

## THE MAIN SUBJECTS OF THE IMPLEMENTATION OF THE YOUTH POLICY OF UKRAINE AND THE REGULATORY AND LEGAL REGULATION OF THEIR INTERACTION

**Pavlo Gorinov**

Candidate of Science of Law, Honored Worker of Social Sphere of Ukraine, First Deputy Director for Research, State Institute for Family and Youth Policy, Associate Professor at the Department of Jurisprudence and Branch Legal Disciplines, National Pedagogical Dragomanov University, Ukraine  
e-mail: gorinovpavel@gmail.com, orcid.org/0000-0002-8294-2784

**Rostyslav Drapushko**

Candidate of Philosophical Sciences, Honored Worker of Social Sphere of Ukraine, Acting Director, State Institute for Family and Youth Policy, Associate Professor at the Department of Social Philosophy, Philosophy of Education and Educational Policy, National Pedagogical Dragomanov University, Ukraine  
e-mail: ronadr1502@gmail.com, orcid.org/0000-0002-3089-5349

### Summary

The scientific article is devoted to researching the issue of regulatory and legal regulation and implementation of youth policy by the main subjects in Ukraine. The method of interaction between normative regulation and the implementation of youth policy by the subjects of youth policy is determined. A comparison of the concepts of subjects of youth policy implementation and subjects of work in the field of youth policy as a subject of youth policy implementation in general has been carried out. The goal of the formation and implementation of youth policy in Ukraine is given. The article reveals the conceptual and categorical apparatus of the topic, defines the concepts of "youth policy", "subjects of youth policy implementation", "normative and legal regulation". The significance of the state and state bodies in the field of formation and implementation of youth policy in Ukraine is given. The features of national and local programs of youth policy, as well as the normative legal acts that establish them, are determined. Public associations in the field of youth policy have been identified, in particular youth and children's public associations. The profile law in the field of youth policy in Ukraine is analyzed. The opinions of scientists regarding the interaction of youth policy subjects with normative consolidation in the context of youth policy implementation are given. The article contains an analysis of the laws of Ukraine and subordinate legal acts regulating youth policy in Ukraine. The scientific article defines the role of the Ministry of Youth and Disputes of Ukraine as the central body of executive power in the field of formation and implementation of youth policy in Ukraine. The article summarizes information about the importance of national and international organizations in the field of youth policy implementation and interaction with other youth policy subjects.

**Key words:** Council on Youth Affairs under the President of Ukraine, Konrad Adenauer Foundation, International expert group, implementation of youth policy in conditions of war, youth projects, Ukrainian Youth Fund, youth public organizations.

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## 1. Introduction

The study of the issue of the main subjects of the implementation of the youth policy of Ukraine and the normative-legal regulation of their interaction requires the definition of the concepts of the subject of research in order to understand the interaction of normative regulation with bodies and authorized persons and subjects of the implementation of such norms. The definition of the concept of "youth policy" will allow to investigate its subjects in the future and its normative and legal regulation.

M. Perepelytsya in scientific studies devoted to the state youth policy, defines the concept of "youth policy" as a set of ideas, theoretical provisions of the prospects of youth in society, enshrined in regulatory and legal acts, other documents, as well as the activities of youth policy subjects regarding the implementation of the above-mentioned theoretical ideas (*Perepelytsya, 2001:12*).

According to E. Borodin, youth policy is a complex of theoretical and conceptual provisions about the tasks of society, the state, and public institutions regarding socialization, support, and promotion of the social development of young people and the practical activities of political and social subjects aimed at solving the problems of the young generation as a whole or its separate categories (*Borodin, 2009: 249-250*).

The concept of "youth policy of society" is also defined as a clear and objectively defined system of ideas, principles, theoretical provisions regarding the place, role and prospects of youth in the progressive development of society, enshrined in legislative, normative acts, other documents (in program documents of political parties, statements of public organizations, speeches of individual public leaders), as well as those inherent in public opinion, primarily of the youth themselves, and the activities of the subjects of youth policy (which are various public institutions, as well as youth themselves) regarding the implementation of these ideas by the most effective means, theoretical provisions into reality in the interests of the youth themselves and society as a whole (*Storozhuk, 2006*).

In turn, V. Lisovskyi considers youth policy as a set of state (nationwide), municipal (regional, district) socio-economic policy, because formally youth policy is a system of measures to collect, maintain and support certain social (economic, legal, political, ethnic, cultural, etc.) status of a group of young people who, for one reason or another, have found themselves or may find themselves in a difficult, limited situation in the future compared to other groups (strata) of the population and are unable to improve their situation on their own (*Lisovskyi, 1996:413*).

Thus, an intermediate conclusion should be made that youth policy includes both a list of theoretical and a set of normative provisions formed by society for the purpose of implementing the relevant provisions by subjects of youth policy.

The goal of youth policy is to create conditions for self-realization and development of youth potential, increase the level of their independence and competitiveness, and ensure active participation of youth in public life.

The principles of youth policy define, first of all, the principle of equal rights of children and youth, youth participation, which consists in creating mechanisms and guarantees of youth involvement in direct participation in the formation and implementation of youth policy, respect for the views and beliefs of youth, etc.

In turn, the subjects of youth policy are determined by social institutions that interact with the youth, or the youth themselves. In our opinion, the public institutions in question are primarily the central body of executive power that implements youth policy, namely

the Ministry of Youth and Sports, and its structural divisions, as well as other enterprises, institutions or organizations whose statutory purpose is activity in the field of youth policy. These can be youth public organizations, legal entities, in particular centers, clubs, sections, schools, etc.

Normative and legal regulation of youth policy is carried out by the Constitution of Ukraine, international treaties approved by the Verkhovna Rada of Ukraine, the Law of Ukraine "On the Basic Principles of Youth Policy" and other laws of Ukraine, subordinate legal acts, in particular resolutions of the Cabinet of Ministers of Ukraine, orders of the Ministry of Youth and sports, etc.

## **2. Legal status of subjects implementing youth policy**

First of all, it should be emphasized that the State is also the subject of the implementation of youth policy, because the central body of executive power – the Ministry of Youth and Sports of Ukraine – is engaged in the formation and implementation of the state youth policy on behalf of the state.

The Ministry acts on the basis of the provisions on it, approved by the resolution of the Cabinet of Ministers of Ukraine. It has structural subdivisions that directly deal with youth policy, in particular, similar ones at regional, district state administrations or local self-government bodies.

A rather specific but effective subject of youth policy implementation are political parties, which in their founding documents prescribe as a type of activity – the implementation of activities and projects in the field of youth policy, organize political programs, where one of the points is necessarily the activity in the field of youth policy etc.

Next, in our opinion, one of the most important subjects of youth policy are public organizations, because today a lot depends on such organizations, and from the point of view of the youth as well. In particular, there are various public organizations whose activities are aimed at protecting the rights of young people or helping to find a place to study in Ukraine and abroad, to organize leisure time, to complete an internship, to find a first job or to organize a scientific seminar, etc. It is this kind of activity that shapes youth policy, but only together with the youth and thanks to the youth.

According to the Law of Ukraine "On the Basic Principles of Youth Policy", public organizations can be children's, where the founders of the organization must be children from 14 years old, and participants can be children from 6 to 18 years old. The law is also separately defines youth public organizations whose members are persons aged 14 to 35.

The most important subject of the implementation of youth policy is the youth themselves, who, by their own actions, both shape the youth policy and implement it. An indicator of an effective state youth policy is interest in such a policy among young people.

A separate subject of youth policy implementation is civil society and its institutions, in particular, during the period of formation of civil society in Ukraine, the tasks of maximum and effective involvement of youth public organizations in this process, unification of the most active, dynamic representatives of the young generation, are particularly urgent.

The increase in the number of youth organizations and their diversity in recent years certainly indicate positive trends in the development of civil society and the manifestation of social activity of young people. Uniting for the satisfaction of common interests, youth organizations contribute to the implementation of the main strategy of the development of civil society – solving the problems of a specific person or group of people.

Therefore, in order to successfully solve the urgent problems of youth, which, in turn, will ensure the development of Ukraine as a democratic state, the primary task of state authorities and local self-government should be the involvement of representatives of the most active youth, organizations of all statuses in the development of state youth policy, in the process of formation which must take into account the experience of local youth organizations. The state's youth policy should also be implemented with the active participation of youth associations, which, in addition, are an additional source of organizational, personnel, material, ideological and other resources. In addition, the local government should promote the development and improvement of the legislative framework for the social activities of youth associations (*Plakida, 2008:119*).

In accordance with Article 8 of the Law of Ukraine "On Youth and Children's Public Organizations" dated December 1, 1998, youth public organizations are involved by executive authorities and local self-government bodies to develop and discuss draft decisions on issues of state policy regarding children and youth. The Law of Ukraine "On Public Associations" of March 22, 2012 provides significantly wider opportunities for public associations, in particular youth public organizations, namely: conducting consultations, developing relevant projects of regulatory and legal acts, forming advisory, consultative and other auxiliary bodies at state authorities, authorities of the Autonomous Republic of Crimea, local self-government bodies, in which representatives of public formations participate.

The specified list of forms of participation in the implementation of the state youth policy is not limited to these forms, they must also be supplemented in accordance with the Law of Ukraine "On promoting the social formation and development of youth in Ukraine" dated February 5, 1993, such forms as participation in the development and implementation of programs, concerning society in general and youth in particular, as well as making proposals to executive authorities and local self-government bodies regarding social development and youth development.

In addition, it is important to emphasize that there are other derivative subjects of youth policy, in particular, the national association of student self-government bodies – a voluntary association of individuals and/or legal entities under private law that conducts its activities with or without the status of a legal entity of such status according to the organizational and legal form of a public organization or public union for the purpose of protecting the rights, freedoms and other interests of persons studying in institutions of higher education and institutions of vocational pre-higher education, has in its composition the representation of student self-government bodies from more than 14 regions of Ukraine.

The next subject of youth policy is the national association of youth councils – a voluntary association of individuals and/or legal entities under private law, which conducts its activities with or without the status of a legal entity under the organizational and legal form of a public organization or public union with the aim of protecting the rights, freedoms and other interests of persons who are members of youth councils, has in its composition the representation of youth councils from more than 14 regions of Ukraine.

Analyzing the practice of participation of youth public organizations in the implementation of state youth policy, it should be noted that the most common forms are participation in the implementation of youth programs (both state and programs of youth public organizations for state and local budgets), participation in the creation of consultative, advisory and other auxiliary bodies under state authorities, participation in consultations with the public.

The functioning of consultative and advisory bodies with the participation of youth public organizations organizes and systematizes the work of youth associations and bodies of state power and local self-government in fulfilling the tasks of the state youth policy. Practically

all bodies of state executive power, both central and local, have consultative and advisory bodies in the form of youth councils, committees or commissions of public councils, which are the center that unites and coordinates the efforts of institutes and authorities of civil society to implement state youth policy.

The Law of Ukraine "On the Basic Principles of Youth Policy" does not define the concept of subjects of youth policy, but it defines the concept of subjects of youth work as individuals, individual entrepreneurs, legal entities regardless of their organizational and legal form, form of ownership and subordination, which carry out youth work (young people, youth and children's public organizations, youth councils, bodies (organizations) of student and student self-government, youth centers, youth workers, youth advisers, charitable organizations, informal youth associations).

### **3. Normative and legal regulation of the interaction of the subjects of the implementation of the youth policy of Ukraine**

The purpose, tasks and priorities of youth policy, defined by the Law of Ukraine "On the Basic Principles of Youth Policy", foresee the need to coordinate efforts and ensure state interaction between state authorities, local self-government bodies and subjects of youth work.

Youth policy in Ukraine is carried out in compliance with interdepartmental and intersectoral cooperation – the involvement of state authorities and local self-government bodies, subjects of youth work, any other interested parties in the formation and implementation of youth policy as one of the four main principles of youth policy defined by the article 4 of the Law of Ukraine "On the Basic Principles of Youth Policy".

One of the entities that should ensure the above-mentioned interaction is the National Council on Youth Affairs as a consultative and advisory body formed under the Cabinet of Ministers of Ukraine with the aim of developing an agreed position on the formation and implementation of youth policy, establishing interaction between central and local executive bodies, local self-government bodies with subjects of youth work on issues of development and implementation of youth policy.

The law also enshrines international interaction, which the National Council must ensure, because it interacts in the prescribed manner with relevant bodies of foreign states and international organizations that take care of youth issues. The Ministry of Youth and Sports of Ukraine should promote activities and interact with subjects of youth work on issues of youth policy formation and implementation, as well as interact with other central bodies of executive power, other state authorities and local self-government bodies on issues of youth policy formation and implementation.

In addition, the law defines another subject of youth policy implementation – the Ukrainian Youth Fund, which is a budgetary institution – a legal entity under public law, authorized by the Cabinet of Ministers of Ukraine to support youth projects and fulfill certain tasks of youth policy. The corresponding fund also interacts with other subjects of youth policy, and in addition creates favorable conditions for the implementation of youth projects, including by exercising control over the process of their implementation; stimulates the development of the latest, competitive, including inclusive youth projects; supports the implementation of international projects and programs of international cooperation, including international youth exchange programs, promotes the formation of a positive image of Ukraine in the world; and also provides support to youth and children's

public associations, other subjects of youth work at all stages of the implementation of youth projects, the financing of which is carried out at the expense of grants provided by the foundation.

In the context of Russia's war against Ukraine, the International Expert Group on the Implementation of Youth Policy in the Context of War was formed, which brought together representatives of governmental, scientific, and expert circles from such countries as the United States of America, Great Britain, Poland, Lithuania, Georgia, North Macedonia, Albania, Sweden. On the Ukrainian side, the group included representatives of the Council on Youth Affairs under the President of Ukraine, government officials, people's deputies, volunteers, youth workers and the public, which directly participates in the formation and implementation of state youth policy in Ukraine.

The first online meeting has already taken place on the initiative of the Council on Youth Affairs under the President of Ukraine and with the support of the Ukrainian representative office of the Konrad Adenauer Foundation.

The main task of the group was to develop a strategic vision for the implementation of youth policy in Ukraine in the conditions of large-scale Russian aggression. First of all, I want to sincerely thank each and every one who joined this important work. After all, in the conditions of countering terrorist acts by the aggressor country, which happened in particular yesterday, we as a state have the opportunity to form and implement a progressive, relevant, and most importantly, effective youth policy (*Mizhnarodna ekspertna grupa shodo vprovadzhennya molodizhnoy polityky v umovah vijny*, 2022).

The international expert group on the implementation of youth policy in conditions of war has completed work on the development and formation of specific proposals for updating the National Youth Strategy until 2030. The corresponding group is also, although not permanent, a full-fledged subject of youth policy implementation.

#### 4. Conclusions

As a result of the study of the main subjects of the implementation of the youth policy of Ukraine and the normative and legal regulation of their interaction, we came to the conclusion that the subjects of the implementation of the youth policy are the state, the central body of executive power, other state bodies, enterprises, institutions and organizations of all forms of ownership, which have the authority to implement youth policy, public organizations (including children's and youth), foundations, centers, councils, etc., established by law, by-laws, regulatory legal acts, constituent documents. However, the Law of Ukraine "On the Basic Principles of Youth Policy" does not define the concept of "subject of youth policy implementation", which we see as a problem.

We propose to define youth policy as proposals of youth policy subjects, enshrined in normative legal acts and other documents, with the aim of their implementation.

The interaction of the subjects of youth policy implementation is an important aspect due to the effectiveness of the youth policy itself. The effectiveness of youth policy is the formation of such a policy based on the activities and collection of opinions of all its subjects. Therefore, it is important for state authorities, foundations, and the National Council to interact with youth, youth and children's public organizations to obtain a result that will satisfy all subjects of youth policy.

It is important that this interaction is not only established by relevant normative legal acts, by-laws or laws, but also actually takes place constantly.

## References

1. Borodin E. I. (2009) *Molodizhna polityka [Youth policy]. Sotsiologia polityky. Entsyklopedychnyj slovnyk [Sociology of politics. Encyclopedic dictionary]. Kyiv: Evrop. Un. Pp. 249–250. [in Ukrainian]*
2. Perepelytsia M. P. (2001) *Derzhavna molodizhna polityka v Ukraini [State youth policy in Ukraine] (PhD Thesis), Kyiv: Instytut politychnykh i etnonatsionalnykh doslidzen.*
3. Plakida R. (2008) *Mozhlyvosti mistsevyh molodizhnyh organizatsij u vyrishenni problem molodi [Opportunities of local youth organizations in solving youth problems]. Politychnyj menedzhment, no 6, pp. 119.*
4. Lisovskiy V. T. (ed.) (1996) *Sotsyologia molodiozhy [Sociology of youth], Saint Petersburg : Spbgu. [in Russian]*
5. Storozhuk R. P. (2006) *Zarubizhnyj dosvid realizatsii molodiznoi polityky [Foreign experience of youth policy implementation]. Derzhavne budivnytstvo, no 1. URL: nbuv.gov.ua/e-journals/DeBu/2006-1/doc/5/07.pdf [in Ukrainian]*
6. *Mizhnarodna ekspertna grupa shodo vprovadzhennya molodizhnoy polityky v umovah vijny [International expert group on the implementation of youth policy in the conditions of war]. Oficijne internet-predstavnytstvo Prezydenta Ukrainy [Official online representation of the President of Ukraine]. URL: <https://www.president.gov.ua/news/mizhnarodna-ekspertna-grupa-shodo-vprovadzhennya-molodizhnoy-78857>*