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Legal aspects of social protection of military personnel in ukraine in the context of modern challenges

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Abstract

The study is devoted to the legal issues of social protection of military personnel in Ukraine in the context of current challenges, particularly the ongoing military aggression. The main objective of the study was to conduct a comprehensive analysis of the effectiveness of the social protection system for the military, identify key problems of legal regulation and practical implementation of social guarantees. The study used the comparative legal method, systemic analysis and analysis of regulatory legal acts, which identified the main shortcomings of the current legislation and study

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international experience in the field of social protection. The study determined that military personnel are one of the most vulnerable categories of the population facing risks to lives and health. The main challenges that negatively affect their social protection are an imperfect legal framework, fragmented legislation and existing bureaucratic barriers. The study also revealed imperfections in reintegration programmes, which negatively affected the adaptation of veterans in the post-war period. One of the biggest challenges is the lack of funding for social programmes and initiatives. To improve the social protection system, recommendations are made to modernise legislation, including the harmonisation of national norms with international standards, and the introduction of effective mechanisms for payments and benefits. It is also necessary to develop comprehensive programmes for psychological support and vocational rehabilitation of veterans, incorporating specific needs. Ensuring effective social protection of servicemen requires not only legislative reform but also a comprehensive approach to their support at all stages of service and adaptation to civilian life

Keywords: legal regulation; adaptation; reform; psychological support; reintegration; bureaucracy; social guarantees

Introduction

Social protection of military personnel is one of the key components of Ukraine's national security and defence system, which is especially important in the context of Russia's ongoing military aggression. In 2022-2024, Ukraine has significantly revised its approaches to social guarantees for military personnel, for example, according to Resolution of the Cabinet of Ministers of Ukraine No. 168 (2022), a guaranteed monthly payment of 100,000 UAH for direct participation in hostilities. Despite the existing social guarantees, several problems remain unresolved, therefore making a comprehensive study of this issue relevant. The military is one of the most vulnerable categories of the population, as their activities are directly related to constant risks to life and health. In this regard, the state is obliged to ensure an adequate level of social protection, including medical care, rehabilitation, support for military family members, pensions, etc. At the same time, the legal framework regulating social guarantees for servicemen remains fragmented, sometimes contradictory and needs to be improved.

V.I. Teremetskyi and S.H. Kelbya (2024) addressed the imperfection of legal regulation and the need to reform the social protection system. The authors emphasised that despite the extensive system of social guarantees for servicemen, some of them, such as the installation of a landline, are outdated, while others, such as obtaining a certificate for the purchase of a vehicle, need to be changed given economic realities. The analysis of the legal framework shows significant gaps in the regulatory and legal support for social guarantees for servicemen. A.K. Bazylenko *et al.* (2024) emphasised that the current legislation needs to be modernised to consider modern conditions of service. According to the study, the revision of existing approaches to ensuring the social protection of servicemen is based on the idea of differences in the social protection of servicemen and other able-bodied citizens. As opposed to other employed citizens, military personnel are restricted in certain constitutional rights and freedoms and therefore require specific measures to prevent or reduce the negative impact of certain social factors, such as the lack of other sources of

decent livelihood. V.N. Kononets (2024) analysed the main legal acts on the social protection of servicemen, particularly Law of Ukraine No. 2011-XII (1991), Law of Ukraine No. 2262-XII (1992), and Law of Ukraine No. 3551-XII (1993). Considering the results of the analysis, V.P. Kononets (2024) concluded that the number of legal acts does not guarantee the systematic social protection of servicemen and their families. Aware of the importance of a systematic approach, author recommended the development of mutually agreed and integrated standards and principles for the construction of social protection of servicemen, considering the peculiarities of wartime. The importance of an integrated approach to the provision of social guarantees was also explored by T.V. Shlapko *et al.* (2025), who conducted a comparative analysis of the experience of Ukraine and the UK. According to researchers, the existing system of social protection for servicemen and their families in Ukraine could be improved by introducing a “Social Card of a Serviceman” for simplified access to existing services and benefits. Social protection, especially in the context of military personnel, faces several serious problems that require detailed analysis and solutions. V.V. Kovalskyi (2024) identified four key aspects that complicate the effective functioning of the system, the key one being financial instability. The financing of social programmes for the military is characterised by uncertainty, which is exacerbated by economic crises and political turbulence. This instability undermines the possibility of long-term planning and implementation of effective social initiatives.

Another problem is the lack of legal mechanisms for implementing social guarantees. It is worth noting that there are no clear and effective mechanisms to ensure full implementation of legislative norms in the field of social protection. This leads to the fact that even if relevant laws are in place, their actual implementation remains

problematic. An example of this situation is the delay in the payment of social assistance due to bureaucratic obstacles and the lack of proper control over the implementation of decisions. Even if the legislation provides for timely financial support, in practice it can be delayed due to imperfect procedures for submitting and reviewing applications, as well as insufficient coordination between state agencies.

The adaptation of servicemen and women to civilian life is another relevant and pressing challenge. J.N. Heuer *et al.* (2025) analysed the problems of reintegration of American veterans based on the materials of the US Department of Veterans Affairs. According to authors the key problems of reintegration were the lack of inclusion and interdisciplinary cooperation to ensure such inclusion. The concept of “reculturation” was presented by J.S. Joseph *et al.* (2023), proposing a process of restoring a sense of belonging through the adaptation of military identity to civilian environments, which can reduce stress during the transition to civilian life. Therefore, the adaptation of veterans to civilian life remains an important area that requires both scientific research and the development of social support and mental health programmes. The experience of the UK, the US and other countries can be used to modernise the Ukrainian social protection system for servicemen and their families, which, as of 2025, lacks a systematic and structured approach. The study aimed to conduct a comprehensive analysis of the social protection system for servicemen and women in Ukraine to identify key issues of legal regulation and practical implementation of social guarantees. The achievement of this goal involved solving a range of tasks, including the study of the theoretical foundations of social protection of servicemen, assessment of the effectiveness of existing social protection mechanisms in Ukraine and identification of problematic aspects of their practical implementation.

Materials and Methods

The aim of this paper was achieved through formal legal analysis of documents. The task of the analysis was to examine the key legal acts on social protection of military personnel and their family members. The formal legal analysis covered the following documents: Constitution of Ukraine (1996), Laws of Ukraine No. 2011-XII (1991), No. 2262-XII (1992), No. 2232-XII (1992), No. 3551-XII (1993), No. 1053-IX (2020), Order of the Ministry of Defence of Ukraine No. z1294-14 (2014) and Decree of the Cabinet of Ministers of Ukraine No. 1350-r (2024). The selected legal acts were analysed in terms of social guarantees for servicemen and their families in terms of material compensation, provision of housing or improvement of living conditions, medical treatment and rehabilitation, psychological support, employment and reintegration into civilian society. The selected legal acts were also reviewed in terms of possible conflicts of content, formal, temporal, horizontal and vertical. The formal and legal analysis identified obstacles to ensuring comprehensive social protection of Ukrainian servicemen and women, veterans and their families.

The study was based on the principles of an integrated approach to social protection of certain categories of the population. This approach envisaged a shift from a purely financial focus to meeting the multi-level needs of servicemen and women, veterans and their families at the medical, psychological, educational, professional and other levels. An analysis of reports and analytical materials by the Local Government of Ukraine (2023), the U.K. Ministry of Defence (2022), the Ministry of Veterans Affairs of Ukraine (2025) and the Ukrainian Veterans' Foundation (2024) identified the key challenges faced by Ukrainian servicemen and women and their families.

The international regulatory framework for social guarantees for servicemen and women, veterans and their family members was also studied.

The following documents and frameworks were included in the sample: the War Veterans' Pension Scheme (U.S. Department of Veterans Affairs, 2025), Order 11 Armed Forces Compensation Schemes (U.K. Ministry of Defence, 2022), Vocational Training and Retraining Programmes for Veterans (Department of Veterans Affairs of Australia, 2023), and the Housing Subsidies and Loans Programme (Veterans Affairs Canada, 2025). The method was used to identify strategies for providing social protection to servicemen and women that can be adapted to Ukrainian realities.

Results

The social protection of servicemen is an important component of the national security system, which is aimed at providing material, medical, social and legal guarantees for persons performing military service. The legal nature of social protection is defined as a set of norms and mechanisms that regulate relations between the state and servicemen in exercising their social rights. The basis of legal regulation in Ukraine is the Law of Ukraine No. 2011-XII (1991), which enshrines the state's obligation to provide proper conditions of service and support after its completion. In the context of current challenges, it is necessary to harmonise national legislation with international standards, which will contribute to the creation of an effective system of social guarantees for the military.

Social protection of servicemen is one of the fundamental components of the state policy in the sphere of national security and defence, due to the specifics of military service associated with increased risks to life and health. The theoretical foundations of social protection of this category of persons are based on the general principles of social justice, equality, legality and respect for human rights enshrined in international and national legal acts.

The basis for the legal regulation of social protection of servicemen and women in Ukraine

is the Constitution of Ukraine (1996). Article 17 of the Constitution establishes that the defence of the sovereignty and territorial integrity of Ukraine is the responsibility of the entire Ukrainian people. This provision imposes an obligation on the state to ensure adequate social protection of those who directly perform this constitutional duty of military personnel. The Constitution in Article 46 guarantees citizens the right to social protection, which includes the right to be provided with benefits in case of full, partial or temporary disability, loss of breadwinner, unemployment due to circumstances beyond their control, as well as in old age and other cases provided for by law. This constitutional provision also applies to servicemen, defining the general principles of their social security.

Following the Universal Declaration of Human Rights (1948) and the European Social Charter (1996), states parties are obliged to ensure an adequate level of social protection for all categories of citizens, including members of the armed forces. Adequate social protection includes guarantees of social security, medical care, adequate housing and support in the event of disability or incapacity for work. Special attention is needed for the military, which performs its duties in high-risk conditions, requiring separate social insurance mechanisms and rehabilitation programmes. Ensuring such standards is not only a manifestation of humanism but also an element of national security and public trust in the state. The Law of Ukraine No. 2262-XII (1992) is also of great importance. This law establishes the conditions, norms and procedures for pension provision for military personnel and persons equated to them, as well as their family members. It defines the types of pensions that can be granted to servicemen and women, the procedure for calculating the number of pensions, and the conditions for their re-indexation and payment. The significance of this law cannot be overstated, as it guarantees

servicemen and their families decent financial security after completion of military service.

Theoretical models of social protection for servicemen and women include the concept of a social contract, which involves an exchange between the state and the serviceman or woman: the state guarantees social rights and benefits in exchange for performing military duty (Petrenko, 2021). Another important theoretical paradigm is the social responsibility model, which emphasises the state's obligation to compensate for the risks associated with military service by creating an effective system of social guarantees (Kovalenko, 2020; 2022). Based on these models, the purpose of social protection of servicemen is to provide material support, social and psychological support, professional rehabilitation and guarantees of adaptation to civilian life after completion of service. A similar idea was proposed in a study by M. Shevchenko (2019), which addressed the legal regulation of these aspects, emphasising the need to harmonise national legislation with international standards. Thus, the theoretical foundations of social protection of servicemen are based on a combination of international norms, national legislative provisions and scientific concepts aimed at providing comprehensive support to persons performing military duty to the state.

As of 2025, the main legislative act regulating the social protection of servicemen is the Law of Ukraine No. 3551-XII (1993). However, given the changes in the socio-political situation, there is a need to periodically adapt this legislation to modern realities. Thus, on 4 April 2025, this law was amended once again by the Decree of the Cabinet of Ministers of Ukraine No. 1350-r (2024). These amendments provide for an addition to Article 7 of the Law of Ukraine No. 3551-XII (1993) to clarify the procedure for granting the status of a person with a disability caused by war, delegating the determination of this procedure to the Cabinet of Ministers of Ukraine. This applies to the new

category of persons provided for in paragraph 16 of part two of this article. It also defines the procedure for deprivation of this status. The main content of the amendments is to expand the category of persons entitled to pensions and social guarantees due to participation in activities related to the defence of Ukraine during martial law.

The analysis of the reviewed legal acts identified the main gaps in the legislation on the social protection of servicemen and their families. A significant drawback of the current legislation is the lack of detail and standardisation of the procedure for granting the status of a person with a disability caused by war, which is manifested in the absence of clearly defined procedures and specific deadlines for reviewing documents, delegation of powers to the Cabinet of Ministers of Ukraine and relevant ministries without a clear framework in the law, as well as the lack of a detailed procedure for protecting the rights of applicants in court. The highlighted deficiency exists due to the delegation of the procedure for granting this status to the Cabinet of Ministers of Ukraine, which creates a risk of delays and heterogeneity in the application of the rules in practice. The existing legislation also lacks criteria for the timeframe and procedure for submitting documents, which can lead to different interpretations of the status of servicemen in the field and complicate the implementation of social guarantees. Another notable problem is the inconsistency between legislative acts due to the existence of several basic laws on the status of veterans, pensions, social protection, etc. The existence of several basic laws regulating similar areas leads to duplication, gaps and conflicts. Therefore, there is a need for better integration and harmonisation of existing legal acts. A significant problem with the existing legal framework is the limited categories of people entitled to social guarantees. Despite the expansion of the categories of persons eligible for pensions, the issue of covering other groups of servicemen

and women who have been exposed to risks, such as volunteers and participants in modern military operations without official status, remains. Understanding the complex nature of 21st-century warfare necessitates expanding the category of people who should receive social support.

The analysis of the existing legal framework was also used to identify problems with the implementation of the right to social protection in practice. Such problems include bureaucratic barriers and insufficient awareness of servicemen and women about their rights and opportunities to receive social guarantees. As of 2025, there is also a lack of developed mechanisms for monitoring the implementation of social guarantees, in particular, pensions and medical rehabilitation of servicemen. The study of existing legal acts also indicates the absence of a comprehensive approach to the social protection of servicemen after the end of military service. Existing legislation primarily addresses material support, such as pensions and benefits, while insufficiently addressing the social and psychological rehabilitation, professional adaptation and reintegration of servicemen and women. Reintegration and family support programmes for servicemen and women are isolated and not integrated into a unified system of social assistance and rehabilitation.

In addition to these gaps, the analysis revealed the absence of separate mechanisms for interaction with persons with special needs and new categories of servicemen. Legislation does not always consider the specifics of social protection of servicemen and women who have suffered psychological trauma, including post-traumatic stress disorder (PTSD), or have other implicit but serious consequences of service. For example, Law of Ukraine No. 2011-XII (1991) does not clearly define criteria for PTSD, instead using general terms such as "health condition" or "disability". The Law of Ukraine No. 1053-IX (2020), adopted shortly before the full-scale invasion,

provides a general mechanism for supporting servicemen and women in combat and after demobilisation but does not contain specific provisions for helping servicemen and women with PTSD. There are no sufficient guarantees for persons who participated in the defence of the state but do not formally have the status of a veteran.

One of the important components of social protection is medical care for servicemen and women. According to the Ministry of Veterans Affairs of Ukraine, one of the main challenges facing the medical care system is the shortage of qualified medical personnel (Ministry of Veterans Affairs of Ukraine, 2025). This requires proper regulation by the state and implementation of training and professional development programmes. Improving the working conditions and social protection of servicemen and women serving in the combat zone is also extremely important. The legislation provides for additional guarantees for such persons, including increased payments and the possibility of receiving housing benefits (Ty-moshchuk, 2022; Sydorenko, 2024). The Law of Ukraine No. 3551-XII (1993) provides for various housing benefits, including the right of war veterans and other categories of persons to receive free housing or preferential rental conditions. The law also provides for a 50% allowance for housing and utility costs. Additional benefits are also provided for war veterans with group I disabilities, who are entitled to a monthly pension supplement of 40% of the minimum pension, a 50% discount on utility bills, and financial assistance during holidays. Despite the apparent breadth of these guarantees, they are often tied to the minimum pension, which often does not correspond to real living costs and does not fully account for inflation and utility costs. The amount of irregular holiday payments is insufficient to cover the needs of servicemen and women, especially if they are disabled. Unlike Ukrainian servicemen and women, American veterans receive a pension that is not tied to

the minimum pension alone but is based on an assessment of income and needs (Davlikanova & Oderchenko, 2024). In Canada, there is an individualised approach to the payment of pensions and other types of benefits, which consists of the use of individual benefit calculations depending on the degree of disability and income (Veterans Affairs Canada, 2025). Thus, the existing system of financial support for servicemen women and veterans in Ukraine needs to be revised by utilising international experience.

The situation with social protection of servicemen and women in Ukraine, especially in the context of the ongoing Russian Ukrainian war, requires constant improvement and adaptation to new challenges. The application of best practices that have been successfully implemented in other countries, considering the specifics of the Ukrainian context, is critical to ensuring a decent standard of living and proper adaptation of servicemen and women after service. One of the key aspects is to ensure an adequate level of financial support and compensation. The experience of the United States, which has a complex system of veterans' benefits, including monthly disability compensation, pensions and other types of social assistance, demonstrates the importance of a multi-component approach. An important component of social support for US veterans is the minimum disability compensation, a tax-free monthly payment to veterans with service-connected disabilities, starting at 10% and increasing with the severity of the disability. According to current estimates, the lowest rate for a 10% disability is 376 USD per month (U.S. Department of Veterans Affairs, 2025). Based on the American experience, the Ukrainian system could be improved by introducing a more detailed scale of compensation that would consider not only the degree of disability but also professional skills, lost opportunities and other factors that affect a veteran's ability to provide for themselves. It is

also important to consider the experience of other NATO countries, such as the United Kingdom, which has a system of benefits and social payments for servicemen and women injured in the line of duty (U.K. Ministry of Defence, 2022). The Armed Forces Compensation Scheme (AFCS), which is based on the no-fault principle, is also notable. Servicemen and women are entitled to compensation for injuries or illnesses sustained during service, regardless of whether someone's fault has been proven (U.K. Ministry of Defence, 2022). Also noteworthy is financial support in case of disability, where a guaranteed income payment (GIP) is provided to wounded servicemen and women based on age, rank and military salary at the time of completion of service. For reservists, their civilian income is also considered if it exceeds their military income. At the same time, there are specialised organisations, such as the Royal British Legion, that provide free legal and social support to veterans in the process of receiving compensation and social benefits. In contrast, in Ukraine, social protection for the military is largely based on general social security principles, with a strong focus on state cash payments and benefits for housing, healthcare and transport. There are no comprehensive programmes of adaptation to civilian life, as in the UK.

Another important element is ensuring access to quality medical care and rehabilitation. Israel, which has considerable experience in treating injuries sustained in the combat zone, has developed effective physical and psychological rehabilitation programmes (Levy & Gross, 2024; Shorer *et al.*, 2025). These programmes include the use of modern technologies, such as robotic rehabilitation and virtual reality, as well as psychotherapeutic support to overcome post-traumatic stress disorder (PTSD). In Ukraine, it is necessary to expand the network of rehabilitation centres, provide them with modern equipment and attract qualified specialists. It is necessary to

develop psychological support for military personnel and their families, as PTSD is a common problem among veterans.

In addition to physical and psychological rehabilitation, it is necessary to provide opportunities for retraining and employment. In Australia, for example, there are special vocational training programmes for veterans to help them acquire new skills and find employment after their service (Department of Veterans Affairs, Australia, 2023). These programmes are often developed in cooperation with businesses and are focused on labour market needs. In Ukraine, the importance of employment, vocational training and retraining initiatives for servicemen and women is driven by the high unemployment rate among veterans. According to the Ukrainian Veterans' Foundation (2024), the unemployment rate among Ukrainian veterans in 2024 was 30.95%, which is 3% higher than the previous year. In the attempts to integrate into civilian society, veterans often face stereotypes from employers and limited opportunities for retraining. These restrictions encourage former servicemen and women to start their businesses, which, as of 2024, became the leading source of employment, accounting for 8.31% of veterans. Supporting veterans' initiatives to start a business can be an incentive to reduce unemployment among combat veterans.

Housing is another important aspect of social protection for military personnel. In Canada, for example, there are programmes to provide soft loans and subsidies for veterans to purchase housing (Veterans Affairs Canada, 2024). In Ukraine, the provision of housing for combat veterans is a complex problem that exists at several levels. The amount of state funds of 5.5 billion UAH in 2023 is not sufficient to meet the housing needs of all privileged categories of the population (Local Government of Ukraine, 2023). There is also the problem of storing data on veterans in different registers, such as the Ministry

of Veterans Affairs, the Ministry of Defence and local councils, which leads to queues, duplication or loss of eligibility for benefits. This problem is particularly prevalent among combatants who come from temporarily occupied territories and have to integrate into new communities after completing their military service. Such servicemen and women face legal conflicts that prevent them from obtaining money to build or purchase housing in host communities. These problems can be partially solved through cooperation with international funds, which can become a source of funding for individual projects to provide housing for combatants.

Based on the Ukrainian experience, social protection of servicemen, veterans and their families does not fully meet the existing needs. An analysis of international experience shows that a successful system of social protection for servicemen and women should be multi-component, comprehensive and adapted to the specifics of the country. The application of best practices

that have been successfully implemented in other countries, considering the Ukrainian context, is critical to ensure a decent standard of living and proper adaptation of servicemen and women after service. This requires not only financial resources but also political will, effective legislation and governance, as well as close cooperation between state and non-governmental organisations. Given the current challenges and needs of servicemen and women, there is an urgent need to improve the legislative framework governing their social protection. To ensure a comprehensive approach to this issue, several measures at the legislative level for improving social guarantees, the living standards of the military and their families, and facilitating successful adaptation to civilian life were proposed. An important problem is the inconsistency of regulations between different agencies and levels of government. As a result, there are substantive, formal, temporal, horizontal and vertical conflicts, the key of which are described in Table 1 below.

Table 1. Legal conflicts in ensuring social protection of military personnel and their families

Collision type	Act/regulation	Issue
Contents-oriented	Law of Ukraine No. 2011-XII (1991) (p. 4, Article 16-3)	Restriction of payments to disabled persons of group III, proof of discrimination is unconstitutional.
Formal	Law of Ukraine No. 2011-XII (1991) (par. 12, p. 1, Article 11)	Incompatible food and payment standards require harmonisation
Vertical	Decree of the Cabinet of Ministers of Ukraine No. 1350-r (2024)	Lack of implementation mechanism in local communities
Temporal	Article 37 of the Law of Ukraine No. 2232-XII (1992)	Much of the legislation was adopted before the war and does not fit into new circumstances, such as the occupation of territories, the displacement of military personnel and compensation mechanisms.

Source: compiled by the author.

The table above shows that substantive conflicts are among the most common in the provision of social protection to servicemen. An example of such a conflict is part 4 of Article 16-3 of the Law of Ukraine No. 2011-XII (1991), which limited the payment of one-time financial assistance depending on the time of change of disability group, which contradicted the principles of equality and rights

guaranteed by the Constitution of Ukraine (1996) (Articles 3, 17, 24). The Decision of the Zhytomyr District Administrative Court No. 121323795 in Case No. 240/23885/22. (2024) recognised this provision as discriminatory and unconstitutional. Formal conflicts occur due to different interpretations of norms or “legal conflicts” within the same act or between acts of equal force. For example,

the NACP resolution on military meals in hospitals notes a conflict between Art. 12 paragraph 1 and Art. 11 of Law of Ukraine No. 2011-XII (1991) on the catering unit, and a unified interpretation is needed at the level of the law and bylaws.

Temporal conflicts arise because many legal acts were drafted before the war or martial law and therefore do not fully reflect current realities. For instance, Article 37 of the Law of Ukraine No. 2232-XII (1992) emphasises that servicemen discharged into the reserve are subject to military registration at their place of residence. The quoted legal act, however, does not address the existence of the temporarily occupied territories and the need to reintegrate servicemen into new host communities. No universal algorithm was developed for assessing the condition of housing in the temporarily occupied territories and for awarding compensation for its loss.

Based on the analysis of the existing conflicts in the legislation, ways to overcome them were proposed. The key recommendation was the need to harmonise legislation between ministries. This recommendation is based on the notion of no unified approach between the Ministry of Defence of Ukraine (MoD), the Ministry of Social Policy, the Pension Fund, the Ministry of Veterans, etc. regarding terminology, forms of payments and application mechanisms. The solution to this problem could be the creation of an interagency working group based at the Ministry of Justice with the authority to review all acts regulating the social protection of the military, with the subsequent adoption of a consolidated draft law. An illustration of the need to create an interagency network is the lack of coordination between the MoD and the Pension Fund on the interpretation of the concept of "causal connection of death with participation in hostilities", which can lead to delays in the payment of one-off benefits to the families of the deceased (Ombudsman of Ukraine, 2024). To prevent the recurrence of such situations, it is recommended to

conduct an audit of the agencies with the involvement of the Ombudsman and veterans' organisations. It is also proposed to adopt a unified Code of Social Protection for Servicemen that would unify the procedures for providing social protection.

A step towards effective social protection of servicemen and women would also be the cancellation or amendment of contradictory and discriminatory legal provisions. An example is the recognition of p. 4, Article 16.3 of Law of Ukraine No. 2011-XII (1991), which limited the provision of one-time assistance if the disability group was changed later than one year later, as discriminatory. To reduce the risk of re-application of discriminatory norms, it is recommended to review and automatically bring legislation in line with the decisions of the Constitutional Court and the Supreme Court. This is possible through the revision of all temporal restrictions and the introduction of the *pro persona* principle, i.e. the interpretation of existing norms in the most favourable way for a person.

Comprehensive social protection of servicemen is also possible by updating regulations that are outdated in wartime. An example of such an outdated act is the Order of the Ministry of Defence of Ukraine No. z1294-14 (2014) on the procedure for granting pensions to military personnel, which did not provide compensation for persons who fought as volunteers in territorial defence (TRO). The avoidance of temporal conflicts is possible through a regulatory screening of all acts in the field of military registration, social protection and pensions. It is also recommended to introduce a temporary military protocol of a separate legal regime during the martial law regime.

In addition to the proposed recommendations, the possibility of strengthening the role of local authorities to ensure vertical coherence was considered. The recommendation is based on the notion that certain legal acts, in particular, the Strategy for the Formation of a System for

Returning from Military Service to Civilian Life for the Period Until 2033 and the Approval of an Operational Plan of Measures for its Implementation in 2025-2027 (2024), cannot be implemented by most communities due to the lack of standard provisions, limited funding and lack of staff. To overcome these difficulties, it may be proposed to amend the Budget Code to provide for civilian grants to communities for the implementation of social protection programmes for the military. It is also recommended to create the position of an advisor on veterans' issues in each amalgamated territorial community to act as a coordinator between the state and the community. Thus, the programme of social protection of servicemen is not fully implemented due to the existence of substantive, formal, temporal, horizontal and vertical conflicts. After analysing the examples of these conflicts and drawing on international experience, the study proposed strategies for ensuring comprehensive social protection of servicemen and their families.

Discussion

The study discussed in detail the idea of social vulnerability of military personnel, which cannot be solved by the payment of material compensation but should also include assistance in purchasing or renting housing, employment, psychological assistance and other types of reintegration into civilian life. The opinion on the importance of social protection proposed in this paper has been confirmed in previous studies by K. Saguin (2020), arguing that vulnerable populations often make mistakes that reduce their resilience and prospects for sustainable development. Based on qualitative data obtained through interviews with respondents, the study concluded that the main problem of socially vulnerable groups is that they use their resources for social reintegration by sending remittances and regular visits to their families, instead of financial preparation that would ensure

their rooting in a new place. The data partially coincide with the results of the above study, which indicates that veterans originating from the temporarily occupied territories need financial support for reintegration into the host community. The results of this study show that such support takes the form of financial assistance, psychological rehabilitation and social reintegration.

The study also emphasised that, despite the existing obstacles, social support for servicemen and their families should be continued. This view was illustrated by the proposal to provide financial assistance to military personnel to start their own business, which could become not only a source of income, but also a driving force for social reintegration. Recommendations for social reintegration are based on an understanding of the medium- and long-term prospects of social exclusion. The idea of the devastating consequences of social exclusion discussed in this paper has been reflected in previous studies by E. McGlinchey et al. (2024). After analysing the specifics of working with 626 British veterans, the researchers concluded that refusal to socially reintegrate exacerbates veterans' psychological problems, significantly reducing their quality of life. The study complements the opinion presented in this paper that Ukrainian veterans need comprehensive assistance, including psychological support, to overcome the short- and medium-term consequences of PTSD. The problem with the Ukrainian legal framework for the social protection of veterans is that it focuses mainly on providing material assistance, while other types of support are fragmented. According to A.M. Leite and C.V. de Silva (2025), whose study is based on a comparative analysis of data from 6,295 homeless veterans and non-veterans, timely psychological assistance to the military can reduce the risk of homelessness among this socially vulnerable group. In the Ukrainian context, which was studied in the context of internally displaced military personnel,

the problem of housing remains one of the most pressing, given the existence of temporarily occupied territories and the lack of a clear mechanism for compensation for damaged or lost housing in such territories. Despite geographical, economic and socio-political differences, the analysis of international experience is relevant as it provides insight into the importance of a systematic and integrated approach to ensuring social protection for military personnel and their families.

The study also reflected the view that legal guarantees of social protection cannot be fully implemented due to various limitations. Based on the analysis, these limitations include substantive, formal, temporal, horizontal and vertical conflicts. Based on the study of the existing conflicts, the study concluded that there is a mismatch between certain legislative provisions and their practical implementation, which takes the form of the inability to receive compensation for housing in the temporarily occupied territories. A detailed analysis of the obstacles to obtaining social guarantees was also found in previous studies, including the study by L. Depty (2024). According to the researcher, there are various obstacles to the implementation of certain social guarantees, which can be classified as formal, semi-formal and informal. The quoted theoretical model of obstacles partially coincides with the classification of conflicts presented in this study; for example, the inconsistency of certain articles of the Law of Ukraine No. 3551-XII (1993) can be classified as a formal obstacle to the implementation of social guarantees. E. Davlikanova and K. Odarchenko (2024) suggest that international cooperation can help overcome obstacles to the implementation of social guarantees for servicemen. This idea correlates with the idea presented in this paper that international partnership can become a source of implementation of certain social guarantees for servicemen and their families, in particular, housing.

Research on the social protection of servicemen and women shows common trends, including the recognition of the importance of a comprehensive approach to reintegration that goes beyond financial benefits. Regardless of the context, experts note that material support should be combined with psychological rehabilitation, housing and employment. The study demonstrated consistency between international findings and Ukrainian realities, concerning the role of social exclusion as a factor of difficult adaptation. There are also recurring statements about the importance of consistency and partnership between the state and international institutions for the implementation of social guarantees. Several authors conclude that barriers to access are not only related to resources, but also to legal contradictions, both formal and substantive. Thus, the need not only to improve legal regulation but also to introduce sustainable cross-sectoral practices of social support is present.

Conclusions

The study formulated several substantial conclusions regarding the legal framework for the social protection of servicemen and women in Ukraine. The study determined that the current legal framework is fragmented and contains numerous conflicts, including substantive, formal, temporal, horizontal and vertical. It was also found that the existing legal framework is largely outdated and does not consider the latest realities associated with the ongoing armed aggression. The main legislative act in the field of social protection of servicemen, veterans and their families is the Law of Ukraine "On Social and Legal Protection of Servicemen and Members of Their Families", but even this law does not provide a systematic approach to the provision of guarantees. The study identified legal conflicts in legal acts, including inconsistencies between articles of the law and bylaws, such as different interpretations of terms or forms

of compensation. A lack of integration between the central authorities, including the Ministry of Defence, the Ministry of Social Policy, and the Pension Fund, was identified, which makes it difficult to exercise the rights of servicemen in practice. There are imperfections in reintegration: the current legislation hardly covers the needs of veterans for psychological support, employment, and retraining. A positive aspect is the comparative analysis of international experience of the United States, the United Kingdom, Australia, and Israel, which identified effective mechanisms of compensation, rehabilitation, and adaptation suitable for implementation in Ukraine. The comparative analysis revealed that Ukrainian servicemen and women lack employment assistance, which leads to the fact that 30.95% of combatants cannot find a job and maintain a decent standard of living. There is also the problem of obtaining subsidies, loans or other types of assistance for buying or renting property. The 5.5 billion UAH allocated for this purpose is insufficient to cover the housing needs of socially vulnerable groups. Given the existence of the temporarily occupied territories, some veterans also face the problem of integration into new communities, including receiving compensation for destroyed or lost housing.

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In the context of international experience, the following strategies have been proposed to overcome conflicts in the national legal framework for the social protection of servicemen, veterans and their families: harmonisation of legislation between ministries, cancellation or amendment of contradictory and discriminatory legislative norms, updating outdated regulations to reflect the current realities of war, and strengthening the role of local authorities to ensure vertical coherence. The proposed study has some limitations it focuses exclusively on the regulatory aspect, which limits the depth of empirical verification of the actual state of implementation of social guarantees. In future research, it is recommended to use qualitative data obtained through interviews or focus groups to gain a detailed description of the social challenges faced by servicemen and women, veterans and their families.

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Conflict of Interest

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Правові аспекти соціального захисту військовослужбовців в Україні у контексті сучасних викликів

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Анотація

Стаття присвячена правовим проблемам соціального захисту військовослужбовців в Україні в умовах сучасних викликів, зокрема тривалої військової агресії. Основна мета дослідження полягала в комплексному аналізі ефективності системи соціального захисту військових, виявленні ключових проблем правового регулювання та практичної реалізації соціальних гарантій. У процесі дослідження використано порівняльно-правовий метод, системний аналіз та аналіз нормативно-правових актів, що дозволили окреслити основні недоліки чинного законодавства та вивчити міжнародний досвід у сфері соціального захисту. Дослідження виявило, що військовослужбовці є однією з найбільш вразливих категорій населення, які стикаються з ризиками для життя і здоров'я. Основними викликами, що негативно впливають на їхній соціальний захист, є недосконала правова база, фрагментарність законодавства та наявні бюрократичні бар'єри. Виявлено також недосконалість програм реінтеграції у мирне життя, що негативно позначається на адаптації ветеранів у повоєнний період. Однією з найбільших проблем є недостатній рівень фінансування соціальних програм та ініціатив. Для вдосконалення системи соціального захисту запропоновано рекомендації щодо модернізації законодавства, включно з гармонізацією національних норм з міжнародними стандартами, а також впровадження ефективних механізмів виплат і пільг. Важливо також розробити комплексні програми з психологічної підтримки та професійної реабілітації ветеранів, з огляду на їхні специфічні потреби. Забезпечення ефективного соціального захисту військовослужбовців вимагає не лише реформування законодавства, а й комплексного підходу до їхньої підтримки на всіх етапах служби та адаптації до цивільного життя.

Ключові слова: правове регулювання; адаптація; реформа; психологічна підтримка; реінтеграція; бюрократія; соціальні гарантії