

INTERACTION BETWEEN LAW ENFORCEMENT AGENCIES AND OTHER PUBLIC ADMINISTRATION ENTITIES TO CREATE A SECURITY ENVIRONMENT FOR CHILDREN DURING ARMED CONFLICT

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INTRODUCTION

In the context of an armed conflict, there are always increased risks to the life and health of the whole civilian population. Of course, the issue of protecting children is always the most painful, considering their age group. At the international level, a number of international legal treaties have been adopted that lay the foundations for mechanisms to protect children during armed conflict. International legal treaties are the legal framework on the basis of which each individual state forms its national legislation and its own legal mechanisms for the protection of children during armed conflict. Ukraine is no exception. Given that the formation and implementation of child protection mechanisms are carried out by public administration entities, this refers to their administrative and legal nature. At the stage of implementation of any mechanism, one of the main roles is played by its executors. And these are also public administration entities that have the relevant competence. However, several public administration entities are usually involved in the implementation of administrative and legal mechanisms. Therefore, interaction between such entities is of great importance. Taking into account the peculiarities of armed conflict, law enforcement agencies are an obligatory subject in the implementation of administrative and legal mechanisms for child protection. This interaction between law enforcement agencies and other public administration entities makes it possible to create a secure environment for children during armed conflict.

1. Security environment for children during armed conflict

The first section will begin with a basic definition of the “security environment”. The security environment has been repeatedly studied by many domestic scholars from various fields of knowledge, including law.

V. Bocharnikov and S. Svershnikov devoted their monographic study to the study of the category of “security environment”. In this work, the scholars provided their own definition of the “security environment” from the point of view of the state, which is understood as a set of external and

internal relations between forces or entities (states, coalitions of states, international business structures, political parties, public associations, etc.) in all areas of national security, as well as conditions, factors and circumstances that in some way affect or may affect these relations. The most profound stimulators of the development of the security environment are the interests of forces aimed at achieving their own or group interests. The interests of the forces that are identified with the interests of states are state or national interests, but they are formed by the ruling elites¹.

K. Bugaychuk considers the concept of “security environment” by analyzing its two main components – “security” and “environment”. Under security, the scientist understands the state of protection of vital interests of an individual, society and the state from external and internal threats, and under environment – a set of certain conditions in which an individual, society or state exists².

Considering the concept of “security” in terms of the scale at the state level, K. Bugaychuk distinguished the following levels: national security, state security, internal security. The difference lies in the fact that state security, for example, is the protection of state sovereignty, territorial integrity and democratic constitutional order and other vital national interests from real and potential non-military threats, while internal security is a measure of protection of national interests from threats arising from processes, phenomena, events, as well as actions (inaction) of legal entities and individuals located on the territory of the state and under its jurisdiction.

K. Bugaychuk also paid attention to the classification of the security environment, namely: depending on the territory of distribution of such conditions: global (world), regional, interregional, national; depending on the type of threats: external and internal. The external one is related to the conditions and factors of the state's existence that are protected from external threats, and the internal one is related to the conditions and factors of the state's existence that are protected from internal threats.

V. Steblovskiy also conducted a scientific study in the field of the security environment category. The scientist came up with his own definition of “security environment” – the conditions under which the activities of people, enterprises, institutions and social groups are carried out without maintaining danger to life, health, property, nature and

¹ Бочарніков В. П., Свєшніков С. В. Безпекове середовище 2030 : монографія. К. : "Майстер Книг", 2019. 76 с. С. 6.

² Бугайчук К. Л. Безпекове середовище держави в контексті діяльності Міністерства внутрішніх справ України. *Право і безпека*. 2023. № 2(89). С. 111–120. DOI: <https://doi.org/10.32631/pb.2023.2.10>

the stability of social relations. The essence of the security environment is to create favorable conditions for development that eliminate or minimize possible risks and threats.

V. Steblovskiy identifies five elements of the security environment: economic security (ensuring sustainable economic development); social security (social guarantees by the state, protection of rights and freedoms, security and well-being of citizens, guaranteeing social rights, access to education, health care and social services); environmental security (preservation of wildlife and the environment); political security (maintaining the stability of the political situation, observance of the rule of law, creating conditions for minimizing threats to national security); information security; and

At the same time, the scientist emphasizes that ensuring a secure environment requires the interaction of government agencies, the public, business and other entities to identify, analyze and eliminate possible risks and threats.

Like any other category of social relations, social relations related to ensuring the security environment require their own legal regulation. Given that the formation of state policy in this area and its subsequent implementation, control, etc., falls within the competence of public administration entities, this paper will focus on administrative and legal regulation.

The main aspects of the need for administrative and legal regulation of the security environment include: 1. Protection of the rights and freedoms of citizens. 2. Ensuring stability. 3. Minimizing risks. 4. Protection of national security. 5. Creating a level playing field. 6. Ensuring public confidence.

The role of administrative and legal regulation of the security environment is to create and ensure an effective system of norms, rules and measures to ensure security, protect the rights and interests of citizens, as well as to ensure control, stability and development of the socio-economic environment³.

To summarize the doctrinal component of the definition of the security environment, most scholars associate this concept with the living conditions of people who are protected from external and internal threats, as well as with the conceptual foundations of the national security of the state. The above-mentioned is ensured by public administration entities that have the relevant competence.

³ Стебловський В. В. Поняття, принципи та складові безпекового середовища як об'єкта адміністративно-правового регулювання. *Наукові записки. Серія : Право*. 2023. Випуск 15. С. 116–121.

Any armed conflict increases the risks to the security environment for the population of the state. Particular attention should be paid to the children's population, considering their age group and specific characteristics. A child is every human being under the age of 18, unless under the law applicable to the person concerned, he or she reaches the age of majority earlier (Article 1 of the Convention on the Rights of the Child⁴, Article 1 of the Law of Ukraine “On Protection of Childhood”⁵).

Definitely, the first thing that all researchers point to is the age feature. In my opinion, this is the main feature, since it is the one that leads to derivatives that can be divided into two groups – psychological/physiological and legal. Given their age, children cannot fully exercise their “children's” rights provided for by legal acts on their own, and do not have sufficient capacity to protect their rights, because in most cases a legal representative must be involved (legal feature). Considering the age criterion, children have specific needs, interests and rights (legal peculiarity). Children are characterized by social and psychological immaturity and, as a result, increased trust in others and the inability to objectively assess life situations (psychological/physiological peculiarity). All these “childish” characteristics give grounds to assert that children are the most unprotected and vulnerable category of civilians.

The Russian-Ukrainian armed conflict has demonstrated the need to create a security environment for both the population as a whole and children as a separate category of the population, taking into account their physiological, psychological and legal characteristics.

To study this issue, it is proposed to move on to the regulatory and legal component, since Ukraine already has a sufficiently developed regulatory framework in the area under study. The legal acts that address the issue of a secure environment for children during armed conflict were taken into account.

First of all, this is the Law of Ukraine “On National Security of Ukraine”⁶, which enshrines both the basic conceptual apparatus and the subjects of public administration and their competence in this area.

National security of Ukraine is the protection of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats (Article 1);

⁴ Convention on the Rights of the Child : Convention UN of 20 November 1989. URL: <https://www.unicef.org/child-rights-convention/convention-text>

⁵ Про охорону дитинства: Закон України від 26.04.2001 № 2402-III. URL: <https://zakon.rada.gov.ua/laws/show/2402-14#Text>

⁶ Про національну безпеку України : Закон України від 21.06.2018 № 2469-VIII. URL : <https://zakon.rada.gov.ua/laws/show/2469-19#Text>

National interests of Ukraine – vital interests of a person, society and the state, the realization of which ensures the state sovereignty of Ukraine, its progressive democratic development, as well as safe living conditions and well-being of its citizens (Article 1).

Secondly, it is the Civil Protection Code of Ukraine⁷, which is fundamental to the formation of a system of measures to create a security environment for the population of the state during emergencies, including armed conflicts.

Next, it would be useful to distinguish a group of such legal acts as strategies, since in these documents the state fixes key problematic issues and ways to solve them.

According to the Law of Ukraine “On Legislative Activity”⁸, strategies are classified as program documents of public policy – these are documents of a program-targeted nature that reflect the priority directions of public policy development, define and justify the strategic goals of public policy. A programmatic public policy document is adopted, issued or concluded in the form of a doctrine or strategy to develop documents for forecasting the development of the country, a particular type of social relations for a long-term period and ways to achieve the goal.

Strategies related to creating a security environment for children during armed conflict:

– The National Security Strategy of Ukraine⁹. Taking into account the fundamental national interests defined by the Constitution of Ukraine and the Law of Ukraine “On National Security of Ukraine”, the priorities of Ukraine's national interests and ensuring national security are: social development, primarily the development of human capital; protection of rights, freedoms and legitimate interests of Ukrainian citizens. These priorities are realized through: development of human capital of Ukraine, in particular through modernization of education and science, healthcare, culture, social protection; protection of individuals, society and the state from offenses, including corruption, ensuring restoration of violated rights, compensation for damage; ensuring environmental safety, creation of safe conditions for human life, in particular in the territories affected by hostilities, development of an effective civil protection system.

⁷ Кодекс цивільного захисту України : від 02.10.2012 № 5403-VI. URL: <https://zakon.rada.gov.ua/laws/show/5403-17#Text>

⁸ Про правотворчу діяльність : Закон України від 24.08.2023 № 3354-IX. URL: <https://zakon.rada.gov.ua/laws/show/3354-20#Text>

⁹ Про рішення Ради національної безпеки і оборони України від 14 вересня 2020 року "Про Стратегію національної безпеки України" : Указ Президента України від 14.09.2020 № № 392/2020. URL: <https://zakon.rada.gov.ua/laws/show/392/2020#n5>

– The Military Security Strategy of Ukraine¹⁰. The Military Security Strategy of Ukraine defines the levels of the security environment, namely international, regional and national. Taking into account the analysis of the security environment in the context of the military security of the state, the Strategy defines goals, priorities and tasks of implementing the state policy in the military sphere, defense and military construction.

– The Strategy for Ensuring State Security¹¹. Ensuring state security is the creation of conditions to ensure the protection of state sovereignty, territorial integrity and democratic constitutional order and other vital national interests from real and potential threats to Ukraine. The subjects of state security are the state special-purpose body with law enforcement functions, law enforcement and intelligence agencies and other state bodies and persons involved in ensuring state security in accordance with the legislation of Ukraine.

– The Human Development Strategy¹². Ukraine is characterized by significant population losses due to depopulation and is currently among the countries with the highest rate of natural population decline.

– The Strategy of Demographic Development of Ukraine until 2040¹³. The demographic challenges and threats to Ukraine's development are increasing due to: low birth rates; an increase in the number of people with disabilities and children with disabilities who need comprehensive rehabilitation and support; massive forced emigration of the population, primarily women and children, due to the danger, instability and uncertainty of life in Ukraine due to armed aggression; and the illegal transfer of Ukrainian citizens abroad. In particular, it has been officially confirmed that at least 19,500 children have been taken from the temporarily occupied territories to the Russian Federation.

The next group of legal acts is the acts that enshrine the competence of public administration entities that form and ensure the security

¹⁰ Про рішення Ради національної безпеки і оборони України від 25 березня 2021 року "Про Стратегію воєнної безпеки України": Указ Президента України від 25 березня 2021 року № 121/2021. URL : <https://zakon.rada.gov.ua/laws/show/121/2021#n15>

¹¹ Про рішення Ради національної безпеки і оборони України від 30 грудня 2021 року "Про Стратегію забезпечення державної безпеки": Указ Президента України від 16.02.2022 № 56/2022. URL : <https://zakon.rada.gov.ua/laws/show/56/2022#n5>

¹² Про рішення Ради національної безпеки і оборони України від 14 травня 2021 року "Про Стратегію людського розвитку": Указ Президента України 2 червня 2021 року № 225/2021. URL : <https://zakon.rada.gov.ua/laws/show/225/2021#n11>

¹³ Про схвалення Стратегії демографічного розвитку України на період до 2040 року : розпорядження Кабінету Міністрів України від 30.09.2024 р. № 922-р. URL: <https://zakon.rada.gov.ua/laws/show/922-2024-%D1%80#Text>

environment for children during armed conflict. These acts will be analyzed in the next section.

The next group of normative legal acts is those acts that directly relate to the creation of a safe environment for children during armed conflict. In particular:

- The procedure for providing the status of a child who suffered as a result of hostilities and armed conflicts¹⁴;
- The procedure for evacuation in case of threat or occurrence of emergencies¹⁵;
- The procedure for identifying, returning, providing support and reintegrating children deported or forcibly displaced as a result of the armed aggression of the Russian Federation against Ukraine¹⁶;
- The procedure for keeping records of preschool and school-age children, pupils and students¹⁷;
- The procedure and conditions for obtaining general secondary education in municipal general secondary education institutions during martial law in Ukraine¹⁸, etc.

2. The system of law enforcement agencies responsible for ensuring a secure environment for children during armed conflict

In Ukraine, there are many public authorities with a very broad scope of responsibility that must ensure protection from internal and external threats to a wide range of different social relations.

Law enforcement agencies play a primary role in this regard. In this section, this paper proposes to examine the existing system of law enforcement agencies responsible for ensuring a secure environment

¹⁴ Порядок надання статусу дитини, яка постраждала внаслідок воєнних дій та збройних конфліктів : постанова Кабінету Міністрів України від 05.04.2017 р. № 268. URL : <https://zakon.rada.gov.ua/laws/show/268-2017-%D0%BF#Text>

¹⁵ Порядок проведення евакуації у разі загрози виникнення або виникнення надзвичайних ситуацій : постанова Кабінету Міністрів України від 30.10.2013 р. № 841. URL: <https://zakon.rada.gov.ua/laws/show/841-2013-%D0%BF#Text>

¹⁶ Порядок виявлення, повернення, забезпечення супроводу та реінтеграції дітей, депортованих або примусово переміщених внаслідок збройної агресії Російської Федерації проти України : постанова Кабінету Міністрів України від 14.05.2024 р. № 551. URL : <https://zakon.rada.gov.ua/laws/show/551-2024-%D0%BF#Text>

¹⁷ Порядок ведення обліку дітей дошкільного, шкільного віку, вихованців та учнів : постанова Кабінету Міністрів України від 13.09.2017 р. № 684. URL: <https://zakon.rada.gov.ua/laws/show/684-2017-%D0%BF#Text>

¹⁸ Порядок та умови здобуття загальної середньої освіти в комунальних закладах загальної середньої освіти в умовах воєнного стану в Україні : наказ Міністерства освіти і науки України від 07.08.2024 № 1112. URL : <https://zakon.rada.gov.ua/laws/show/z1222-24#Text>

for children during armed conflict, the legal basis of their activities and their competence.

But first of all, it is necessary to determine which bodies in Ukraine are law enforcement agencies. The answer to this question can be found in the Laws of Ukraine “On State Protection of Judicial and Law Enforcement Officers”¹⁹ (Article 1)²⁰ and “On National Security of Ukraine”.

Let us single out from these laws those law enforcement agencies whose competence includes the issue of a secure environment for children during armed conflict.

1. Prosecutor's offices. Legal framework: Law of Ukraine “On the Prosecution Service”²¹, Regulation on the Department for Combating Crimes Committed in the Context of Armed Conflict, approved by Order of the Prosecutor General No. 312 dated November 14, 2023²², Regulation on the Department for Child Protection and Combating Domestic Violence, approved by Order of the Prosecutor General No. 268 dated September 14, 2023²³.

The prosecutorial system of Ukraine is a unified system that, in accordance with the prescribed procedure, performs the functions established by the Constitution of Ukraine in order to protect human rights and freedoms, the general interests of society and the state.

The structure of the Office of the Prosecutor General includes the following structural units, which are responsible for the protection of children during armed conflict:

- The Department for Combating Crimes Committed in the Armed Conflict. This department is responsible for organizing and supervising pre-trial investigations, resolving other issues in criminal proceedings in accordance with the law, participating in court proceedings and

¹⁹ Про державний захист працівників суду і правоохоронних органів : Закон України від 23.12.1993 № 3781-XII. URL : <https://zakon.rada.gov.ua/laws/show/3781-12#Text>

²⁰ Law enforcement agencies are the prosecutor's office, the National Police, the security service, the Military Law Enforcement Service in the Armed Forces of Ukraine, the National Anti-Corruption Bureau of Ukraine, the state border protection agencies, the Bureau of Economic Security of Ukraine, penitentiary bodies and institutions, pre-trial detention centers, state financial control bodies, fisheries protection, state forest protection, and other bodies that perform law enforcement or law enforcement functions.

²¹ Про прокуратуру : Закон України від 14.10.2014 № 1697-VII. URL: <https://zakon.rada.gov.ua/laws/show/1697-18#Text>

²² Положення про Департамент протидії злочинам, вчиненим в умовах збройного конфлікту : наказ Генерального прокурора від 14.11.2023 року № 312. URL: <https://gp.gov.ua/ua/posts/polozhennya-pro-samostijni-strukturni-pidrozdili>.

²³ Положення про Департамент захисту інтересів дитини та протидії домашньому насильству : наказ Генерального прокурора від 14.09.2023 року № 268. URL: <https://gp.gov.ua/ua/posts/polozhennya-pro-samostijni-strukturni-pidrozdili>

supporting public prosecution in criminal proceedings on war crimes, which also target children;

- The Department for Protection of Child's Interests and Combating Domestic Violence organizes and conducts pre-trial investigation, resolves other issues in criminal proceedings in accordance with the law and supports public prosecution in criminal proceedings on criminal offenses:

- in relation to a minor, including if criminal proceedings are carried out in relation to several persons, at least one of whom is a minor, in relation to a person who has not reached the age of criminal responsibility

- in which a minor is involved in the proceedings as a victim or is a person whose rights and interests have been or may be violated as a result of a criminal offense, except for crimes related to sexual violence in armed conflict;

- in the field of child protection.

2. The National Police. Legal framework The Law of Ukraine “On the National Police”²⁴, the Instruction on the organization of work of juvenile prevention units of the National Police of Ukraine, approved by the Order of the Ministry of Internal Affairs of Ukraine No. 1044 of 19.12.2017²⁵.

The National Police of Ukraine 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 tasks of the police are to provide police services in the following areas:

- 1) ensuring public safety and order;
- 2) protection of human rights and freedoms, as well as interests of society and the state;
- 3) combating crime;
- 4) provision of assistance services to persons who need such assistance for personal, economic, social reasons or as a result of emergency situations within the limits established by law.

Juvenile prevention units have been established within the structure of the National Police, whose main tasks include:

- 1) preventive activities aimed at preventing children from committing criminal and administrative offenses, identifying the causes and conditions that contribute to this, and taking measures within their competence to eliminate them;

²⁴ Про Національну поліцію : Закон України від 02.07.2015 № 580-VIII. URL: <https://zakon.rada.gov.ua/laws/show/580-19#Text>

²⁵ Інструкція з організації роботи підрозділів ювенальної превенції Національної поліції України, затверджена наказом Міністерства внутрішніх справ України від 19.12.2017 № 1044. URL: <https://zakon.rada.gov.ua/laws/show/z0686-18#Text>

2) maintaining preventive records of children prone to committing offenses and conducting individual prevention measures with them;

3) participate in establishing the whereabouts of a child in case of his/her missing or obtaining data for this purpose within the framework of criminal proceedings initiated on the fact of his/her missing;

4) taking measures to prevent and counteract domestic violence committed by and against children, as well as child abuse;

5) taking measures to prevent child neglect, including the exercise of police custody of minors;

6) carrying out activities related to the protection of a child's right to general secondary education.

3. The Security Service of Ukraine. Legal basis: The Law of Ukraine “On the Security Service of Ukraine”²⁶. The Security Service of Ukraine is a special-purpose state body with law enforcement functions that ensures state security of Ukraine. The tasks of the Security Service of Ukraine also include prevention, detection, suppression and disclosure of criminal offenses against peace and security of mankind, terrorism and other illegal actions that directly threaten the vital interests of Ukraine.

4. The State Border Guard Service of Ukraine. Legal basis: The Law of Ukraine “On the State Border Guard Service of Ukraine”²⁷. The State Border Guard Service of Ukraine is a special-purpose law enforcement agency that implements the state policy in the field of protection of the state border of Ukraine.

5. The National Guard of Ukraine. Legal basis: The Law of Ukraine “On the National Guard of Ukraine”²⁸. The National Guard of Ukraine is a military formation with law enforcement functions, which is part of the system of the Ministry of Internal Affairs of Ukraine and is designed to perform tasks on protection and defense of life, rights, freedoms and legitimate interests of citizens, society and the state from criminal and other unlawful attacks, protection of public safety and order and ensuring public security, as well as in cooperation with law enforcement agencies – to ensure state security and protection of the state border, suppression of terrorist activities, activities of the

The National Guard of Ukraine participates, in accordance with the law, in cooperation with the Armed Forces of Ukraine in repelling armed aggression against Ukraine and eliminating armed conflict by conducting

²⁶ Про Службу безпеки України : Закон України від 25.03.1992 № 2229-XII. URL: <https://zakon.rada.gov.ua/laws/show/2229-12/ed20250109#Text>

²⁷ Про Державну прикордонну службу України : Закон України від 03.04.2003 № 661-IV. URL : <https://zakon.rada.gov.ua/laws/show/661-15/ed20241219#Text>

²⁸ Про Національну гвардію України : Закон України від 13.03.2014 № 876-VII. URL : <https://zakon.rada.gov.ua/laws/show/876-18#Text>

military (combat) operations, as well as in performing territorial defense tasks.

3. Interaction of Law Enforcement Agencies with Other Public Administration Entities in Creating a Secure Environment for Children during Armed Conflict: Ukrainian Experience

This paper proposes to examine the interaction of law enforcement agencies with other public administration entities in the field of ensuring a secure environment for children during armed conflict on the basis of administrative and legal mechanisms introduced by the Ukrainian legislator since 2014. In particular:

I – mandatory evacuation by force;

II – obtaining a complete general secondary education;

III – search, return, support and reintegration of children deported or forcibly displaced as a result of the armed aggression of the Russian Federation against Ukraine.

The above-mentioned administrative and legal mechanisms will be considered by defining the legal basis, the entities involved in their implementation – “executors”, and identifying the public administration entities that interact with each other in the outlined direction.

I – carrying out mandatory evacuation by force. Legal basis: The procedure for evacuation in case of threat or occurrence of emergencies, namely the amendments to the said procedure dated 07.03.2023. These amendments introduced a mechanism for mandatory evacuation by force for children and their legal representatives who are in the zone of hostilities and armed conflicts during martial law. Such evacuation is carried out on the basis of an order of the regional military administration from a separate settlement in the area where hostilities are taking place. The order must contain information about the state authorities responsible for evacuation and their territorial units involved in the evacuation. The implementation of such evacuation on the ground is primarily ensured by district state (military) administrations.

Ukrainian experience has shown that there are the following problems in the implementation of mandatory evacuation by force: the reluctance of legal representatives to leave their places of permanent residence; often the addresses of children's residence indicated in the relevant databases do not correspond to their actual addresses²⁹.

The National Police, including juvenile prevention units, are actively involved in carrying out forced evacuations when the above problems arise.

²⁹ Працівники Офісу Омбудсмана відвідали території Донеччини, де триває обов'язкова евакуація сімей з дітьми. Омбудсман України. URL: https://ombudsman.gov.ua/uk/news_details/pracivniki-ofisu-ombudsmana-vidvidali-teritoriyi-donechchini-de-trivaye-obovyazkova-evakuaciya-simej-z-ditmi

II – obtaining a complete general secondary education.

According to Ukrainian law, completing a full general secondary education is not only a right for every child, but also an obligation. The period of armed conflict does not stop its fulfillment. Therefore, public administration entities, with the participation of law enforcement agencies, create conditions and possible formats for children to continue their secondary education during the armed conflict.

First of all, we would like to draw attention to the creation of a secure environment during the educational process.

In accordance with the Procedure and Conditions for Obtaining General Secondary Education in Municipal General Secondary Education Institutions under Martial Law in Ukraine, approved by Order of the Ministry of Education and Science of Ukraine No. 1112 dated 07.08.2024, mixed education is introduced for the period of martial law³⁰. The mandatory requirements for opening a mixed education institution are: the presence in such an institution or at a distance of no more than 500 meters from it of objects of the civil defense fund of protective structures suitable for sheltering participants in the educational process and to which they are provided with unimpeded access; the material and technical base of the educational institution is sufficient to organize full-time (daytime) general secondary education, including mixed education.

In 2024, the Government of Ukraine approved the Procedure for Implementing a Pilot Project to Strengthen the Security of the Educational Environment in General Secondary Education Institutions during the Legal Regime of Martial Law by Resolution No. 1245 dated November 1, 2024³¹,³². The purpose of the pilot project is to create safe conditions for obtaining general secondary education and staying of participants in the educational process in educational institutions during the legal regime of martial law, in particular the armed aggression of the Russian Federation against Ukraine.

³⁰ Mixed learning is a way of organizing the education of educational applicants, which involves the organization of student learning by combining full-time (full-time) and distance learning in a certain order (week after week, day after day, etc.), determined by the schedule of classes in the educational institution

³¹ Порядок реалізації експериментального проекту щодо посилення безпеки освітнього середовища в закладах загальної середньої освіти в умовах правового режиму воєнного стану: постанова Кабінету Міністрів України від 01.11.2024 № 1245. URL: <https://www.kmu.gov.ua/npas/pro-realizatsiiu-eksperymentalnoho-proektu-shchodo-posylennia-bezpeky-os-a1245>

³² Посилення безпеки освітнього середовища у закладах загальної середньої освіти – вжиття керівниками закладів загальної середньої освіти разом з їх засновниками, у співпраці з ДСНС, Національною поліцією передбаченого цим Порядком комплексу заходів, спрямованих на запобігання та/або недопущення чи припинення заподіяння шкоди учасникам освітнього процесу.

Within the framework of this pilot project, representatives of the National Police are constantly involved in the following areas: 1) ensuring road safety in the areas adjacent to educational institutions; 2) bringing police patrol routes closer to educational institutions; 3) monitoring compliance with the established restrictions on the sale of alcohol and tobacco products in the areas adjacent to educational institutions; 4) lighting the routes of participants in the educational process; 5) conducting activities among students to ensure life safety and prevent offenses, etc.

Secondly, let's focus on the Procedure for Keeping Records of Preschool and School Age Children, Kindergarten Children and Pupils, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 684 dated September 13, 2017. This Procedure defines the mechanism for keeping records of preschool and school-age children, kindergartners and pupils, including children not covered by education (hereinafter – the records), which is kept in order to ensure that they receive preschool and complete general secondary education. The platform for keeping records is the “Automated Information Complex of Educational Management”, in which a profile with personal information about each child is created. The child's profile is created by the responsible employee of the educational institution when the child is enrolled. The child's profile reflects up-to-date information about the child, including information about non-attendance at the educational institution for unknown or unreasonable reasons.

In case of absence of pupils from classes for ten consecutive working days for unknown or unreasonable reasons, the responsible person of the educational institution changes the information in the relevant profile of the child by making a mark “not covered by education”³³. Information about the mark “not covered by education” in the child's profile, after processing by the responsible employees of the educational authorities, is sent to the relevant territorial body of the service for children and the National Police using the means of an automated management system after processing by the responsible employees of the educational authorities.

After that, representatives of the National Police, together with the agency for children's affairs, begin search activities to establish the child's whereabouts. If it is established that the child has not attended school for

³³ Child not covered by education – a child of school age (6/7 – 18 years) who should receive general secondary education but does not receive it in any of the forms defined by law, including pupils who do not attend classes in an educational institution for ten consecutive working days for unknown or unreasonable reasons.

more than 10 days without valid reasons³⁴, measures are taken against the parents to ensure that they fulfill their parental responsibilities.

III – search, return, provision of support and reintegration of children deported or forcibly displaced as a result of the armed aggression of the Russian Federation against Ukraine.

Legal basis: The Procedure for Identifying, Returning, Providing Accompaniment and Reintegration of Children Deported or Forcibly Displaced as a Result of the Armed Aggression of the Russian Federation against Ukraine, Resolution of the Cabinet of Ministers of Ukraine of 14.05.2024, No. 551.

The Procedure defines the mechanism of interaction between the entities involved in the search, return, support and reintegration of children who have been deported or forcibly displaced, or are at risk of deportation and/or forced displacement as a result of the armed aggression of the Russian Federation against Ukraine.

The above procedure defines the entities involved in the search, return, accompaniment and reintegration of children, including both public administration entities with law enforcement functions and those without. In particular: The Office of the Prosecutor General, the Security Service of Ukraine, the National Police, and the State Border Guard Service.

The main principle on which the procedure is based is the interaction of all involved actors in the search for, return, support and reintegration of children who have been deported or forcibly displaced, or are at risk of deportation and/or forced displacement as a result of the armed aggression of the Russian Federation against Ukraine.

Within the framework of this mechanism, law enforcement agencies are involved in several areas:

- The State Service for Children informs law enforcement agencies about the identification of a deported child, a child at risk of deportation and/or forced displacement for further processing and appropriate response in accordance with their competence;

- in case of detection of a child deported or forcibly displaced as a result of the armed aggression of the Russian Federation against Ukraine, unaccompanied by legal representatives, authorized third parties, employees of the State Border Guard Service shall report this fact in paper or electronic form to the postal address and/or e-mail address of the guardianship and custody authority at the location of the state border crossing point, the State Service for Children, and the Child Protection Center.

³⁴ The reasons for the pupil's absence from classes shall be confirmed by a relevant medical certificate from a health care institution or a written explanation from one of the child's parents or other legal representatives, submitted in any form.

The head of the guardianship and custody authority at the place of notification issues a power of attorney to an employee of the children's service of such authority to represent the interests of the child. The children's service at the location of the state border crossing point is obliged to immediately take the child and provide temporary accommodation;

– the staff of the Child Protection Center shall report the date and time of the child's arrival at the Child Protection Center in paper or electronic form to the postal address and/or e-mail address of the Office of the Prosecutor General, the Security Service of Ukraine, and the National Police.

CONCLUSIONS

Consequently, a security environment is the conditions of life of a person, organization, society, state and the relations between them, which contain appropriate opportunities and mechanisms for protection against potential or real internal and external threats in a certain territory or the territory of the state as a whole.

The creation of a security environment for children during armed conflict is ensured by public administration entities. The law enforcement agencies are among them: The National Police, the National Guard, the State Border Guard Service, prosecutors, the Security Service of Ukraine, etc. In order to create a successful security environment, it is necessary to interact with all actors. Ukrainian experience shows that public administration entities interact in different ways.

Within the framework of the administrative and legal mechanism of forced evacuation, there is interaction between district state (military) administrations and units of the National Police, including juvenile prevention units.

As part of the administrative and legal mechanism for obtaining complete general secondary education, there is interaction between educational institutions and units of the National Police.

Within the administrative and legal mechanism of search, return, support and reintegration of children deported or forcibly displaced as a result of the armed aggression of the Russian Federation against Ukraine, the State Service for Children, municipal children's services, the Child Protection Center interact with the National Police, the Security Service of Ukraine, the Office of the Prosecutor General, and the State Border Guard Service.

SUMMARY

In the context of an armed conflict, there are always increased risks to the life and health of the whole civilian population. Of course, the issue

of protecting children is always the most painful, considering their age group. Legal mechanisms for protecting children's rights during armed conflict are therefore of great importance. Given that the formation and implementation of child protection mechanisms are carried out by public administration entities, this refers to their administrative and legal nature. At the stage of implementation of any mechanism, one of the main roles is played by its executors. Interaction between such entities is of great importance. Taking into account the peculiarities of armed conflict, law enforcement agencies are an obligatory subject in the implementation of administrative and legal mechanisms for child protection. The purpose of this paper is analyzed interaction between law enforcement agencies and other public administration entities in the sphere of creating a secure environment for children during armed conflict.

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