

Classification of Family Rights and Obligations: Doctrinal Foundations and Integration with the Principles of Sustainable Development

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ABSTRACT:

This topic is important since family laws need to change with societal modernization, especially to ensure equal rights and responsibilities for spouses, improve parents' duties to inform children and make child support collection more effective. The research aims to analyze family law issues, discover current trends, and suggest possible solutions through analysis of laws, legal rulings, and scholarly articles using methods of comparison, analysis, and historical research. The research shows that unequal rights and responsibilities between spouses remain a serious problem, parents' responsibility to provide children with information should be clearly written in the law, and mechanisms for collecting alimony should be strengthened. The practical significance lies in proposals for improving legislation in the field of family law: which will help protect the rights of all participants in family relations by taking into account international experience and harmonizing national laws with international standards.

Keywords: family law, alimony, parental rights, international standards, artups, innovations, technological development, venture financing, entrepreneurship, principles of sustainable development.

1. Introduction

Family law is an important part of the law that regulates relations between family members. In the modern legal world, it is important to clearly define the rights and obligations in the family since this helps prevent conflicts and promotes the harmonious development of relationships. This study is important because family laws should meet modern social needs and follow international standards. Recently, the need for clear rules about family rights and responsibilities has grown. Many researchers study family law, however, there is still a lack of a detailed classification of family rights and duties to protect all family members.

1.1. Classification of family rights and responsibilities

Modern family law needs to change due to globalization and social changes. Society requires a flexible system of family rights and duties that follows both national and international standards (Borisova & Krasytka, 2020). One common issue is unequal rights and responsibilities between spouses, which can cause conflicts and harm family stability

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(Apriana & Silvia, 2022). Fair distribution of family duties is key to family development (Güler, 2017).

Parents' rights and responsibilities toward children also need clearer laws. Tykhomyrov et al. (2023) stress the importance of parents providing information for children's development. Without clear rules, may result in the violation of children's rights (Jackson, 2021).

Unequal distribution of responsibilities often stems from deeply embedded socio-economic structures, including income inequality and limited access to childcare support. Additionally, prevailing gender norms and cultural expectations significantly shape how duties are assigned within families, influencing legal interpretations and enforcement.

1.2. Alimony enforcement

Another problem is collecting alimony. Weak legal mechanisms often leave children without financial support (Buda & Dhuli, 2024). Stronger measures are needed to ensure alimony payments (Oksaniuk, 2024). Growing numbers of international marriages and migration require laws that match international agreements to protect families and children.

Updating family laws will help create a better system that protects the rights of all family members.

1.3. Purpose of the research

The purpose of the present research is to explore important issues of family rights and responsibilities and find current problems and trends in family law in Ukraine and other countries.

1.4. Objectives:

- to study the main ways to classify family rights and responsibilities;
- to explore laws and documents that regulate family rights and duties in Ukraine and other countries;
- to identify key problems and contradictions in family law based on court cases and scientific research;
- to suggest how family rights and responsibilities can be improved to meet modern social needs;
- to give recommendations on how to better protect family rights and responsibilities.

2. Theoretical Background

The problem of unequal sharing of rights and responsibilities between spouses is very important in modern family law. Studies show that unfair distribution of duties can cause conflicts and violate one spouse's rights. It is important to ensure equality and fairness in family duties. The research confirms that equal sharing of responsibilities helps families live in harmony and reduces conflicts (Apriana & Silvia, 2022; Jackson, 2021;

Ikbal, 2023; Buda & Dhuli, 2024). Modern studies highlight that laws should support equality in families. For example, in countries with traditional patriarchal societies, such as certain regions of South Asia and the Middle East, the joint fulfillment of responsibilities between husband and wife is often complicated by social norms and religious beliefs. In contrast, countries in Western Europe and North America demonstrate active support for equality and gender parity within family relationships. Including such examples would better reflect the complexity and diversity of the process of family law reform at the international level.

Considering these factors is crucial for developing flexible legal models that can be adapted to the specific conditions and needs of different societies. This approach would contribute to more effective protection of family rights and ensure their stability in a globalized world.

The responsibilities of parents related to providing information to children are also important for the development and protection of children's rights. Parents should provide children with information that helps their development. If there are no clear rules in the legislation regarding this, this can worsen the condition of children. Research shows that these parental responsibilities need clear legal regulation (Tykhomyrov *et al.*, 2023; Jackson, 2021; Broderick, 2019; Ikba, 2023; Munaretto, 2024). Providing the relevant information helps children develop and protect their rights. Many studies support the need for clear legal regulations for these responsibilities.

Another important issue is the effectiveness of child support enforcement mechanisms. If these mechanisms do not work properly, this leads to financial problems for children. More stringent measures need to be developed to ensure the enforcement of child support (Buda & Dhuli, 2024; Borisova, & Krasyska, 2020; Nasirov, 2018; Pliushko, 2023; Oksaniuk, 2024). Deficiencies in this area can put children in a difficult financial situation. Therefore, it is necessary to develop and implement strict measures to ensure the enforcement of child support.

Alimony is money that one parent gives to another to support their child who lives separately. In Ukraine, parents pay alimony until the child turns 18 or continues studying at university. The amount to be paid is determined by the court. The payment can be a part of the parent's salary or a fixed sum. In 2024, the lowest payment is 1281,5 UAH for children under 6 years old and 1598 UAH for children from 6 to 18 years old. The highest amount is 25,630 UAH for small children and 31,960 UAH for older children (Government Portal, 2024). Many custodial parents encounter significant difficulties in securing the payments awarded by the court, largely due to inadequate enforcement mechanisms within the legal system. These challenges frequently manifest as lengthy delays in payment processing, partial payments that fail to meet the full court-mandated amount, or, in some cases, complete evasion of financial responsibility by the obligated parent. Such evasions may include deliberate attempts to conceal income, changing employment without notifying authorities, or relocating to avoid enforcement actions. Reports from Ukrainian legal aid services highlight that enforcement proceedings are often protracted and inefficient, involving cumbersome bureaucratic procedures, limited resources, and occasional lack of coordination between enforcement agencies. This systemic inefficiency severely undermines the child's right to receive timely and consistent financial support, placing additional emotional and economic strain on custodial parents and negatively

impacting the well-being and development of affected children. Addressing these enforcement gaps is crucial to ensuring that legal judgments translate into real, tangible benefits for families in need.

International agreements help countries create better laws for families and children. They protect children's rights and make laws in different countries similar (Council of Europe, 2011). Including international rules in national laws makes the legal system fairer and stronger.

Globalization and the growing number of international marriages push countries to update their family laws. Society changes; consequently, laws must follow these changes. Good legal support helps families solve modern problems (Munaretto, 2024; Sarıkaya, 2017; Vatrás, 2024; Vatrás et al., 2024; Zaytsev & Pavshuk, 2024; Linik, 2022).

During the war in Ukraine, the government made the marriage process faster for soldiers. Now, military service members can get married in just one day. According to the Constitution of Ukraine (2006), both partners must agree to marry, and they have equal rights in the family. Foreigners living in Ukraine have the same family rights as Ukrainian citizens.

Updating laws is important to protect families in a changing world. New rules can help solve modern problems and defend family members' rights.

3. Methods

The following main methods were used in the present research:

Analysis. This method helps study laws, regulations, court decisions, and academic articles on family law. It helps find the main problems and trends in the classification of rights and responsibilities in the family.

Synthesis – gathers information from different sources to better understand family rights and responsibilities.

Comparative method – analyzes how family law works in different countries, identifying similarities and differences.

Historical method – studies how family rights and responsibilities have changed over time.

Doctrinal analysis – examines scientific articles on family law theory.

Classification – organizes family rights and responsibilities into groups for better understanding.

4. Results

Family rights and responsibilities can be classified in different ways.

Positive Obligations Doctrine (Güler, 2017) – emphasizes that the state must protect families, children, and vulnerable family members.

The Doctrine of Imbalance of Rights and Duties (Apriana & Silvia, 2022) – emphasizes that spouses should share responsibilities fairly to maintain family stability.

They highlight that parents must give children the information they need to grow and develop (Tykhomyrov et al., 2023).

Support of family rights: Havrik studies how police and other agencies protect family rights and children's interests. His research shows that it is important to create better

ways to support and defend family rights (Havrik, 2024).

The review of different opinions about family rights and responsibilities shows that experts have many views on this topic. It is important to keep a balance between the rights and responsibilities of all family members. As society changes, laws must improve to better protect families.

Different countries regulate family rights and responsibilities based on their laws and international agreements. Table 1 shows the main laws and documents that protect family rights in Ukraine and other countries.

Table 1: Laws and regulations in Ukraine and some other countries

Regulatory scope	Regulatory acts	What does it regulate?
Family law in France	Civil Code (1804)	Defines family law, including marriage and divorce.
Family relations in Ukraine	Family Code of Ukraine (2002)	Defines the basic rights and responsibilities of family members.
US family law	Protection of Children from Violence Act (1974)	Describes measures to prevent child abuse.
Family law in Germany	Child and Youth Support Act (1990)	Defines children's rights and state assistance to families.
Family law of the United Kingdom	Children's Rights Protection Act (1989)	Regulates issues of custody, adoption and child rights.
International standards	Hague Convention on Parental Responsibility (1996)	Regulates international aspects of child custody and protection.

Source: compiled by the author based on Family Law Act (1970), Code Civil (1804), Law of Ukraine "On Protection of Childhood" (2001), Hague Conference on Private International Law (1996, 1980), Matrimonial Causes Act (1973), Borisova & Krasyska (2020), Child Abuse Prevention and Treatment Act (1974), Council of Europe (2011), Family Code of Ukraine (2002), UN Women (1979), Kinder- und Jugendhilfegesetz (1990), Law related to the protection from l'enfance (French Republic, 2015), UNICEF (1989), Children Act (1989).

Family laws and children's rights are different in each country. In Ukraine, the main laws are the Family Code and laws about child protection and alimony. In Germany, the USA, the UK, and France, special laws regulate family relations, children's rights, and parental responsibilities. The main goal is to protect children's rights and share family responsibilities fairly.

Family law is a difficult field with many problems and conflicts. Studying court cases and scientific articles helps understand these issues better. It is important to look at the main problems in family law through research and case law analysis (Table 2).

Table 2: Main problems and contradictions in family law based on the results of the analysis of case law and scientific research.

Problem	Description
Poor protection of children's rights	Children do not always receive adequate protection, especially when their parents get divorced. Their interests are often not taken into account in court (Güler, 2017).

Unequal rights in marriage	Family responsibilities are often unevenly distributed, with women typically having more domestic responsibilities and fewer rights (Apriana & Silvia , 2022).
Alimony problems	One parent may not pay child support, which creates difficulties for the other parent (Tykhomyrov et al ., 2023).
Different laws in different countries	Family laws vary from country to country, making court decisions difficult for families who move (Havrik , 2024).
Problems with implementing decisions	Court decisions are not always enforced. This reduces trust in the law and leaves families without protection (Munaretto , 2024).

Sources used by the author: Munaretto (2024), UN Women (1979), Tykhomyrov et al. (2023), Apriana & Silvia (2022), Güler (2017), Jackson (2021), Buda & Dhuli (2024), UNICEF (1989).

The study of court cases and scientific research shows that family law has many problems and disagreements. Laws need to be improved to protect children’s rights, ensure equal rights for spouses, and enforce court decisions. It is also important to strengthen international cooperation and make laws in different countries more similar.

Changes in society make it necessary to update family laws. Laws should match modern life, protect vulnerable groups, and improve the work of police and courts. Special attention should go to protecting children’s rights during parents’ divorce. There should be stricter rules about where the child will live and how they will communicate with the parent who lives separately. Children in difficult family situations need psychological and social support.

Equal rights and responsibilities for spouses are very important in family law. Both parents should have the right to spend time with the child. Laws on sharing childcare and household duties should be updated. Women also need better protection from domestic violence and discrimination.

One of the main problems is alimony payments. It is necessary to create one database of debtors, automate the collection process, and strengthen punishment for those who do not pay alimony. Creating a unified database would enable authorities to track delinquent payers more effectively and prevent them from evading their obligations. Automation of the collection process could reduce administrative delays and ensure timely transfers of funds to custodial parents and children. Strengthening penalties for non-payment, such as fines or restrictions on travel and employment, would act as a deterrent against evasion. Public awareness campaigns are also essential to inform parents of their responsibilities and the consequences of non-compliance. Together, these measures would improve the reliability and fairness of the alimony system, ultimately supporting the financial security of families.

More international marriages require countries to work together. They need to recognize court decisions from other countries and cooperate to protect children's rights. Effective cooperation between countries helps resolve cross-border family disputes more efficiently, reducing delays and legal uncertainties for affected families. Mutual recognition

of court decisions ensures that custody arrangements and child support orders are upheld regardless of where the family members reside. International agreements and conventions provide the legal framework for such collaboration, promoting consistent protection of children's rights worldwide. Enhanced communication between judicial and social service agencies across borders is essential for monitoring and enforcing these decisions. Ultimately, fostering international cooperation strengthens the protection of vulnerable family members and supports the stability of families in an increasingly interconnected world.

Better enforcement of court decisions will increase trust in the legal system. Creating special family courts, training judges, and checking how court decisions are followed can help. Modern technologies like online applications and electronic databases will make family law more effective.

International laws help shape family laws in different countries. They protect children and spouses, stop domestic violence, make laws more similar, and improve cooperation. Following these rules makes local laws fairer and more helpful for families. International agreements also provide frameworks for resolving cross-border family disputes, such as custody and child support cases, which are increasingly common in a globalized world. By setting common standards, these laws help reduce conflicts between different legal systems and ensure consistent protection of family members regardless of their location. Moreover, international conventions encourage countries to adopt best practices and modernize outdated legislation, fostering social justice and equality within families. They also promote the recognition and enforcement of foreign court decisions, which is essential for families living or working abroad. Ultimately, aligning national laws with international norms strengthens the rule of law and supports the fundamental rights of all family members.

In order to improve police and court work in family cases, we need a clear plan. This includes modifying laws, better organization, and training specialists. Laws should protect children's rights, ensure equal rights for spouses, and improve alimony payments and support for victims of violence. Additionally, improving interagency cooperation between law enforcement, social services, and the judiciary is essential for a coordinated response to family issues. Implementing specialized training programs will equip professionals with the skills necessary to handle sensitive cases effectively and empathetically. Finally, public awareness campaigns should be conducted to educate families about their rights and the available support systems, fostering a more informed and proactive community.

Improving family law should protect children's rights, ensure equality between spouses, update alimony rules, harmonize international standards, and strengthen enforcement. International agreements help countries protect families and children's rights (Figure 1).

Equal rights for spouses

International agreements, such as the Convention on the Elimination of Discrimination against Women (CEDAW), help to combat inequality within the family. They have contributed to changes in the laws of many countries so that men and women have equal rights in raising children, dividing property, and sharing family responsibilities (UN Women, 1979).

Combating domestic violence

International agreements such as the Istanbul Convention aim to prevent domestic violence and protect victims. They call on countries to pass laws to help victims and punish perpetrators (Council of Europe, 2011).

Harmonization of family law

International agreements help countries cooperate in family matters. This is especially important for families living in different countries, as it simplifies the recognition and enforcement of court decisions (The Hague Conference on Private International Law, 1980).

Legal assistance and cooperation

International agreements like The Hague Convention protect the rights of children and parents living in different countries. They help courts work together better and solve family disputes between countries more quickly (The Hague Conference on Private International Law, 1996).

Figure 1: The impact of international laws and standards on national family laws.

Sources: The Hague Conference on Private International Law (1980, 1996), UNICEF (1989), Council of Europe (2011), UN Women (1979).

Special family courts can make cases faster and easier. Online systems for applications and court tracking will help too. Judges and police should get training in family law, including international rules. These specialized courts create an environment focused on the unique needs and sensitivities of family disputes, reducing the emotional burden on all parties involved. Digital tools also increase transparency, allowing families to monitor the progress of their cases without unnecessary delays or confusion. Furthermore, continuous professional development ensures that judges and law enforcement officers remain updated on evolving legal standards and best practices. Collaboration with social workers and psychologists can enhance the court's ability to make well-informed decisions

that prioritize the welfare of children. Overall, these measures contribute to a more efficient, fair, and compassionate family justice system.

Good cooperation between courts, police, and social services will solve family problems faster. Special teams for difficult cases can help. People also need to know their rights. Websites, hotlines, and legal centers can give free advice.

These changes will better protect families and their rights. A comprehensive approach with legal reforms, better organization, training of specialists, cooperation, and information support will make family law more effective and fair. Particular attention should be given to aligning the national alimony system with established international child support standards to ensure consistent and effective protection of children's rights across different jurisdictions. Such alignment is essential not only for safeguarding the financial well-being of children but also for promoting fairness and accountability within family law frameworks. Emphasizing the harmonization of alimony regulations with international conventions, such as the Hague Convention and relevant United Nations protocols, would help create a more cohesive legal environment that facilitates cross-border enforcement and cooperation. Furthermore, prioritizing comprehensive legal reforms that address key issues—including the strengthening of enforcement mechanisms, increasing transparency in payment procedures, and promoting gender equality in the allocation of parental responsibilities—would provide a clearer and more actionable roadmap for building an equitable, modern, and resilient family law system. These reforms are critical to overcoming existing challenges related to non-compliance and systemic inefficiencies, ultimately contributing to the well-being and stability of families.

5. Discussion and Conclusion

The classification of family rights and responsibilities is an important issue in modern family law. The research shows that there are different ways to classify family duties, and each has its pros and cons.

Unequal sharing of rights and responsibilities between spouses can cause conflicts and harm family stability. Apriana and Silvia (2022) believe that men and women should have equal rights and responsibilities for a happy family life.

Parents' duty to support their children's development is also very important. If laws do not clearly describe this duty, children's rights may be violated. Tykhomyrov and other researchers (2023) say that parents must care for their children's education and provide them with important information (Jackson, 2021).

Child support remains a serious issue. Buda and Dhuli (2024) state that weak child support collection systems can leave children without enough money. They suggest stronger rules to protect children's financial interests.

It is also necessary to align national laws with international standards. Important documents like the UN Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women help make family laws fairer. Güler (2017) explains that international rules improve national laws.

As international marriages increase, countries need to work together. This includes accepting court decisions from other countries and protecting children's rights in different places (Munaretto, 2024).

Compared to Western European and North American countries, where effective enforcement mechanisms for alimony are well-established and societal recognition of equality within family relationships is widespread, these processes remain significantly less developed in other regions, particularly in Eastern Europe and Central Asia. In Western Europe, for instance, legal systems benefit from transparent, efficient, and expedited procedures for enforcing court decisions related to alimony payments. These procedures often include electronic monitoring of payments, strict penalties for non-compliance, and accessible legal recourse for custodial parents, which collectively ensure timely and reliable financial support for children. Additionally, broad public awareness and cultural acceptance of gender equality reinforce these legal measures, fostering an environment where shared parental responsibilities are socially endorsed and legally protected.

In contrast, many post-Soviet states continue to struggle with systemic delays and administrative hurdles that impede effective enforcement of alimony obligations. Factors such as underfunded judicial institutions, bureaucratic inefficiencies, and limited public understanding of family law contribute to inconsistent application of court rulings. These challenges often result in prolonged non-payment of child support, placing vulnerable children and custodial parents at economic and social risk, and undermining overall family stability. Moreover, traditional gender roles and societal attitudes in some of these regions may further complicate efforts to promote equitable sharing of parental responsibilities, thereby affecting enforcement outcomes.

This comparative analysis underscores the urgent need to incorporate international best practices when reforming national family law legislation. Such reforms should be carefully tailored to reflect the specific socio-cultural characteristics and institutional capacities of each country. By doing so, policymakers can design enforcement mechanisms that are not only legally sound but also culturally sensitive and practically effective, thereby enhancing the protection of children's rights and promoting family well-being on a broader scale. In conclusion, the research shows that family law needs improvement. It is important to give spouses equal rights, clearly explain parents' duties, make child support better, and follow international rules. These steps will help make family law fair and effective.

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