

## **PUBLIC ADMINISTRATION IN THE SPHERE OF CHILD'S PROTECTION DURING AND AFTER THE ARMED CONFLICT**

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### **INTRODUCTION**

As early as 1996, Graça Machel, an expert of the UN Secretary-General, concluded that children who survived the armed conflict would not be able to reach the potential they had before the armed conflict. Therefore, in the mid-1990s, she drew attention to the need to address the problem of rehabilitation and assistance to children, emphasizing that they suffer psychological and physical trauma, become victims of sexual violence, become orphans, lose social and cultural ties, or become soldiers<sup>1</sup>.

Ukrainian children (in all corners of our country) have been living through the armed conflict for a long time. Daily air alerts, staying in shelters, massive rocket attacks, etc. irrevocably affect every child living in our country.

The Ministry of Health of Ukraine records a decrease in the number of children living in Ukraine every year<sup>2</sup>. This is undoubtedly the result of the prolonged armed conflict<sup>3</sup>.

The state, represented by its authorized bodies, should be more than anyone else interested in increasing the number of children and protecting them both in peacetime and during and after the armed conflict.

Both international and national legal acts provide for a large number of rights for every child. However, the mere fact that these rights are enshrined in legal acts does not mean that they are automatically realized. The key issue is how the state, represented by authorized bodies, will realize them. Especially during the period of armed conflict and in the conditions after its completion.

The public administration is the main system of bodies established to exercise public power by implementing the law, bylaws and other actions in the public interest. Including in the interests of our children both in peacetime, during armed conflict, and in the conditions after its completion.

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<sup>1</sup> Impact of armed conflict on children. Report of the expert of the Secretary-General, Ms. Graça Machel, submitted pursuant to General Assembly resolution 48/157. URL: <https://childrenandarmedconflict.un.org/about/the-mandate/mandate/the-machel-reports/>.

<sup>2</sup> Статистичні дані системи МОЗ. *Центр громадського здоров'я Міністерства охорони здоров'я*. URL : <http://medstat.gov.ua/ukr/statdanMMXIX.html>.

<sup>3</sup> Стратегія демографічного розвитку України на період до 2040 року : розпорядження Кабінету Міністрів України від 30 вересня 2024 р. № 922-р. URL: <https://zakon.rada.gov.ua/laws/show/922-2024-%D1%80#Text>.

## **1. The basics of public administration in the field of child protection during and after armed conflict**

The legal category of “public administration” is relatively new to the national doctrine of administrative law. Scientific discussions have repeatedly arisen regarding its definition, content and essence. This concept has not yet been used in legislation.

Until recently, the concept of “government management” was widely used in Ukrainian legal science, which was inherited by Ukrainian administrative law from the Soviet historical period. Government management was defined as one of the types of social management. The concept of “government management” was understood as an independent type of state activity, which has an organizing, executive and administrative, subordinate character, of a special group of state bodies (officials) for the practical implementation of the functions and tasks of the state in the process of daily and direct management of economic, socio-cultural and administrative-political construction<sup>4, 5</sup>.

However, this concept covers only a group of state bodies belonging to the executive branch of power, leaving out a large number of entities exercising public power.

Most administrative law scholars agree that the concept of “government management” is a relic of time and needs to be updated. This legal construct is being replaced by another one – “public administration” and “public administrating”.

From the historical point of view, “public administration” are legal categories that came to us from the United States and Western Europe. One of the “fathers” of public administration can undoubtedly be called Alexander Hamilton, an American politician during the Revolution (1775-1783) and the formation of the United States. Biographers and historians unanimously agree that Alexander Hamilton is “the genius of administrative law of his time”<sup>6</sup>. Alexander Hamilton, together with James Madison and John Jay, published their views on state-building and law-making in the form of a collection of articles entitled *The Federalist Papers*, which were published in 1787-1788. It was in article number 7 that public administration was first mentioned<sup>7</sup>.

Public administration, as defined by Alexander Hamilton, has two important components. The first is that public administration refers to the process or activities of the entire government. Second, it encompasses all three

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<sup>4</sup> Курс адміністративного права України : підручник / за ред О.В. Кузьменко. 3-тє вид., допов. Київ: Юрінком Інтер, 2018. 904 с. С. 36, 44.

<sup>5</sup> Адміністративне право : підручник / за заг. ред. Ю.П. Битяка, В.М. Гаращука, В.В. Зуй. 2-ге вид., переробл. та допов. Х. : Право, 2013. 656 с. С. 8-10.

<sup>6</sup> DeConde Alexander. «Alexander Hamilton». *Encyclopedia Britannica*, 28 Jan. 2025, <https://www.britannica.com/biography/Alexander-Hamilton-United-States-statesman>.

<sup>7</sup> Alexander Hamilton. The Same Subject Continued: Concerning Dangers from Dissensions Between the States. *Federalist No. 7*. For the Independent Journal. URL: <https://guides.loc.gov/federalist-papers/text-1-10#s-lg-box-wrapper-25493270>.

branches of government. Legislators and judges participate in public administration, but their powers and contributions differ in ways that distance them from the center of governmental action. They make vital decisions, but must rely on agencies and independent boards and commissions to implement them.

A second and more familiar meaning of public administration is “constraint by executive detail.” However, the details suggested by Alexander Hamilton can hardly be called routine or trivial. They are striking in their scope – what could be more important than conducting foreign relations; stimulating public finance and credit, managing funds in accordance with appropriations, organizing an army and directing war? These are management activities that directly ensure and strengthen the freedoms of people – the main goals of a liberal republic. People are the main goal of a liberal republic. They turn “parchment” laws and court decisions into a living reality. The executive branch and the subordinate administrators who oversee these matters play roles that are crucial to the fate of the republic. They are not mere instruments.

They govern in the fullest sense of the word, and, in the words of Alexander Hamilton, they have a formative or constitutive influence on public policy and, therefore, on the character of the people and the country. In their activities, they must cultivate the “productive spirit of political economy” and, in fulfilling their tasks, achieve reliable and lasting results.

Among other things, Alexander Hamilton argued that public administration is not exclusively represented by the executive branch of government. He argued that public administration includes bodies of all branches of government<sup>8</sup>.

Charles Jean Bonin is definitely the next prominent figure in the formation of the ideas of public administration. It is safe to say that Bonnin lived in one of the most fateful periods of change for humanity.

The first 20 years of his life were spent under absolutism, after which he spent the next decade of his life in the midst of the Revolution. In his mature years, he lived through the Consulate and the Empire, and in his old age, he witnessed the Restoration and its aftermath. His existence came during the years when France was transformed as never before in its long history, and which in its long history has given humanity the best fruits. It was under the influence of changes and events in the history of France that Charles Jean Bonnet wrote his work “Principles of Public Administration” (1808)<sup>9</sup>. He laid the foundations of modern public administration. Charles Jean Bonnin argued that public administration is a new science and, like any science, requires the identification of its basic principles. Among them:

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<sup>8</sup> Richard T. Green. Alexander Hamilton’s Public Administration. 2019. *The University of Alabama Press*. 258 p. Pp. 41-42, 51.

<sup>9</sup> Thuiller Guy. “Les Principes d’administration Publique de Charles-Jean Bonnin (1812).” *La Revue Administrative*. 1992. Vol. 45, no. 267. Pp. 204–14. JSTOR, <http://www.jstor.org/stable/40769574>.

That administration came about through association or community;  
That the preservation of that association is the principle of administration;  
That administration is the government of the community;  
That social action is its nature and its function is the enforcement of laws of general interest<sup>10</sup>.

Woodrow Wilson is a figure that cannot be overlooked when studying public administration. His article “The Study of Administration” (1887), in which the author notes that the process of administration is much more difficult than the process of creation<sup>11</sup>. According to Woodrow Wilson, every nation has to go through three main stages of changes in the system of governance: the first stage is absolutism, the second is associated with the adoption of a constitution that limits absolutism with the emergence of civilian control, and the administration must take it into account, and the third is when the sovereign people create a system of public administration in accordance with the constitution and receive new popular powers.

According to Woodrow Wilson's definition, public administration is the detailed and systematic execution of the law. Each individual application of the law is an act of administration. “Administration is the most obvious part of government; it is government in action; it is the executive, the operational, the most visible side of government.”

Woodrow Wilson also pays special attention to public opinion, pointing out that public opinion is an indispensable element of public administration. Wherever respect for public opinion is the first principle of public administration, practical reforms should be gradual and full of compromises.

When holding public office, Woodrow Wilson believed that politicians determine the direction of public policy, and administrators (meaning civil servants) implement it<sup>12</sup>.

The thought and work of the above-mentioned figures, among other things, became the basis for the formation of the domestic legal category of “public administration” and “public administering”. In Ukraine, this concept has repeatedly been the subject of research in the administrative doctrine, both in the general sense and in the context of application to certain areas of public life. The issue of public administration has been sufficiently studied by domestic administrative scholars. The available research is the basis for the theorization of public administration in the field of child protection during and after armed conflict.

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<sup>10</sup> Guerrero Orozco Omar. The Great Masters of Public Administration: Von Justi, Von Stein, Bonnin and González (December 1, 2014). Available at SSRN: <https://ssrn.com/abstract=2532559> or <http://dx.doi.org/10.2139/ssrn.2532559>.

<sup>11</sup> Cooper John Milton. «Woodrow Wilson». *Encyclopedia Britannica*, 13 Feb. 2025. URL: <https://www.britannica.com/biography/Woodrow-Wilson>.

<sup>12</sup> The Study of Administration. Author(s): Woodrow Wilson. *Political Science Quarterly*. 1887. Vol. 2, No. 2. Pp. 197-222.

The concept of “public administration” first appeared in Ukrainian science in the early 2000s. It is worth noting that with the emergence of the concept of “public administration” comes the derivative concept of “public administrating”.

Thus, in 2004, one of the first definitions of “public administration” was formulated in the monograph by V. Kolpakov, which was understood as a system of organizational and structural entities that legally acquired the authority to exercise public power by implementing existing regulations and performing other actions in the public interest<sup>13</sup>.

In the educational textbook “The Course of Administrative Law” edited by V. Kovalenko (2008), it was determined that the system of public authorities that performs administrative and management functions should be considered in a holistic manner<sup>14</sup>. That is, to link two phenomena – “government” and “local government”. In many countries of the world, the term “public administration” is used to describe this combination. The contributors to this textbook define public administration as the organization and activities of bodies and institutions subordinated to political power that ensure the implementation of the law and perform other administrative functions in the public interest. Public administration implies not only a clear definition and determinism of its competence, but also a clear mechanism for its implementation in practice, which is expressed in certain actions that are perceived as containing governmental prescriptions. They are: firstly, clearly expressed in reality statements of the state's will; secondly, actions coming from specific subjects and reflecting public interests; thirdly, actions that are actually experienced by individuals and legal entities<sup>15</sup>.

Melnyk R.S. and Bevenko V.M. in their manual on administrative law highlighted an interesting approach that branches of national law, including administrative law, are characterized by the use of constructions, categories and concepts that do not exist in the physical sense and are exclusively a product of human thinking. Such values are called “fictitious” or “legal fictions”,

that is, those that represent a fiction, a non-existent object. At the same time, legal capacities lack a real subject who could be considered their owner or holder. However, there can be no rights without a subject: it is impossible to talk about rights except by attributing them to someone. This explains the need to use fictions, which involve the creation (creation in the human

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<sup>13</sup> Колпаков В.К. Адміністративно-деліктний правовий феномен: монографія. Київ : Юрінком Інтер, 2004. 528 с.

<sup>14</sup> Курс адміністративного права України [Текст] : підручник / за заг. ред. В. В. Коваленка. К. : Юрінком Інтер, 2008. 808 с. С. 55.

<sup>15</sup> Курс адміністративного права України [Текст] : підручник / за заг. ред. В. В. Коваленка. К. : Юрінком Інтер, 2008. 808 с. С. 57.

imagination) of a fictional, “artificial” person. Such an “artificial”, fictitious person is the so-called public administration<sup>16</sup>.

Melnyk R.S. and Bevzenko V.M. believe that public administration is a generalized term that unites entities whose main task is to implement the Constitution and laws of Ukraine<sup>17</sup>.

Kravtsova T. M. and Solonar A. V. understand public administration as a system of state executive authorities and executive bodies of local government, enterprises, institutions, organizations and other entities vested with administrative and management functions that act to ensure both the interests of the state and the interests of society as a whole<sup>18</sup>.

Kolpakov V.K. considers public administration as a legal category in two dimensions: functional and structural. Under the functional approach, public administration is the activity of the relevant structural entities to perform functions aimed at realization of the public interest. Ukrainian law recognizes such an interest as the interest of a social community that is legalized and satisfied by the state. Thus, for example, the performance of the law enforcement function by the public administration means the systemic activity of all structural entities that have such a function. This activity is commonly referred to as “public administration”.

According to the structural approach, public administration is a set of bodies that are formed for the exercise (realization) of public power. Public authority in Ukrainian law is recognized as: a) power of the people as direct democracy; b) state power – legislative, executive, judicial; c) local government. Thus, these entities form the system of public administration<sup>19</sup>.

Maslova A.B. in her dissertation research “Bodies implementing the state customs policy as a component of the system of public administration: a human-centric concept of transformation” separately studied public administration as a legal phenomenon and came to the following conclusions. In the study of public administration as a legal category in general, the scientist applied system analysis, i.e. analyzed public administration in the following sequence: determination of the configurator; definition of the problem and issues; identification of goals; construction and use of models; decomposition; aggregation<sup>20</sup>.

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<sup>16</sup> Мельник Р.С., Бевзенко В.М. Загальне адміністративне право: Навчальний посібник. К.: Ваіте, 2014. 376 с.

<sup>17</sup> Мельник Р.С., Бевзенко В.М. Загальне адміністративне право: Навчальний посібник. К.: Ваіте, 2014. 376 с. С. 42.

<sup>18</sup> Кравцова Т.М., Солоняк А.В. Поняття та принципи діяльності публічної адміністрації. *Форум права*. 2010. № 4. С. 522-525.

<sup>19</sup> Курс адміністративного права України : підручник / за ред. О.В. Кузьменко. 3-тє вид., допов. Київ : Юрінком Інтер, 2018. 904 с. С. 41.

<sup>20</sup> Маслова А.Б. Органи, що реалізують державну митну політику, як складова системи публічного адміністрування: людиноцентристка концепція трансформації. : дис. ... д-ра юрид. наук : 12.00.07. Запоріжжя, 2021. 444 с. С. 208.

Maslova A.B., unlike other scholars and adhering to the system analysis chosen by her, considers public administration as a system and understands it as an objectively determined set of its subjects built on stable internal and external relations of a vertical and horizontal nature, the purpose of which is to achieve such a balanced state of its components and their stable interaction with each other, which should ensure proper guarantee by the subjects of public administration of the rights, freedoms and legitimate interests of individuals and legal entities in public Public administrating, in turn, is the functional activity of public administration entities aimed at achieving its goal<sup>21</sup>.

Bila V.R. highlighted in her dissertation study “Legal Forms of Public Administration in Ukraine” the characteristic features of public administration: focus on the realization of the public interest; publicity; application of democratic governance tools, including the involvement of civil society institutions and collegiality in decision-making; assistance in the exercise of rights and enforcement of obligations of individuals and legal entities through the provision of administrative services; exercise of powers within the framework of the administrative<sup>22</sup>.

Regarding the concept of “public administration” in the Ukrainian Administrative Law: A Complete Course (edited by V. Galunko), public administrating is considered as administrative activity of public administration entities, which is an external expression of the implementation of tasks (functions) of the executive branch, carried out to satisfy the public interest and is negatively distinguished from legislative, judicial and political activity<sup>23</sup>.

Melnyk R.S. understands public administrating as an externally oriented activity of a wide range of subjects (primarily public administration) related to the implementation of political decisions and the implementation of the Constitution and laws of Ukraine, which is aimed at satisfying the public interest<sup>24</sup>.

The successful distinction and explanation of the concepts of “public administration” and “public administration” was made by Bukhaneych O.M., Ivanovska A.M. and Kyrilenko V.A. The scientists explained it as follows. Public administration should be understood as public authorities, and bodies and structures that are not organizationally part of the public authority

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<sup>21</sup> Маслова А.Б. Органи, що реалізують державну митну політику, як складова системи публічного адміністрування: людиноцентристка концепція трансформації. : дис. ... д-ра юрид. наук : 12.00.07. Запоріжжя, 2021. 444 с. С. 209.

<sup>22</sup> Біла В.Р. Правові форми публічного адміністрування в Україні : дис. ... д-ра юрид. наук : 12.00.07. К., 2020. 431 с.

<sup>23</sup> Адміністративне право України. Повний курс : підручник / Галуцько В., та ін. Херсон : ОЛДІ-ПЛЮС, 2018. 446 с. С. 18.

<sup>24</sup> Мельник Р.С., Бевзенко В.М. Загальне адміністративне право: Навчальний посібник. К.: Баїте, 2014. 376 с. С. 124-125.

system, but perform the functions delegated by it to realise public interests in all spheres of society and the state. For its part, public administering is the activity of public administration represented by public authorities, bodies and structures that are not organisationally part of the public authority system, but perform delegated functions to realize public interests in all spheres of society and the state, acting exclusively within the powers and in the manner prescribed by law, in order to ensure the rule of law, human and civil rights and freedoms to meet the needs of society and the state and endowed with the prerogative of public authority. Based on the above approach to the understanding of public administration and public administering, we can say that the category of “public administration” determines how public power is built, which entities are empowered to implement it<sup>25</sup>.

Danilenko A.S. and Sokolska T.V. in their work “Public Administering” identified a number of features characteristic of public administering. In particular: part of the executive branch and the executive branch of government is the main personification; it is associated with the activities of the state; implementation of public policy; understands the aspirations (interests) of people formulated and expressed in laws; one of the main purposes of public administration should be to focus on people and their well-being. Otherwise, administration will be mechanical, impersonal and non-social; public administration should be politically neutral<sup>26</sup>.

As an interim conclusion, the science of administrative law is unified in that public administration is a set of entities that exercise their powers enshrined in legal acts in order to ensure the public interest. In turn, “public administering” is the activity of public administration entities.

Public administration is represented by numerous subjects.

According to Melnyk R.S., the subjects of public administration are one of the mandatory participants in administrative and legal relations that arise in the state. A significant number of public administration entities is due to the prevalence and pervasive nature of administrative and legal relations, without which neither public power in the State nor subjective public rights of individuals are exercised<sup>27</sup>.

To formulate the list of subjects of public administration, Melnyk R.S. proposes to take as a basis the provisions of the Code of Administrative Procedure of Ukraine (Articles 2, 48) – public authorities; authorities of the Autonomous Republic of Crimea; local government bodies; their officials and

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<sup>25</sup> Bukhanevych O.M., Ivanovska A.M. & Kyrylenko V.A. Definition legal categories “public authority”, “public administration” and “public administering” in the modern doctrine of administrative law. *Journal of the National Academy of Legal Sciences of Ukraine*. Vol. 29(1). Pp. 84-93.

<sup>26</sup> Публічне адміністрування: навч. посіб. / Даниленко А.С. та ін. К.: Центр учбової літератури, 2022. 288 с. С. 10.

<sup>27</sup> Мельник Р.С., Бевзенко В.М. Загальне адміністративне право: Навчальний посібник. К.: Baire, 2014. 376 с. С. 124-125.



officers; other subjects in the exercise of their administrative functions on the basis of legislation, in particular, in the exercise of delegated powers<sup>28</sup>.

At the same time, the scholar notes that public administration, unlike legislative activity and judicial proceedings, can be carried out not only by executive authorities. As mentioned above, this process also involves other entities with different administrative powers (the Verkhovna Rada of Ukraine, the Accounting Chamber of Ukraine, the Ukrainian Parliament Commissioner for Human Rights, the President of Ukraine).

Galunko V.V. divides the subjects of public administration into two groups: I – formally part of the executive branch, II – not formally part of the executive branch, but performing executive functions in the system of legislative, executive and judicial branches of state power.

Therefore, despite the fact that public administration entities function mainly in executive bodies and local governments, they are present in the legislative and executive branches of government and in state bodies that are not formally part of any of them. Among them, certain groups of public administration entities should be distinguished: state authorities, state bodies that perform executive functions but do not formally belong to this structure; state funds and institutions; authorities of an autonomous entity (the Autonomous Republic of Crimea); local governments; entities that have been delegated certain public administration powers.

Paterilo I.V. in her dissertation research “Administrative and Legal Instruments of the Public Administration of Ukraine” stated that the public administration includes not only “bodies”, and the competence of its subjects does not extend to all forms of public power. Public power is exercised in various forms by a wide range of subjects, ranging from public authorities to individuals. The fact that their activities belong to the category of “public authority” is due to the fact that the latter act in the interests of the majority (the people), aiming to satisfy the public interest. The category of “public administration” is broader than the category of “subject of government” and more convenient for application, since it also covers other entities involved in public administration activities that are not part of the executive authorities and do not belong to local governments and subjects of delegated powers<sup>29</sup>.

Maslova A.B. emphasized that there are two concepts – “subject of public administration” and “subject of public administrating”, which are related to each other as part and whole, partial and general. The difference is that the former delegates powers to the latter.

Maslova A.B. referred to the subjects of public administration as: public administration, represented by: a) executive authorities and other state bodies:

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<sup>28</sup> Кодекс адміністративного судочинства України : Закон України від 06.07.2005 № 2747-IV. URL: <https://zakon.rada.gov.ua/laws/show/2747-15#Text>.

<sup>29</sup> Патерило І.В. Адміністративно-правові інструменти діяльності публічної адміністрації України: дис. ... д-ра юрид. наук : 12.00.07. Запоріжжя, 2015. 442 с. С. 105.

ministries; services; agencies; inspectorates; central executive bodies with special status; local state executive bodies (local state administrations and territorial bodies of state authorities); other state bodies (for example, the National Security and Defense Council of Ukraine; the National Bank of Ukraine, etc.).2) local government bodies (village, settlement, city council; village, settlement, city mayor; executive bodies of village, settlement, city council; starosta, etc.); subjects of delegated powers (private individuals and legal entities, public associations, bodies of self-organization of the population, etc. in case of delegation of certain powers to them in accordance with the procedure and conditions stipulated by the legislation of Ukraine)<sup>30, 31</sup>.

Maslova Y.I. proposes to distinguish the municipal level of public administration entities, which will be united by a certain territory within which they will exercise their power and administrative powers and the purpose of their activities – to ensure the municipal interest of a particular territorial community, which is a type of public interest. Maslova Y. I. refers to the subjects of the municipal (local) level as: 1) local executive bodies – local state administrations and territorial bodies of the central executive body, which are not structurally related to local state administrations; 2) local government bodies; 3) other entities vested with administrative powers of different content and scope – military administrations and civil-military administrations<sup>32</sup>.

Maslova Y.I. identifies a peculiarity of the functioning of the system of public administration entities under martial law, namely, the existence at the municipal level of temporarily formed bodies with exclusive powers (for example, military administrations).

Accordingly, when building public administration entities, it is necessary to say a few words about the interrelated concept of “competence”.

The competence of public administration entities is an actual normative reflection of the legal personality of this entity and an element of its legal status. Tereshchuk V.V. believes that competence outlines the subject matter of its jurisdiction (areas and frameworks of public life in which the relevant subject is legally able to exercise its rights and obligations), as well as the scope of powers (rights and obligations) granted to it. The presence of the above allows us to distinguish the relevant entity as a subject of public administration (in particular, to draw conclusions about its legal status, public

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<sup>30</sup> Маслова А.Б. Органи, що реалізують державну митну політику, як складова системи публічного адміністрування: людиноцентристка концепція трансформації. : дис. ... д-ра юрид. наук : 12.00.07. Запоріжжя, 2021. 444 с. С. 209-211.

<sup>31</sup> Маслова А.Б. Поняття та різновиди суб'єктів публічного адміністрування. *Прикарпатський юридичний вісник*. 2019. Випуск 1(26), том 2. С. 87-94. С. 93.

<sup>32</sup> Маслова Я.І. Суб'єкти публічного адміністрування : муніципальний рівень. *Юридичний науковий електронний журнал*. 2023. № 2. С. 337-339.

legal role, and administrative and legal potential of functioning), and it – to act, achieving the purpose of its creation<sup>33</sup>.

Matselyk T. O. understands competence as an indication of the following: – the sphere of public life which should be the object of activity of the body; – the state function which the body should perform in this sphere of public life and which is manifested in certain subjects of the body's competence; – specific powers (rights and obligations) of the body which ensure the implementation of the said function in the said sphere of public life; – the boundaries (territory, objects, time) to which the authority extends<sup>34</sup>.

Making an intermediate conclusion, it is possible to state that the Ukrainian doctrine of administrative law has formed a unified vision of the subjective content of public administration. First and foremost, these are executive authorities, as well as state authorities with the relevant competence, and municipal authorities.

Based on these theoretical developments, the second section will form a system of public administration entities in the field of child protection during armed conflict and in the conditions after its completion.

## **2. The system of public administration entities in the field of child protection during and after armed conflict**

The main aspect of public administration and public administration is the institutional element, which is realized through a set of state executive authorities, local governments, subjects of delegated powers and other entities that form an integral system of public administration entities. The creation and operation of these entities must be effective and in line with the realities of today. This is especially true when it comes to ensuring the protection of children during and after armed conflict.

Given theoretical developments, the executive branch of government is the basis for the formation of a system of public administration entities in any sphere of public life. This includes child protection during armed conflict and in the period of recovery after its end.

Of course, we need to start with the Cabinet of Ministers of Ukraine, which, according to the Constitution of Ukraine, is the highest body in the system of executive authorities (Article 113)<sup>35</sup>.

The Cabinet of Ministers of Ukraine is responsible for implementing the domestic and foreign policy of the state, taking measures to ensure the rights and freedoms of people and citizens (including children), developing national social development programs, drafting the State Budget of Ukraine and

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<sup>33</sup> Терещук В.В. Компетенція суб'єкта публічного адміністрування в Україні та її структура. *Південноукраїнський правничий часопис*. 2019. Ч. 3. С. 19-22. С. 21.

<sup>34</sup> Мацелик Т.О. Компетенція органів публічної адміністрації: поняття та структурні елементи. *Вісник Запорізького національного університету*. 2010. № 2. С. 76-83. С. 78.

<sup>35</sup> Конституція України : Закон України від 28.06.1996 № 254к/96-ВР. URL: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#n4689>.

ensuring its implementation, directing and coordinating the work of ministries and other executive bodies (Article 116 of the Constitution of Ukraine).

According to Sovhyrya O.V., the Cabinet of Ministers of Ukraine today is primarily a political body of the state executive power, whose purpose is to carry out public administration on the political principles determined by the parliamentary majority and/or the head of state<sup>36</sup>.

The competence of the Cabinet of Ministers of Ukraine is described in more detail in the “status law” – the Law of Ukraine “On the Cabinet of Ministers of Ukraine”<sup>37</sup>, namely, Article 20 stipulates that the Cabinet of Ministers of Ukraine ensures the implementation of state policy in the areas of health care, maternity and child protection, education, physical culture and access to medical, educational and physical culture and recreation facilities for citizens.

Article 5 of the Law of Ukraine “On Protection of Childhood”<sup>38</sup> duplicates and somewhat expands the above provision. In particular, it states that the Cabinet of Ministers of Ukraine is responsible for the implementation of the state policy on child protection, development and implementation of targeted national programs for social protection and improvement of the situation of children, support for families with children, coordination of activities of central and local executive authorities in this area. At the same time, the Cabinet of Ministers of Ukraine annually reports to the Parliament on the state of the demographic situation in Ukraine, the situation of children and trends in its changes in the course of the implemented socio-economic transformations.

In fact, recently (in 2024), the Government of Ukraine approved the Strategy of Demographic Development of Ukraine until 2040<sup>39</sup>, which states that one of the problems is the low birth rate. For the natural recovery of the population, it is necessary to increase the birth rate in order to gradually approach the indicators necessary for simple reproduction of the population (fertility rate – 2.1-2.2 children per woman).

The definition of the basic principles and the state policy in the field of child protection itself is entrusted to the Parliament in the form of approval of national programs (Article 5 of the Law of Ukraine “On Protection of Childhood”). However, for a long time, the Verkhovna Rada of Ukraine has not adopted any national program in the field of child protection.

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<sup>36</sup> Совгиря О.В. Конституційно-правовий статус уряду в Україні : дис. ... д-ра юрид. наук : 12.00.02. К., 2013. 456 с. С. 148.

<sup>37</sup> Про Кабінет Міністрів України : Закон України від 27.02.2014 № 794-VII. URL: <https://zakon.rada.gov.ua/laws/show/794-18#Text>.

<sup>38</sup> Про охорону дитинства : Закон України від 26.04.2001 № 2402-III. URL : <https://zakon.rada.gov.ua/laws/show/2402-14#Text>.

<sup>39</sup> Стратегія демографічного розвитку України на період до 2040 року : розпорядження Кабінету Міністрів України від 30 вересня 2024 р. № 922-р. URL: <https://zakon.rada.gov.ua/laws/show/922-2024-%D1%80#Text>.

Ministries and other central executive authorities are the next component of the executive branch system, which ensure the formation and implementation of state policy in one or more areas<sup>40</sup>.

The structure of ministries and other central executive authorities is currently defined in the Scheme for the direction and coordination of central executive authorities by the Cabinet of Ministers of Ukraine through the relevant members of the Cabinet of Ministers of Ukraine<sup>41</sup>.

Therefore, let's consider those ministries and other central executive bodies whose activities directly or indirectly relate to children's issues. We propose to group them in a certain way for the purpose of consistent and structural consideration.

First of all, the analysis will focus on those ministries and other central executive bodies whose competence is focused on children's issues. These include:

– The Ministry of Social Policy of Ukraine<sup>42</sup> is a central executive body that ensures the formation and implementation of state policy in the field of social policy, family and children, children's health and recreation, adoption and protection of children's rights, prevention and counteraction to domestic violence, state control over compliance with the requirements of the legislation in the provision of social support (state aid, housing subsidies and other payments made at the expense of the state budget, social services) and over the observance of children's rights both in peace and in special periods and the introduction of legal benefits, housing subsidies and other payments made from the state budget, social services) and the observance of children's rights both in peacetime and in a special period and during the introduction of a state of emergency or martial law. The Ministry is a specially authorized central executive body for ensuring equal rights and opportunities for women and men and providing humanitarian assistance.

The Ministry of Social Policy of Ukraine directs and coordinates two important structures in the field of child protection – the National Social Service of Ukraine and the State Service of Ukraine for Children.

The National Social Service of Ukraine<sup>43</sup> is a central executive body that implements the state policy in the field of social protection of the population, state supervision (control) over compliance with the requirements

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<sup>40</sup> Про центральні органи виконавчої влади : Закон України від 17.03.2011 № 3166-VI. URL : <https://zakon.rada.gov.ua/laws/show/3166-VI#Text>.

<sup>41</sup> Схема спрямування і координації діяльності центральних органів виконавчої влади Кабінетом Міністрів України через відповідних членів Кабінету Міністрів України : постанова Кабінету Міністрів України від 10 вересня 2014 р. № 442. URL : <https://zakon.rada.gov.ua/laws/show/442-2014-%D0%BF#n38>.

<sup>42</sup> Положення про Міністерство соціальної політики України : постанова Кабінету Міністрів України від 17 червня 2015 р. № 423. URL : <https://zakon.rada.gov.ua/laws/show/423-2015-%D0%BF#Text>.

<sup>43</sup> Положення про Національну соціальну сервісну службу України : постанова Кабінету Міністрів України від 26 серпня 2020 р. № 783. URL: <https://zakon.rada.gov.ua/laws/show/783-2020-%D0%BF#Text>.

of the legislation in the provision of social services and social support and the observance of children's rights.

This public administration entity is responsible for implementing the Law of Ukraine “On Social Services”<sup>44</sup>. This is a relatively new option for the Ukrainian system to receive social services, which can also be provided to children. The main purpose of social services is to prevent difficult life circumstances, overcome or minimize their negative consequences for individuals/families in difficult life circumstances. Difficult life circumstances include the consequences of the armed conflict.

The State Service of Ukraine for Children is a central executive body that implements state policy in the field of child protection, social support for families with children, health improvement and recreation of children, development of family-based forms of upbringing and adoption<sup>45, 46</sup>.

This service has a wide range of competencies, from coordination and monitoring of central and local executive authorities, local governments, institutions, enterprises, institutions and organizations, public associations, and entities of the social service system to keeping records of children of different categories.

The State Service of Ukraine for Children also performs the function of a guardianship and custody authority related to the protection of children's rights. It is the officials of this structure who should carry out activities for the social protection of children affected by military operations and armed conflicts, as well as provide them with the appropriate legal status<sup>47</sup>.

Officials of the State Service of Ukraine for Children are also responsible for direct case management and coordination of activities related to the protection of the rights of children affected by hostilities and armed conflicts.

In addition, this service interacts directly with Ukraine's diplomatic missions abroad to ensure that the rights of Ukrainian children are respected and that they are returned to Ukraine.

Given such a wide range of competence and, in our opinion, increased responsibility (as it concerns children – the most vulnerable and unprotected category of society), the legislator has established the following staffing numbers:

– one employee of district, city, district in cities services for children for no more than one thousand children living in the district, and no more than two thousand children living in the city, district in the city;

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<sup>44</sup> Про соціальні послуги : Закон України від 17.01.2019 № 2671-VIII. URL: <https://zakon.rada.gov.ua/laws/show/2671-19#Text>.

<sup>45</sup> Положення про Державну службу України у справах дітей : постанова Кабінету Міністрів України від 29 вересня 2023 р. № 1048. URL : <https://zakon.rada.gov.ua/laws/show/1048-2023-%D0%BF#Text>.

<sup>46</sup> Про органи і служби у справах дітей та спеціальні установи для дітей : Закон України від 24.01.1995 № 20/95-BP. URL: <https://zakon.rada.gov.ua/laws/show/20/95-%D0%B2%D1%80#Text>.

<sup>47</sup> Порядок провадження органами опіки та піклування діяльності, пов'язаної із захистом прав дитини : постанова Кабінету Міністрів України від 24 вересня 2008 р. № 866. URL: <https://zakon.rada.gov.ua/laws/show/866-2008-%D0%BF#Text>.

– one employee of the service of executive bodies of village, settlement councils of the respective territorial communities for no more than one thousand children, but not less than one employee per amalgamated territorial community<sup>48</sup>.

Is this a sufficient number of officials to ensure full, comprehensive, high-quality and, most importantly, timely child protection?

It is the officials of this level who deal directly with children. That is, it can be said that these are the “hands, feet, eyes” of the state, who, like no one else, know the real situation with children and communicate directly with children.

– The Ministry of Youth and Sports of Ukraine<sup>49</sup> is responsible for the formation and implementation of state policy in the areas of youth policy, physical culture and sports, and the strengthening of Ukrainian national and civic identity. This Ministry is responsible for teaching children and youth healthy lifestyle skills, establishing sustainable traditions and motivation to engage in physical culture and sports as important components of full human development, health and national and patriotic education.

Thus, it can be concluded that the key activity of the Ministry of Youth and Sports is the formation of youth policy and work with young people. The Law of Ukraine “On the Basic Principles of Youth Policy”<sup>50</sup> is relatively “new”, defining “youth” as persons aged 14 to 35 who are citizens of Ukraine, foreigners and stateless persons who are legally in Ukraine. Thus, children aged 14 to 18 also fall under the competence of the Ministry.

The law also introduces the concept of a youth worker, a person who carries out youth work, has undergone specialized training in accordance with the procedure established by the central executive body that ensures the formation and implementation of youth policy, and has received a certificate of the established form.

This law also introduced the concept of a youth worker, a person who carries out youth work, has undergone specialized training in accordance with the procedure established by the central executive body that ensures the formation and implementation of youth policy, and has received a certificate of the established standard. It is youth workers who are responsible for implementing youth policy, organizing youth work and creating conditions for the comprehensive self-realization of young people in various spheres of public life, unlocking their potential, and protecting the interests and rights of young people (Article 14).

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<sup>48</sup> Про органи і служби у справах дітей та спеціальні установи для дітей : Закон України від 24.01.1995 № 20/95-ВР. URL: <https://zakon.rada.gov.ua/laws/show/20/95-%D0%B2%D1%80#Text>.

<sup>49</sup> Положення про Міністерство молоді та спорту України : постанова Кабінету Міністрів України від 2 липня 2014 р. № 220. URL: <https://zakon.rada.gov.ua/laws/show/220-2014-%D0%BF#Text>.

<sup>50</sup> Про основні засади молодіжної політики : Закон України від 27.04.2021 № 1414-ІХ. URL: <https://zakon.rada.gov.ua/laws/show/1414-20/ed20230331#Text>.

A network of youth centers is also being formed, which has a three-level structure: I – All-Ukrainian Youth Center; II – regional youth centers; III – local youth centers.

As of February 2025, 200 youth centers were registered throughout Ukraine<sup>51</sup>.

– The Ministry of Education and Science of Ukraine<sup>52</sup> is the main body in the system of central executive authorities that ensures the formation and implementation of state policy in the fields of education and science, and the implementation of state policy in the field of state supervision (control) over the activities of educational institutions, enterprises, institutions and organizations that provide services in the field of education or carry out other activities related to the provision of such services, regardless of their subordination and form of ownership.

The Ministry of Education and Science directs and coordinates the activities of the State Education Quality Service of Ukraine<sup>53</sup>, which is the central executive body that implements state policy in the field of education, in particular on issues of ensuring the quality of education, quality of educational activities, and state supervision (control) over educational institutions in terms of their compliance with the law.

– The Ministry of Health of Ukraine<sup>54</sup> is the main body in the system of central executive authorities that ensures the formation and implementation of state policy in the field of healthcare. It is this public administration entity that is responsible for the formation of a system of medical institutions to which children apply for medical services and ensure their quality development.

The Ministry of Health of Ukraine directs and coordinates the activities of the National Health Service of Ukraine<sup>55</sup>, which is a central executive body with a special status, whose main task is to implement state policy in the field of state financial guarantees of medical care for the population.

The second group of ministries and other central executive bodies responsible for protecting children's rights during and after armed conflict should be formed from representatives of the security and defense sector. In particular:

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<sup>51</sup> Інформаційна система для керування діяльністю молодіжних центрів. *Молодіжні центри України*. URL: <https://youthcenters.mms.gov.ua/?tab=centers>.

<sup>52</sup> Положення про Міністерство освіти і науки України : постанова Кабінету Міністрів України від 16 жовтня 2014 р. № 630. URL: <https://zakon.rada.gov.ua/laws/show/630-2014-%D0%BF#Text>.

<sup>53</sup> Положення про Державну службу якості освіти України : постанова Кабінету Міністрів України від 14 березня 2018 р. № 168. URL: <https://zakon.rada.gov.ua/laws/show/168-2018-%D0%BF#Text>.

<sup>54</sup> Положення про Міністерство охорони здоров'я України : постанова Кабінету Міністрів України від 25 березня 2015 р. № 267. URL: <https://zakon.rada.gov.ua/laws/show/267-2015-%D0%BF#Text>.

<sup>55</sup> Положення про Національну службу здоров'я України : постанова Кабінету Міністрів України від 27 грудня 2017 р. № 1101. URL: <https://zakon.rada.gov.ua/laws/show/1101-2017-%D0%BF#Text>.



– The Ministry of Defense of Ukraine<sup>56</sup>, which is the main body in the system of central executive authorities that ensures the formation and implementation of state policy on national security in the military sphere, defense and military construction in peacetime and special periods.

– The Ministry of Internal Affairs of Ukraine<sup>57</sup> is the main body in the system of central executive authorities that ensures the formation of state policy in the areas of protection of human rights and freedoms, provision of police services, civil protection, etc.

Through the Minister of Internal Affairs of Ukraine, the activities of the National Police of Ukraine and the State Emergency Service of Ukraine are directed and coordinated.

The National Police of Ukraine<sup>58</sup> is a central executive body that serves the public by ensuring the protection of human rights and freedoms, combating crime, and maintaining public safety and order.

The competence of the National Police of Ukraine includes ensuring and implementing measures of the legal regime of martial law in case of its declaration throughout Ukraine or in a particular area (Article 24 of the Law of Ukraine “On the National Police of Ukraine”).

The State Emergency Service of Ukraine<sup>59</sup> is a central executive body that implements the state policy in the field of civil protection, protection of the population and territories from emergencies and prevention of their occurrence, elimination of the consequences of emergencies, rescue, firefighting, fire and industrial safety, activities of emergency services, as well as hydrometeorological activities.

The Ministry of Foreign Affairs of Ukraine should also be mentioned among the public administration entities dealing with children during and after the armed conflict, taking into account the number of Ukrainian children who have left to live abroad due to the ongoing armed conflict. According to the Center for Economic Strategy, as of February 2025, about 1.1 million children from Ukraine live abroad (under 14: 815 thousand; 14-17: 296 thousand)<sup>60</sup>. The Ministry of Foreign Affairs of Ukraine<sup>61</sup> is the main body in the system

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<sup>56</sup> Положення про Міністерство оборони України : постанова Кабінету Міністрів України від 26 листопада 2014 р. № 671. URL: <https://zakon.rada.gov.ua/laws/show/671-2014-%D0%BF#Text>.

<sup>57</sup> Положення про Міністерство внутрішніх справ України : постанова Кабінету Міністрів України від 28 жовтня 2015 р. № 878. URL: <https://zakon.rada.gov.ua/laws/show/878-2015-%D0%BF#Text>.

<sup>58</sup> Про Національну поліцію: Закон України від 02.07.2015 № 580-VIII. URL: <https://zakon.rada.gov.ua/laws/show/580-19/ed20240816#Text>.

<sup>59</sup> Положення про Державну службу України з надзвичайних ситуацій : постанова Кабінету Міністрів України від 16 грудня 2015 р. № 1052. URL: <https://zakon.rada.gov.ua/laws/show/1052-2015-%D0%BF#Text>.

<sup>60</sup> Не пам'ятають Україну: як зростає частка дітей, що вже не повернуться з-за кордону. *The Page*. URL: <https://thepage.ua/ua/news/skilki-ukrayinskih-ditej-perebuvaye-za-kordonom-u-2025-roci#:~:text=>

<sup>61</sup> Положення про Міністерство закордонних справ України : постанова Кабінету Міністрів України від 30 березня 2016 р. № 281. URL: <https://zakon.rada.gov.ua/laws/show/281-2016-%D0%BF#Text>.

of central executive authorities that ensures the formation and implementation of state policy in the field of foreign relations. The competence of this ministry includes the development and submission of proposals for improving the legal regulation of cooperation with Ukrainians abroad, ensuring the rights of Ukrainians abroad, creating favorable conditions and opportunities to meet their social, cultural, educational, linguistic, informational and other needs; protection of the rights and interests of Ukraine in international disputes involving Ukraine and other subjects of international law; general supervision over the implementation of international treaties of Ukraine.

In addition to the executive branch, public administration entities also include representatives of other branches of state power. For example, the legislative branch may be represented by the institution of the Ukrainian Parliament Commissioner for Human Rights<sup>62</sup>, one of whose activities is the protection of children's rights in peacetime, during armed conflict and in the period after its completion.

The Ukrainian Parliament Commissioner for Human Rights exercises parliamentary control over the observance of constitutional rights and freedoms of man and citizen. The following children's rights are within the competence of the Ukrainian Parliament Commissioner for Human Rights: the right to life and healthy development of a child, to be brought up in a family, to protect children from all forms of physical and psychological violence, insult or abuse, and to ensure the right of children to education.

It is worth noting that the Office of the Ukrainian Parliament Commissioner for Human Rights is also actively involved in the return of Ukrainian children to the government-controlled territory.

The next group of public administration entities is at the municipal level.

The municipal level of public administration is represented by two groups of bodies:

I – local authorities, represented by local state administrations (level: oblasts, rayons, cities of Kyiv and Sevastopol)<sup>63</sup>;

II – village, town, city, district and regional councils and their executive bodies (local government)<sup>64</sup>.

It is worth noting that the period of armed conflict and the period after its completion is characterized by the introduction of the legal regime of martial law and, as a result, the creation of temporary bodies at the municipal level.

The Law of Ukraine “On the Legal Regime of Martial Law” specifically provides for the establishment of temporary state bodies – military

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<sup>62</sup> Про Уповноваженого Верховної Ради України з прав людини: Закон України від 23.12.1997 № 776/97-ВР. URL: <https://zakon.rada.gov.ua/laws/show/776/97-%D0%B2%D1%80#Text>.

<sup>63</sup> Про місцеві державні адміністрації : Закон України від 09.04.1999 № 586-XIV. URL: <https://zakon.rada.gov.ua/laws/show/586-14#Text>.

<sup>64</sup> Про місцеве самоврядування в Україні : Закон України від 21.05.1997 № 280/97-ВР. URL : <https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#Text>.

administrations<sup>65, 66</sup>. One of the tasks of the military administration is to introduce and implement measures to protect the rights, freedoms and legitimate interests of citizens, including children.

Since the introduction of martial law in Ukraine, work has begun on the establishment of consultative and advisory bodies. In particular, the Coordination Headquarters for the Protection of Children's Rights under Martial Law<sup>67</sup> was established, which is a temporary advisory body of the Cabinet of Ministers of Ukraine and is formed to facilitate coordination of 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.

In particular, the National Council of Ukraine for the Restoration of Ukraine from the Consequences of War<sup>68</sup> was established, which is an advisory body to the President of Ukraine. One of the areas of work of the above-mentioned body is the protection of children's rights and the return of children temporarily displaced abroad.

Analyzing the provisions of the two above-mentioned advisory bodies, it can be noted that their main function is to coordinate certain actions and they only contain indications of measures to protect children during armed conflicts, without providing for specific mechanisms for their implementation.

Another advisory body is the Advisor to the Presidential Commissioner for Children's Rights and Child Rehabilitation. In order to expand the humanitarian aspects of the activities of the institution of the Presidential Commissioners, in 2021 a decision was made to transform the work in the relevant areas and expand the functionality of the existing positions.

Instead of the usual commissioners, there are now advisers – commissioners of the President of Ukraine. However, to date, no regulation has been approved that would define the main tasks, rights and obligations of the Advisor to the Presidential Commissioner for Children's Rights and Child Rehabilitation, as well as the procedure for interaction with groups of people and state or local authorities.

## CONCLUSIONS

Summarizing the above, it can be concluded that the Ukrainian administrative law doctrine has already formed and established the concept of “public administration”, which means a system of organizational and structural entities which, in accordance with the competence enshrined in legal

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<sup>65</sup> Про правовий режим воєнного стану : Закон України від 12.05.2015 № 389-VIII. URL: <https://zakon.rada.gov.ua/laws/show/389-19#n13>.

<sup>66</sup> Про утворення військових адміністрацій : Указ Президента України від 24.02.2022 № 68/2022. URL : <https://zakon.rada.gov.ua/laws/show/68/2022#Text>.

<sup>67</sup> Положення про Координаційний штаб з питань захисту прав дитини в умовах воєнного стану : постанова Кабінету Міністрів України від 17 березня 2022 р. № 302. URL: <https://zakon.rada.gov.ua/laws/show/302-2022-%D0%BF#Text>.

<sup>68</sup> Положення про Національну раду з відновлення України від наслідків війни : Указ Президента України від 21 квітня 2022 року № 266/2022. URL: <https://zakon.rada.gov.ua/laws/show/266/2022#n92>.

acts, exercise public power in the public interest. The doctrine also uses a derivative concept of “public administration” – the activities of public administration entities.

However, the term “public administration” is not yet generally used in legislation.

The Ukrainian doctrine of administrative law has formed a single vision of the subjective content of public administration – executive authorities, as well as other public authorities with relevant competence, and municipal authorities.

On the basis of these theoretical developments, a system of public administration entities in the field of child protection during armed conflict and in the conditions after its completion has been formed.

It can be argued that this system is quite extensive and includes a large number of bodies with different competencies. The legislative branch is the Verkhovna Rada of Ukraine, which is responsible for establishing the foundations of child protection, and the existing institution of the Ukrainian Parliamentary Commissioner for Human Rights.

The executive branch is represented by a whole system of executive authorities with competence in the field of child protection during and after armed conflict. These include: The Cabinet of Ministers of Ukraine, a number of ministries and other central executive bodies. To date, the main body responsible for ensuring the implementation of the state policy on child protection both in peacetime, during armed conflict and in the period after its completion, the State Service of Ukraine for Children, has already been established (September 2023). At the same time, the legislator's approach to determining the number of officials of this body (1 employee for 1,000 children) is strange, since these officials are the ones who are supposed to directly monitor all children, exercise control, respond to problematic issues in a timely manner, and ideally be proactive, and have many other powers.

At the same time, advisory bodies have become widespread in the Ukrainian system.

Particular attention should be paid to municipal level bodies, which are classically represented by local state administrations and local governments.

At the same time, the creation of temporary bodies, such as military administrations, is typical for the period of armed conflict and the period after its completion.

## **SUMMARY**

The main objective of the article was to study public administration in the field of child protection during and after the armed conflict. The state, represented by its authorized bodies, should be more than anyone else interested in increasing the number of children and protecting them both in peacetime and during and after the armed conflict.

Both international and national legal acts provide for a large number of rights for every child. However, the mere fact that these rights are enshrined in legal acts does not mean that they are automatically realized. The key issue

is how the state, represented by authorized bodies, will realize them. Especially during the period of armed conflict and in the conditions after its completion.

The public administration is the main system of bodies established to exercise public power by implementing the law, bylaws and other actions in the public interest. Including in the interests of our children both in peacetime, during armed conflict, and in the conditions after its completion.

The study was primarily based on theoretical developments in the field of administrative law. The basic concept of “public administration” and its derivative “public administrating”.

With the help of the theoretical basis, it became possible to distinguish entities of public administration in the field of child protection both in peacetime during the armed conflict, and after its completion. Based on the research results the conclusion was made about the actual actors of public administration on the issue under study. The positive aspects of the points and issues that require further research are highlighted.

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