

Social protection strategies in relations between Ukraine and the European Union

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Abstract: In today's world, social protection is becoming an increasingly important topic that combines economic, political, and social aspects. Regardless of the level of development of a country, people are constantly looking for ways to ensure their well-being and protect themselves from negative influences. Social protection strategies are of particular importance in relations between Ukraine and the European Union. Ukraine, as a sovereign state, monitors the needs of its population and tries to adapt its social system to European standards. Therefore, the purpose of the study is to analyze the current state and prospects for the development of social protection strategies in Ukraine in the context of cooperation with the European Union to identify possible areas for improving the social sphere and ensuring a high level of social protection for the Ukrainian population. The study uses a variety of methods, including analysis, synthesis, induction, deduction, comparative legal, dialectical, and others. Considering cooperation with the European Union helps to solve socioeconomic problems and ensure a high level of social protection.

Keywords: Social protection strategies. Ukraine. European Union. Cooperation. Social programs. Social reforms. Social justice.

Summary: **1** Introduction – **2** Materials and methods – **3** Results – **4** Discussion – **5** Conclusions – References

1 Introduction

In today's world, social protection is becoming one of the most important and relevant topics at the intersection of economic, political, and social challenges. Ukraine, as a sovereign state, recreates and develops its social system taking into account the needs of its population. However, in the context of the European integration process, the Ukrainian authorities seek to ensure a high level of social protection, adapt the national system to European standards and solve several socio-economic problems. In this process, the European Union is an important partner for Ukraine.

By deepening cooperation with the European Union, Ukraine has the opportunity not only to get closer to European standards but also to improve its social protection system. As part of this cooperation, strategies are being developed and implemented to protect the rights and interests of Ukrainian citizens, improve access to quality social services and ensure a decent life for all segments of the population.

Joint initiatives and programs implemented by Ukraine and the European Union cover various aspects of social protection. The main areas of cooperation include pension reform, ensuring equal opportunities for women and men in the labor market, development of social services, ensuring access to quality education and healthcare, support for people with disabilities, and much more. For example, in the area of pension reform, Ukraine is actively implementing changes aimed at improving the pension security of citizens and creating a sustainable pension system. This includes revising pension benefits, establishing fairer criteria for pension provision, and introducing transparent mechanisms for managing pension funds.

In the labor market, it is important to ensure equal working conditions for women and men and to combat discrimination and inequality. In this context, cooperation with the European Union allows Ukraine to use best practices and experience to create gender-equal working conditions, develop family and labor policies, and social protection for mothers.

Special attention is paid to the development of social services and support for people with disabilities. Ukraine, in cooperation with the European Union, is working to improve the system of rehabilitation and social integration of persons

with disabilities, creating favorable conditions for their self-determination and realization of their potential. In addition, joint projects and programs in education, youth policy, and social entrepreneurship contribute to the development of society and support young people in their professional development and building a sustainable future.

The application of social protection strategies in relations between Ukraine and the European Union has a significant positive impact on the lives of Ukrainian citizens. It helps to reduce inequalities, ensure social justice and improve the quality of life. Through these strategies, the Ukrainian authorities are trying to ensure a guaranteed minimum of social services for all segments of the population, as well as to develop socio-economic inclusion.

However, the implementation of social reforms sometimes faces certain challenges and obstacles. For example, it is necessary to ensure the financial sustainability of social programs and the efficient use of resources. It is also necessary to ensure effective cooperation between all stakeholders, including the government, civil society organizations, and international institutions. Many scientific works, including such scholars as M. Bondar,¹ M. Danilina,² V. V. Kryzhna,³ T. Kostyshyna,⁴ B. Umayev⁵ are devoted to this topic. The purpose of the study is to analyze the current state and prospects of social protection strategies in Ukraine in the context of cooperation with the European Union to identify possible areas for improving the social sphere and ensuring a high level of social protection for the Ukrainian population.

2 Materials and methods

The methodology used in the study of social protection strategies in relations between Ukraine and the European Union is based on a combination of general scientific and special scientific methods. It allows analyzing, summarizing, and drawing conclusions about the effectiveness and potential for implementing various social protection strategies.

¹ BONDAR, M. (2021). Social security and social protection in Ukraine. *Economy and society*, (34), 1-10

² DANILINA, M. (2020). The Constitution of Ukraine and social protection of the population. In *Social rights and their protection by the administrative court: materials III International. science and practice conference* (Kyiv, September 4, 2020). Kyiv, pp. 25-29

³ KRYZHNA, V. V. (2020). Social rights of citizens: social protection and social security. It is printed by the decision of the organizing committee in accordance with the mandate of the Kharkiv National University of Internal Affairs dated September 23. 2020 No. 119, 218.

⁴ KOSTYSHYNA, T. (2021). Social protection in the context of the development of the digital economy. *Economic Analysis*, 31(1), 279-288

⁵ UMAJEV, B. (2022). Features of social protection of servicemen and employees of the Security Service of Ukraine. *Scientific Bulletin of the Uzhhorod National University. Series: Law*, (70), 248-252.

One of the key methods used in the study is analysis. It provides a detailed examination of social problems and identifies factors that affect social protection in Ukraine and the European Union. The analysis allows us to identify the needs of the population, assess the status of existing social programs, and identify the strengths and weaknesses of the strategies under consideration. The synthesis method is used to summarize and systematize the data obtained. It allows the combining of various aspects of social protection and information on different strategies to form a general idea of their potential and impact. Synthesis makes it possible to identify dependencies, establish relationships between different aspects of social protection, and develop a comprehensive approach to solving social problems.

The deductive method is also used in the study. It allows us to start from general principles and legal norms governing social protection and apply them to specific cases. This method allows for establishing cause-and-effect relationships and developing recommendations for improving the social protection system based on existing legislation and international standards.

One of the important methods used in the study is the comparative legal method. It allows comparing legal acts, strategies, and practices of social protection applied in Ukraine and the European Union. This allows us to highlight similarities and differences in the regulation of social protection, identify good practices and best practices and use them in the context of Ukrainian reforms.

The dialectical method helps to identify contradictions and interrelationships in social protection and to highlight their impact on the effectiveness of the strategies under consideration. This method allows us to consider social protection as a system where different elements interact with each other and influence their development.

Summarizing, the use of a combination of general scientific and special scientific methods, such as analysis, synthesis, deduction, comparative legal, and dialectical, allows for a thorough study and evaluation of social protection strategies in relations between Ukraine and the European Union. This contributes to the development of recommendations and improvement of social protection for citizens of both sides.

3 Results

3.1 Legal basis of social protection strategies and relations between Ukraine and the European Union in this area

Article 1 of the Constitution of Ukraine proclaims Ukraine to be a democratic, legal, and social state, and the strict implementation of these provisions is the most urgent strategic task at all times, especially at the present stage of Ukraine's

development.⁶ Ukraine's aspirations to join the European Community cannot be realized without implementing a social policy towards any category of its citizens, without providing them with social protection, since only this will ensure social stability in society, increase the welfare of the population, and ensure an adequate standard of living and quality of life for every Ukrainian.

Social protection of the population of Ukraine is a multifaceted system of interconnected economic, legal, and social guarantees of the most important social rights of every member of our society, regardless of their place of residence, ability to work, or gender, which are interrelated with all legislative and executive decisions at various levels. In the broadest sense, social protection is a system of organizational, legal, and economic measures to ensure the basic social rights of citizens in Ukraine.

The ultimate goal of social protection is to provide every member of society, regardless of social origin, nationality, or race, with the opportunity to develop freely and realize their abilities. Another goal is to maintain stability in society, i.e., to prevent tensions arising from property, racial, cultural, and social inequality.⁷

Social protection strategies in relations between Ukraine and the European Union (EU) are an important component of cooperation between the two parties. These strategies are aimed at ensuring stability, developing the social sphere, and improving the quality of life in both countries. Ukraine, as a country seeking to get closer to European standards and values, is actively cooperating with the EU in this area.

One of the key aspects of social protection strategies is the social security system. The European Union has a wide range of social programs that provide citizens with pensions, health insurance, unemployment benefits, and other types of social support. Ukraine is striving to adapt its social security system to European standards by reforming its pension system, improving health insurance, and developing a social assistance system.⁸

Another important aspect of European social protection strategies is the development of the education and training system. Ukraine is actively cooperating with the European Union in the field of education, youth, and culture. This allows Ukrainian citizens to have access to quality education, exchange of experience, and professional development. Cooperation with the EU helps to improve the Ukrainian

⁶ Verkhovna Rada of Ukraine. (1996). Constitution of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/254к/96-бп#Text>.

⁷ PALACIO LUDENA, M. G. (2021). Falling through the Cracks: Digital Infrastructures of Social Protection in Ecuador. *Development and Change*, 52(4), 805-828.

⁸ SMIRNOVA, I. I., LYKHOSHA, O. Yu., RAK, N. V., & GORIEVA, L. A. (2021). Social protection of the population at the current stage: state and problems in Ukraine. *Economic Bulletin of Donbass*, (2 (64)), 201-208.

education system, including the development of modern programs, improving the quality of education, and developing international relations in the field of education.

In addition, social protection strategies include issues of social integration and human rights protection. To approach European standards, Ukraine focuses on ensuring equal opportunities for all citizens, regardless of their origin, gender, age, or physical characteristics. This includes protecting the rights of women, children, people with disabilities, and other vulnerable groups. Ukraine is actively implementing European standards in the area of combating discrimination, support, and social integration of these groups.

In addition, social protection strategies include support for economic development and entrepreneurship. Ukraine cooperates with the EU in the area of economic development, market opening, and investment attractiveness. This contributes to the creation of new jobs, raising living standards, and reducing poverty. Cooperation with the EU also promotes entrepreneurship, supports small and medium-sized enterprises, and stimulates innovation.

The European Union also provides financial and technical support to Ukraine in implementing social projects and programs. This support is aimed at developing infrastructure, improving access to education and healthcare, developing social services, and much more. This allows Ukraine to implement important social projects that contribute to the quality of life of its citizens.⁹

In addition, social protection strategies in relations between Ukraine and the European Union contribute to the joint fight against complex challenges and threats, including reducing the impact of the COVID-19 pandemic. The European Union has provided emergency assistance to Ukraine by sending medical equipment, vaccines, and other resources to combat the coronavirus outbreak. Such cooperation strengthens Ukraine's reserves to counter global health and social challenges.

It is also important to note that social protection strategies in relations between Ukraine and the European Union have a profound impact on the development of human rights and democratic values. Ukraine is actively working to implement European standards in the field of human rights, protection of minority rights, freedom of speech, and other democratic values. Cooperation with the EU helps Ukrainian society to develop more progressive and open values, ensuring the rights and freedoms of citizens.

⁹ CHORNA, M. (2019). The essence of the right of citizens to social protection. *Entrepreneurship, economy and law*, (4), 151-156.

One of the most important areas of cooperation in the field of social protection is the fight against poverty and social inclusion. The European Union provides financial support and technical assistance to Ukraine for the development of social programs and projects aimed at reducing poverty and improving the living standards of the most vulnerable segments of the population. This may include the provision of social services, support for low-income families, increased access to education and healthcare, and stimulating economic development in rural and remote areas.

In addition, an important aspect of social protection strategies is the development of the health care system and medical services. Ukraine is cooperating with the European Union to improve access to quality health care, develop primary health care, and prevent diseases. This includes support for the implementation of electronic medical records, professional development of medical personnel, development of healthcare infrastructure, and access to medicines and medical services.¹⁰

Ukraine and the European Union also actively cooperate in the field of labor protection and social insurance. This includes the development and implementation of regulations aimed at improving working conditions, social insurance, and pensions. Ukraine is trying to harmonize its legal framework with European labor standards, taking into account the rights and interests of employees and employers.

In addition, social protection strategies include initiatives aimed at supporting the development of social entrepreneurship and expanding social services for youth, women, the disabled, and other vulnerable groups. In particular, this includes providing financial support and training for the development of social enterprises and creating a network of social centers and organizations that assist those in need.¹¹

Cooperation between Ukraine and the European Union in the area of social protection strategies is an important element of the partnership. It allows Ukraine to implement modern social standards and practices, improve the quality of life of its citizens, ensure social justice, and strengthen democratic values. Together with the EU, Ukraine has the opportunity to develop as a society that guarantees the rights and well-being of its citizens.¹²

¹⁰ BONDAR, M. (2021). Social security and social protection in Ukraine. *Economy and society*, (34), 1-10.

¹¹ KHORUZHIIY, M. E., & GBUR, Z. V. (2021). Social protection of civil servants. *Investments: practice and experience*, (13-14), 103-109.

¹² YAROSHENKO, O. M., Kutomanov, D. Y, MARYNIV, N. A., & DUDENKO, T. V. (2020). Features of Corporate Liability for Violation of Competition Law. *International Journal of Criminology and Sociology*, 9, 1517–1525. <https://doi.org/10.6000/1929-4409.2020.09.172>.

3.2 Social protection strategies and programmes on the example of selected European countries

Using the example of specific EU countries, let's look at a few countries that are implementing successful social protection strategies and programs to ensure the well-being of their citizens. Denmark is known for its high-quality social protection. It has a wide network of social programs that ensure a high level of well-being for its citizens. One of the most important aspects of the social protection system in Denmark is the universal social security system, which includes access to free healthcare and education, as well as guarantees a sufficient minimum wage and a high level of pension provision. In addition, Denmark has family support programs that assist in raising children and fighting poverty.¹³

Sweden is another country with significant success in social protection. It is known for its general social insurance system that ensures equal opportunities and social justice. The Swedish system includes a wide range of services, such as free health care, education, childcare, social housing, unemployment support, etc. In addition, Sweden invests significant efforts in the development of equality and gender equality policies, providing appropriate social measures and support for women in the labor market and family life.¹⁴

Germany is also known for its effective social protection system. It has a wide range of programs aimed at ensuring the social support and well-being of its citizens. For example, the social insurance system in Germany provides access to health care and sickness insurance, as well as pension coverage for the population. The country also has family support programs that provide financial assistance and services for parents and children, including summer and preschool facilities.¹⁵

Finland is known for its high quality of life and social support. It has a progressive social protection system that guarantees all citizens access to quality health care, education, and social services. Finland is also defined by its child support system, including a large number of kindergartens and free education for children.¹⁶

These are just a few examples of countries in the European Union that are implementing successful social protection strategies. Each of these countries has

¹³ SUTIYO, S. (2022). On the Discourses of Social Protection Distribution: Insights from *Indonesia*. *J. Soc. & Soc. Welfare*, 49, 4.

¹⁴ SLAVICH, G. M. (2020). Social safety theory: a biologically based evolutionary perspective on life stress, health, and behavior.

¹⁵ DANILINA, M. (2020). The Constitution of Ukraine and social protection of the population. In *Social rights and their protection by the administrative court: materials III International. science and practice conference* (Kyiv, September 4, 2020). Kyiv, pp. 25-29.

¹⁶ HASAN, A. M., ANUGRAH, B., & PRATIWI, A. M. (2019). Gender-Responsive Budget Analysis on Social Protection Programs in Indonesia: A Case Study in Two Districts and A City. *Jurnal Perempuan*, 24(1), 25-38.

its unique model of social protection, but the general idea is to ensure well-being and social justice for its citizens. Ukraine can learn from and implement the best practices of these countries to improve its social protection system and ensure a better future for its citizens.¹⁷

3.3 Current state of development of social protection systems in Ukraine

On February 28, 2022, Ukraine submitted an official application for membership in the European Union. From that moment on, the process of official accession to the EU was launched. In the shortest possible time, the painstaking work of completing the two parts of the questionnaire for obtaining the status of a candidate for EU membership, which took thousands of pages, was completed. As a result of the coordinated work of all branches of government, the great demand of Ukrainian society for further democratic reforms, and the EU's political readiness to make historically important decisions, Ukraine was granted candidate status on June 23, 2022. Ukraine is currently finalizing the implementation of seven recommendations of the European Commission necessary for further progress toward EU membership.¹⁸

In line with the results of the implementation of the EU-Ukraine Association Agreement in 2022, work continued to strengthen social protection for the most vulnerable groups of the population. Despite the difficulties of wartime, about UAH 800 billion was allocated for all social expenditures in 2022. The continuity of social payments (various types of benefits, housing subsidies, and privileges) was ensured, in particular, through a specially created system of centralized accrual for the period of martial law. This mechanism made it possible to accrue payments to people living in the territory of hostilities and under occupation. More than 5 million families received payments, including 300,000 through the centralized mechanism.

With the introduction of martial law, the payment of previously granted benefits has been extended automatically without the need for citizens to apply: benefits for children under guardianship or custody; children with serious illnesses; children whose parents evade child support; persons with disabilities since childhood and children with disabilities; persons caring for persons with disabilities of groups I and II due to mental disorders; persons not entitled to a pension; and persons

¹⁷ SAMBORSKA, O. (2020). Efficiency of social protection of the rural population in the united territorial community. *European Journal of Sustainable Development*, 9(3), 333.

¹⁸ NASIBOVA, O. V. (2019). Theoretical aspects of financial provision of social protection of the population. *Economy and the state*, (8), 35-40.

with disabilities. These benefits will be paid for the duration of martial law and one month after its termination or cancellation.¹⁹

Under martial law, the system of compulsory state social insurance ensured continuous financing of pensions for almost 11 million pensioners and insurance payments for about 10 million insured persons. All increases planned for 2022, including indexation, have been fully implemented, including the first indexation of military pensions. The implementation of the support program for pensioners aged 80+ continued. In October 2022, those pensioners who turned 70 began to receive additional assistance. A total of UAH 575.2 billion was paid in pensions. The conditions for the payment and delivery of pensions for the period of martial law are defined by the Resolution of the Cabinet of Ministers of Ukraine No. 162 of 26.02.2022 “On the Peculiarities of Payment and Delivery of Pensions and Financial Assistance for the Period of Martial Law”.²⁰

Funding for pensions in the temporarily occupied territories has not been suspended. Currently, more than 6 million citizens are covered by some type of social assistance. Most regions continue to provide social services to people in need (except for the temporarily occupied territories and the area of active hostilities).

The Register of Social Service Providers contains information on more than 3,000 entities, of which about 1,500 are municipally owned, including almost 1,000 providers working directly in territorial communities (social service centers, social service centers, territorial centers of social services (social service provision). There are also 501 mobile teams of social and psychological assistance to victims of domestic violence or gender-based violence. The system of social service centers employs about 300 psychologists and more than 3,600 social work specialists.

The Verkhovna Rada of Ukraine adopted the Law of Ukraine “On Amendments to Certain Laws of Ukraine on the Provision of Social Services in the Event of the Introduction of a State of Emergency or Martial Law in Ukraine” (No. 2193-IX of 14.04.2022), which establishes the mechanism for the provision of social services during martial law, including emergency (crisis) services.²¹

In pursuance of the above Law, the Cabinet of Ministers of Ukraine adopted 11 regulatory acts that simplified the criteria for the activities of social service

¹⁹ KRYZHNA, V. V. (2020). Social rights of citizens: social protection and social security. It is printed by the decision of the organizing committee in accordance with the mandate of the Kharkiv National University of Internal Affairs dated September 23, 2020 No. 119, 218.

²⁰ Cabinet of Ministers of Ukraine. (2022a). About the peculiarities of the payment and delivery of pensions, cash benefits for the period of the introduction of martial law. URL: <https://zakon.rada.gov.ua/laws/show/162-2022-п#Text>.

²¹ Verkhovna Rada of Ukraine. (2022). On making changes to some laws of Ukraine regarding the provision of social services in the event of a state of emergency or martial law being introduced on the territory of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2193-20#Text>.

providers; regulated the procedures for providing social services on an emergency (crisis) basis, and drew up an act on their provision; simplified the procedures for making decisions on the provision of social services upon a single application during a state of emergency or martial law.²²

Modernization of the system of social services for the population is ensured, which is especially important in the context of decentralization. As part of the construction of a unified social information system (USIS), the formation of a unified system for the administration of all social benefits through the Pension Fund of Ukraine as a payment agency has begun. The first stage has already centralized the payment of housing subsidies and benefits, which has allowed for the digitalization and acceleration of the processing of applications; people can apply throughout Ukraine, not just to the social security authorities at their place of residence. All data is securely stored on cloud servers.²³

To ensure social protection of the population of internally displaced persons, the Procedure for Providing Accommodation Assistance to Internally Displaced Persons (Resolution of the Cabinet of Ministers of Ukraine No. 332 of 20.03.2022) was approved.²⁴ Almost 4.9 million internally displaced persons have been registered, of whom more than 3.5 million have moved since February 24, 2022. About 2 million internally displaced persons have received assistance.

As a result of the armed aggression of the Russian Federation and hostilities in Ukraine, the number of people with disabilities (including severe forms) is rapidly increasing and will continue to increase among civilians, including children, and among the defenders of Ukraine. The possibility of rehabilitation and obtaining auxiliary rehabilitation equipment (prostheses, wheelchairs, etc.) for all citizens affected by the war without the need to obtain disability status was ensured (Resolution of the Cabinet of Ministers of Ukraine No. 454 of 12.04.2022).

A systemic draft Law of Ukraine “On Amendments to Certain Laws of Ukraine on Ensuring the Rights of Persons with Disabilities to Work” was prepared (Reg. No. 5344-D of 18.11.2022). The draft law provides for a change in the mechanism for promoting the employment of persons with disabilities by expanding the range

²² MALYUGA, L. Yu. (2019). European social standards in the context of the right to social protection in Ukraine. *Almanac of International Law*, (22), 109-114.

²³ YAROSHENKO, O. M., MELNYCHUK, N. O., PROKOPIEV, R. Y., ANISIMOVA, H. V., & KAPLINA, H. A. (2022). Violation of Labour Rights in the Context of Compulsory Vaccination Against Covid-19. *Comparative Law Review*, 28, 485–502. <https://doi.org/10.12775/CLR.2022.017>.

²⁴ Cabinet of Ministers of Ukraine. (2022b). Some issues of payment of housing allowance to internally displaced persons. URL: <https://zakon.rada.gov.ua/laws/show/332-2022-п#Text>.

of support and assistance during employment and introducing incentives for employers rather than sanctions.^{25 26}

In addition, to preserve jobs for people with disabilities, the Government decided to allow socially important enterprises with protected employment to enjoy a preferential tax regime under martial law²⁷ (Resolution of the Cabinet of Ministers of Ukraine No. 323 of 19.03.2022). A unified mechanism for administering aid from international donors through the eDopomoga platform was established. Applications were submitted by 10 million citizens, 3 million of whom received payments totaling almost UAH 6 billion.

The Cabinet of Ministers adopted Resolution No. 447 of April 15, 2022. No. 447 was adopted, which expanded the grounds for granting the status of an orphan or a child deprived of parental care in times of war, making it possible to place such children in family-based care. The Memorandum of Cooperation on Social Protection of Children Affected by War and Armed Conflict with UNICEF was signed (09.04.2022) and the Agreement between the Ministry of Social Policy of Ukraine and the Ministry of Social Protection and Labor of the Republic of Lithuania on Cooperation in the Protection of Children Affected by the War in Ukraine as a result of the Armed Aggression of the Russian Federation was signed (11.04.2022).

A Political Declaration was signed between the Ministry of Social Policy of Ukraine and the Ministry of Family and Social Policy of the Republic of Poland on the social protection of children affected by war and armed conflict (30.06.2022). The Adoption in Action service was introduced, which allowed people to conveniently obtain all information about child adoption online and submit the necessary package of documents to obtain the status of an adoptive parent. 780 such applications have already been submitted.

On August 12, 2022, the Government approved the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men until 2030 and approved an operational plan for its implementation for 2022-2024 (Order of the Cabinet of Ministers of Ukraine No. 752 of August 12, 2022). The Strategy is focused on achieving the Sustainable Development Goals of Ukraine by 2030.²⁸

²⁵ KOSTYSHYNA, T. (2021). Social protection in the context of the development of the digital economy. *Economic Analysis*, 31(1), 279-288.

²⁶ YAROSHENKO, O.M., MELNYCHUK, N.O., MOROZ, S.V., HAVRYLOVA, O.O., & YARYHINA, Y.P. (2021). Features of Remote Work in Ukraine and the European Union: Comparative Legal Aspect. *Hasanuddin Law Review*, 7(3), 136-149. 10.20956/halrev.v7i3.3218.

²⁷ Verkhovna Rada of Ukraine. (2022). On making changes to some laws of Ukraine regarding the provision of social services in the event of a state of emergency or martial law being introduced on the territory of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2193-20#Text>.

²⁸ Umayev, B. (2022). Features of social protection of servicemen and employees of the Security Service of Ukraine. *Scientific Bulletin of the Uzhhorod National University. Series: Law*, (70), 248-252.

3.4 Alternative dispute resolution and the system of “multi-level courts” as a social protection strategy

Since alternative dispute resolution (ADR) offers affordable and effective methods of resolving conflicts without resorting to court, it is an important tool for social protection. These methods of problem-solving include ADR procedures such as mediation, arbitration, consultation and negotiation.

The accessibility of alternative dispute resolution methods makes them important. Without the need to incur the significant time and financial costs usually associated with litigation, citizens can get the right solution. ADR procedures are also usually faster and more efficient, allowing parties to settle a dispute more quickly and focus on their personal affairs.²⁹

Another important component of ADR is confidentiality. Numerous alternative dispute resolution procedures, including mediation and arbitration, guarantee the confidentiality of the process, which can be crucial for the parties involved, especially in situations involving sensitive data. Another important component of ADR is flexibility. Finding mutually beneficial solutions is facilitated by the ability of the parties to choose the processes and terms of conflict resolution that best suit their unique requirements and objectives.

In addition, the use of alternative dispute resolution encourages cooperation and positive communication between the parties involved, which can ultimately lead to the maintenance of goodwill and a mutually acceptable resolution.

Finally, the use of ADR reduces the burden on the judicial system, allowing it to focus more effectively on the most complex and important cases. In general, the creation and promotion of alternative conflict resolution methods is an important tactic for ensuring effective social protection of citizens and raising standards of justice.

The ability to guarantee the prospect of an effective and fair resolution of legal disputes at multiple judicial levels makes the system of “multi-level courts” an important social protection tactic. Depending on the complexity and nature of the problem, citizens can apply to different levels of courts within the tiered court system. As small cases can be dealt with in lower courts instead of going to higher courts, this increases access to justice.

To ensure that justice is done and rights are protected, cases can be reviewed by higher courts on appeal and cassation against decisions made by lower courts. Supervision of the activities of courts at different levels is another advantage of

²⁹ KOGUT, D. (2020). Prospects for further reform of the judicial system of Ukraine. *Journal of the Kyiv University of Law*, 2, 186-191.

a multi-level judicial system. This helps to ensure that court decisions protect the rights of citizens and the law.

The case law that emerges from the decisions of the courts at different levels develops the legal system and contributes to the expansion and standardisation of case law. Higher courts have less work due to the multi-level system, which allows cases to be heard at several levels. This can contribute to faster and more efficient case resolution, especially when lower courts can resolve some types of cases without the involvement of higher courts. In sum, a multi-tiered judicial system is an important social protection tactic as it guarantees access, fairness and control in the legal system by providing individuals with the opportunity to defend their rights and interests at multiple judicial levels.

The state should take certain proactive measures to ensure the effective implementation of alternative dispute resolution and the system of “multi-level courts” as a social protection policy. The use of alternative dispute resolution procedures, including mediation, arbitration and counselling, should be regulated by law. The establishment and use of ADR should be legally supported by these regulations. The state must establish appropriate regulatory legislation and guidelines to ensure the effective functioning of the “multi-level courts” system. Standardising the processes used by the appellate and cassation courts is part of this process.³⁰

Conducting information campaigns and training for judges, lawyers, mediators and other litigants on the benefits and practices of alternative dispute resolution. The successful implementation of alternative dispute resolution and the system of “multi-level courts” critically depends on ensuring the professionalism and competence of those involved in the judicial process. It is recommended that the state allocate funds to create and maintain the necessary infrastructure for alternative dispute resolution and the system of “multi-level courts”. This includes creating conditions for mediation, encouraging the use of alternative courts and guaranteeing access to the legal system for all social groups.

By offering favourable conditions to parties who choose alternative dispute resolution over litigation, the state can encourage parties to use ADR. The state should conduct methodical supervision and evaluation of the ADR institution and “multi-level courts” to ensure their development and effectiveness. This will help identify problems and implement necessary changes to improve the standards and accessibility of justice. By assisting the state in establishing “multi-level courts”

³⁰ KARMAZA, O. (2020). Mediation and negotiation as alternative methods of dispute resolution. *Entrepreneurship, economy and law*, 5, 13-18.

and alternative conflict resolution procedures, these steps will ensure that all residents receive adequate social protection.

4 Discussion

Social protection is an important component of social development and ensuring the well-being of citizens. Ukraine, like many other countries, faces shortcomings in its social protection system that need to be addressed and resolved. Improving the social protection system in Ukraine is one of the key tasks to ensure the country's stable development and improve the living standards of its citizens. Despite certain positive developments in this area, certain shortcomings in Ukraine affect the effectiveness and accessibility of social protection.

One of the main shortcomings of the social protection system in Ukraine is the insufficient level of social benefits. Minimum pensions and social benefits are often insufficient to meet the basic needs of citizens, especially in the context of rising inflation and economic difficulties. Many people live below the poverty line and cannot afford a decent standard of living.

Another problem is the low level of access to quality medical services. Many people have limited access to medical care due to the low quality and insufficient number of medical facilities, as well as financial constraints. This is especially true for people with low incomes and vulnerable groups. Lack of proper medical care undermines the health and well-being of citizens. There is also a problem of insufficient support for families and children in Ukraine. Large families, low-income families, and single parents do not receive sufficient financial support and social services, which affects their ability to raise children and provide them with normal living conditions.

One of the most serious shortcomings of social protection in Ukraine is the lack of financial stability in the system. The lack of sufficient financial resources leads to restrictions in the provision of social services and a decline in the quality of life of citizens. To solve this problem, it is necessary to ensure stable financing of social programs, improve the tax collection system and ensure transparent use of these funds.

Another important drawback is bureaucratic obstacles and difficulties in accessing social services. The procedures for obtaining social benefits are often complex and time-consuming. Citizens face long waiting times and requirements to submit a large number of documents. To overcome these shortcomings, it is necessary to simplify the procedures for the provision of social services, reduce bureaucracy, and use modern technologies to ensure quick and convenient access to social protection.

There is also a problem of inequality in the distribution of social services in Ukraine. Certain groups of the population, including the elderly, low-income families, the disabled, and children, may be excluded from necessary social services due to limited access to them. To address this problem, it is necessary to ensure equal access to social protection for all citizens regardless of their social status, to support and protect vulnerable groups, and to promote their social inclusion.³¹

In addition, the lack of a comprehensive approach to unemployment and insufficient support for workers are among the shortcomings of social protection in Ukraine. A large number of people have limited opportunities for decent work and sufficient income. To solve these problems, it is necessary to promote the creation of new jobs, support the development of entrepreneurship and self-employment, and provide active support and professional training for unemployed people.

Other shortcomings of social protection in Ukraine include corruption and lack of transparency in social services. Cases of bribery and unlawful denial of social assistance are quite common. This leads to a loss of public trust in the social protection system and negatively affects their well-being. To overcome these shortcomings, it is necessary to effectively combat corruption, introduce transparency in the provision of social services, and ensure mechanisms to monitor their quality and accessibility.

The existing social protection system in our country is not effective enough and leads to the bankruptcy of the state, whose financial capabilities do not correspond to its financial obligations. It is safe to say that the state is not fully implementing the Constitution of Ukraine, i.e., there is no recognition of Ukraine as a social state, as there is a significant decline in the living standards of the majority of the population. In addition, an acute problem of social protection today is the survival of socially vulnerable groups of the population and the priority protection of certain categories of citizens, such as military personnel, internally displaced persons, victims of various kinds of disasters, etc.

Over the past few years, Ukraine has been carrying out a radical reform of its social protection system. Recognizing that market transformations are leading to a significant drop in the living standards of most families and given the limited financial resources of the state, the Ukrainian government has created new programs of targeted social assistance. The distinctive feature of this approach is that social assistance is provided only to those most in need.

Today's agenda includes finding the best ways to provide social assistance and services at the local level. The introduction of new social programs and the

³¹ KONDRATIEVA, I. I. (2021). Separate areas of improvement of social protection of private and senior members of the civil protection service and their family members. *Social law*, 1, 104-112.

improvement of existing ones make it possible to optimize the management of the social protection system at the level of each region, to ensure high quality and efficiency of services to the most vulnerable individuals and families.³²

The issue of social protection of citizens is above all the prerogative of state policy. The state takes measures to address the economic situation and social protection guarantees. However, it must be said frankly that today the state is not ready to ensure the implementation of socially oriented programs due to economic circumstances. Therefore, local governments are forced to address the issues of social protection of the population and seek funds to finance municipal social assistance programs.

On Ukraine's way to European standards of living, it is necessary to ensure a sufficient level of social protection. Today, this is the policy chosen by Ukraine to implement European standards in Ukrainian legislation, which will make it possible to stabilize the economy, create conditions for the regulatory framework and change the social protection of citizens. From a long-term perspective, the goal of social protection in this regard should be considered by international acts ratified by our country, according to which every member of Ukrainian society has the right to a standard of living adequate to maintain the health and well-being of himself and his family in normal circumstances and special cases, such as loss of livelihood for reasons beyond his control.

Reforming social protection is defined in the Sustainable Development Strategy "Ukraine - 2000", in which one of the next priorities is the provision of guarantees to every citizen, regardless of race, skin color, political, religious and other beliefs, gender, ethnic and social origin, property status, place of residence, language or other characteristics, access to high-quality education, the health care system, and other services in the public and private sectors.³³

The system of social protection of the population formed in Ukraine requires change, because at the moment most of its measures are passive, which reduces the motivation of the population to independently ensure their material well-being. The existing system of social protection has a paternalistic character and creates dependent attitudes in people. Therefore, the improvement of the social protection system should take place in two directions. On the one hand, the social state that Ukraine aspires to should show concern for its citizens, and on the other hand, create mechanisms that encourage people to actively seek and strive to take care of their well-being.

³² KOSTYSHYNA, T. (2021). Social protection in the context of the development of the digital economy. *Economic Analysis*, 31(1), 279-288.

³³ BONDAR, M. (2021). Social security and social protection in Ukraine. *Economy and society*, (34), 1-10.

The strategy and tactics of social protection presuppose regulatory and legal regulation in the form of a law on social protection, which would fix the main theses of the concept, as well as the directions, ways, forms, and technology of providing this sphere. We believe that one of the options for such regulation in the system of social protection of the low-income category of the population should be the creation of a specialized base for them, provided that systematic monitoring of compliance with the requirements for issuing targeted assistance is carried out. The improvement of the program of such assistance should be adjusted through the coordination of the bodies of the Ministry of Social Policy of Ukraine and local self-government bodies.³⁴

Improvement of the social protection system can be ensured by: determining the strategy of social protection of individuals and families in Ukraine;³⁵ recognition of the family as the main link in the implementation of state social policy; codification of legislation on social law and, in particular, social protection; improving the system of social interbudgetary transfers and increasing the role of local communities in determining priority areas and financing social protection measures; increasing the targeting of state social assistance (cash and in the form of services) taking into account the level of income and real needs of individuals and families; reforming the system of social services, increasing their availability and approaching the needs of consumers; implementation of an active strategy of social protection in order to use the potential of self-defense of the individual; moving away from the categorical principle of granting benefits and targeting benefits to a specific person, finding out the income level of a person who applies for a benefit, and granting a benefit if his income is lower than the average; a ban on the introduction of new benefits, the legislative establishment of a specific source of funding for each type of benefits, the introduction of the restriction «One person - one benefit».

5 Conclusions

Social protection of the population of Ukraine is an integral part of the system of guarantees for the realization of the social rights of citizens. Ukraine is actively cooperating with the European Union (EU) in this area to ensure stability,

³⁴ DEREVYANKO, B., LOHVYNNENKO, M., NEZHEVELO, V., NIKOLENKO, L., & ZAHRIŠHEVA, N. (2023). Legal Foundations for Resolving Land Disputes Through Mediation as an Alternative Dispute Resolution Method. *European Energy and Environmental Law Review*, 32(5), 248-256. URL: [https://kluwerlawonline.com/journalarticle/European+Energy+and+Environmental+Law+Review/32.5%20\[pre-publication\]/EELR2023014](https://kluwerlawonline.com/journalarticle/European+Energy+and+Environmental+Law+Review/32.5%20[pre-publication]/EELR2023014);

³⁵ SERHII, KRAVTSOV; ALINA, SERHEIEVA. Right to be heard as a part of due process of law in arbitration proceedings: current challenges and lessons for Ukraine. *Revista Brasileira de Alternative Dispute Resolution – RBADR*, Belo Horizonte, ano 05, n. 10, p. 221– 239, jul./dez. 2023. DOI: 10.52028/rbadr.v5i10.ART10.LU.

develop the social sphere, and improve the quality of life of the population. Social protection strategies cover such aspects as the social security system, education and training development, social integration and human rights protection, support for economic development, and joint efforts to combat complex challenges.

Cooperation with the EU contributes to the adaptation of Ukraine's social security system to European standards, the development of education, and the professional development of citizens. It also contributes to the protection of human rights, the development of entrepreneurship, and the improvement of living standards. The EU's financial and technical support helps Ukraine implement important social projects and programs.

One of the most important areas of cooperation is the fight against poverty and social inclusion. With the help of the EU, Ukraine develops and implements social programs aimed at reducing poverty and improving the living standards of the most vulnerable segments of the population. Ukraine continues to work on the implementation of European standards in the field of social protection, human rights, and democratic values.

Ukraine cooperates with the European Union in the areas of social protection, healthcare, labor protection, and social entrepreneurship. This cooperation contributes to improving access to quality healthcare, improving working conditions, developing social services, and protecting human rights. It helps Ukraine to adapt to European standards, strengthens democratic values, and improves the quality of life of its citizens. Cooperation with the EU plays an important role in the development of Ukraine as a society that cares about the welfare of its citizens.

Social protection in Ukraine faces numerous challenges and shortcomings. Insufficient social benefits, low access to health care, insufficient support for families and children, financial instability, bureaucratic obstacles, and inequalities in the distribution of social services are just a few of the problems that need to be addressed. To improve the social protection system, it is necessary to provide adequate resources, simplify procedures, ensure equal access and protection for all citizens, fight corruption, and ensure transparency in social services. This requires broad cooperation between the government, civil society organizations, and international partners to achieve equitable and effective social protection for all citizens.

To improve the social protection system in Ukraine, several measures need to be taken. Among them, it is important to define a social protection strategy, focus on the role of the family as the main pillar of social policy, and establish legislation on social law and social protection. It is also necessary to improve the system of social transfers, to involve local communities in financing and prioritizing social protection, and to improve the targeting of assistance based on the real

needs of individuals and families. It is important to reform the system of social services, ensuring their accessibility and adaptation to the needs of consumers. In addition, it is necessary to actively implement the social protection strategy, promote the self-defense of individuals, and move from the categorical principle to an individual approach to benefits. It is also important to establish clear funding for each type of benefit and limit their introduction, ensuring transparency and efficiency of the social protection system.

The “multi-level courts” system and alternative dispute resolution (ADR) have become important social protection tactics, offering easily accessible and effective means of dispute resolution. ADR increases people’s trust in the legal system while saving them money and time. Legal conflicts at multiple judicial levels can be resolved fairly and efficiently through a system of “multi-level courts”. For this tactic to be successful, the state must establish legislative norms, harmonise judicial processes and provide funding for the infrastructure of the ADR system and “multi-level courts”.

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