



## CRITERIA FOR DIFFERENTIATING ADMINISTRATIVE AND CRIMINAL LIABILITY FOR UNAUTHORIZED ABANDONMENT OF A MILITARY UNIT

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### ABSTRACT

**Objective:** To analyze the legal criteria distinguishing administrative and criminal liability for unauthorized abandonment of a military unit or duty station, within the framework of Ukrainian legislation and the specific conditions imposed by martial law.

**Methods:** The study applies dogmatic legal analysis of the Criminal Code of Ukraine and the Code of Ukraine on Administrative Offenses, comparative methods to identify similarities and divergences between the two types of liability, a systemic approach to assess objective and subjective elements of the offenses, and examination of relevant judicial practice and doctrinal scholarship on qualification of military offenses.

**Results:** Findings demonstrate that administrative and criminal offenses share several characteristics, including the protected legal interest, the forms of conduct (unauthorized departure or failure to return), and subjective elements. However, decisive differences justify their distinction. The primary criterion is the **duration of the act**: absence of up to three days results in administrative liability, whereas absence exceeding this period constitutes a criminal offense. Additional distinctions arise regarding the scope of subjects (administrative liability may extend to reservists; criminal liability applies only to servicemembers) and the severity of sanctions. The study emphasizes practical challenges in determining the precise starting point of the offense, which is critical for correct legal qualification. Under martial law, new provisions allow possible exemption from criminal liability upon voluntary return and written consent from the commander, although concerns about corruption risks remain.

**Conclusion:** Clearer legislative criteria are needed to differentiate administrative and criminal liability, ensuring consistent law enforcement, proportional sanctions, and protection of servicemembers' rights in wartime conditions.

**Keywords:** Unauthorized abandonment of a military unit; Administrative liability; Criminal liability; Military discipline; Law enforcement practice; Offense qualification; Criminal Code of Ukraine



## CRITÉRIOS DE DIFERENCIAÇÃO DA RESPONSABILIDADE ADMINISTRATIVA E PENAL POR ABANDONO NÃO AUTORIZADO DE UMA UNIDADE MILITAR

### RESUMO

**Objetivo:** Analisar os critérios jurídicos que diferenciam a responsabilidade administrativa e a responsabilidade penal por abandono não autorizado de unidade militar ou posto de serviço, considerando o marco normativo ucraniano e os impactos do regime de lei marcial.

**Métodos:** A pesquisa utiliza análise jurídico-dogmática do Código Penal da Ucrânia e do Código da Ucrânia sobre Infrações Administrativas, métodos comparativos para examinar convergências e divergências entre as duas modalidades de responsabilidade, abordagem sistêmica para compreender os elementos objetivos e subjetivos das infrações, e estudo da prática judicial e doutrinação relevante para qualificação do abandono não autorizado.

**Resultados:** Os resultados mostram que as infrações administrativas e penais apresentam elementos comuns — objeto protegido, formas de manifestação (abandono ou não retorno tempestivo) e características subjetivas. Contudo, diferenças essenciais justificam a distinção entre ambas. O critério central é a duração da conduta: ausências de até três dias configuram responsabilidade administrativa; ausências superiores resultam em responsabilidade penal. Observam-se ainda diferenças quanto ao sujeito ativo (administrativa pode alcançar reservistas; penal apenas militares) e quanto à gravidade das sanções. O estudo destaca dificuldades práticas na determinação do momento exato de início da infração, sobretudo em delitos permanentes. A análise revela mudanças relevantes sob lei marcial, incluindo possibilidade de isenção de responsabilidade penal mediante retorno voluntário e anuência do comandante, embora com potenciais riscos de corrupção.

**Conclusão:** A distinção entre responsabilidade administrativa e penal exige critérios mais claros e uniformes, sobretudo quanto ao marco temporal da infração e à aplicação das sanções. Recomenda-se aprimoramento legislativo para reforçar a disciplina militar, assegurar proporcionalidade punitiva e proteger direitos dos militares em contexto de guerra.

**Palavras-chave:** Abandono não autorizado de uma unidade militar; Responsabilidade administrativa; Responsabilidade penal; Disciplina militar; Prática policial; Qualificação da infração; Código Penal da Ucrânia

### 1 INTRODUCTION

The significant role of the Armed Forces of Ukraine in national defense, the protection of its sovereignty, territorial integrity, and inviolability, as well as ensuring state security, is played by the military personnel of the Armed Forces of Ukraine. It is they who are entrusted with the most important functions of the state.

The issue of distinguishing between administrative and criminal liability for unauthorized abandonment of a military unit is relevant both in theoretical and practical aspects. This issue becomes particularly significant in the context of modern military conflicts and the strengthening of legal regulation of military service. Unauthorized abandonment of a military unit may have varying degrees of public danger, necessitating a clear differentiation between administrative offenses and criminal

violations.

The legal regulation of this area requires a comprehensive approach, considering both objective and subjective criteria for classifying the act. Determining the legal nature of the violation is essential for law enforcement practice, as it influences the nature of the sanctions that may be imposed on a military serviceman. Proper differentiation between administrative and criminal liability contributes to ensuring justice, proportionality of punishment, and the protection of the rights of military personnel.

Currently, this is one of the most common military criminal offenses. Liability for unauthorized abandonment of a military unit or duty station is provided for by two legal acts—the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine. At the same time, there is no unified position among scholars and law enforcement practitioners regarding certain aspects of this offense, particularly under martial law or during combat operations.

Due to the full-scale armed aggression of the Russian Federation against Ukraine, in accordance with paragraph 20, part 1, article 106 of the Constitution of Ukraine and the Law of Ukraine “On the Legal Regime of Martial Law”, martial law was introduced by the Decree of the President of Ukraine, approved by the Law of February 24, 2022, No. 2102-IX, with subsequent amendments extending its validity. Under such conditions, the role of the Armed Forces of Ukraine (AFU) in ensuring state defense, protecting its sovereignty, territorial integrity, and inviolability has significantly increased. This, in turn, has highlighted the issue of the legal status of this military formation in general and the administrative-legal status of AFU military personnel in particular.

A systematic approach allows for the consideration of the administrative-legal status of military personnel as a complex formation with a multi-component structure, including legal norms that regulate their rights, duties, and responsibilities. The specificity of military service determines the peculiarities of this status. According to part 1, article 2 of the Law of Ukraine “On Military Duty and Military Service”, military service is defined as a special type of state service, involving the professional activity of Ukrainian citizens, foreigners, and stateless persons who meet the necessary health and age requirements, for the purpose of defending the state, ensuring its independence and territorial integrity.

The issues of military service and the status of military personnel have been

studied by many scholars. In particular, V. M. Aleksandrov examined military service as a special type of state service in Ukraine (Aleksandrov, V. M., 2009), while I. F. Korzh analyzed issues of enlistment, advancement, and termination of military service (Korzh, I. F., 2004).

The administrative and legal status of military personnel of the Armed Forces of Ukraine has been studied by S. O. Ishchenko and V. P. Koval (Koval, V. P., 2021). S. O. Ishchenko defined this status as a set of rights, duties, administrative and legal guarantees, restrictions, and prohibitions, as well as elements of legal liability of a serviceman (Ishchenko, S. O., 2019). V. P. Koval structured the administrative and legal status of a serviceman as a complex of elements, including duties, rights, guarantees for the exercise of these rights and duties, as well as legal liability (Koval, V. P., 2021).

The issue of administrative liability of military personnel has been analyzed by O. S. Polyakova, who examined the administrative liability of military personnel of the Armed Forces of Ukraine (Polyakova, O. S., 2014), and O. P. Snigerov, who studied the administrative and legal regulation of disciplinary liability of employees and military personnel of the State Border Guard Service of Ukraine (Snigerov, O. P., 2017). O. G. Tkachenko, V. S. Oliynyk, and S. V. Klymenko have also made significant contributions to the study of this issue (Tkachenko, O. G., Oliynyk, V. S., & Klymenko, S. V., 2015).

The distinction between administrative and disciplinary liability of military personnel has been examined by A. O. Hembar and A. E. Krakovska (Hembar, A. O., & Krakovska, A. E., 2019). The foreign experience in administrative and legal regulation of military service discipline has been studied by V. V. Vernyhora, while the professional activities of military personnel of the National Guard of Ukraine have been analyzed by I. M. Volkov and V. I. Perepadia (Volkov, I. M., & Perepadia, V. I., 2019).

Particular attention has been paid by scholars to the qualification of unauthorized abandonment of a military unit or duty station. This topic has been covered in the works of H. M. Anisimov, V. P. Bodaievskyi, V. V. Davydenko, Yu. P. Dziuba, N. A. Dmytrenko, M. I. Karpenko, V. I. Kasyniuk, I. P. Mishchuk, M. M. Senko, Ye. A. Sliusarchuk, M. I. Khavroniuk, O. V. Obodovskyi, and other scholars. However, their studies have not taken into account the specific legal aspects arising from the introduction of martial law (Rodrigues, L. C., Dagobi da Silva, R., Espinosa, S. M., & Riscarolli, V. 2024).

In view of this, there is a need for further research on the correlation between unauthorized abandonment of a military unit and related offenses, as well as the criteria

for differentiating administrative and criminal liability for this act. This will help to establish the specifics of qualifying this offense, identify problematic aspects of legal regulation, and determine the particularities of both administrative and criminal liability.

## **2 METHODS**

The methodology of this study has been developed with due consideration of the specific nature of the subject matter, facilitating an in-depth analysis and understanding of the problem of differentiating administrative and criminal liability for unauthorized abandonment of a military unit or duty station. This research presents a comprehensive legal analysis that encompasses the qualification of unauthorized abandonment of a military unit, while simultaneously examining both administrative and criminal liability within the framework of Ukrainian legislation.

The primary objective of the study is to identify and analyze key aspects that influence the effectiveness of sanctions and law enforcement practice. The research is based on an examination and analysis of Ukrainian legislative acts, particularly the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine, as well as judicial practice and relevant international standards governing military discipline and the liability of military personnel.

Thus, the study's methodology is aimed at conducting an in-depth analysis and objective assessment of the current state of legal regulation concerning administrative and criminal liability for unauthorized abandonment of a military unit or duty station. This will contribute to further legislative improvements and the enhancement of military discipline.

## **3 RESULTS AND DISCUSSIONS**

The procedure for military service obliges servicemembers to remain continuously at their duty stations and to conscientiously execute orders and directives.

An analysis of the provisions of Article 172-11 of the Code of Ukraine on Administrative Offenses (hereinafter – CUoAO) and Article 407 of the Criminal Code of Ukraine (hereinafter – CC of Ukraine) allows for the conclusion that they are similar in defining the elements of an offense, which sometimes leads to errors in the qualification of unlawful actions committed by servicemembers. Scholars express

different approaches regarding the determination of the immediate object of this offense: from the procedure for military service to the direct combat readiness of military units.

Furthermore, the offenses provided for in these articles may be committed in two ways:

- unauthorized abandonment of a military unit or place of duty;
- failure to report for duty on time without valid reasons.

However, the legislator, in formulating Part 1 of Article 172-11 of the CUoAO (which applies only to conscripted servicemembers), essentially duplicated the provisions of Part 1 of Article 407 of the CC of Ukraine, artificially limiting cases of failure to report for military service to specific circumstances, such as failure to report after a business trip, leave, or medical treatment.

This approach does not take into account all possible situations that arise in real life. In particular, in practice, there are cases where servicemembers, possessing significant material resources, conspire with mid-level commanders and, in exchange for a bribe, formally continue their military service (even appearing in documents as participants in combat operations), while in fact, they remain at their permanent places of residence and do not fulfill any military duties.

Scholars are surprised by the fact that, in structuring Part 2 of Article 172-11 of the CUoAO (the provision applies to servicemembers other than conscripts, as well as reservists and liable reservists during training exercises), the legislator did not duplicate the provisions of Part 2 of Article 407 of the CC of Ukraine regarding the absence of a limited list of cases of failure to report for military service. Thus, it effectively equated the rights and obligations of conscripted servicemembers with those of other categories of servicemembers, as well as reservists and liable reservists.

The determination of the specific features of the administrative liability of servicemembers for unauthorized abandonment of a military unit or place of duty requires an analysis of the legal nature of this offense through the characteristics of its elements. In legal science, the composition of an administrative offense is considered a system of interrelated objective and subjective features that allow a specific act to be qualified as an administrative offense (Ostapenko, O. I., Kovaliv, M. V., Esimov, S. S., et al., 2021).

Administrative liability as a legal category does not have a clear definition in the Code of Ukraine on Administrative Offenses (CUoAO). However, it may be



considered a distinct type of legal liability applied to individuals who have committed administrative offenses. According to Article 9 of the CUoAO, an administrative offense is a "wrongful, culpable (intentional or negligent) act or omission that encroaches on public order, property, the rights and freedoms of citizens, the established order of governance, and for which administrative liability is prescribed by law." Based on this definition, most scholars interpret administrative liability as a legal response to the commission of an administrative offense.

Some researchers, particularly V. B. Averyanov and T. O. Kolomoiets, propose a broader interpretation of this concept, emphasizing additional aspects such as the application of administrative coercion. They consider administrative liability a special form of state response to an offense, which involves the imposition of coercive measures on individuals and legal entities. V. K. Shkarpytska defines administrative liability as a specific mechanism of negative state response, implemented through the activities of administrative jurisdiction bodies, which provides for the imposition of sanctions on offenders in accordance with the law (Shkarpytska, V. K., 2018).

An interesting approach to defining administrative liability is proposed by Y. V. Drofych, who considers it as a multi-level system of legal response that includes substantive legal grounds and procedural procedures for handling administrative cases. She emphasizes that administrative liability has a complex nature and comprises such components as administrative unlawfulness, the legal composition of the offense, types of administrative sanctions, and their procedural formalization (Drofych, Y. V., 2022).

Administrative liability of servicemembers of the Armed Forces of Ukraine is a distinct type of administrative liability that arises in the case of military administrative offenses. According to paragraph 3 of section I of the Instruction on Reporting and Notifications of Events, Criminal Offenses, and Military Administrative Offenses [...], such offenses are defined as "wrongful, culpable (intentional or negligent) acts or omissions of a servicemember, for which administrative liability is provided in accordance with Chapter 13-B of the CUoAO." Thus, the administrative liability of servicemembers is aimed at ensuring military law and order and compliance with established norms of military discipline.

The composition of a military administrative offense, as regulated by Article 172-11 of the CUoAO, can be characterized as a set of mandatory elements that determine the legal nature of the committed act. These include the object, the objective

aspect, the subject, and the subjective aspect. The object of this administrative offense consists of social relations in the sphere of military discipline and law and order, which are protected by the norms of administrative law (Pavlov, D. M., 2007). Specifically, this concerns the established procedure for military service (Vitvitskyi, S. S., Veselov, M. Yu., Nesterenko, O. M., & Yeprintsev, P. S., 2024).

The objective aspect of an administrative offense is expressed in specific actions or omissions that violate military discipline norms. Such a violation can manifest in two forms:

- unauthorized abandonment of a military unit or place of duty without appropriate permission;
- failure to report for duty on time without valid reasons in the event of discharge from a unit, appointment, transfer, or return from a business trip, leave, or medical facility (Vitvitskyi, S. S., Veselov, M. Yu., Nesterenko, O. M., & Yeprintsev, P. S., 2024).

The subjective aspect of this administrative offense involves examining the psychological attitude of an individual toward their actions and their consequences. The subjects of such an offense may include conscripted servicemembers (under Parts 1, 2, and 4 of Article 172-11 of the CUoAO), as well as reservists and liable reservists in cases defined by Parts 3 and 4 of Article 172-11 of the CUoAO. It is important to note that in most cases, unauthorized abandonment of a military unit occurs with direct intent, whereas tardiness in reporting for duty may result from both intentional actions and negligence.

An analysis of the provisions of the Criminal Code of Ukraine dated April 5, 2001, allows for the conclusion that unauthorized abandonment of a military unit or place of duty constitutes a military criminal offense, as it violates the established procedure for military service. This offense is regulated in Chapter XIX of the Special Part of the CC of Ukraine.

To conduct a comparative analysis between administrative and criminal liability for unauthorized abandonment of a military unit or place of duty, it is necessary to determine the legal characteristics of this military criminal offense, as defined in Article 407 of the CC of Ukraine. It is also essential to consider possible criminal law measures that may be applied to individuals found guilty of committing such an act.



The object of this crime is the regulated procedure for military service, which requires that conscripted servicemembers must continuously remain within their military unit or place of duty, whereas officers, warrant officers, and contract servicemembers may not leave their duty stations during the designated time without proper authorization from a commanding officer (Tatsii, V. Ya., Pshonka, V. P., Borisov, V. I., & Tyutyugin, V. I., 2013).

Analyzing Article 407 of the CC of Ukraine from an objective perspective, this offense may manifest in two forms: unauthorized abandonment of a military unit or place of duty; and failure to report for duty on time without valid reasons.

The subjects of such an offense include various categories of servicemembers: Part 1 applies only to conscripts, Part 2 covers other servicemembers, while the provisions of Parts 3, 4, and 5 encompass all categories of military personnel. The subjective aspect of unauthorized abandonment of a military unit or place of duty involves direct intent, whereas failure to report for duty may be committed either intentionally or through negligence.

One of the key differences between a military administrative offense and a military criminal offense is the duration of the act. If a servicemember leaves their place of duty or fails to report on time without valid reasons for a period not exceeding three days, such an act falls under administrative liability in accordance with the relevant provisions of Article 172-11 of the CUoAO, provided that all case circumstances are considered. However, if this period exceeds three days, it may serve as grounds for criminal liability under the applicable provisions of Article 407 of the CC of Ukraine.

Particular attention should be paid to the criminal law measures that may be applied to servicemembers if they are found guilty of unauthorized abandonment of a military unit or place of duty. The sanctions provided for in Article 407 of the Criminal Code of Ukraine include: fine; service restrictions; detention in a disciplinary battalion; imprisonment (Kuryliuk Y., Filippov S., Kushnir I. et al., 2020).

The choice of punishment depends on the specific part of the article under which the crime is classified: Part 1 provides for detention in a disciplinary battalion (up to two years) or imprisonment (up to three years); Part 2 includes possible sanctions such as a fine (from 1,000 to 4,000 non-taxable minimum incomes of citizens), service restrictions (up to two years), or imprisonment (up to three years); Part 3 prescribes imprisonment from two to five years; Part 4 sets the punishment at three to seven years of imprisonment; Part 5 provides for five to ten years of imprisonment.

The unauthorized abandonment of a unit or place of duty occurs when a conscripted servicemember, without receiving authorization from the appropriate commander, leaves the territory of the military unit. For an offense to be constituted, the abandonment of the military unit or place of duty must be unauthorized, meaning it was committed without the commander's permission.

Failure to report for duty on time occurs when a servicemember, having legally left the military unit or place of duty, fails to return at the designated time despite having objective opportunities to do so and remains outside the unit's location beyond the established period.

Scholars and practitioners face numerous challenges in determining the starting point of unauthorized abandonment of a military unit or failure to report on time without valid reasons. Since this is a continuing offense, the precise establishment of its beginning is critical for proper qualification and fair punishment.

Some researchers argue that, for conscripted servicemembers, the starting point of such an offense should be counted from the actual moment of leaving the military unit or place of duty, regardless of whether it occurred during duty hours or rest periods. Meanwhile, for other categories of servicemembers, the offense should be considered to have begun only when the servicemember left their place of duty during duty hours (Grishchuk, V. K., & Senko, M. M., 2007).

Regarding failure to return to duty on time, some researchers suggest that the starting point of this offense should be counted from the moment when the lawful period of absence expires, while others argue that the offense begins on the following day after the expiration of the authorized absence period (Boko, A. M., Brych, L. P., Dudorov, O. O., et al., 2019).

The more justified position seems to be the one stating that the offense should be officially recorded not from the actual moment of the act but from 00:00 of the next calendar day (Onyskiv, A. M., 2017). This approach has long been established in criminal law and is widely applied in various cases.

The application of this methodology is explained by the fact that the exact moment of leaving the military unit or place of duty cannot always be reliably established or proven, just as the exact time of failure to report on duty may also be uncertain. Thus, counting the offense period from the next calendar day is the most universal approach, ensuring the protection of servicemembers' legal rights while minimizing errors in law enforcement practice.

It is worth noting that, due to the continuation of martial law throughout Ukraine, and in accordance with the provisions of the Criminal Code of Ukraine, the punishment for unauthorized abandonment of a military unit currently only includes imprisonment for a period of five to ten years.

Since committing a military criminal offense is considered an aggravating circumstance under Article 67 of the Criminal Code of Ukraine, the court will impose a punishment taking this factor into account. Consequently, the type and severity of the penalty will be closer to the maximum limit provided by the Criminal Code of Ukraine. It is important to note that the Verkhovna Rada of Ukraine has recently passed a law on exemption from criminal liability for unauthorized abandonment of a military unit in cases where the servicemember voluntarily returns to duty.

Thus, under Part 5 of Article 401 of the Criminal Code of Ukraine, it is established that an individual who, during martial law, has for the first time committed a criminal offense under Article 407 of this Code may be exempted from criminal liability in accordance with the criminal procedural legislation of Ukraine, provided that they voluntarily submit a petition to an investigator, prosecutor, or court stating their intention to return to their current or another military unit or place of service to continue their military duties and the commander (superior) of the military unit (institution) provides written consent for the servicemember to continue their military service.

These changes came into legal force on September 7, 2024. It should be emphasized that the wording of this article indicates that the individual may be exempted, meaning there is no direct obligation for such exemption. Furthermore, exemption from liability is only possible if the commander (superior) of the military unit provides written consent, which raises concerns about potential corruption risks, as the legislator does not specify a clear procedure for granting such permission. At the same time, these amendments do not address the primary issue—the reason for the servicemember's abandonment of the unit.

If a comparison is made between the legal elements of unauthorized abandonment of a military unit or place of duty as both an administrative and criminal offense, several common characteristics can be identified.

In particular, they include:

- a similar object of the offence, namely, social relations related to the observance of military discipline and ensuring law and order in military formations, in particular, the established procedure for military service;

- the same forms of manifestation from the objective side - either unauthorised leaving of a military unit or place of service, or untimely arrival for service without valid reasons;

- a common range of offence subjects, in particular, conscripts and contract servicemen;

- identical subjective side: unauthorised leaving of a military unit or place of service is committed exclusively with direct intent, and late arrival for service without valid reasons may be the result of both intentional actions and negligence.

At the same time, there are significant differences that distinguish administrative and criminal liability for such offenses (Tutida, A. Y., Rossetto, C. R., Santos, R. C. dos, & Mazon, G. 2022). One key difference is the duration of the offense. If unauthorized abandonment of a military unit or failure to report for duty on time without valid reasons lasts no more than three days, the servicemember may be subject to administrative liability under Article 172-11 of the Code of Ukraine on Administrative Offenses, considering the specific circumstances of the case. However, if this period exceeds three days, criminal liability arises under Article 407 of the Criminal Code of Ukraine, and the offense is classified under criminal law.

Another important distinction is the scope of subjects. While administrative liability can be imposed not only on servicemembers but also on reservists and individuals liable for military service, criminal liability under Article 407 of the Criminal Code of Ukraine applies exclusively to servicemembers.

The measures of legal liability also differ. In the case of an administrative offense, less severe sanctions are provided, such as a fine or arrest with detention in a guardhouse. In contrast, criminal punishment is significantly stricter and may include a fine (which exceeds the amount of the administrative penalty), service restrictions, assignment to a disciplinary battalion, or imprisonment.

## **4 CONCLUSIONS**

The distinction between administrative and criminal liability for unauthorized abandonment of a military unit or place of duty is an important task for both legislators and law enforcement authorities. An analysis of the provisions of Article 172-11 of the Code of Ukraine on Administrative Offenses and Article 407 of the Criminal Code of Ukraine reveals common characteristics of these offenses, including a similar object of

infringement, analogous forms of manifestation from an objective perspective, and shared features of the subjective aspect. At the same time, the key distinction between administrative and criminal liability lies in the duration of the offense and the severity of the sanctions.

The legislative regulation of this issue requires further improvement, particularly in terms of clearly defining the moment when the offense begins and its qualification. Special attention should be given to cases where servicemembers leave their place of duty for an extended period or fail to return on time without valid reasons. An approach that considers not only the formal characteristics of the offense but also its contextual circumstances will contribute to fairness in law enforcement and the strengthening of military discipline.

Given the current challenges associated with martial law, it is necessary to adapt accountability mechanisms to prevent evasion of military service while ensuring the protection of servicemembers' rights. Considering the recent legislative changes regarding the possibility of exemption from criminal liability in the case of voluntary return to a military unit, it is essential to develop effective implementation mechanisms, particularly to eliminate corruption risks in decision-making processes.

In conclusion, further research on this issue should focus on developing recommendations for improving the regulatory framework governing unauthorized abandonment of a military unit or place of duty, as well as finding an optimal balance between maintaining military discipline and upholding the rights of servicemembers.

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