

6.2 The children's rights protections during the war in Ukraine

On February 24, 2022, a full-scale war began in Ukraine. That day, the life of every Ukrainian changed. Protection of children's rights during war requires special attention. This issue has been little studied by scientists, but it is very relevant.

«During the war, all the rights of the child are violated: the right to life, the right to be with family and community, the right to health, the right to personal development, as well as the right to care and protection», states the 1996 United Nations report "Impact armed conflict on children".

The following can also be distinguished among the violated rights:

- The right to non-discrimination.
- The right to freedom of conscience and religious beliefs.
- The right to live with parents.
- The right to work.
- The right to rest.
- The right to protection of life and health.
- The right to education.
- The right to housing.
- The right to freedom of speech.
- The right to receive information.
- The right to use cultural achievements.
- The right to participate in scientific, technical and artistic creativity.

In addition, war crimes are committed against children during war. The Office of the General Prosecutor in Ukraine called on citizens to report war crimes against children, record evidence, and determined that circumstances in which a child:

- was injured or lost a family member from the weapons of the occupiers;
- experienced violence (physical, psychological or sexual);
- was deprived of access to medical care;
- was left without a home due to damage from the occupiers' projectile or was captured;

- she could not use the "green corridor" for a long time;
- was held by the occupiers and was deprived of liberty;
- she did not receive food, medicines, basic necessities due to the blocking of humanitarian aid, etc [191].

Currently, the Law of Ukraine "On the Protection of Childhood" is the main law of Ukraine that regulates the situation with children in the conditions of armed conflicts in Ukraine. According to it, a child injured as a result of hostilities and armed conflicts is considered to be "a child who, as a result of hostilities or armed conflict, was injured, contused, maimed, subjected to physical, sexual, psychological violence, was abducted or illegally taken outside Ukraine, involved to participate in military formations or was illegally detained, including in captivity." The state is obliged to take all necessary measures to ensure the protection of these children, care for them and their reunification with family members (in particular, search, release from captivity, return to Ukraine of children illegally taken abroad) [192].

Since the beginning of the war, the dissemination of information on the protection of children's rights during wartime has intensified, namely how to behave with children, how to shelter a child, what to do when you meet a child unaccompanied on the street during the war. This information is posted on a specially created website, where everyone can get advice in addition to information, in particular on issues such as: searching for a child, how to return a child from the temporarily occupied territory and the territory of the Russian Federation; how to return the family to the territory of Ukraine in case of deportation; how to legalize a child's birth certificate obtained in the temporarily occupied territory; how to get a birth certificate in the absence of a medical birth certificate; how to get help for a child who was injured as a result of the war; how to get humanitarian aid; how to establish contact with the child or return him from abroad in case of removal of the child by one of the parents. Information on the number of children killed as a result of the war, injured, missing, found, deported, returned is updated every day [191].

The creation of such a resource helps to quickly navigate issues related to the protection of children in Ukraine. This is Ukraine's quick response to the problems

related to children that arose with the start of a full-scale war. Unfortunately, the number of killed and injured children is increasing every day. Criminal proceedings regarding these cases are registered in the unified register of pre-trial investigations. Ukraine has promised that those guilty of war crimes against children will be justly punished.

It should be noted that the armed conflict in the east of Ukraine began in 2014, and since then there has been an urgent need to protect the rights of children during the war. The OSCE conducted monitoring in which the impact of the armed conflict in the east of Ukraine on children was investigated in non-criminal and criminal aspects.

In the 2020 OSCE Non-Criminal Report, the majority of interviewees indicated that they or their colleagues face in practice new categories of cases or specific aspects that have emerged in conflict situations. They noted the emergence of new categories of cases, as well as difficulties in connection with the change of jurisdiction, the notification of the party who is in the territory that is not controlled by the government of Ukraine, the non-recognition of documents issued in such territory, the uncertainty of legislation on many issues that have begun to arise .

During the interview, the respondents reported that the following categories of cases related to the interests of the child appeared in the context of the conflict:

- granting the status of a child who suffered as a result of hostilities and armed conflicts;
- granting the status of an internally displaced person;
- granting permission by the court for the temporary departure of the child to certain areas of the Donetsk and Luhansk regions or to the territory of the Autonomous Republic of Crimea [193].

In the 2021 report, which examined the criminal aspect, the majority of respondents did not notice the impact of armed conflict on criminal proceedings involving children or had no experience of participating in such proceedings. At the same time, some participants reported that the armed conflict had psychologically traumatized children, and this could determine their behavior. In some places, there

were conflicts between migrants and local residents with the participation of children, insults or bullying of children due to their status as migrants.

Respondents who felt the impact of the armed conflict most often called insufficient efforts to socialize displaced people as a problem, which affected the involvement of children in criminal activities, especially at the initial stage.

Another problem mentioned by the respondents is conflicts between local residents and immigrants, in particular with the participation of children. Two female respondents reported that they know examples of prejudiced attitudes towards immigrant children and bullying.

Some other categories of cases are not new, but have specific features because they are directly related to the conflict, for example:

- establishing the fact of the birth of a child in the territory of Donetsk or Luhansk regions or in the territory of the Autonomous Republic of Crimea for the purpose of obtaining a birth certificate;
- deprivation of parental rights of one of the parents who lives in Donetsk or Luhansk or in the territory of the Autonomous Republic of Crimea, at the request of the mother or father who lives in the controlled territory of Ukraine;
- collection of alimony from persons who are in Donetsk or Luhansk or on the territory of the Autonomous Republic of Crimea;
- placement of children in a family-type orphanage who left Donetsk, Luhansk or the Autonomous Republic of Crimea [194].

Conducting such monitoring is very useful for Ukraine, as it allows to identify, systematize and respond to problems related to the war. These are relevant changes to the legislation; training of specialists who work with children, creation of additional resources for children.

There are scientific publications that examine the protection of children's rights during the war in Ukraine. Thus, O. V. Skrypniuk, L. M. Tokarchuk concluded in their research that there is a systematic violation of the rights of children - citizens of Ukraine in the uncontrolled territory of Ukraine, this is a new problem that the state must take care of. It was also noted that Ukraine does not have a perfect legislative and regulatory

framework in the field of protection of children's rights in the conditions of the existence of an armed conflict and the seizure of part of its territory. Current legal acts are basically designed for peacetime and are not very effective in modern conditions. One should partially agree with their conclusions, because today, after the start of a full-scale war, Ukraine began to active work on strengthening the protection of children's rights [195].

In particular, Resolution No. 302 of the Cabinet of Ministers of Ukraine dated March 17, 2022, "On the Formation of the Coordination Headquarters for the Protection of Children's Rights in Martial Law" entered into force.

The established Coordination Headquarters is a temporary consultative and advisory body of the Cabinet of Ministers of Ukraine and acts to facilitate the coordination of the activities of central and local executive authorities, other state bodies, and local self-government bodies on the protection of children's rights under martial law.

The main tasks of the Coordination Headquarters are:

- coordination of actions of central and local executive authorities, local self-government bodies regarding the organization of evacuation of children from dangerous areas, creation of safe conditions for their stay;
- coordination of the actions of the central and local executive authorities regarding the placement and satisfaction of the needs of children evacuated to safe regions of Ukraine and those relocated to states of temporary residence;
- coordination of measures to ensure the accommodation and satisfaction of the needs of children evacuated to safe regions of Ukraine and those relocated to countries of transit stay;
- monitoring the consular registration of children in the state of their temporary accommodation and determining the ways, mechanisms and methods of solving problematic issues that arise during the consular registration of children, and ensuring the return of children to Ukraine after the cessation of hostilities;
- determination of ways and means of solving problematic issues regarding the protection of children's rights under martial law;

- making operational decisions regarding the protection of children's rights;
- monitoring of compliance with social standards and rights of children in Ukraine in the states of their temporary stay who have left Ukraine, as well as organizing their return to Ukraine;
- informing citizens of Ukraine and the international community about the situation and needs for the protection of children under martial law;
- dissemination of information about the activities of the Coordination Headquarters [196].

The formation of a special body and the assignment of these tasks to it is a necessary step of Ukraine to protect the rights of children in wartime, which shows that Ukraine quickly reacted to the violation of children's rights during the war and is trying to solve problems in this area as much as possible.

The government adopted a decision developed by the Coordination Headquarters for the Protection of Children's Rights in Martial Law, which ensures the safety of children placed under foster care during the war and children who were left without parental care during hostilities and need protection and ensuring the right to care, education in a safe and supportive family environment. This issue is extremely relevant during the war, many minors were left without parental care, and therefore it is necessary to quickly resolve the issue of transferring children to foster care.

In particular, the Government supplemented the Procedure for the creation and activity of a foster parent's family, placement, stay of a child in a foster parent's family with rules for providing foster care services for a child during a state of war or state of emergency and in the event of a threat to the child's life or health.

These rules regulate:

- the mechanism of moving the child together with the foster carer's family to a safe area in the event of a threat to his life or health;
- the possibility of placement in the family of a foster carer, with his consent, of children who are not siblings or who were brought up in the same family;
- the possibility of extending or terminating the contract of guardianship over the child, taking into account the actual circumstances;

- the mechanism for making a decision on the provision of guardianship services for a child and concluding an agreement on the conditions for the introduction of guardianship by order of the village, town, or city mayor based on the submission of the children's affairs service;
- delineation of the functions of services for children by the place of creation of the foster carer's family and by the place of its relocation in a safe territory [197].

Analyzing these rules, we see that they regulate issues that may arise during martial law and require immediate resolution to ensure the best interests of the child.

UNICEF plays an important role in the protection of children's rights in Ukraine. The United Nations Children's Fund (UNICEF) opened its office in Kyiv in 1997. Over the years, UNICEF has supported the Government of Ukraine with nearly US\$130 million of aid to develop health, water and sanitation, education and protection programmes for children.

Since the beginning of the conflict in eastern Ukraine, UNICEF works to fulfill the core commitments for children in humanitarian action, including access to education, psychosocial support, water and sanitation, mine risk education, maternal and child health and HIV and AIDS services.

The main goals of the UNICEF country programme (2018-2022) are:

- to contribute to the progressive realization of the rights of all children in Ukraine;
- to reduce equity gaps;
- maintain a balance between humanitarian, recovery and development interventions;
- incorporate conflict-supportive programming; and
- build peace in the framework of on-going key reforms in social sectors and decentralization [198].

UNICEF actively began helping children and their families during the war in Ukraine. Thus, the organization has developed materials on psychosocial support for

children and their parents, the basics of health and nutrition, education and development, and security during hostilities.

The information will be useful for every child during the war in Ukraine. In particular, in the section on psychosocial support for children and their parents, you can find information on how to provide support to victims of gender-based violence, sexual violence against children, advice on long-term relocation with a child, how parents can explain to a child about war and support in a shelter, and many other tips, which relate to children during war.

Such knowledge is necessary and useful in the modern conditions of the war in Ukraine, because there was no need for it before. Currently, UNICEF solves the urgent needs of children not only with information, but also by helping families in need with money.

One of the problems today is that many families in Ukraine are forced to leave their homes and move into the unknown to find a safe place for themselves and their children. Having arrived at the place of temporary stay, parents and children face adaptation to new conditions. This process of adaptation to the changes that have come can go through the following stages:

- Organization of life for yourself and children. At this stage, it is important to organize life and provide basic needs, orientation in space (what and where is located, whether there is hot water, where each member of the family will sleep, where we will eat, whether there are dishes, etc.).

- Tracking and encountering differences with the home system. At this stage, irritation, confusion, rapid fatigue, and apathy may occur. It is difficult for families to realize that they are not at home, most often without their father, who remained to protect Ukraine.

- A situation of uncertainty, when children and their mothers do not really understand how to settle in a new place;

- Planning (short-term and long-term).

- Assimilation (integration) of experience. At this stage, living with a psycho-traumatic experience that was associated with combat operations, separation from loved ones, and loss of the usual way of life becomes relevant.

- Acceptance. At this stage, two processes take place: the first is related to living the events that are related to the war, and the second is related to the acceptance of those changes that have occurred and adaptation to new conditions and the search for resources [199].

During the war, there is another critical problem and the lack of access to clean water, basic hygiene and medical care, the presence of a large number of people at the same time in warehouses, trains, temporary shelters, therefore there is a risk of the spread of infectious diseases. Measles, rubella, mumps, poliomyelitis, diphtheria, whooping cough can spread quickly and threaten children. UNICEF explains how you can get these infections, what the consequences can be and how to prevent it [200].

Created with the support of UNICEF for preschool children online kindergartens, where interesting and useful classes are held.

Humanitarian situation reviews are the main reporting tool for monitoring UNICEF's humanitarian actions. They provide updates on the situation and needs of children in a country or region, as well as information on UNICEF's response and funding needs. Example, review 2022, July 16-24 highlights information regarding what intense fighting continues in the east and south of Ukraine. Missile strikes have struck numerous locations, including further from the frontline in Vinnystsia.

Access remains an ongoing challenge in the east of the country.

- Since 24 February, 3,987,013 people in Ukraine have been able to access health care as a result of supplies distributed, either directly by UNICEF or in partnership with implementing organizations. In addition, 3,457,252 people were provided with access to safe drinking water and 455,999 people received critical water, sanitation and hygiene supplies.

- Since 24 February, UNICEF-supported mental health and psychosocial support interventions have reached 1,463,018 children and caregivers while 63,950 children and their families have benefited from specialized services through case management

and referral to support services. Additionally, 52,446 women and children have so far been reached by UNICEF-supported gender-based violence prevention, risk mitigation and response services.

- Since 24 February, 272,091 children have benefited from learning interventions with supplies provided by UNICEF and 400,313 children have been engaged in formal or non-formal education.

- A total of 422,592 individuals, including 261,329 children (of these 26,428 were children with disabilities) have been reached by multi-purpose cash assistance [201].

So, UNICEF actively protects children during the war in Ukraine, their work is very important and invaluable.

When studying the issue of protecting the rights of children during the war in Ukraine, it is necessary to analyze how European countries reacted to the mass migration of children in their country. It should be noted that almost all European countries have now ensured the protection of the rights of children who were forced to leave their homes due to war.

All children from Ukraine who come to the European Union should have negative access to their rights without discrimination, only with the necessary psychological support, health care and access to education. I pay special attention to unaccompanied children. It is important that they are registered immediately upon arrival; they support full and reliable support.

All children (i.e. a person under the age of 18) fleeing the war in Ukraine have the right to protection in the European Union. They have the right to:

- upon entry, get an identity registration, and if children travel unaccompanied by their parents or other adults responsible for them, the border guards register the identity of familiar adults who accompany them during the trip or wait for them, and also mark the declared country in the European Union . .
- get access to assistance (including housing), health care (including psychological support) and education as soon as possible.

- be heard and express their opinion regarding any decision regarding them (if age and degree of maturity allow it).

The European Commission actively participated in helping children from Ukraine. Your active actions help children from Ukraine who are escaping the war.

The European Commission:

- supports and finances access to psychological help and basic services, supports the proper reception of orphans and children with disabilities and looks after them, encourages the implementation of the EU Strategy on the Rights of the Child.

- prepares standard operating procedures for the transfer of unaccompanied minors and other children with special needs to ensure protection against the risks of abuse and human trafficking [202].

The conclusions also cover the EU strategy on the rights of the child more broadly. In particular, the Council calls on member states to develop comprehensive policies to fulfil the rights of all children without any discrimination, to increase efforts to prevent and combat all forms of violence against children, to strengthen justice systems so that they are compliant with the rights of children, and to increase opportunities for children to be responsible and resilient members of the digital society [203].

The Council of the European Union made an important political statement on the protection of the rights of migrant children from Ukraine in the context of the Russian war of aggression against Ukraine, which was sent to EU member states on June 29, 2022.

The Ministry of Social Policy of Ukraine stated that "This statement of the Council of Europe is an important consolidated position of the member states at the highest level regarding the approaches to the protection of our displaced children in the best interests of each child. This document, after long discussions, was agreed by the European Union in order to settle problematic issues, which Ukraine set out in the draft memorandum on the protection of the rights of displaced children, developed by the Coordination Headquarters for the Protection of Children's Rights in Martial Law. This demonstrates the readiness of key EU institutions to listen to Ukraine and cooperate

with Ukraine on a partnership basis." One should agree with this opinion, because important problems of children who moved to Europe during the war in Ukraine were recognized and solved[204].

Encourages Member States to develop and further strengthen cooperation with Ukraine, in particular concerning:

- the voluntary return to Ukraine of children, in particular orphans and children (temporarily or permanently) deprived of parental care who were in public childcare institutions in Ukraine, and who fled from Ukraine due to the war that started on 24 February 2022, and were placed in family/foster care or hosted by local families in Member States (children), upon cessation of martial law on its territory, upon cessation of temporary protection, or, if a safe and dignified return and access to education are possible, prior to its termination conditioned upon

- the return being in the best interest of the child;

- the exchange of experience and relevant information on national legislation and procedures;

- the national registration of unaccompanied and separated and out of family law coverage children traveling from Ukraine, as well as groups of children arriving from Ukrainian institutions accompanied by their Ukrainian guardian(s), at the relevant national authority and in accordance with the European Union data protection rules;

- the implementation of the recommendation of UNICEF and the statement of the Hague Conference on Private International, according to which no on-going adoption procedure should be expedited and no new adoption procedure should take place in an emergency situation such as armed conflict;

Encourages Member States to:

- provide free legal aid or assistance to the Ukrainian children enjoying temporary protection in their respective territory in relation to all procedures related to the temporary protection or its cessation, in accordance with the national law and procedures of each Member State;

- endeavour to provide free access to health care services to the Ukrainian children according to their individual needs, including but not limited to the access to vaccines according to national immunisation programmes;

- inform unaccompanied and separated children traveling from Ukraine on their rights, available services and other information in a language he/she understands, taking into account their age and development level, if necessary, with the involvement of an interpreter, in particular, using remote interpretation;

- strive to take all possible measures to ensure high quality reception for the children arriving from Ukrainian institutions, in line with their best interests, while preserving the links and close contact of groups and family-type forms where children lived in different institutions of Ukraine before crossing the border;

- ensure that all unaccompanied and separated children fleeing from war in Ukraine, including children from Ukrainian institutions, are fully integrated into national child protection systems and benefit from all services and protection thereby provided, and that their reception is organized in line with the best interests of the children;

- support access to quality education and care to young children under the age of primary education, in close cooperation with local authorities, including through formal and non formal activities;

- support access and successful participation in education through, amongst others, providing psychosocial support to refugee children and their families. This includes supporting social and emotional learning and resilience building in classrooms, schools and early childhood education and care settings, as well as tailored interventions of mental health professionals.

Provide staff with adequate training to understand and address the mental health and well being needs of refugee learners [205].

It should be noted that the largest number of children fleeing the war moved to Poland, Slovakia, and Germany. These countries have created extremely favorable conditions for Ukrainian children. Thus, on June 30, 2022, Maryna Lazebna, Minister of Social Policy of Ukraine, and Marlena Malong, Minister of Family and Social Policy

of the Republic of Poland, signed the Political Declaration on the Social Protection of Children Affected by Military Actions and Armed Conflicts.

The Parties declared a mutual desire to protect the rights of children who left Ukraine for the Republic of Poland, as well as a mutual desire to preserve and protect the lives and well-being of children, as well as further strengthening and development of cooperation between the Parties in the following areas:

1. facilitating the voluntary return to Ukraine of children, orphans and children (temporarily or permanently) deprived of parental care, who were in state children's institutions in Ukraine and who fled or were evacuated from Ukraine due to the war that began on February 24, 2022, and placed in buildings provided by the Republic of Poland or in families / foster families or adopted by local families in the Republic of Poland (Children) after the cessation of martial law on its territory after the termination of temporary protection status or, if possible safe and dignified return with respect for the best interests of the child, until its termination.

2. exchange of experience and relevant information regarding national legislation and procedures; if necessary, organize a meeting of practitioners and experts, professional trainings and other events in an acceptable and agreed format.

3. the desire that minor citizens of Ukraine who arrived on the territory of the Republic of Poland without the supervision of a person who exercises actual guardianship over them, and minor citizens of Ukraine who arrived on the territory of the Republic of Poland and were placed under guardianship on the territory of Ukraine before their arrival, were registered in the special ITC system, which is administered by the Ministry of Family and Social Policy on the territory of the Republic of Poland until the termination of martial law on the territory of Ukraine.

4. ensuring that procedures for interstate and national adoption of children of Ukrainian citizens will not be carried out during the period of martial law in Ukraine without due consideration of Ukrainian legislation or the adoption of a corresponding decision by the Ukrainian authorities. The parties recognize, in accordance with the UNICEF recommendation and the statement of the Hague Conference on Private International Law, that no current adoption procedure should be accelerated, and no

new adoption procedure should be conducted in emergency situations such as armed conflict.

5. The Republic of Poland will try to provide free legal assistance to Ukrainian children who enjoy temporary protection on the territory of the Republic of Poland, in connection with all procedures related to the granting of temporary protection status or its termination, in accordance with the national legislation and procedures of the Republic of Poland.

6. Competent authorities of the Republic of Poland must provide unaccompanied minors and children separated from their families leaving Ukraine with all information about their rights, available services and other information in a language they understand, taking into account their age and level of development, if it is necessary, with the involvement of an interpreter, in particular with the use of remote translation.

7. The Republic of Poland, to whose territory the children were relocated, intends to ensure quality care for children from Ukrainian institutions and to take all possible measures to maintain close contact between groups of children from the same institution and children, if it is determined that this is in the best interests of the children who this applies as determined by the competent authorities of the Republic of Poland in accordance with their national legislation.

The specified Political Declaration contributes to the best implementation of the rights of Ukrainian children during the war in Ukraine [206].

Every European country has official information posted on government websites where refugees from Ukraine can find useful information about asylum. Yes, Slovakia is fully prepared to receive the expected flow of people fleeing the war. They take all measures to provide quality assistance at the borders. The page contains detailed information about what awaits Ukrainian citizens at the border and after crossing it to Slovakia.

If a person comes with minor children, it is recommended to have at least the child's birth certificate. In the case of an unaccompanied child crossing the border, the competent authority, in cooperation with the police, coordinates the placement of the

child in the selected institution. Citizens of Ukraine are provided with social housing, have the right to medical care, and work.

Children can attend Slovak schools. In Slovakia, school attendance is compulsory for children under the age of 16, so they are allowed to attend schools at their place of residence or at another designated location.

To send a child to school, you need:

apply for temporary asylum;

visit kindergarten, primary or secondary school (where you want your child to study);

provide the director with a document confirming that the procedure for granting temporary asylum has been opened;

according to the level of education and the level of Slovak language proficiency, the child will be enrolled in the appropriate school year, and language courses will be provided for him [207].

Today, Ukraine has actively begun to develop post-war recovery strategies. Thus, the National Council for the Recovery of Ukraine from the Consequences of the War, in accordance with Presidential Decree No. 266/2022 dated April 21, 2022, within the framework of 24 working groups, developed a plan of measures for the post-war recovery and development of Ukraine, a list of proposals for priority reforms and strategic initiatives, regulatory projects legal acts, the adoption and implementation of which are necessary for the effective work and recovery of Ukraine in the war and post-war periods [208].

One of the projects concerns the protection of children's rights and the return of children temporarily displaced abroad. Thus, according to the draft, the large-scale war against Ukraine violated the rights of children to safety, life and health, especially in the zone of active hostilities and temporarily

occupied territories. As a result, the state policy for the protection of children's rights must find answers to the following challenges:

1. Complete loss of access or restriction of children's access to basic rights to food, water, medical care, education and material support due to the inability of local

authorities to ensure the timely evacuation of children to safe places and ensure the protection of their rights;

2. An increase in the number of children who have lost their parents, suffered health damage and need protection and support, treatment, rehabilitation, placement in a new family, with a simultaneous decrease in the ability of local executive authorities/local self-government to respond in a timely manner: to identify and register victims children;

3. Destruction/destruction of a significant part of the material and technical base, loss of documentation from subjects of government bodies, establishments and institutions authorized to register children, work with children, families, pregnant women in the territories where hostilities are/were conducted and which were/are temporarily occupied;

4 Complete stop/suspension of records of registered children, loss of access to personal files of orphans and children deprived of parental care (personal files remained in the occupied territories, or their transfer to unknown places or places not intended for storage);

5. Forced relocation, psycho-emotional burnout of specialists working in social services, guardianship and care bodies);

6. Impossibility of ensuring the protection of children's rights in the temporarily occupied territories and in the zone of active hostilities;

7. Forcible removal by the aggressor country of children from temporarily occupied territories to the territory of the Russian Federation and granting them Russian citizenship there; the loss of control by Ukraine over such children and the impossibility of providing them with appropriate protection;

8. Loss of accounting and control over children displaced (evacuated) outside of Ukraine unaccompanied by adults and, accordingly, the impossibility of the state providing them with adequate protection and preventing effective protection against possible offenses against children in the host countries;

9. Separation of families as a result of moving women with children abroad and mobilization of men;

10. Mass emigration with the probability of non-return to Ukraine of a part of families (women) with children and potential parents (adoptive parents);

11. Deterioration of the conditions for the birth and upbringing of children, due to people's loss of work, housing, income, lack of sufficient means to support the family and raise children;

12. Increasing demand for urgent professional psychological support/rehabilitation of war-affected children, parents and guardians, which does not correspond to the state's capabilities against the background of a lack of specialists with the appropriate competence and practical skills to work with the post-war consequences;

13. Destruction of the infrastructure of social, educational, medical, rehabilitation and other services provided for children, families with children, future parents;

14. The factors provoking the demographic crisis are deepening.

The war exposed the vulnerabilities of the existing child protection system in Ukraine regarding its ability to protect children in crisis and emergency situations.

The request to increase the efficiency of the management of the child protection system became obvious due to the absence of a single responsible state authority for child protection - a coordinating body for interaction, decision-making and information exchange between all entities - service providers for the organization of comprehensive assistance to the child and his family and optimization of system resources.

The current state policy in the field of protection of children's rights has characteristic shortcomings associated with a non-systematic, fragmented family policy, which is formed without taking into account comprehensive, reliable, disaggregated data on the presence of families with children who are in difficult life circumstances, assessment of the effectiveness of their provision of social services. Due to the lack of a clear distribution and implementation by the authorities and local self-government of their powers, in the conditions of martial law, it was not possible to fully protect the rights of every child, which endangered the demographic future of Ukraine.

Ukraine's acquisition of the status of a candidate for EU accession creates both opportunities for establishing close cooperation between children's rights protection bodies and challenges related to the likelihood of Ukrainian children's integration into the society of the host countries and not returning to Ukraine. Such a factor prompts the review and modernization of the existing system of ensuring the protection of children's rights in Ukraine with the use of powerful assistance and experience of the EU member states. The EU Council Recommendation of June 9, 2022 on the EU Strategy for Children's Rights with a special emphasis on the protection of children's rights in crisis or emergency situations can be a benchmark for such changes.

The above-mentioned recommendations were developed in response to Russian aggression and contribute to Ukraine's cooperation with EU countries on the protection of Ukrainian children from recruitment into the armed forces, human trafficking, illegal adoption, sexual exploitation and separation from their families, with an emphasis on the fact that "every child in In Europe and around the world should enjoy the same rights and live without any discrimination and intimidation.

The consequences of the war, which Ukraine faced, give an impetus to the need to change the emphasis in the state policy regarding the protection of children's rights, namely the transition from focusing on individual problems and groups of vulnerable children to a comprehensive approach to child protection, which will put the rights and interests of the child in the first place, which should be taken into account when planning the development of the country and all spheres of activity.

Building the future of children in Ukraine requires interdepartmental coordination of all state authorities and local governments and the public.

An integrated approach will ensure that all key actors and systems – social protection, education, health, justice, civil society, community and family – work in concert to prevent violence, exploitation, trafficking, neglect and other forms of violence against children , as well as to protect and help children and families in these situations. UNICEF defines that a comprehensive approach is built into the most defined child protection systems as a set of laws, policies, regulations and services necessary in all social spheres, especially in the sphere of social security, education,

health, security and justice, for prevention and response to risks associated with the probability of violation of children's rights.

Ukraine now has every chance to form a unified, integrated and effective state family policy with a system for protecting children's rights thanks to today's powerful international support, effective practices of supporting children and families developed before the war, which can be spread, in the presence of consistent political will [209].

The direction of the country's recovery "Protection of Children" includes the following goals:

1. Achieving the ability of all territorial communities to identify and register children and use information from databases to make decisions on ensuring and protecting children's rights. This goal can be realized by performing the following tasks:

1.1. Identification and registration of children of the most vulnerable categories who need state protection in conditions of martial law

1.2. Achieving the level of provision of territorial communities with sufficient material, technical and personnel resources

2. Achieving the return of every forcibly displaced child to Ukraine to a safe place of stay with the satisfaction of their primary needs. Tasks for this goal are;

2.1. Movement (evacuation) to safe places of children who are in the zone of active hostilities or areas close to it, in the territories under temporary occupation.

2.2. Provision of support and protection in accordance with the needs of children displaced (evacuated) abroad.

2.3. Provision of support and protection to children displaced (evacuees) within the borders of Ukraine in accordance with their needs.

2.4. Creation of conditions for the return of every child and family with children to Ukraine, taking into account their best interests and needs.

3. Ensuring the functioning of an orderly and balanced system of authorities and local self-government bodies at all levels to ensure and protect the rights of the child, taking into account his opinion and best interests.

Tasks that will help to implement:

3.1. Ensuring a clear management and coordination vertical, defined functions and powers in the child rights protection system.

3.2. Ensuring high personnel capacity of bodies and services in children's affairs in accordance with the norms of their staffing, with the necessary knowledge and skills to fulfill their powers

3.3. Achieving consideration of family cases exclusively by family courts.

3.4. Availability and effective functioning of clear procedures in terms of protection of children's rights and supervision of their observance.

4. Ensuring the rights of every child by the state, creating conditions for raising a child in a family or conditions close to family, in accordance with his needs and best interests. To realize this goal, it is necessary to perform the following tasks:

4.1. Providing a timely response: identifying, taking measures aimed at ensuring and protecting the rights of every child in need of protection.

4.2. Ensuring the implementation of the child's rights to adoption.

4.3. Placement of children in family forms of education and forms of education with conditions similar to family ones is carried out taking into account their own needs and in accordance with the Alternative Care Guidelines.

5. Favorable living conditions have been created in Ukraine, allowing families to give birth to children, to provide for their care and upbringing in the family. Task:

5.1. Introduction of mechanisms of state support and protection of the family, which stimulate an increase in the birth rate, the development of family capacity to provide proper care and upbringing of the child.

5.2. Ensuring that every child and family in the territorial community has access to universal services.

5.3. Introduction of mechanisms of state support and protection of the family, which stimulate an increase in the birth rate, the development of family capacity to provide proper care and upbringing of the child.

6. Ensure that every child and their family receives the necessary services according to their needs, which are aimed at providing the best interests of the child. The tasks for the implementation of this goal are:

6.1. Review and modernization of the content of social and other services, in accordance with the needs of children and based on the principles of integration, consistency and availability of services.

6.2. Ensuring the ability of territorial communities to provide services to children and families with children.

6.3. Ensuring access to services for every child with signs of vulnerability and/or limitation of vital activity, according to their needs.

6.4. Ensuring the ability of service providers to meet the needs of each child with appropriate quality services through adequate staffing resources and professional competences [209].

The implementation of these clearly developed goals will allow to achieve a positive result regarding the protection of Ukrainian children in the war and post-war period.

In Ukraine, the Law of Ukraine "On the Protection of Childhood" defines the status of a child affected by war. A child who suffered as a result of hostilities and armed conflicts - a child who, as a result of hostilities or an armed conflict, was injured, contused, maimed, subjected to physical, sexual, psychological violence, was kidnapped or illegally taken out of Ukraine, was involved in the military formations or illegally detained, including in captivity [192].

This statute was defined during Russia's armed aggression in eastern Ukraine. Now it has become even more urgent due to the full-scale invasion of Ukraine, because every day the number of children who have suffered as a result of the war in Ukraine is increasing.

It should be noted that there are internally displaced children in Ukraine as a result of hostilities. Their number is significant, because not all of them want to leave the territory of Ukraine and seek refuge in European countries. According to the legislation of Ukraine, an internally displaced person is a citizen of Ukraine, a foreigner or a stateless person who is in the territory of Ukraine on legal grounds and has the right to permanent residence in Ukraine, who was forced to leave or leave his place of residence as a result of or in order to avoid the negative consequences of armed conflict

conflict, temporary occupation, widespread manifestations of violence, violations of human rights and emergency situations of a natural or man-made nature [210].

Ukraine takes care of internally displaced children, providing them with the realization of all their rights. In particular, in accordance with the Procedure for providing accommodation assistance to internally displaced persons, approved by Resolution of the Cabinet of Ministers of Ukraine dated 20.03.2022 No. 332 "Some issues of payment of accommodation assistance to internally displaced persons", assistance is provided monthly from the month of application for the entire period of martial law and one month after its termination or cancellation. Funds are paid for a full month (regardless of the date of application for its provision and the date of termination or cancellation of martial law) in the following amounts: for persons with disabilities and children - UAH 3,000 per month; for other persons - UAH 2,000 per month.

Internally displaced persons in this context are:

persons who moved from the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol;

persons who have moved from the territories where hostilities are ongoing;

persons who, as of March 1, 2022, received monthly targeted assistance for internally displaced persons to cover living expenses, in particular for the payment of housing and communal services.

From May 2022, such assistance will be provided only to those internally displaced persons who have moved from territorial communities that are under temporary occupation, encirclement (blockade) or in the war zone.

However, I believe that this approach of the state to the regulation of payments is unjustified, as it deters the movement of persons who do not feel safe in their region, even though it is not occupied or there are no active hostilities.

Despite this approach of the state, there is support from international organizations for internally displaced persons, including children, which enables them to provide themselves with housing and work, helps them feel more confident in their new place of life. In addition, such support measures can encourage citizens who are

in the war zone and do not dare to evacuate due to fear of being left without means of livelihood, to leave for safer regions [211].

Worthy of attention is the article by Andrii Butyrskyi and Viktoriia Reznikova, who analyzed Internal Forced Migration in Ukraine: Legal Aspects and concluded that Internally displaced persons (under current legislation) have the same rights and freedoms as other citizens of Ukraine permanently residing in the country. However, in practice, internally displaced persons face restrictions on their rights and freedoms due to subjective factors. However, it should be noted that the article was published in 2021 and is about internally displaced persons from the east of Ukraine. We believe that the situation has changed since the start of the full-scale war and internally displaced persons, including children, are properly provided with everything they need [212].

Returning to the issue of protecting the rights of Ukrainian children in Europe, it should be noted once again about the total support of the European Union. In particular, several directions of response can be distinguished:

1. the reaction of the European Union, which is expressed in the criticism of the MEPs of human rights violations in Ukraine, calls for a large-scale increase in military aid to Ukraine, a simplified procedure for using EU regional funding to overcome the consequences of Russian aggression;

2. sanctions, which consist in the application to Russia of the sixth package of sanctions to date, including a complete ban on the import of all Russian oil, marine and pipeline, crude and refined. MEPs believe that all EU sanctions against Russia should apply to Belarus;

3. European integration, which consists in the ability of Ukrainians to use national driving licenses in the EU, the decision to grant Ukraine the status of a candidate for EU accession;

4. cooperation between Ukraine and the EU, which is expressed in military support for Ukraine and a unified response to the energy crisis, secret approval of loans to Ukraine in large sums, planning of long-term commitments to help Ukraine, approval of the suspension of EU tariffs on all Ukrainian exports, strengthening of

support for citizens and business and help Ukraine, the launch of a website in cooperation with the Ukrainian parliament, which highlights information about assistance to Ukraine and its citizens;

5. support for refugees, namely the parliament supported additional aid to EU regions to ease the effects of the war, more support for EU countries hosting Ukrainian refugees, the EU promotes steps by telecommunications operators to help refugees stay connected, financial support for refugees, The EU protects all children fleeing war [213].

Revealing the topic of protection of children's rights, it should be noted that the European Union has created humanitarian corridors necessary to save children and families in Ukraine. He also carried out the necessary measures for the registration of persons who arrived in European countries, which is the key to preventing the risk of human trafficking and illegal adoptions. In addition, the European Union has taken measures to identify vulnerable children at EU borders, and guardians are appointed quickly for unaccompanied children.

The European Union has provided Ukrainian minors with the same access to education and medical services as other children in host countries [214].

It should be noted that Ukrainian children support not only European countries and organizations, but all civilized countries in the world. In addition, Canada has developed special programs for Ukrainians, including child support. Canadian-Ukrainian Emergency Travel Authorization (CUAET). CUAET is a special program providing temporary accommodation to Ukrainians seeking safe haven in Canada, drawn from the ongoing war in their home country. Thanks to CUAET, Ukrainians and their immediate family members of any nationality are allowed to stay in Canada as temporary residents for up to 3 years. Elementary and high school students can register for school and start attending school immediately upon arrival in Canada, and anyone who wants to pursue post-secondary education is eligible to apply for a study permit that they recognize in the country. free right to education, minor Ukrainians receive the right to medical care.

In order to submit an application for a child under 18 years of age, it is necessary to provide permission from the mother/father who does not live with the child, or a document on full custody of the child.

The Canadian government wants Ukrainians to adapt to a new country, so the management has introduced a one-time financial assistance in the amount of 3,000 Canadian dollars (about 83,000 hryvnias) per adult and 1,500 Canadian dollars (41,500 hryvnias) per child under 17 years of age.

As of September 14, 559,552 Ukrainians applied for an entry permit under the CUAET program, and their number is growing [215].

Therefore, Canada has developed special conditions of entry for Ukrainian citizens and ensured the full realization of all rights of children who came from Ukraine.

The USA did not stand aside in its desire to help Ukrainian children. "Unite for Ukraine" is a simplified program for citizens of Ukraine to obtain a humanitarian passport (entry permit) to the United States. In order to receive the right to stay in the USA under this program, Ukrainians had to be in the territory of Ukraine as of February 11, 2022, have a sponsor in the United States, pass vaccinations and other health care requirements, as well as pass the necessary biometric, biographical and security checks. Under this program, Ukrainians received the right to enter the USA for a period of up to 2 years with the right to submit documents for employment in the USA.

A special Temporary Protected Status program was also introduced for Ukrainians who were in the US as of April 11, 2022 [216].

Non-governmental organizations "Voices of Children" and "Kharkiv Institute of Social Research" prepare reports every month that show the real situation regarding children in Ukraine during the war. Recommendations are also made in each report. Thus, in the report for the period from August 24 to September 24, 2022, among the recommendations, it is proposed to increase the medical education of the population, especially in remote areas where there is a lack of doctors and a limited list of provided medical services, and to increase the representation of medical services in the de-occupied territories, to allocate funds for the restoration of medical infrastructure

affected settlements. In addition to physical health, monitor psychological and mental health the state of citizens affected by the war, in particular those who were under occupation and in areas of active hostilities. Organize not only medical, but also psychological mobile aid teams. It is necessary to organize the training of doctors to provide psychological first aid to the population, especially those working in de-occupied territories and territories that are constantly under fire. It is important to increase the awareness of the population about actions in case of emergencies in order to save their lives and minimize the consequences for health. To conduct information campaigns on the prevention of infectious diseases throughout Ukraine, especially where it is difficult to provide an adequate level of medical care. Contribute to the provision in Ukraine of a sufficient number of medical devices and medicines (masks, oxygen, test systems, vaccines, etc.) necessary for the prevention and fight against the coronavirus epidemic. In the same report, it is stated that on September 23, the UN Independent International Commission to Investigate Violations in Ukraine announced the discovery of evidence of brutal crimes committed by the Russian occupiers in Ukraine. Since May, the commission has been working on the investigation of war crimes committed by Russians in the Kyiv, Kharkiv, Sumy, and Chernihiv regions. The commission documented cases where children were raped, tortured and illegally imprisoned. The Office of the Prosecutor General of Ukraine stated that as of September 19, several dozen cases of war crimes related to sexual violence had been registered. Five cases concern children aged 4 to 16 who were victims of sexual violence by the Russian military. Cases of abduction/imprisonment of children by the Russian military in the temporarily occupied territories are also known. The purpose of such abductions is different: intimidation, an attempt to impose an occupation regime, gathering intelligence, putting pressure on the victims' relatives for other reasons. Schools and kindergartens are also used as playgrounds for propaganda for the accession of the temporarily occupied territories of Ukraine to Russian federation and the spread of our history [217]. So, we can conclude that children's rights are violated during the war in Ukraine. Every child felt the impact of the war, regardless of their place of residence. Some had to leave the country, fleeing active hostilities,

others became internally displaced persons. Even children who stayed at their permanent place of registration could not stay away. Although the war had a negative impact on children's rights, Ukraine is actively implementing mechanisms to protect children's rights. The European Union, other countries of the world, various international organizations, whose role in protecting the rights of children during the war in Ukraine, is hard to overestimate. There is confidence that the perpetrators of war crimes against children will be brought to justice very soon, and we will be able to fully restore and improve the violated rights of children in the post-war period.