

Evacuation of Children During War: Lessons from Ukraine's Experience

The Role of the State and Private Initiatives in
a Humanitarian Crisis⁽¹⁾

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Introduction

This document is dedicated to analyzing systemic issues in the evacuation and protection of children in the context of armed conflict, in particular the legal, managerial, and ethical aspects of involving non-state actors in organizing and ensuring evacuation processes. Particular attention is paid to a professional understanding of Ukrainian and international experience, an analysis of key challenges, and the formulation of recommendations for Ukraine's public authorities, international organizations, and other partners on improving policy in this area.

The document was prepared taking into account the practical experience of the Ruslan Shostak Charitable Foundation, which, since the start of Russia's full-scale invasion of Ukraine, has at the request of public authorities taken direct part in organizing the evacuation of children, including children who were in institutional care facilities. This is the only known case in which all evacuated children were returned to Ukraine. The Foundation's practical activities made it possible to identify a number of regulatory, managerial, and organizational challenges that arise during the interaction of state bodies, international organizations, and charitable initiatives in the process of evacuating, subsequently supporting, and returning children.

At the same time, it is important to distinguish between the evacuation of children and the return of deported or forcibly transferred children. The subject of this analysis is the humanitarian evacuation of children from territories where there was a direct threat to their life and safety, rather than the mechanisms for returning children illegally deported or forcibly transferred by the Russian Federation.

On the contrary, the timely evacuation of children from front-line territories, in particular the Dnipropetrovsk and Zaporizhzhia regions, has become one of the key tools for preventing their possible deportation, forced transfer, or falling under the control of the aggressor state.

The document is based on an analysis of international law, Ukraine's national legislation, international standards for the protection of children, the practice of state bodies, international organizations, humanitarian missions, and non-state initiatives, as well as the relevant experience of other states.

The document aims to form a coherent understanding that the evacuation of children during war is not merely a logistical or humanitarian operation, but a component of a comprehensive child protection system that encompasses ensuring physical safety, continuity of care, individual support for each child, preservation of family ties, inter-agency and interstate coordination, and subsequent return or integration in accordance with the best interests of the child. The need for such analysis is driven by the unprecedented scale of displacement of Ukrainian children caused by the Russian Federation's full-scale aggression.

At the same time, alongside the conduct of evacuations, a new set of long-term challenges has emerged, related to children's prolonged stay abroad, ensuring continuity of care and education, preserving family ties, coordination between states, organizing the safe return of children, their reintegration into Ukrainian society, and providing comprehensive psychosocial, legal, and other necessary support after their return.

Among other things, Ukraine's experience in this area has demonstrated a number of systemic gaps in regulatory frameworks, the distribution of powers between state bodies, coordination with international partners, and the definition of the legal status, role, and responsibility of non-state actors, which have in fact become an important component of evacuation processes.

In this regard, the document substantiates the need to form a transparent, legally defined model of public-private partnership in the field of child evacuation and protection, which will ensure a clear distribution of functions and responsibilities between the state and non-state participants, appropriate mechanisms for coordination, accountability, and control, as well as compliance of all decisions with the principle of the best interests of the child and international standards for the protection of children's rights.



Section I.

Relevance and Current State of the Problem





Armed conflicts in recent decades have fundamentally changed the nature of threats to children worldwide. Whereas evacuation was previously regarded mainly as a temporary humanitarian measure, contemporary wars increasingly give rise to years-long forced displacement of children, the breakdown of family ties, loss of access to education, and risks of illegal adoption, human trafficking, recruitment, and other grave violations of children's rights. According to the United Nations, one in five children in the world today lives in an area of armed conflict, and in 2024 alone more than 41,000 grave violations of children's rights were verified⁽²⁾ — the highest figure since the Monitoring and Reporting Mechanism (MRM) began operating. In total, from 2005 to 2024 the UN documented more than 266,000 such violations in more than 30 conflict situations.

⁽²⁾Statement by the Special Representative of the Secretary-General for Children and Armed Conflict, Virginia Gamba, at the UN Security Council, 25.06.2025: <https://media.un.org/unifeed/en/asset/d341/d3417443>



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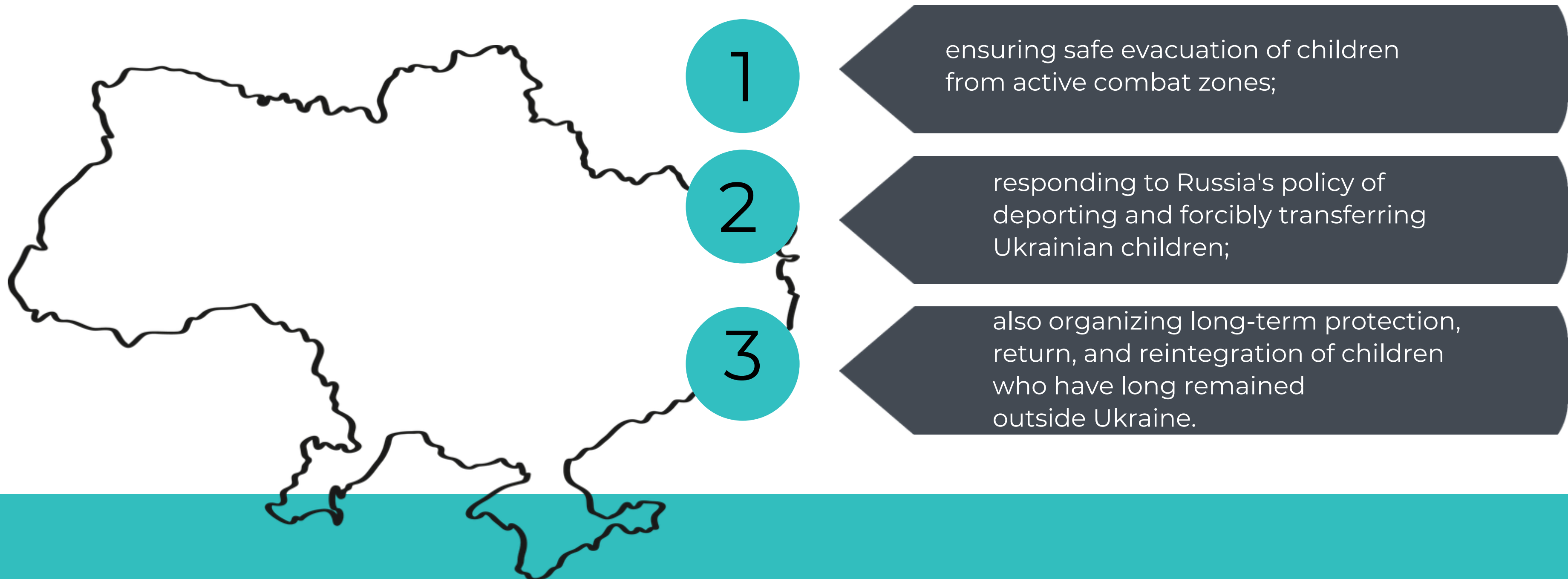


The experience of Bosnia and Herzegovina, Syria, Yemen, Myanmar, Sudan, the Democratic Republic of the Congo, and other states shows that once the acute phase of evacuation ends, states face new challenges related to children's prolonged stay outside the country, their return, the restoration of a family environment, ensuring continuity of care, and preventing violations of children's rights during these processes.

That is why international practice increasingly views evacuation not as a one-time logistical operation, but as a comprehensive process of child protection that covers the entire path — from the decision to evacuate to safe return and reintegration.

The Russian Federation's full-scale aggression has created an unprecedented set of challenges for Ukraine in terms of scale.

Unlike most contemporary conflicts, Ukraine is simultaneously forced to address three interrelated tasks:



According to UNICEF, as of
February 2026, approximately

2.59 million
Ukrainian children



These figures illustrate the scale of the humanitarian crisis but do not reflect the specific needs of certain categories of children requiring special protection mechanisms.

(3)"More than a third of Ukrainian children remain displaced after four years of war – UNICEF", 17.02.2026: <https://www.unicef.org/ukraine/en/press-releases/more-third-ukraines-children-remain-displaced-four-years-war-unicef>

One of the most vulnerable categories remains children evacuated as part of institutional care facilities. According to the National Social Service of Ukraine, since the start of the full-scale invasion,

4,811 of whom 3,387

children are orphans or deprived of parental care.(4)

At the same time, a separate dimension of the problem is the deportation and forced transfer of Ukrainian children by the Russian Federation, which is accompanied by changes to children's place of residence, citizenship, family status, educational environment, and identity. Returning such children requires complex interstate coordination, international legal cooperation, individual support for each child, and the creation of a comprehensive post-return support system that should include psychological assistance, restoration of documents, education, social ties, and family environment.

(4) Public report of the Acting Head of the National Social Service on the results of its activities in 2025:
<https://nssu.gov.ua/storage/app/sites/22/uploaded-files/publicnii-zvit-golovi-prezentaciia-finalna.pdf>



Alongside this, another challenge is emerging that is gaining increasing significance in European countries. Belgium, Germany, the Netherlands, Poland, the Czech Republic, and a number of other states have recorded cases of Ukrainian children being removed from their families by the relevant national child protection authorities. The most common grounds are the language barrier, parents' psycho-emotional state after experiencing war, domestic conflicts, differing understandings of parental care standards, as well as reports from third parties or anonymous complaints. A significant portion of such cases involve complex judicial procedures, insufficient awareness among Ukrainian families of the specifics of the host state's national legislation, and require more active consular, interstate, and legal support.



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In response to these new challenges, Ukraine's state policy is also changing. Following amendments to Resolution No. 546 of the Cabinet of Ministers of Ukraine⁽⁵⁾ in 2024, an approach was established whereby the return of children evacuated from institutions should be carried out primarily through the development of family-based forms of upbringing and placement of children in a family environment, rather than through automatic return to institutions. At the same time, effective implementation of this approach requires further improvement of the regulatory framework, procedures for assessing the best interests of the child, inter-agency coordination, and mechanisms for supporting children after their return.

These trends show that the issue of evacuating Ukrainian children is no longer limited to responding to an emergency. It has evolved into a comprehensive area of state policy that encompasses managing the displacement of children, international cooperation, protecting children's rights abroad, returning children to Ukraine, their reintegration, and building a transparent model of interaction between the state, international organizations, and non-state actors at every stage of this process.

(5) Resolution of the Cabinet of Ministers of Ukraine "On the Temporary Relocation (Evacuation) of Children and Persons Residing or Enrolled in Institutions of Various Types, Forms of Ownership and Subordination for Round-the-Clock Stay, and Their Return" No. 546 of 01.06.2023: <https://zakon.rada.gov.ua/laws/show/546-2023-%D0%BF>



Section II.

National Regulatory Framework and Its Gaps



Overview of the National Legal and Regulatory Framework(6)



Legal regulation of the evacuation and protection of children under martial law in Ukraine is formed by a number of interrelated regulatory acts that define individual stages of evacuation, temporary placement of children, their return, and the activities of authorized bodies.

The general legal basis is established by the Civil Protection Code of Ukraine, the Law of Ukraine "On the Legal Regime of Martial Law", and the Law of Ukraine "On Child Protection", which define the principles of evacuation, guarantees for the protection of children's rights, and the state's obligations to ensure their best interests.



The organizational mechanisms of population evacuation are regulated by Resolutions of the Cabinet of Ministers of Ukraine No. 841 of October 30, 2013, No. 209 of March 7, 2023, No. 854 of July 29, 2022, and No. 911 of August 9, 2024. They define the procedure for conducting evacuation, the activities of the Coordination Headquarters, and the interaction of state authorities, military administrations, international organizations, and other participants in the process.

Special legal regulation of the evacuation of children from round-the-clock care institutions is established by Resolution of the Cabinet of Ministers of Ukraine No. 546 of June 1, 2023, which defines the procedure for the temporary relocation of children outside Ukraine, approval of evacuation, requirements for accompanying persons, monitoring, and the return of children. Following amendments introduced by Government Resolutions No. 1026 of September 6, 2024, and No. 335 of March 25, 2025, state policy has gradually shifted its focus from institutional care toward developing family-based forms of upbringing, individual return planning, and consideration of the child's best interests. Matters relating to the activities of guardianship and custody authorities, the protection of status-designated children, adoption, and monitoring compliance with their rights are further regulated by Resolutions of the Cabinet of Ministers of Ukraine No. 866 of September 24, 2008, and No. 905 of October 8, 2008.



Overall, the regulatory framework creates a fairly developed system for organizing evacuation measures and defines the powers of the main actors. At the same time, the analysis shows that the legislation mainly regulates individual administrative procedures for the evacuation and return of children, but does not form a coherent model for managing child protection throughout the entire cycle of their displacement — from the decision to evacuate to long-term support after return or integration. In this context, international standards for child protection take on additional significance, in particular the UN Guidelines for the Alternative Care of Children, the UN Convention on the Rights of the Child, **PACE Resolution 2529 (2024), which calls on states to ensure the continuity of child protection during emergencies, strengthen interstate coordination, and establish effective cooperation mechanisms between state and non-state actors in accordance with the principle of the best interests of the child.**

Key Systemic Gaps

Despite significant development of the regulatory framework, an analysis of current legislation reveals a number of systemic gaps that significantly affect the effectiveness of child protection.

1. Absence of a mechanism for continuous inter-agency case management

Despite a clear division of powers between the National Social Service, the Ministry of Social Policy, regional military administrations, children's services, institutions, diplomatic service bodies, and other actors, current legislation does not provide for a unified model of inter-agency case management, which would ensure the continuity of the child's protection from the moment the decision to evacuate is made until their return and the completion of reintegration. As a result, responsibility for individual stages of the process is distributed among various bodies, but there is no mechanism to ensure coordination of their actions, continuous information exchange, unified case management, and timely response to new risks.

This approach does not align with current international standards for child protection in emergencies. In particular, the Inter-Agency Guidelines for Case Management and Child Protection stipulate that, regardless of the number of bodies involved, every child should have continuous inter-agency support based on an individual protection plan, coordination among all participants, and the designation of a responsible case coordinator (case manager or lead professional). Similar models are applied in the United Kingdom, Norway, Sweden, and other European states, where the coordinator's role does not replace the powers of competent authorities but ensures the coherence of their actions and the continuity of children's rights protection. It is precisely the absence of such a mechanism — not of a separate body — that is one of the key gaps in Ukraine's current system for protecting children during evacuation.

2. Absence of a comprehensive model for engaging and regulating the participation of non-state actors

The challenges and consequences of Russia's full-scale invasion have significantly expanded the role of non-state actors in the child protection system. Charitable foundations, civil society and international organizations, religious missions, volunteer networks, and private initiatives today perform a wide range of functions: from supporting the reform of the child protection system and the development of family-based forms of upbringing (Better Care Reform), organizing and financing evacuation, ensuring logistics, temporary placement and support of children abroad, to participating in the search for and return of deported children, as well as providing psychosocial, legal, and other support during their reintegration. This has become an important component of state support and child protection in overcoming the consequences of the war. At the same time, current legislation does not form a coherent model of interaction between the state and such actors. Their participation is mostly based on individual memoranda, agreements, or ad hoc decisions, which cannot replace a unified regulatory approach. There are no unified criteria for selecting partners, requirements for staff professional training, child protection standards, integrity screening procedures, rules for accessing information about children, mechanisms for coordination, monitoring, and accountability, or a clear division of responsibility between state and non-state participants. This creates risks of inconsistent practice, fragmentation of the protection system, and may complicate the proper provision of uniform standards for protecting children's rights, regardless of which actor is involved in providing assistance.

3. Absence of an inter-agency mechanism for responding to cross-border child protection cases

Practice in recent years shows an increasing number of cases in which Ukrainian children or families abroad become subject to child protection measures applied by the competent authorities of host states, including the temporary removal of children, the establishment of guardianship, or the opening of relevant judicial proceedings. Such decisions are made in accordance with the legislation of the host state, and Ukraine has no jurisdiction to influence their content.

At the same time, current Ukrainian legislation does not define a unified inter-agency algorithm for responding to such cases. In particular, there is no established procedure for interaction between the Ministry of Social Policy, the Ministry of Foreign Affairs, consular institutions, the National Social Service, children's services, and other competent authorities regarding the timely exchange of information, risk assessment, ensuring consular and legal support for the child and their legal representatives, interaction with the competent authorities of the foreign state, and further support after the completion of the relevant procedures. The issue of a system for recording and monitoring such cases also requires regulation.



This systemic work is important for the timeliness of response to cases, assessment of the scale of the problem, analysis of typical reasons for children being removed from families by foreign guardianship authorities, and the formation of state policy and international cooperation aimed at preventing such cases.

At the same time, this issue is cross-border in nature and cannot be fully resolved solely through national legislation. It requires the development of international cooperation mechanisms, in particular the creation of joint procedures for prompt information exchange, interaction between competent authorities and consular institutions, as well as initiating recommendations or other soft law instruments at the level of the Council of Europe and the European Union that would set minimum standards of cooperation in cases concerning Ukrainian children under temporary protection.⁽⁷⁾ Such an approach would contribute to earlier notification of the country of origin, ensure the child's right to maintain ties with their country of origin, and foster more consistent practice in protecting children in cross-border situations.

(7) In this context, it is worth noting certain provisions of PACE Resolution No. 2529 (2024): <https://pace.coe.int/en/files/33348/html>

4. Challenges in Ensuring Individual Monitoring and Support of Children Evacuated Abroad

Resolution of the Cabinet of Ministers of Ukraine No. 546 stipulates that the temporary relocation of children must ensure their safety, proper care, upbringing, accommodation, and subsequent return to Ukraine. Building on these provisions, an order of the Ministry of Social Policy of Ukraine approved the Procedure for Monitoring the Conditions of Children Temporarily Relocated (Evacuated) Outside Ukraine.⁽⁸⁾ It defines the frequency of monitoring visits, assessment forms, and tools for recording results. At the same time, current regulations mainly focus on checking the conditions of children's stay and the activities of the host party, and do not yet form a comprehensive model of individual case management for each child throughout their entire stay abroad.

A positive step was the 2024–2025 amendments, which introduced individual planning for return, reintegration, and assessment of the child's needs after returning to Ukraine. However, these mechanisms mostly concern the final stage of evacuation.

(8) Order of the Ministry of Social Policy No. 260-N dated 25.07.2023: <https://zakon.rada.gov.ua/laws/show/z1717-23#Text>



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The period of a child's stay abroad requires further development of a system of continuous individual support that would ensure regular comprehensive assessment of physical safety, psycho-emotional state, access to education, medical and social services, maintenance of family ties, consideration of the child's opinion, timely response to identified risks, and integration of monitoring results into the individual plan for their further placement.

The need for further improvement of these mechanisms is also confirmed by the provisions of Presidential Decree No. 859/2025 “On Additional Measures to Protect Children's Rights under Armed Aggression against Ukraine,”⁽⁹⁾ which identifies as one of its priorities the development of effective tools to ensure access to children evacuated abroad, their return, reunification with families, or placement in family-based forms of care. This shows that the current system requires further development not only at the stage of children's return, but also during their prolonged stay outside Ukraine.

As a result, monitoring risks remaining a procedure for checking the conditions of a group of children or the host party, rather than a tool for ongoing individual case management of the child.

⁽⁹⁾ Presidential Decree No. 859/2025: <https://www.president.gov.ua/documents/8592025-57189>



Section III.

Practical Evacuation Experience (Lessons Learned)



One of the most important lessons of Ukraine's experience has been the unprecedented involvement of the non-state sector in performing functions that the state could not ensure on its own under conditions of full-scale war. Charitable foundations, civil society organizations, international humanitarian missions, religious organizations, and volunteer initiatives became full-fledged participants in the child protection system. They provided evacuation, funded transport and logistics, organized temporary accommodation for children abroad, created conditions for housing, education, medical care, and psychological support, participated in the search for and return of deported children, and supported their subsequent reintegration. It was precisely through such partnership that it was possible to promptly rescue thousands of children and ensure the continuity of their protection.

At the same time, practice has shown that the large-scale involvement of non-state actors happened much faster than the formation of corresponding mechanisms of state regulation and coordination. In most cases, cooperation was built on individual agreements, memorandums, or ad hoc decisions, without unified standards of interaction, monitoring procedures, distribution of responsibility, or risk management. As a result, private initiatives were often assigned certain state functions, but without clearly defined powers, guarantees of support, or mechanisms of shared responsibility.

A significant part of non-state initiatives was engaged primarily to carry out a humanitarian mission — organizing the safe evacuation of children from combat zones, their transportation, temporary accommodation, and provision of urgent needs. This challenge also manifested itself during children's prolonged stay abroad. At the same time, in cases of children's prolonged stay outside Ukraine, it was precisely state authorities that had to ensure systematic monitoring of their living conditions, coordination with competent authorities of host states, risk assessment, protection of children's rights, and decision-making regarding their further support and return.



In practice, due to the absence of a clearly regulated model for distributing powers and responsibilities between state authorities and non-state partners, as well as insufficiently developed monitoring and interstate cooperation mechanisms, non-state organizations often became targets of public criticism in connection with events occurring in places where children were staying. Ukraine's experience demonstrates that the effective involvement of the non-state sector should be seen not as an exceptional form of humanitarian aid, but as an integral element of a modern system for protecting children in crisis situations. At the same time, such partnership requires proper regulatory formalization. This is not about limiting the role of civil society or charitable organizations, but about creating a transparent model of cooperation that would define criteria for selecting partners, unified child safeguarding standards, requirements for monitoring and reporting, procedures for information exchange, and mechanisms of state support and mutual accountability between the parties. Such a model would allow the non-state sector to retain its flexibility and speed of response, while ensuring a proper level of child protection, accountability, and trust in the system as a whole.

It may also be interesting, in the context of the experience studied, to analyze the information space surrounding child evacuation.

Official State Communication

The Ministry of Social Policy and the National Social Service are gradually shifting the focus from simply returning children to returning them to family-based forms of care and an individualized development path. This is a positive signal, but it is not yet fully backed by a detailed procedure for coordination and accountability.

Position of International Organizations.

UNICEF, the Council of Europe, and other stakeholders consistently emphasize the best interests of the child, deinstitutionalization, individual assessment, access to services, and the need for quality data. This creates a strong international framework for reviewing Ukrainian procedures.

In the public sphere, the most frequently articulated issues are the prolonged stay of children abroad, the return of children from institutional facilities, living conditions, the role of charitable foundations, as well as cases of foreign social services intervening or removing children. At the same time, a persistent challenge remains the importance of adhering to child protection standards in public materials and the media.

Civil Society Sector and Media

Data System.

Data on different categories of children are presented in various sources and according to different methodologies, mixing together all displaced children, IDPs, children with formal status from institutions, family-based care, and children returned from evacuation. The absence of a unified public framework for explaining these categories creates a risk of manipulation and distrust, including toward private actors who were involved in crisis evacuation during periods when the state lacked the capacity to implement such measures.



Section IV.

The Role of Private Actors and Public-Private Interaction



Ukraine's experience has shown that large-scale humanitarian crises require a new model of interaction between the state and non-state actors. Under conditions of war, the participation of civil society organizations, charitable foundations, international organizations, and volunteer and religious initiatives ceased to be purely humanitarian aid and became one of the tools for implementing state policy in the area of child protection. At the same time, this transformation occurred mainly in practice, while legislative regulation has largely remained oriented toward the traditional model, in which the state is the primary executor of the relevant functions.

That is why today's key challenge is not whether it is appropriate to involve non-state partners, but defining clear rules for such cooperation. First and foremost, it is necessary to regulate which functions non-state actors can perform independently, which only in interaction with state authorities, and which cannot be delegated at all. It is evident that organizing logistics, temporary accommodation, and humanitarian, psychological, or social support can be carried out by non-state partners, while decisions regarding a child's legal status, international interaction with the competent authorities of other states, state monitoring, and decisions on return should remain within the state's area of responsibility.

Ukraine's practice of returning deported children is a telling example of such interaction. Handling each case requires the simultaneous involvement of state authorities, international organizations, and the civil society sector, which perform complementary functions. At the same time, it is precisely the absence of a normatively defined coordination model that often leads to duplication of individual processes, differing understandings of participants' roles, and a dependence of the effectiveness of interaction on personal contacts or situational arrangements.



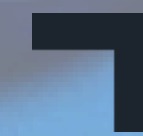


Given this, it would be appropriate to form a separate legal framework for public-private partnership in the field of child protection during wartime. Such a framework should define the principles of interaction, permissible forms of cooperation (memorandums, agreements, accreditation, delegation of specific functions, joint coordination mechanisms), procedures for information exchange, limits on the use of personal data, as well as procedures for joint response to crisis situations and incidents.

A separate block should be devoted to a system of institutional compliance for organizations involved in working with children. It would be advisable to establish, whether by law or at the level of state standards, minimum requirements for partners, including child protection policies, staff vetting, financial transparency mechanisms, personal data protection rules, incident reporting procedures, internal complaint-handling mechanisms, regular staff training, and external monitoring of compliance with these requirements. Such an approach should apply regardless of an entity's organizational and legal form or source of funding.



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An important element of the future model should also be the introduction of mutual accountability mechanisms. Non-state partners should work according to transparent standards and be accountable to the state within the scope of the functions they perform, while the state should ensure proper coordination, timely monitoring, support for partners, interstate cooperation, and timely response to risks.

Similar approaches are already used in a number of European countries. In particular, in the United Kingdom⁽¹⁰⁾, interaction between state authorities and civil society organizations in the field of child social protection is carried out on the basis of standardized partnership agreements, defined roles and responsibilities of the parties, accreditation systems, and quality control of service provision. For Ukraine, this experience is important not as a model for direct replication, but as a benchmark for shaping its own system of public-private partnership that will meet wartime conditions, facilitate the involvement of non-state initiatives in supporting the state, ensure flexibility of response, and at the same time guarantee a proper level of protection of children's rights.

(10) See Annex 1. Case study described, United Kingdom



Section V.

Conclusions and Recommendations

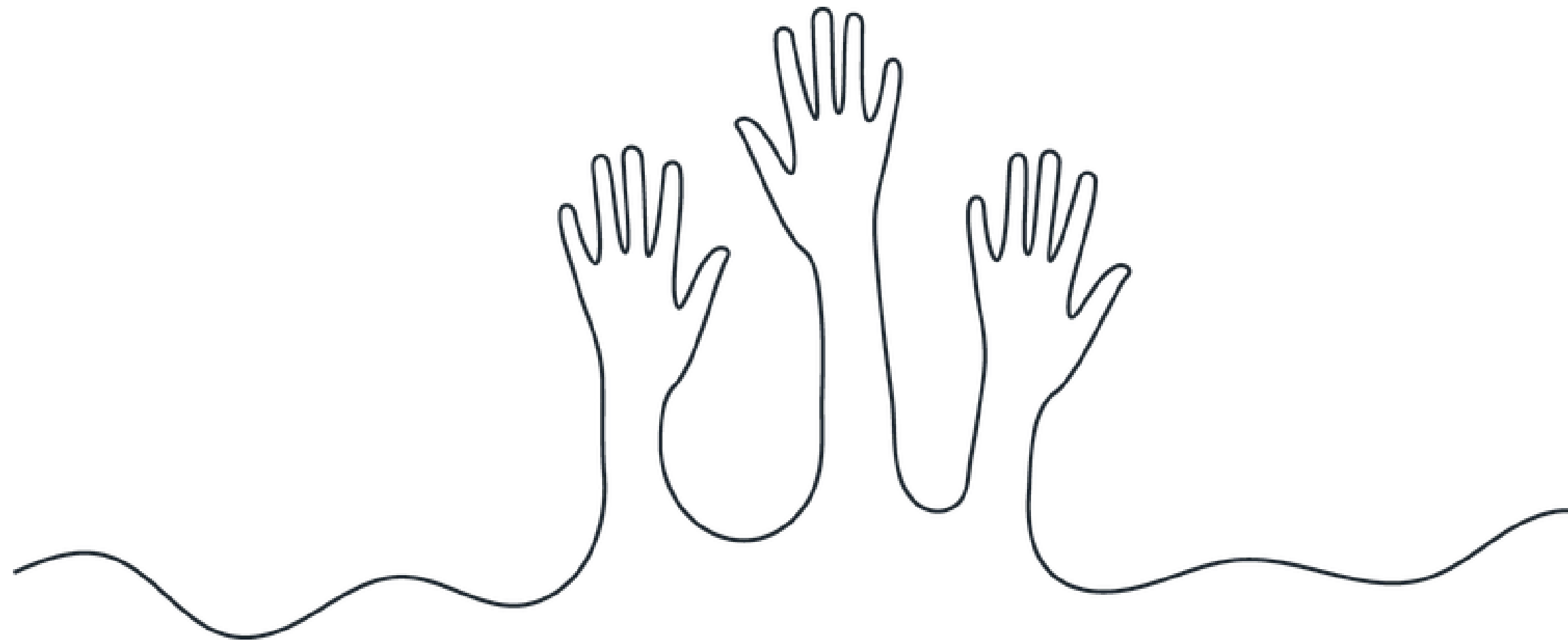


This block offers specific practical recommendations on possible ways to improve state policy in the field of child evacuation and protection under conditions of war. In particular, in the context of identifying and eliminating regulatory gaps, as well as developing unified interagency standards for the state's interaction with private partners regarding child protection in the context of overcoming the consequences of war.

General Conclusions and Gaps Requiring Regulation

1. Important experience of the state's broad and rapid development of sustainable partnership with non-governmental initiatives on child protection measures to overcome the consequences of war.

Under the challenges and consequences of the full-scale Russian invasion, the state demonstrated a flexible and open policy of building cooperation and expanding the role of non-state actors in the child protection system. Charitable foundations, civil society and international organizations, religious missions, volunteer networks, and private initiatives are involved in supporting the reform of the child protection system and the development of family-based forms of care (the Better Care Reform), organizing and financing evacuation, providing logistics, temporary accommodation, and support for children abroad, participating in the search for and return of deported children, and providing psychosocial, legal, and other support during their reintegration, among other things. This became an important component of state support and child protection in overcoming the consequences of war.



2. Insufficiently regulated role of charitable foundations, civil society, and private initiatives.

Resolution of the Cabinet of Ministers of Ukraine No. 546 recognizes the important role of civil society associations, charitable and international organizations in meeting children's needs after their return and allows for their involvement on the basis of cooperation memorandums. At the same time, the participation of non-state partners is regulated only at a general level. The regulatory act does not define unified requirements for such organizations, criteria for their selection, procedures for interaction with state authorities, child safeguarding standards, rules for access to information, mechanisms for monitoring the quality of their activities, or accountability for violations of children's rights. Thus, current regulation recognizes the possibility of cooperation between the state and civil society, but does not form a comprehensive model of such partnership, which creates risks of inconsistent practice in its implementation.

3. Uneven personification of responsibility at different stages of a child's evacuation and return.

This may be explained by conditions of decentralization, but under martial law, such an explanation and approach creates risks for guaranteeing the child's basic rights, in particular the right to life, health, the right to grow up in a family, identity, and others. Regional military administrations, children's services, guardianship and custody authorities, institutions, central executive authorities, foreign diplomatic missions, host organizations, and non-state partners all participate in making and implementing decisions on children's evacuation. Current regulation defines the individual powers of each of these actors, but does not establish a single authority or official responsible for the continuous individual support of the child from the preparation of the evacuation decision to the end of their stay abroad. This distribution of powers is partly due to the decentralized model of child rights protection, under which a significant part of decisions is made at the level of territorial communities and guardianship and custody authorities.



At the same time, under martial law, the fragmentation of responsibility creates a risk of managerial diffusion: each actor is responsible for a separate stage or function, but unified accountability for the final outcome for a specific child is not always ensured. This may negatively affect the guarantee of the child's right to life and health, the preservation of identity and family ties, consideration of the child's opinion, and the realization of the right to grow up in a family environment. Unlike the stage of evacuation and children's stay abroad, after a decision on return is made, regulations provide for a clearer distribution of powers between the State Service of Ukraine for Children's Affairs, children's services, and guardianship and custody authorities regarding the organization of return, further placement, and protection of children's rights. At the same time, a unified model of continuous responsibility for the child throughout the entire cycle — from the decision on evacuation to the completion of reintegration — has not yet been established by law.



4. There is no unified mechanism for coordination with host organizations abroad.

The relevant procedure uses the concept of an "organization that hosts children and persons," but does not specify its legal status, operational requirements, scope of authority, reporting procedures to Ukrainian authorities, or limits of responsibility. This is critical in cases where it is precisely a private or charitable structure that actually provides housing, support, logistics, access to services, and communication with local authorities.



5. There are no systemic algorithms for state response to children being removed from families in third countries.

An algorithm needs to be developed for responding to decisions made by administrative or judicial authorities of the state of temporary residence that make it impossible for a guardian, custodian, foster parents, foster caregivers, or a patronage caregiver to perform their functions of raising the child and protecting their rights, and that remove the accompanying persons. Resolution of the Cabinet of Ministers of Ukraine No. 546 recognizes the risk of situations where administrative or judicial authorities of the host state make decisions that make it impossible for accompanying persons to exercise their powers. However, its provisions do not establish a separate interagency algorithm of action for the Ministry of Social Policy, the Ministry of Foreign Affairs, foreign diplomatic missions, the National Social Service, children's services, and the central authorities of the host state.

6. Fragmentation of data about the child.

Information about the child is distributed among several actors: institutions, regional military administrations, children's services, the National Social Service, the Ministry of Foreign Affairs, consulates, international organizations, and host parties. Monitoring and reporting mechanisms exist, but they have not been transformed into a unified case-management approach with a clear case owner, the child's current status, migration history, risks, decisions, and a return plan.

7. Monitoring of living conditions remains insufficiently individualized.

Regulations provide for oversight and monitoring of the child's living conditions, but the mechanisms for responding to identified risks, ensuring the child's participation in decision-making, access to confidential complaint mechanisms, maintaining family contacts, interagency coordination, and monitoring the implementation of recommendations arising from monitoring still require further detail.

8. Criteria for children's return are discretionary in nature.

The grounds for returning children from evacuation contain broad formulations, including “other cases” or circumstances that make further stay outside Ukraine impossible. After the 2024–2025 amendments, an emphasis appeared on individual planning and family-based forms of care, but the procedure itself for assessing the child's best interests remains insufficiently detailed and creates an effect of formalization.

9. Return of children is not always linked to reintegration as a long-term process.

Resolution of the Cabinet of Ministers of Ukraine No. 546, following the corresponding amendments, includes a section on the social protection and reintegration of children returned as part of a group. This is a positive step by the state. At the same time, there is no publicly available data on the existence or development of a standard for a child's reintegration after return, which should include data on who manages the case, how long support lasts, what the indicators of successful reintegration are, who funds the services, and how the risks of repeated institutional placement are tracked.

General Recommendations

for developing the best approaches to protecting children's rights while overcoming the consequences of war, in particular evacuation and return measures:

- developing a unified interagency protocol for the child's evacuation, stay abroad, monitoring, return, and reintegration;
- further development and regulatory detailing of an interdisciplinary child support model that will ensure unified approaches to conducting a comprehensive assessment of the child's needs, involvement of specialized professionals, integration of monitoring results into the individual plan, interagency cooperation, and oversight of the implementation of the defined measures;
- unifying approaches to data exchange between regional military administrations, children's services, the National Social Service, the Ministry of Social Policy, the Ministry of Foreign Affairs, consulates, and host organizations;
- regulating the state's response algorithm to the removal of Ukrainian children or intervention by foreign guardianship authorities abroad;

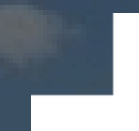
- clear regulation of the procedure for assessing the child's best interests before return or continued stay abroad. The 2024–2025 amendments introduced an individual return plan, needs assessment, and an orientation toward family-based forms of care. However, there is no separate procedure defining assessment criteria, participants, the process for taking the child's opinion into account, and balancing risks when deciding on return or continued stay abroad;
- regulatory definition of a transparent model of state partnership with charitable foundations, civil society, and international organizations that will ensure a clear division of powers and responsibilities between state and non-state actors at all stages of children's evacuation, stay abroad, return, and reintegration, and that will also establish unified requirements for partner selection, child safeguarding standards, information exchange, accountability, quality control, and responsibility for violations of children's rights.



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Annex 1. Case Study, United Kingdom





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Британська модель цікава тим, що вона не створює окремого закону про державно-приватне партнерство у сфері захисту дітей, а будує систему через поєднання трьох рівнів регулювання - статутні обов'язки державних органів щодо міжвідомчої взаємодії, обов'язкові вимоги до всіх недержавних організацій, які працюють з дітьми, договірні механізми співпраці та державний контроль за їх виконанням.

Основу британської моделі становить статутне керівництво Working Together to Safeguard Children, видане відповідно до Закону про дітей 2004 року (*Children Act 2004*). Документ встановлює, що захист дітей є спільною відповідальністю державних органів і недержавних партнерів. При цьому саме держава через місцеві органи влади, поліцію та систему охорони здоров'я залишається відповідальною за координацію системи, оцінку ризиків і прийняття рішень щодо захисту дитини, тоді як громадські та благодійні організації є повноцінними партнерами, які виконують окремі функції в межах визначених процедур. ([GOV.UK](https://www.gov.uk))



The key principle of cooperation is that involving non-state organizations does not mean transferring state powers to them, but is a way of ensuring more effective service delivery while the state retains overall responsibility for the system. The second element of the model is a system of conditional comprehensive vetting (due diligence). For all organizations implementing programs involving children in partnership with the British government, the Foreign, Commonwealth & Development Office (FCDO) applies a special Child Safeguarding Due Diligence procedure. Before cooperation begins, a partner's compliance is assessed regarding:

- child safeguarding policies;
- a staff code of conduct;
- procedures for the safe recruitment and vetting of staff and volunteers;
- complaint submission and handling mechanisms;
- an incident reporting system;
- risk management policies;
- rules for protecting children's personal data;
- internal governance;
- staff training;
- procedures for responding to cases of violence against children.



This assesses not only whether the relevant documents exist, but also how genuinely they are implemented in the organization's activities. Compliance with these requirements is monitored throughout project implementation. ([GOV.UK](#)).

The British model also pays particular attention to formalizing cooperation between state authorities and civil society organizations.

Charity Commission guidance provides that, when working with partners, an organization should:

- carry out due diligence on the partner;
 - confirm that adequate safeguarding procedures are in place;
 - conclude a written agreement;
 - clearly define each party's role;
 - establish a monitoring procedure;
 - define reporting procedures;
 - ensure clear channels of accountability among all participants in the cooperation.
- (GOV.UK)



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Thus, British practice proceeds from the premise that even where certain functions are performed by a civil society or charitable organization, the rules of interaction, quality control, and the responsibilities of each party must be defined before the project begins.

The British approach may be useful for Ukraine not as a model for direct adoption, but as an example of institutionalizing partnership between the state and the non-state sector. Its core idea lies not in expanding or limiting the role of civil society organizations, but in creating a transparent system of cooperation in which the participation of non-state partners is combined with unified child safeguarding standards, a prior assessment of an organization's capacity (due diligence), a written definition of each party's roles, regular monitoring, and mutual accountability. Such a model could become the foundation for building a Ukrainian system of public-private partnership in the field of evacuating, returning, and reintegrating children, allowing the non-state sector's operational responsiveness to be preserved without the state losing its coordinating and guarantor function.