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ORGANIZATIONAL FORMS OF IMPLEMENTING THE FUNCTION OF SOCIAL PROTECTION OF MILITARY SERVICEMEN: THEORETICAL ASPECT

ОРГАНІЗАЦІЙНІ ФОРМИ РЕАЛІЗАЦІЇ ФУНКЦІЇ СОЦІАЛЬНОГО ЗАХИСТУ ВІЙСЬКОВОСЛУЖБОВЦІВ: ТЕОРЕТИЧНИЙ АСПЕКТ

The purpose of the article is the theoretical and legal justification of the system of organizational forms of social protection of military personnel, as well as the systematization of subjects of the implementation of the social function of the state at the state, departmental and local levels to ensure the effectiveness of legal guarantees. The article is devoted to a comprehensive theoretical and legal justification of the system of organizational forms through which the state implements the function of social protection of military personnel, persons discharged from military service, and members of their families in conditions of prolonged military aggression and martial law. The relevance of the study is due to the urgent need to modernize social guarantees for the Defenders of Ukraine. The key challenge of our time lies in the gap between the updated legislation and the imperfection of practical mechanisms for its implementation on the ground. The article provides a detailed consideration and systematization of the subjects of the implementation of the social function at three levels of management: state level, departmental level, local level. Special attention is paid to the analysis of the practical implementation of three key organizational forms: organizational-regulatory, organizational-economic and organizational-informational. The author examines in detail the impact on these forms of such innovative digital systems and services as “Army+”, the information and communication system “Impulse”, the “Oberig” registry, the “Diya” portal and the specialized space “Veteran PRO”. It is shown how the automation of data exchange between registries (in particular, with the ESZH and the Pension Fund databases) minimizes bureaucratic pressure on the military. At the same time, the institute of specialists in the support of war veterans and demobilized persons, which is being implemented at the community level to ensure individual service support, is analyzed. Despite the positive developments in the field of digitalization, the article frankly highlights a number of systemic shortcomings and problematic aspects. These include legal conflicts due to the rapid adoption of regulatory acts, a shortage of qualified personnel for individual support, financing of social programs on a residual basis, material and technical wear and tear of the rehabilitation infrastructure, as well as the presence of corruption risks in the field of providing military personnel.

Key words: *state function, social protection function of military personnel, organizational forms, Military Ombudsman, digitalization, service model, war veterans, social support.*

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Метою статті є теоретико-правове обґрунтування системи організаційних форм соціального захисту військовослужбовців, а також систематизація суб'єктів реалізації соціальної функції держави на державному, відомчому та місцевому рівнях для забезпечення ефективності правових гарантій. Стаття присвячена комплексному теоретико-правовому обґрунтуванню системи організаційних форм, через які держава реалізує функцію соціального захисту військовослужбовців, осіб, звільнених з військової служби, та членів їхніх родин в умовах тривалої військової агресії та воєнного стану. Актуальність дослідження зумовлена нагальною потребою модернізації соціальних гарантій для Захисників та Захисниць України. Ключовий виклик сучасності полягає у розриві між оновленим законодавством та недосконалістю практичних механізмів його реалізації на місцях. У статті здійснено детальний розгляд та систематизацію суб'єктів здійснення соціальної функції за трьома рівнями управління: державний рівень, відомчий рівень, місцевий рівень. Особливу увагу приділено аналізу практичної реалізації трьох ключових організаційних форм: організаційно-регламентуючої, організаційно-господарської та організаційно-інформаційної. Автор детально досліджує вплив на ці форми таких інноваційних цифрових систем та сервісів, як «Армія+», інформаційно-комунікаційна система «Імпульс», реєстр «Оберіг», портал «Дія» та спеціалізований проєкт «Ветеран PRO». Показано, як автоматизація обміну даними між реєстрами (зокрема, з ЕСОЗ та базами Пенсійного фонду) мінімізує бюрократичний тиск на військових. Водночас проаналізовано інститут фахівців із супроводу ветеранів війни та демобілізованих осіб, що впроваджується на рівні громад задля забезпечення індивідуального сервісного супроводу. Попри позитивні зрушення у сфері цифровізації, у статті відверто висвітлено низку системних недоліків та проблемних аспектів. До них віднесено правові колізії через стрімке ухвалення нормативних актів, дефіцит кваліфікованих кадрів для індивідуального супроводу, фінансування соціальних програм за залишковим принципом, матеріально-технічну зношеність реабілітаційної інфраструктури, а також наявність корупційних ризиків у сфері забезпечення військовослужбовців.

Ключові слова: *функція держави, функція соціального захисту військовослужбовців, організаційні форми, Військовий омбудсмен, цифровізація, сервісна модель, ветерани війни, соціальний супровід.*

Problem statement. The modern construction of national security of Ukraine in conditions of prolonged military aggression puts forward qualitatively new requirements for the mechanism of social protection of military personnel. Social guarantees for Defenders and Defenders today cease to be exclusively a matter of social security. However, despite the intensive updating of legislation, the key challenge lies in the imperfection of the mechanisms of its practical implementation, which is directly related to the functioning of the system of organizational forms of social protection.

A significant contribution to the development of the researched issues belongs to the leading representatives of the domestic legal doctrine. In particular, the general theoretical principles of the functioning of legal and organizational forms of state activity are laid down in the works of P. M. Rabinovich, Yu. A. Vedernikov, S. D. Gusarev and O. D. Tikhomyrov.

Issues of legal and social protection of military personnel in different periods were dealt with by such scientists as M. Kravchenko, V. Marchak and Yu. Pysarenko, etc.

However, despite the significant number of scientific works, most of them were prepared before the start of the full-scale invasion or in its early stages. Currently, the aspect of changing organizational forms under the influence of the latest digital systems ("Army+", "Impulse") remains insufficiently covered, and the role of newly established institutions, such as the Office of the Military Ombudsman (2026), in the general system of social protection has not been fully analyzed.

The purpose of the article is the theoretical and legal justification of the system of organizational forms of social protection of military personnel, as well as the systematization of subjects of the implementation of the social function of the state at the state, departmental and local levels to ensure the effectiveness of legal guarantees.

Achieving the specified goal is due to the need to use a toolkit that combines general scientific and special methods of cognition of socio-legal phenomena. In particular:

1) the dialectical method allowed to study the genesis and evolution of organizational forms of social protection, revealing the transition from declarative provision of rights to the creation of effective mechanisms for their practical implementation in conditions of martial law;

2) the system-structural method became the basis for determining the subjects of social protection by levels of management (state, departmental and local), which made it possible to consider their activities as a holistic system of interconnected elements;

3) the method of legal modeling allowed to formulate practical recommendations for improving the mechanism of interaction between state registers and local self-government bodies and improving the service quality of social support.

Presentation of the main material. A thorough analysis of the mechanisms for implementing state policy in the field of social protection of military personnel is impossible without prior determination of the theoretical foundations of organizational forms for the implementation of state functions.

Within the framework of general theoretical jurisprudence, organizational forms traditionally refer to special types of activities of subjects of power, which, in contrast to legal forms, are not associated with the creation of legally significant acts.

Theoretical understanding of organizational forms requires an analysis of doctrinal approaches that reveal their nature through separation from legal acts. In particular, Academician P. Rabinovich interprets them as a system of factual actions that have an auxiliary, supporting character [1, p. 92]. Developing this scientific direction, S. Gusarev and O. Tikhomyrov emphasize the “non-legal” nature of such activity, focusing on the absence of direct legal consequences in the process of its implementation [2, p. 69].

In turn, Yu. A. Vedernikov notes that organizational forms are characterized by internal kinship and structural homogeneity in their defining characteristics [3, p. 64]. The researcher interprets them as specific vectors of activity of state institutions, which, not having the purpose of issuing legally significant acts, act as a fundamental tool for performing state functions.

However, the experience of recent years convincingly demonstrates that Ukraine is at the stage of fundamental digital transformations, which are radically changing the paradigm of interaction between the state and the citizen. It is this context that actualizes the need to expand classical definitions, since the established categories of “homogeneity” and “non-legal nature” of organizational activity no longer fully correlate with the dynamic realities of martial law.

Sharing the conceptual views of the aforementioned researchers, we at the same time see the need to enrich doctrinal approaches to understanding the essence of organizational forms. In this context, it is proposed to interpret the specified category as an integrated digital system of service tools, based on the use of management algorithms. Such an interpretation allows us to consider organizational activity not as a set of certain technical actions, but as a mechanism for ensuring the legal force of legal norms, which guarantees the unhindered implementation of one’s rights using digital applications. Within the framework of such an environment, automated data exchange between registers and instant processing of electronic requests and reports of military personnel is ensured, which becomes a determining condition for the practical implementation of legal guarantees. This approach proves that in the conditions of digitalization, organizational activity ceases to be only “technical” and turns into a determining service mechanism that ensures the real effectiveness of social protection of military personnel and members of their families in real time.

Within the framework of the study, it is considered appropriate to separate entities by management levels, which allows demonstrating the specifics of the interaction of authorized bodies:

1. State level. At this level, regulatory support and higher control over the implementation of the social function are carried out. The key entities are:

- the Verkhovna Rada of Ukraine – through specialized committees, exercises control over the implementation of budget programs of social orientation;

- the Cabinet of Ministers of Ukraine – ensures financing and coordination of interagency interaction;

- the Office of the Military Ombudsman – a newly established institution that officially began operating on January 27, 2026, which exercises control and extrajudicial protection of the rights of military personnel [4];

- the Pension Fund of Ukraine – assigns and pays pensions to veterans and members of their families [5]. Відомчий рівень. На цьому рівні реалізуються організаційні форми в межах Міністерства оборони України, а також інших військових формувань, утворених відповідно до законів України.

2. The following are the subjects of the departmental level:

- the Ministry of Defense of Ukraine – through the Department of Social Security and the Central Administration for the Protection of the Rights of Servicemen, manages sectoral social programs [6];

- the Ministry of Internal Affairs of Ukraine – in terms of implementing social protection for servicemen of the National Guard of Ukraine and the State Border Service of Ukraine;

- the Security Service and the Foreign Intelligence Service of Ukraine – through their own financial, economic and medical units, which provide a closed cycle of social and medical support for personnel;

- territorial recruitment and social support centers (TCK and SP) – universal subjects that ensure coordination and processing of documents for payments for veterans and family members of deceased defenders [7];

- military medical commissions – specialized bodies operating in the systems of the Ministry of Defense, the Ministry of Internal Affairs and the Security Service of Ukraine, performing the organizational and medical function of determining fitness for service and establishing the causal relationship of injuries [8].

3. Local level. At the level of territorial communities, direct service support and reintegration of veterans into civilian life takes place. Local level entities include:

- 1) local self-government bodies – village, town, city councils and their executive bodies, which create veteran spaces and implement local social support programs;

- 2) specialists in supporting war veterans – are subordinate to local self-government bodies (municipal institutions) and provide individual support to categories of persons defined by the Resolution of the Cabinet of Ministers of Ukraine dated August 2, 2024 No. 881 [9];

- 3) veteran hubs and administrative service centers (ASC) – institutions established on the basis of territorial communities for the purpose of consulting, providing psychological and legal assistance on the principle of a "one-stop shop" [10].

According to the theoretical approaches of domestic researchers: P. M. Rabinovich, Yu. A. Vernikov, S. D. Gusarev and O. D. Tikhomyrov, this activity is implemented in the following areas:

1. The organizational and regulatory activities of the state are aimed at establishing inter-departmental relations. The key entity here is the Cabinet of Ministers of Ukraine, which ensures the consistency of the actions of the Ministry of Defense, the Ministry of Social Policy and the Ministry of Veterans. An important element of regulation was the regulatory and organizational support for the functioning of the Office of the Military Ombudsman, which allowed this institution to begin systematic monitoring of the observance of the rights of defenders directly in the places of service from January 27, 2026 [4].

Organizational and regulatory activities are implemented through the following measures:

- implementation of mechanisms for automated data exchange between departmental information systems. In particular, the regulation of interaction between the "Oberig" registry, the electronic health care system (ESOH) and the databases of the Pension Fund of Ukraine allowed to minimize bureaucratic procedures in the assignment of social benefits;

- digitalization of management procedures through the "Army+" system, which allows to regulate the process of submitting and approving electronic reports for receiving social benefits and vacations, giving them legal force on a par with paper documents [11].

At the departmental level, organizational and regulatory activities cover a wide network of entities within all components of the Defense and Security Forces, which have their own specifics of management and social security. The organizational and regulatory activities of departments in the field of social protection of military personnel are implemented through the publication of departmental regulations, provisions and instructions that streamline the work of subordinate units.

The Ministry of Defense develops regulations that detail the procedure for providing social services and benefits. Its key body is the Department of Social Security, which operates on the basis of the updated Regulations (approved by Order of the Ministry of Internal Affairs No. 384 of 11.06.2025) [12], which defines it as the key body for the formation and control of social policy in the military sphere.

The activities of the Ministry of Internal Affairs cover social support for servicemen of the National Guard and the State Border Service. The Department of Social Protection of the Ministry of Internal Affairs provides organizational support and controls over compliance with the rights of personnel of subordinate formations [13].

The bodies of the territorial recruitment and social support center operate on the basis of the Regulations, which are regularly updated to adapt to new challenges [14]. Specialists of the CCC and

SP advise relatives and assist in collecting a package of documents to receive one-time cash assistance. Thanks to the introduction of the electronic queue service, physical queues have been minimized and conflict situations in the interaction of citizens with military authorities have been reduced.

The specificity of the departmental level is the presence of military medical commissions not only in the Ministry of Defense, but also in the Ministry of Internal Affairs and the Security Service of Ukraine. Thanks to systemic digital transformations, each body (SBU, State Security Service of Ukraine, National State Police, National Police) adapts national standards to its own closed personnel systems, ensuring integration with the "Oberig" registry and the "Diya" portal. At the local level, organizational and regulatory activities are aimed at the direct reintegration of Defenders into civilian life. At the local level, the organizational form takes on the character of service support.

The main directions of implementation of this form at the present stage are:

- Functioning of a network of veteran hubs and spaces. This allows accumulating legal, psychological and advisory assistance in one point, minimizing the time spent by a veteran on visiting various instances [10]. It should be noted that in 1816 Administrative Service Centers throughout Ukraine, specialized services for veterans – "single windows" are being created at the initiative of local governments.

- Activities of specialists in supporting war veterans and demobilized persons. According to the Resolution of the Cabinet of Ministers of Ukraine dated August 2, 2024 No. 881, a professional link for individual support of Defenders has been introduced in communities. The regulation of their activities provides not just for providing information, but for active assistance in registering statuses, obtaining land plots or employment.

Despite the rapid digitalization of the organizational and regulatory form, its practical implementation is still accompanied by a number of systemic shortcomings. In particular, the following problematic aspects require special attention:

- 1) The rapid adoption of new regulatory legal acts during martial law often outpaces the process of their coordination with the existing legislative framework. This creates legal conflicts when various departmental instructions contradict each other, which complicates the work of executors on the ground. A vivid example is the procedure for confirming the status of a combatant or receiving social benefits, where the requirements of digitalized services (such as "Diya" or "e-Veteran") sometimes conflict with internal paper instructions of the CCC and SP or departmental orders of law enforcement agencies. This forces servicemen to provide additional paper certificates, even if the information is already available in electronic registers.

- 2) The introduction of the institute of support specialists and "single windows" in the Centers for the provision of administrative services requires high qualifications. Currently, there is a shortage of specialists who simultaneously possess both the legal basis and the skills of psychological support for veterans.

Moving on to the analysis of the material basis of social protection, it is worth focusing on organizational and economic activity. If the organizational and regulatory form determines the procedure for providing assistance, then organizational and economic activity creates the conditions for its implementation. Within the framework of our study, the mentioned category is considered as a tool for the financial and technical content of social guarantees.

Therefore, organizational and economic activity should be interpreted as a system of resource provision, which is implemented at the state, departmental and local levels.

In view of this, at the state level, organizational and economic activity in 2022–2026 has acquired strategic importance.

At the state level, organizational and economic activity is multifaceted: it covers not only the accumulation of budget funds, but also the centralization of the procurement system through state operators, the material maintenance of objects of national importance (medical institutions, critical infrastructure facilities), as well as the technical support for the functioning of a single digital environment of social protection. For example, in their activities, the Cabinet of Ministers of Ukraine, together with the Ministry of Finance, through the adoption of the State Budget for 2025–2026, provide financing for the security and defense sector, including financial support for military personnel and salaries of security and defense sector employees (1 trillion 272.9 billion UAH) [16].

At the departmental level, organizational and economic activity is aimed at the material and technical support for the functioning of law enforcement agencies and specialized institutions. In particular:

- financing of capital construction and repair of barracks, training grounds and social infrastructure facilities of military towns, as well as the arrangement of camps for holding prisoners of war [17; 18].

Organizational and economic activities in departmental health care institutions (Ministry of Internal Affairs, Ministry of Defense, Security Service of Ukraine) include:

- ensuring the stay of patients in health care institutions, sanitary and hygienic care of wounded servicemen [19];

- technical maintenance of medical posts and stabilization centers, which allows bringing medical assistance closer to the places of combat missions [20].

In territorial centers of manning and social support, organizational and economic activities consist in the material maintenance of the car fleet to accompany the families of the deceased Defenders of Ukraine. Given the regular shelling of power supply facilities, there is a need to equip service centers with alternative power systems: generators, batteries.

At the level of territorial communities, the economic form is manifested in the creation of specific social infrastructure facilities. With the funds of local budgets and state subventions (in 2026, the government allocated almost UAH 1.343 billion to local budgets for these purposes), workplaces for specialists in supporting war veterans and demobilized persons are being arranged, and funding is also allocated for housing rental [21].

However, when considering the organizational and economic form responsible for material and financial support, the following shortcomings were identified:

1. Despite significant defense expenditures, funds for social programs are often distributed on a residual basis.

2. Despite the significant number of rehabilitation centers, sanatoriums, and social infrastructure facilities, a significant part of them requires major repairs or re-equipment with modern equipment, which is not always possible to do under martial law.

3. The issue of the presence of a corruption component in the field of military support (in particular, food, military uniforms, construction of housing and non-housing facilities) remains acute.

Along with material and technical and financial support, a critically important aspect of state policy is organizational and informational activity. It is aimed at overcoming information barriers and familiarizing military personnel, veterans, and their families with available social services and guarantees.

The key actors in the implementation of this direction are the Ministry of Veterans, the Ministry of Defense, the Ministry of Internal Affairs, the Security Service of Ukraine and the Ministry of Digital; they provide an information function through the functioning of nationwide platforms, such as “e-Veteran” and specialized services in the “Diya” application.

Organizational measures within this form allow the state not only to provide targeted information about benefits, but also to systematically form a high level of respect in society for the status of the Defender. At the national and other levels, systematic dissemination to the community through the media of information on newly adopted regulatory legal acts on social protection of citizens serving in the Armed Forces of Ukraine and other military formations is ensured.

In recent years, considerable attention has been paid to this activity at the local level, which is manifested in the implementation of the following measures:

1. information and explanatory work on the rights to benefits, medical and social services both through the media and at the place of residence of active military personnel, war veterans and their family members [21];

2. popularization and assistance in using the “e-Veteran” platform and the “Veteran PRO” service in the “Diya” application, where veterans can find a support specialist in their community [22];

3. operation of crisis support hotlines and provision of free legal assistance at the expense of the state [23];

4. commemoration – participation of community representatives in the burials of the Defenders with due honors and organization of events to perpetuate the memory of those killed in the Russian-Ukrainian war.

Based on the above, we come to the following conclusions. In terms of considering organizational forms of implementing the function of social protection, it is proposed to enrich this as an integrated digital system of service tools based on the use of management algorithms.

The organizational forms are considered: organizational-economic, organizational-regulatory and organizational-informational. However, it should be noted that during the study of this issue, a number of problems were identified, in particular: discrepancies in current legislation, a corruption component in the organizational-economic sphere, financial imbalance, and the difficulty in selecting qualified specialists for social support of veterans.

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