legislation;

- visiting educational institutions to prevent children from committing criminal and administrative offences. Law enforcement officers carry out preventive work aimed at preventing children from committing criminal and administrative offences.

Investigative units. *Order of the Ministry of Internal Affairs of 06.07.2017 No. 570 "On the Organization of the Activities of Investigative Units of the National Police of Ukraine"¹⁰:*

- identifying the causes and conditions that contribute to the commission of criminal offences and taking measures to eliminate them through the relevant authorities;

- ensuring prompt, complete and impartial investigation of criminal offences under the jurisdiction of the National Police investigative bodies;

- ensuring compensation to individuals and legal entities for damage caused by criminal offences;

- taking measures to identify and document offences against children, including those committed as a result of military aggression;

- conduct a prompt visit to the scene to document war crimes;

- take measures in accordance with the CPC of Ukraine to put missing children on the wanted list, including in the occupied territories;

- exchange of information with other units of the National Police and representatives of state authorities on criminal offences committed during the military aggression of the Russian Federation against children or in their presence;

Duty units. *Order of the Ministry of Internal Affairs of 23.05.2017 No. 440 "On Approval of the Instruction on Organization of the Duty Service of the National Police of Ukraine"¹¹:*

- accepting and registering applications and reports of criminal offences and other events, and organizing immediate response to them;

- send SOGs, other police units, juvenile prevention officers, district police officers and community police officers (within the boundaries of assigned police stations) to the scene of an incident upon reports and appeals from citizens about violations of children's rights. In the context of war, the most common applications and reports are about missing children;

¹⁰ On organization of activities of investigative units of the National Police of Ukraine. Order of the Ministry of Internal Affairs of 06.07.2017 No. 570 URL: <https://zakon.rada.gov.ua/laws/show/z0918-17#Text>

¹¹ On approval of the Instruction on organization of the duty service of the National Police of Ukraine. Order of the Ministry of Internal Affairs of 23.05.2017 No. 440. URL <https://zakon.rada.gov.ua/laws/show/z0750-17#Text>

– police officers at duty stations inform juvenile prevention workers about the registration of reports of missing children, as well as if a neglected child is found, either upon arrival at the scene or by the police in a short time, etc;

– operational management of forces and means involved in the prevention, detection and suppression of offences and other events in the service area, interaction with other police bodies (units), higher-level duty units and duty units of educational institutions, state authorities and local self-government bodies;

– providing information services when citizens apply to the police on issues within the competence of the police;

– accepting and registering applications and reports on forcibly deported/removed children and missing children.

Patrol police. *Order of the MoIA of 02.07.2015 No. 796 "On Approval of the Regulation on the Patrol Service of the Ministry of Internal Affairs"¹²:*

– round-the-clock patrolling of the service area in order to ensure proper protection of public order, public safety and control over compliance with traffic rules, and to ensure its safety. During patrolling, the patrol police may identify children whose rights have been violated and may independently identify offences committed by minors;

– first response to reports of offences, provision of emergency assistance; timely response to reports of offences, as well as to provide assistance to adults and children. Provides emergency assistance to victims of accidents, offences, accidents, fires and other emergencies until the arrival of competent services;

– patrol officers in cooperation with the Law Enforcement Department try to visit every family with children who remained in the de-occupied territories and are forced to live under shelling. First of all, to find out the needs of such families and provide the necessary assistance;

– in case of an immediate threat to the child's life or health, on the basis of a decision of the district, district in Kyiv and Sevastopol state administrations, the executive body of the city, district council, the service for children's affairs together with representatives of the healthcare institution may assist in measures to remove the child from the parents;

– Taking measures to prevent child neglect, including police custody of minors;

¹² On approval of the Instruction on organization of the duty service of the National Police of Ukraine. Order of the Ministry of Internal Affairs of 23.05.2017 No. 440. URL <https://zakon.rada.gov.ua/laws/show/z0750-17#Text>

– Taking measures to search for missing children based on current information received from the regional police departments or the duty units of the territorial units of the National Police.

The law enforcement agencies cooperate with other bodies to prevent crime in children's institutions, combat domestic violence and child neglect; protect the rights and interests of children; implement best international practices of working with children who have committed crimes or are victims of illegal behavior, including joint projects to prevent crime against children, return children illegally taken from the temporarily occupied territory to Russia, and search for missing children.

2. Peculiarities of stabilization measures in the de-occupied territories of juvenile prevention units for the protection of children's rights

The de-occupation of the territory does not end the state's efforts to return the population to a normal, stable life. Children in these areas face a number of new challenges and problems, such as:

– due to the war in Ukraine, the entire social structure aimed at protecting children's rights has been significantly shaken. The capacity of local executive authorities, local self-government bodies, police units, and social assistance specialists to respond in a timely manner, identify and provide assistance to child victims in the de-occupied territories has decreased, as almost all of the above-mentioned specialists left during the occupation, and it will take time to establish proper interaction and resume the activities of child protection actors;

– during the occupation, the files of children registered with the authorities were completely stopped/suspended, access to the personal files of orphans and children deprived of parental care was lost, personal files were destroyed or moved to unknown places not intended for storage, and after de-occupation, it takes a long time to restore personal files and documentation;

– forced removal by the aggressor country of children from the temporarily occupied territories to the territory of the Russian Federation and granting them Russian citizenship there; loss of control by Ukraine over such children and the inability to provide them with appropriate protection. Thus, 181 thousand Ukrainian children have been deported to Russia since the beginning of the full-scale invasion. Among them are more than 2,000 orphans. Every day, 80 children are illegally taken from Mariupol and deported to Vladimir, Omsk, Rostov, Chelyabinsk and other regions, as well as to Sakhalin;

– loss of registration and control over unaccompanied children displaced (evacuated) from Ukraine and, accordingly, the inability of the state to

provide them with adequate protection and prevent effective protection from possible offences against children in host countries;

– conditions for education, medical care, birth and upbringing of children in the de-occupied and occupied territories have significantly deteriorated due to the loss of jobs, housing, income, lack of sufficient means to support families and raise children.¹³

– forced change of citizenship. The aggressor country pursues a policy of occupation ethnocide. During the war, representatives of the Russian occupation administrations in the occupied territories of Ukraine launched a terrorist campaign to collect statements from local residents in which they allegedly renounce Ukrainian citizenship.

According to the Ministry of Health, at least 60% of Ukrainians are currently in need of psychological assistance. In times of war, Ukrainians can receive free psychological support through special online services and hotlines that are professionally run. Every day, the number of calls increases, with more than several thousand calls per day¹⁴;

– The infrastructure of social, educational, medical, rehabilitation and other services provided for children was destroyed, resulting in the improper provision of the above services. Today, 180 schools have been destroyed to the ground. More than 300 educational institutions have been destroyed, over a thousand educational institutions have been damaged and are subject to examination to determine whether they can be rebuilt or not. Donetsk region (770 damaged, 160 destroyed), Kharkiv region (579 damaged, 51 destroyed), Mykolaiv region (246 damaged, 33 destroyed), Kherson region (296 damaged, 51 destroyed), Dnipro region (283 damaged, 9 destroyed), Luhansk region (182 damaged, 23 destroyed) and Kyiv region (198 damaged, 13 destroyed) suffered the most destruction.

– 1,433 medical facilities were damaged, with 177 hospitals completely destroyed since the start of the invasion. The largest reconstruction works were carried out in Mykolaiv, Dnipro, Kyiv, Kharkiv and Chernihiv regions. In small settlements in the de-occupied territories, emergency medical services and disaster medicine are starting to operate, providing emergency and primary care to the residents of the region. Then the issue is resolved through temporary solutions, such as the installation of modular health posts or modular hospitals;

– in the area where hostilities have been ongoing, most of the territory is mined. Police officers should conduct preventive mine safety talks with children and their legal representatives. They should emphasize that

¹³ Multimedia platform of foreign broadcasting in Ukraine. Ukrinform. URL: <https://www.ukrinform.ua>.

¹⁴ News. Ministry of Health of Ukraine. URL: <https://moz.gov.ua/>.

"unpleasant surprises" can be left by the enemy in the yard, in the cellar, among the belongings of the house where the child is returning to, in dilapidated buildings. If necessary, demonstrate what suspicious objects look like, such as mines, cluster munitions, grenades, tripwires, etc. Detail the algorithm of the child's actions if he or she finds such an object and what not to do with explosive objects.

Types of violations of children's rights in Russia since the beginning of hostilities.

As of the morning of 8 September 2023, according to official information from juvenile prosecutors, 510 children were killed and more than 1146 were injured of varying severity. There are 2205 missing children, and 20900 minors have been found. 19546 children were deported or forcibly removed from the temporarily occupied territories. 13 children suffered from sexual violence by the occupiers.

War, in one way or another, interferes with the full development of every child who is a citizen of a warring state. Unfortunately, the issue of violations of children's rights during armed conflicts has not lost its relevance and significance in the twenty-first century. Russia's large-scale war against Ukraine has violated children's rights to safety, life and health, especially in the area of active hostilities, in the temporarily occupied and de-occupied territories. Every day, the Russian military violates all legal and moral norms on child protection.

Types of crimes committed by the Russian Federation against children since the beginning of hostilities in Ukraine:

– violations of Articles 6 and 37 of the UN Convention on the Rights of the Child, Article 3 of the Geneva Convention and Article 77 of Protocol I to the Geneva Convention – the right to life and protection from torture. For example, on 18 March, rescuers pulled the bodies of seven-year-old twins from the rubble of a Chernihiv dormitory. In addition, despite all prohibitions, the Russian military continues to torture civilians, including children. For example, in the Izium district of Slobozhanshchyna, the tortured and burned bodies of three people were found, one of whom was a child;

– violation above Article 49 of the Geneva Convention, Article 78 of the Additional Protocol to the Geneva Convention, Article 21 of the UN Convention on the Rights of the Child abduction and removal of children. On 8 April, at the Vasylivka checkpoint, the occupiers abducted the 16-year-old son of the head of Zaporizhzhia District State Administration, Oleh Buryak, who was travelling as part of an evacuation convoy;

– violation above Article 23 of the Hague Convention and Article 51 of the Additional Protocol to the Geneva Convention. Russian troops have repeatedly used prohibited weapons, including phosphorus bombs, cluster munitions and incendiary bombs. International law prohibits these types of weapons because they cause additional suffering (deep wounds, tissue

necrosis). However, this did not prevent the use of phosphorus munitions in Slobozhanshchyna on 30-31 March 2022, injuring 11 civilians, including 4 children. And on 4 April 2022, the occupiers fired cluster munitions at the civilian infrastructure of Mykolaiv, killing 9 adults and 1 child;

– violation above Article 55 of the Geneva Convention. In Kherson, on 11 April 2022, the occupiers seized a warehouse with medicines, food and baby food. There have been systematic cases of Russians not allowing humanitarian aid to pass through, preventing residents from leaving during the siege, looting and destroying shops and warehouses with food, and even directly taking food from locals;

– violation above Article 24 of the Convention on the Rights of the Child. This article concerns the activities of the medical system. In Ukraine, there have been numerous cases of shelling of medical facilities and rocket attacks on maternity hospitals;

– violation above Article 34 of the UN Convention on the Rights of the Child – the right to protection from sexual violence. In Bucha, the Russian occupiers raped an eleven-year-old boy and a fourteen-year-old girl;

– violation above Article 28 of the Convention on the Rights of the Child – the right to education. This includes many destroyed schools and kindergartens, and the impossibility of holding classes in the occupied territories;

– violation above Article 31 of the Convention on the Rights of the Child – violation of the right to leisure and cultural development of the child. For example, on 20 March, Russian occupation forces shelled a shopping and entertainment center in Kyiv. In Ivankiv, on 27 February, the occupiers caused a fire in the local history and local lore museum. The case of the air strike on the drama theatre in Mariupol is also world famous;

– violation a Article 17 of the Geneva Convention – obstructing the evacuation of children from the occupied territories. For example, on 8 April, 7 children were killed as a result of a rocket attack on the railway station in Kramatorsk, Donetsk region, where more than 4,000 people were waiting for evacuation, 17 children died¹⁵.

And this is not an exhaustive list of crimes that Russia has committed in our country and for which it must be held accountable, so it is extremely important to document all these horrific acts not only against Ukrainian children, but also against the entire civilized world. Law enforcement agencies play an important role in this regard.

The scientific work "Volunteer Movement in Ukraine: Development Trends" contains the definition of a volunteer (from Latin "voluntarius" –

¹⁵ Shvets Y.I., Sokolova I.O., Violations of children's rights during the war by the Russian Federation. Scientific Bulletin of Uzhhorod National University, 2022. Series PRAVO. Issue 71. C. 99-103

will, desire, from English "voluntary" – voluntary, volunteer, to go voluntarily) – a person who voluntarily helps others¹⁶.

According to the Law of Ukraine "On Volunteer Activity", a volunteer is an individual who voluntarily carries out socially oriented non-profit activities by providing volunteer assistance¹⁷. According to Article 1 of the same law: volunteer activity is a voluntary, socially oriented, non-profit activity carried out by volunteers by providing volunteer assistance. This non-governmental organization is a voluntary and organizationally formed association of citizens that is created to pursue common interests (cultural, economic, age, regional, religious, professional, social, political, etc.)

During Russia's full-scale invasion of Ukraine, many international foundations and organizations have been helping Ukrainians. The Association of Ukrainian Cities has compiled a list of organizations and foundations that help Ukrainian citizens who have found themselves in difficult living conditions during the war. Among our international friends and partners, we can highlight the following:

- *Unicef "Spil'no"* (financial assistance to families); UN Refugee Agency (assistance to internally displaced persons in Lviv, Cherkasy, Kirovohrad, Poltava, Zaporizhzhia regions);

- *«Gate to Ukraine»* (a platform that helps Americans provide assistance to Ukrainian large families affected by the war, displaced, or living in the temporarily occupied territories);

- *«The Happy Child» Charitable Foundation* (providing assistance to seriously ill children, children with disabilities, IDPs with children, large families, single parents, and guardians who until 24 February 2022 lived only in Zaporizhzhia, Kherson, and Donetsk regions);

- *Charitable Foundation "SOS Children's Villages Ukraine"* (multi-purpose financial assistance to internally displaced families from foster families, family-type children's homes and families of guardians with three or more children under the age of 18 in 5 regions (at the first stage) of Ukraine – Kherson, Zaporizhzhia, Luhansk, Kharkiv and Chernihiv);

- *«The Ukrainian Red Cross Society»* (The Ukrainian Red Cross Society provides food packages, hygiene products, medicines and medicines to internally displaced persons);

- *Charitable Foundation «In Mum's Palms»* (assistance to families with IDP children living in cities where military operations are taking place).

Since the beginning of the full-scale invasion, volunteers and NGOs have been sending humanitarian aid to the war zone, providing assistance to IDPs, and helping the security and defense forces of Ukraine.

¹⁶ On volunteer activity: Law of Ukraine of 19.04.2011 No. 3236– VI. URL: <https://zakon.rada.gov.ua/laws/show/3236-17#Text>.

¹⁷ On humanitarian aid: Law of Ukraine of 22.10.1999 No. 1192-XIV. URL: <https://zakon.rada.gov.ua/laws/show/1192-14#Text>.

One of the broadest spectrums of volunteering is humanitarian aid, as it includes assistance to all people in need, including orphans, the disabled, the elderly, low-income and large families, etc. This assistance can be manifested both in the form of material support for certain needs and psychological support from volunteers.

The Law of Ukraine "On Humanitarian Aid" defines humanitarian aid as "targeted, targeted free-of-charge assistance in cash or in kind, in the form of non-refundable financial assistance or voluntary donations, or assistance in the form of work or services provided by foreign and domestic donors on the basis of humane motives to recipients of humanitarian aid in Ukraine or abroad who need it due to social insecurity, material insecurity, difficult financial situation, a state of emergency, in particular as a result of natural disasters, accidents, epidemics and epizootics, environmental, man-made and other disasters that pose a threat to the life and health of the population, or a serious illness of specific individuals, as well as to prepare for the armed defense of the state and its protection from armed aggression or armed conflict"¹⁸.

The interaction of the National Police of Ukraine with volunteer and civil society organizations at the legislative level was one of the main objectives of the reform of the internal affairs agencies.

The main areas of interaction between juvenile prevention police officers and volunteers:

Evacuating the population from the war zone. Police officers together with volunteers evacuated a family with two young children from Antonivka, the most heavily shelled suburban village in Kherson. This settlement is the closest to the positions of the Russian army, so it suffers from air strikes, artillery, mortar and UAV attacks around the clock. According to the locals, it is "loud" in the village day and night, and Russian shells have damaged many of the vital infrastructure. Despite all the circumstances and the difficult security situation, local residents remain there, but after the intensification of armed attacks on the regional center, people have increasingly turned to the police and volunteers with a request to take them to a safe region of Ukraine.

Psycho-social support for children. The National Police of Ukraine, in cooperation with UNICEF, is helping children in the de-occupied territories. Juvenile prevention units are trying to do everything possible to help children in the de-occupied territories return to normal life, have more communication and opportunities for development.

Addressing **the priority needs of children** in the de-occupied territories is extremely important, as children living in the de-occupied territories face

¹⁸ Sirko V.S. Features of volunteering in the armed conflict zone in Ukraine. URL: <https://dspace.oduvs.edu.ua/server/api/core/bitstreams/24004373-8774-4fc1-adf5-e55b7467282f/content>.

specific challenges and threats to their physical and psychosocial well-being. In this regard, social protection of children becomes one of the most important components in restoring and improving their situation. Restore the provision of social services and expand the network of social services that provide psychological, medical, educational and other assistance to children. This includes counselling centers, psychological support, medical care and other services aimed at ensuring the physical and emotional health of children.

1. *Restore protection of children's rights.* In the de-occupied territories, children may experience violations of their rights, such as the right to education, the right to be treated with dignity and protection from violence. Systematic monitoring and protection of children's rights should be put in place, including the right to education in a language they understand and protection from any form of discrimination.

2. *Resumption of rehabilitation of persons with disabilities and provision of auxiliary means of rehabilitation.* Particular attention should be paid to children with disabilities. They need access to quality rehabilitation services and technical aids to help facilitate their daily life and integration into society. This may include the provision of medical equipment, wheelchairs, hearing aids, etc.

3. *Educational needs.* Children should have the opportunity to receive a quality education, learn and develop. Schools and access to learning materials are important. Therefore, it is necessary to ensure: keeping records of children of preschool and school age; organizing the provision of educational services; identifying the priority needs of children with special educational needs; organizing psychological support for children to adapt and recover under martial law; and resuming the provision of cultural services, including library activities.

4. *Humanitarian response.* Organize work with vulnerable groups (elderly people, people with disabilities, people in need of care, orphans, children deprived of parental care, large families) and provide them with the necessary assistance. Organize evacuation of the population to safe areas. Setting up humanitarian centers, shelters for children, and humanitarian aid distribution points. Organizing the delivery of humanitarian aid, including international aid.

5. *Organizing psychological support for children.* Children may need psychological support due to stressful situations, including conflicts and loss of loved ones. Organize volunteer assistance, create a center to coordinate the work of volunteers and all organizations and institutions involved in this activity. Entertainment and social activity will help distract children from their experiences.

6. *Healthcare.* Access to medical care and vaccinations is important for preventing illness and treating children when necessary. Meeting the basic needs of children in the de-occupied territories requires governments and citizens to work to ensure their physical and psychological well-being. It is

important to ensure children's safety, nutrition, education, healthcare and social development, regardless of the political situation on the ground. The general principle is to create and maintain conditions that ensure the safety, development and health of children in the de-occupied territories. This can be achieved through joint efforts of the government, non-profit organizations, civil society and international organizations to restore and improve the quality of life of these children.

It is advisable to **involve local volunteer organizations** to meet the basic needs of the child. Police officers should have information about those organizations that provide humanitarian assistance to local residents and internally displaced persons, and it is advisable **to create a directory of organizations with their contacts and types of services they provide**. Provide all important information in writing (messages in messengers) or on a piece of paper (booklet, leaflet). Oral information may not be perceived or remembered, and a person may ask several times – these are the peculiarities of the psyche of a person under stress.

Military aggression has completely changed the lives of young Ukrainians. The aggressor country blatantly violates all international legal acts that ensure and protect children's rights. The main violations include: recruitment of children, use of prohibited weapons to wage war, obstruction of humanitarian aid, deprivation of citizenship, illegal deportation of children, murder and injury, damage to healthcare facilities and educational institutions, which makes it impossible to exercise the rights of children. From the first days of the war, in cooperation with international partners, the state has been developing and implementing programs aimed at protecting children's rights and providing humanitarian, legal, psychological and social assistance to them. National and international legislation provides for mechanisms to protect children's rights during martial law, but it is extremely difficult to implement them, as the aggressor country violates all norms of international law.

CONCLUSIONS

Ensuring the protection of children's rights in the context of military aggression, as a prerequisite for special control over children, has a topical importance and practical problems of application. Children who have survived the occupation will have negative experiences throughout their adult lives in the future. They experience difficulties in socialization: they have broken ties with adults, lack appropriate communication skills with their peers, do not have sufficient knowledge and erudition to gain authority at school, etc.

In the context of military aggression and in the de-occupied territories, protecting children's rights becomes an extremely important task for juvenile prevention workers in Ukraine. It is clear that conflict and instability can have a serious impact on the well-being and safety of children, exposing them to stress, trauma and oppression. Therefore, juvenile prevention workers must actively

and appropriately ensure the protection of children's rights in such contexts. A significant part of their work should be aimed at providing children and their parents with clear information about their rights, protection procedures and resources available to them.

In order to improve the legal regulation, we propose to take into account the following suggestions for improvement: to develop algorithms for the actions of juvenile units to provide psychological support for children who have suffered trauma or psychological distress due to hostilities, as well as for their families, helping them to adapt to new conditions and overcome stress; to define the role and place of juvenile prevention units and develop a mechanism for social support for children displaced to safe areas from the occupied territories; to create an effective system of support and protection for children who have been

Further research may be related to the development of proposals for amendments to the legislation of Ukraine regulating legal relations regarding the protection of children's rights in martial law. Specifically, we recommend supplementing the Order of the Ministry of Internal Affairs of Ukraine of 19.12.2017 No. 1044 on Approval of the Instruction on the Organization of the Work of Juvenile Prevention Units of the National Police of Ukraine with a separate section containing norms on the organization of the activities of juvenile prevention units during martial law. As of today, the legislator has not added any norms to this instruction that would regulate and consolidate the activities of juvenile prevention units during martial law. And the war has been going on for over a year.

SUMMARY

In the context of military aggression and in the de-occupied territories, protecting children's rights becomes an extremely important task for juvenile prevention workers in Ukraine. It is clear that conflict and instability can have a serious impact on the well-being and safety of children, exposing them to stress, trauma and oppression. Therefore, juvenile prevention workers must actively and appropriately ensure the protection of children's rights in such contexts. A significant part of their work should be aimed at providing children and their parents with clear information about their rights, protection procedures and resources available to them.

In order to improve the legal regulation, it is proposed to take into account the following suggestions for improvement: to develop algorithms for the actions of juvenile units to provide psychological support for children who have suffered trauma or psychological distress due to hostilities, as well as for their families, helping them to adapt to new conditions and overcome stress; to determine the role and place of juvenile prevention units and to develop a mechanism for social support for children displaced to safe areas from the occupied territories; to create an effective system of support and

Further research may be related to the development of proposals for amendments to the legislation of Ukraine regulating legal relations regarding the protection of children's rights in martial law. It is noted that at present, the legislator has not added any norms to this instruction that would regulate and consolidate the activities of juvenile prevention units during martial law. And the war has been going on for over a year.

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