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whole world, being the holder of huge reserves of US dollars, credits the American economy.

Russia is the world's largest exporter of oil and other raw materials. The terms of international settlements in the Russian national currency are an obvious advantage for the Russian economy. Buying Russian raw materials from foreign countries for Russian rubles would dramatically increase the exchange rate of the

Russian national currency. And along with the increase in the ruble exchange rate, Russia's investment attractiveness increased, both in financial and real terms, and the Russian economy showed high growth rates. For the development and growth of the national economy, the state must create favorable conditions for investment of the economy by citizens of this state.

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## FEATURES OF LAND RELATIONS REFORM IN UKRAINE

### **Abstract.**

*Agricultural production, in contrast to industry and other areas of economic activity, is characterized by specific, unique properties associated with the biological basis of production processes. The obligatory need for agriculture is also the availability of land resources as the main means of production. The role and place of land in the agricultural economy is now defined quite significantly. From an economic point of view, land is the object of economic activity, the material base of production, the source of meeting human needs.*

*Involvement of land in economic relations has defined a special type of relationship – land relations. The content of this concept makes private land ownership one of the most important elements of protection of the system of civil rights, state guarantees of business and investment activities. These phenomena are a consequence of Ukraine's transition to a market economy. This, in turn, was inevitably accompanied by the transformation of the economic mechanism, changes in forms and methods of management. In agriculture, such transformations were marked by reform. It is the process of land reform in Ukraine that focuses on providing a legal basis for implementing the requirements of international law of economic freedom and independence. According to scholars, economic freedom is the basis and component of the freedoms of civil society. The guarantee of personal freedom of a citizen is private property [1], [3]. Given that man is a social being, property allows him to feel independent and be more confident within society. Private property is the product of a mature self-consciousness of the individual. It is effective when the owner and the owner are combined in one person, due to which there is a greater material interest in working better and more efficiently for their own good. Such goals are envisaged by the completion of land reform in Ukraine. The article describes the chronology of land reform and highlights key legislation that had a significant impact on its progress. The key problems of completing land reform and prospects for land market development in Ukraine have also been identified.*

**Keywords:** *land, private property, regulation, land reform, agricultural land, land market, farms.*

**Results.** In Ukraine, the category of private property has come a long way from evolution, from the monopoly of public property under socialism in the early twentieth century, when collective and state enterprises were created, to a market economy in a multifaceted environment. The country's agriculture underwent a process of forced collectivization, and the land was nationalized. This provided for the creation on the basis of private property of peasants agricultural cooperatives, and on the basis of large landed estates – state farms (state farms). The disadvantage of this model of state and collective forms of ownership in agriculture, as Azizov, S. emphasizes, should be considered that the workers were separated from the ownership of the means of production and economic results. This state did not encourage them to highly productive work, efficient use, accumulation and economic storage of means of production, manufactured products, and the private interest of the peasant was lost [1].

After the collapse of the USSR and the disbandment of the command-and-control conditions of the planned economy, the introduction of market economy principles in the sphere of domestic agricultural policy took place in a period characterized by political uncertainty, economic instability and stagnation of agricultural production. The inconsistency of the regulatory framework for the completion of land reform had a negative impact on the process of agrarian reform. The problem was exacerbated by the conservative views of officials with conservative communist ideological views [2].

The reform of the development of the Ukrainian system of land relations began with the proclamation by the Verkhovna Rada of the Ukrainian SSR on July 16, 1990, of the Declaration on the State Sovereignty of Ukraine. This document confirmed the fact that Ukraine withdrew from the Soviet Union and gained independence. The fundamental motive of land reform

was the text of the Constitution: «land, its subsoil, air-space, water and other natural resources located within the territory of the Ukrainian SSR, natural resources of its continental shelf and exclusive (marine) economic zone, all economic and scientific-technical the potential created on the territory of Ukraine is the property of its people, the material basis of the sovereignty of the Republic and is used to meet the material and spiritual needs of its citizens» [5]. The result of the land reform was the transfer of ownership of state-owned agricultural land to the peasants. This political step became the basis for the formation of market land relations. Citizens have been granted a full range of rights in relation to land resources in the form of possession, use and disposal of it [22].

Land reform began with the basic ideology ... the land should belong to those who cultivate it [24]. On October 1, 1990, the Verkhovna Rada of the Ukrainian SSR adopted the Concept of the Transition of the Ukrainian PCP to a Market Economy. The fifth section of this document states: The transition to market relations implies a radical transformation of agrarian relations, which requires land reform. However, as the content analysis showed, this document did not contain specific ways to achieve the stated goal. On December 18, 1990, the Verkhovna Rada of the Ukrainian SSR adopted the Resolution «On Land Reform». This document initiated the reform of land ownership and the formation of market relations in the countryside. Based on the above Concept, the Verkhovna Rada of the Ukrainian PCP adopted the Land Code of the Republic of Ukraine. The Code declared the land the property of the people and stipulated the procedure for granting it to citizens for life inherited possession. The restraining factor of such a transfer should be considered that according to Article 11 of the Constitution of the USSR (in force on the date of adoption of the Code), the land was still in the exclusive ownership of the state. Therefore, the real transition to market relations in the agro-industrial complex was not possible without resolving the issue of transfer of land to private ownership [1, 2].

The implementation of this obstacle was planned to be solved by unbundling the lands of collective agricultural enterprises. Citizens received the right to receive a land share (share) according to the 1992 Land Code. Article five stated that each member of a cooperative or collective farm, provided he left its structure, could receive a land share in the amount of the average land share of the region. The same Code provided that this right could be inherited or subject to sale. The Decree of the President of Ukraine of October 10, 1994 № 666/94 «On Urgent Measures to Accelerate Land Reform in the Sphere of Agricultural Production» [24] was of great importance in regulating these norms of the Land Code. This document specified that each member of the sold economy was issued a certificate. This document confirmed his right to privatize the land share. The certificate recorded the actual area of the land share in conventional hectares and in monetary terms. In addition, the Decree provided that a citizen-shareholder could dispose of the certificate by donation, sale, exchange, inheritance, pledge, and if desired, could receive land for cultivation.

On August 8, 1995, the President of Ukraine issued Decree № 720/95 «On the Procedure for Sharing Lands Transferred to Collective Ownership by Agricultural Enterprises and Organizations» [25]. The decree stipulates that the right to a land share is also granted to formerly working pensioners who remain members of these enterprises and have a share in the collective ownership of land. It should be noted that within the time period when the above regulations were adopted, citizens actively privatized land plots provided by the Land Code for personal farming, gardening, housing, cottage and garage construction or horticulture.

The expediency of dividing the land of collective farms was motivated by the fact that the peasant becomes economically independent. This was to ensure the equal development of various forms of management in Ukraine and to promote land protection. Acceleration of these events was facilitated by the issuance by the President of the Decree On Land Lease on April 23, 1997 and the adoption of the Law of Ukraine On Land Lease on October 6, 1998 [7]. As a result, it became possible to lease whole plots of land to anyone. The adoption of the Resolution of the Cabinet of Ministers of Ukraine of January 24, 2000 № 119 contributed to the regulation of lease relations. The resolution determined the procedure for registration of land share lease agreements (shares). And by the order of the State Land Committee of Ukraine dated January 17, 2000 № 5 the form of the Standard contract of lease of the land share (share) was established. The conclusion of such an agreement has strengthened the legal protection of landowners and land users [7].

Despite the created institutional conditions for market transformations, the process of development of private farms was slow. This phenomenon can be explained by the lack of experience of the peasants in doing business, the lack of the necessary theoretical and methodological materials and the lack of the necessary means of production. In addition, the peasants had no idea of land as a family value. This was facilitated by the absence of cases of inheritance of family farms and private land ownership.

At the time of the reform, the Soviet collective and state farms concentrated considerable material and technical potential for agricultural production — land, machinery, buildings, and resources. However, the limited financial capacity of Ukrainian peasants limited the prospects for investment development of small farms. This is confirmed by the fact that at the end of 1999 in Ukraine less than 10% of collective enterprises were reorganized [2].

The reform of land relations was intensified after the President of Ukraine signed the Decree «On urgent measures to accelerate the reform of the agricultural sector of the economy» on December 3, 1999 [24]. According to this document, land shares were transferred to private land holdings with clear boundaries. For this purpose, the Law of Ukraine of June 5, 2003 № 899-IV «On the procedure for allocating land plots in kind (on the ground) to owners of land shares (units)» [8] was adopted and a resolution of the Cabinet of Ministers of Ukraine of April 4, 2004 was issued № 122 «On the organization of works and methods of distribution of

land plots between owners of land shares (units)» [24]. That is, only eight years after the beginning of land division, its legislative regulation took place. As a result of this legislative activity, the process of citizens' exchange of certificates for the right of ownership of land shares (units) to state acts intensified.

On October 25, 2001, the new Land Code of Ukraine was adopted. It entered into force on January 1, 2002. This legal act has become a conceptual bill governing the reform of land relations and the formation of the land market. Private, state and communal forms of land ownership have become equal [10].

Part three of Article 22 of the new Land Code of Ukraine defines the following categories of targeted use of agricultural land: for personal farming; for gardening and horticulture; for cattle grazing and haymaking; for conducting commodity agricultural production; and for the organization of farms [10].

The new version of the Land Code of Ukraine also supported the following Constitutional norms:

- «Land is the main national wealth under special state protection» (Article 14);
- «Ensuring ecological safety and maintaining ecological balance on the territory of Ukraine is the duty of the state» (Article 16)
- «No one may be unlawfully deprived of property rights. The right to private property is inviolable».
- «Everyone has the right to engage in entrepreneurial activity, which is not prohibited by law» (Article 42) [10].

Analyzing the Ukrainian legislation and taking into account the research of Tretyak, A [23] we note sixteen elements of land ownership in Ukraine: the right to own land, the right to use, the right to dispose, the right to lease, the right to manage, the right to income from land, the right to security of property, the right to rent, the right to transfer property rights to inheritance, the right to capital value, the right to contribute to the statutory fund, the right to transfer rights to land easements, the right to emphyteusis, the right to superficies, the right to pledge, the right to prohibit benefits in a harmful manner, the right to compensation. Disclosure of these elements of land ownership in terms of its market circulation is of particular importance. We believe that the more of these rights are assigned to the land, the greater will be its value and market value.

It will be recalled that together with the adoption of the Land Code in 2001, a moratorium on the sale of agricultural land was introduced. According to paragraph 15 of section X of the Land Code, the date of lifting the moratorium has been repeatedly postponed. Article 15 of the Transitional Provisions of the new Land Code of Ukraine provided that until January 1, 2005, citizens and non-state legal entities could not sell or otherwise alienate property rights. This norm applied to two categories of land they owned: plots allocated for farming or other commodity agricultural production and land shares (shares). The prohibition did not apply to the right to exchange, inherit and seize land for public use. The government planned to establish this ban to provide additional time for the formation of legislation necessary to create a land market [18]. But this process

took quite a long time. The moratorium was systematically extended:

1. Until January 1, 2007 with a ban on land exchange. During this period, the legislation was aimed at banning shadow mechanisms to circumvent the moratorium. Such illegal mechanisms provided for the conclusion of agreements for the future. But by law they were declared invalid from the moment of signing [10].

2. Until January 1, 2008, except for the lands intended for conducting commodity agricultural production. The moratorium was extended to lands intended for personal farming and any change in the purpose of the land covered by the moratorium was prohibited. But it was allowed to conclude agreements to exchange one plot for another.

3. According to the wording of the Land Code of Ukraine of January 1, 2008, paragraph 15 of the Transitional Provisions establishes the following conditions for lifting the moratorium «... until the entry into force of the laws of Ukraine «On State Land Cadastre» and «On Land Market» ...». On January 19, 2010, this item was supplemented with a new date – January 1, 2012. During this period, of these conditions, on July 7, 2011, only the Law of Ukraine «On the State Land Cadastre» was adopted. And on December 9, 2011, the Verkhovna Rada of Ukraine adopted the draft Law of Ukraine «On the Land Market» in the first reading. During the sitting of the Verkhovna Rada of Ukraine it was proposed to rename the Law of Ukraine «On Land Market» to the Law of Ukraine «On Circulation of Agricultural Land» [10].

4. In the following wording of the Land Code of Ukraine dated of December 30, 2011, item 15 of Section X was rewritten as follows: «Purchase or sale or other alienation of land plots and land shares (units) is prohibited until the entry into force of the Law of Ukraine «On Land Market», but not earlier than January 1, 2013...» [10].

5. On November 20, 2012, the parliament adopted in the second reading amendments to the Land Code, according to which the moratorium was extended for the period until the adoption of the law On the circulation of agricultural land, but not earlier than January 1, 2016. [10]. The law, which extended the moratorium, instructed the Cabinet of Ministers of Ukraine to draft a Law of Ukraine «On the Circulation of Agricultural Land» within six months. Despite the fact that the draft Law of Ukraine «On Land Market» was approved in the first reading on December 9, 2011, it has not been adopted yet. It was envisaged to change the concept of this bill with the change of its name to the Law of Ukraine On the circulation of agricultural land. Another extension of the moratorium was necessary to develop an effective mechanism for selling land and preventing possible abuses.

6. In November 2015, the Verkhovna Rada again extended the moratorium on the sale of agricultural land until January 1, 2017. Lifting the moratorium in the context of military conflict and economic crisis would be a threat to national and food security. It could also threaten the loss of land as an important national

resource. It was necessary to develop a plan for the introduction of agricultural land, which will be clear and safe for citizens.

On June 7, 2016, the Verkhovna Rada of Ukraine adopted another law «On Amendments to Section X «Transitional Provisions» of the Land Code of Ukraine to extend the ban on the alienation of agricultural land». According to this Law: «In paragraphs 14 and 15 of Section X «Transitional Provisions» of the Land Code of Ukraine, the figures «2017» shall be replaced by the figures «2018» [6]. Thus, the time period for banning the market circulation of agricultural land was extended until January 1, 2018. Given that the creation of a land market was a necessary component of the development of a market economy, the market had to be transparent and fair. Thus, the extension of the moratorium was necessary to develop legislation that would regulate the land market.

8. On December 31, 2017, another law «On Amendments to Section X «Transitional Provisions» of the Land Code of Ukraine» came into force. This once again extended the moratorium on sale or alienation until January 1, 2019. The lifting of the moratorium in the context of Russia's military aggression and economic crisis in the absence of legislation governing the circulation of agricultural land threatened national and food security [18].

9. February 07, 2019, the law on the extension of the moratorium on the sale of agricultural land for another year – until January 1, 2020.

10. March 31, 2020 can be considered a significant date in the completion of land reform. On this day, the law On Amendments to Certain Legislative Acts of Ukraine Concerning the Conditions of Circulation of Agricultural Lands was adopted [9]. This act already offers clearer positions in the introduction of market circulation of agricultural land. This bill enters into force on July 01, 2021, and is characterized by the following innovations:

1. The introduction of the circulation of agricultural land will take place in stages:

- from July 01, 2021 to 01. 01. 2024 buyers will be able to be individuals (only citizens of Ukraine);
- from January 1, 2024 the buyers will be able to be legal entities owned by citizens of Ukraine.

2. Restrictions on the acquisition of ownership of agricultural land with a total area of up to one hundred hectares will apply to citizens until January 1, 2024. From January 1, 2024, the purchase of 10 thousand hectares will be allowed for citizens and legal entities.

3. State lands will be made available to communities and they will only be able to lease them, but not sell them. It will be similar with state and communal lands.

4. Banks will also be able to acquire the right of ownership of agricultural land plots, but only in case of their confiscation as collateral for non-payment of the loan. However, such land plots must be sold by them at a land auction within two years from the date of acquisition of ownership.

5. Citizens of Ukraine who have the right of permanent use, the right of lifelong inherited ownership of land plots of state and communal property intended for peasant (farming) economy, as well as tenants of land

plots who have acquired the right to lease land by re-issuing the right of permanent use plots until 2010, have the right to purchase such land in the property with installments of up to ten years at a price equal to the normative monetary value of such land, without land auction.

6. Until January 1, 2030, the sale price of agricultural land plots allocated on the ground to owners of land shares (units) may not be less than their normative monetary value.

7. Permission to grant property rights to agricultural land to foreigners will be adopted in an all-Ukrainian referendum.

8. It is strictly forbidden to grant ownership of land:

- legal entities, participants or beneficiaries of which are foreigners – on state and communal lands. It is also prohibited to sell land located closer than 50 km from the state border of Ukraine (except for the state border, which passes by sea);
- legal entities, participants or final beneficiaries of which are citizens of Russia;
- persons who belonged or belong to terrorist organizations;
- legal entities, participants or beneficiaries of which are foreign states;
- legal entities where it is impossible to identify the final beneficiary;
- legal entities whose beneficiaries are registered in offshore zones;
- individuals and legal entities subject to sanctions;
- legal entities registered in the states included in the list of those who do not cooperate in the field of combating money laundering.

Summarizing the chronology of the described events, taking into account the results of our own research [13], we highlight the following stages of land reform in Ukraine:

- the first stage (1990-1992). The beginning of land reform. Adoption of the Resolution of the Verkhovna Rada «On Land Reform» of December 18, 1990;
- the second stage (1992-1996). The lands were denationalized and transferred to collective farms. The Law of Ukraine «On Forms of Land Ownership» of January 30, 1992 was adopted;
- the third stage (1997-1999). Formation of private land ownership as a result of shares through the issuance of land certificates;
- the fourth stage (2000-2019). Development of land lease relations. The beginning of the formation of the legal field for the land market. Establishing a ban on the sale of agricultural land;
- the fifth stage (2020 – present). Adoption of the new Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine Concerning the Conditions of Circulation of Agricultural Lands» № 552-IX. The law ensured the beginning of the formation of a full-fledged legislative field for the introduction of market circulation of agricultural land. At this stage, the implementation of a set of measures to ensure the mechanism of practical implementation of the constitutional rights



of citizens to freely dispose of their property is envisaged. Creating conditions for the acquisition of agricultural land by citizens of Ukraine.

It is worth noting the main feature of modern land relations in Ukraine. It is that most peasants do not have the physical ability to cultivate their own land, so they rent them out on the basis of contracts. In 2019, 4.9 million such lease agreements were concluded for 17.6 million hectares of total land area, of which 0.75 million were agreements with farms. According to our own research, we can conclude that rents in Ukraine are quite low. When conducting their own research among landowners-landlords, dissatisfaction of 98% of respondents with the amount of rent was recorded [13]. In addition, it was noticed that low rents underestimate the value of land for its owners, and accordingly – its potential market value. As defined in Part 2 of Art. 21 of the Law of Ukraine On Land Lease [7] the amount of rent for land is set by agreement of the parties in the lease agreement. However, in accordance with item 1 of the Presidential Decree of February 2, 2002, № 92/2002 «On additional measures for social protection of peasants – owners of land plots and land shares (units)», not less than 3% of the normative-monetary assessment of the land plot [26], which is defined in the certificate of receipt of land.

Given the large number of landlords (almost 5 million people), it should be noted that the ideology of land reform was violated, according to which the land should belong to those who will work on it. We agree with the opinion of Martin, O [17] that the land should pass from a person who is not interested in its use, to the owner, who has a desire to cultivate it and make a profit. We motivate this by the fact that the owner of the resource on a conscious level will be more careful about their property. It is in the interest of the landowner to attract innovative techniques and technologies to maximize the return on investment. For a start, this will be possible for Ukraine only if the state controls the market for agricultural land.

Let's pay attention to the importance of small farms. As Lutsyak, V says: «small business due to its unique characteristics (freedom of decision-making, focus on rationality, risk sharing, innovation, initiative, activity) is the basis for economic security of the state» [15]. In accordance with paragraph 3 of Art. 55 of the Commercial Code of Ukraine, business entities are divided into micro-enterprises, small, medium and large enterprises according to the criteria of the number of employees and income from any activity for the year. The subjects of micro-entrepreneurship are: natural persons registered in the manner prescribed by law as

natural persons – entrepreneurs, and legal entities – business entities of any organizational and legal form and form of ownership. They have an average number of employees for the reporting period should not exceed ten people. Their annual income from any activity does not exceed the amount equivalent to two million Euro, determined at the average annual rate of the National Bank of Ukraine.

Ukrainian statistics authorities distinguish the following types of agricultural producers:

1. Agricultural enterprises – economically independent economic units with the right of legal entity. They are engaged in the production of agricultural products for sale and operate on a business basis. Agricultural enterprises also include farms.

2. Farming – a form of entrepreneurial activity of citizens with the creation of a legal entity who have expressed a desire to produce marketable agricultural products. They are engaged in processing and sale of products in order to make a profit on land provided to them for farming.

3. Households – households engaged in agricultural activities. The purpose of such activities is self-sufficiency in food and production of marketable agricultural products. This category of producers also includes natural persons – entrepreneurs who carry out their activities in the field of agriculture.

In Ukraine, the most common small businesses in the agricultural sector are farms, personal farms (prototype family farms), individuals – entrepreneurs who operate in the field of agriculture and personal farms.

Summarizing the above analyzed research, it is safe to say that the fact of private ownership of land is the main criterion for the efficiency of agricultural production. As a generalization, we give the judgment of Luzan, Ya. [14], who summarized the system and complexity of, in our opinion, the most promising model of farming in the following:

1. farmer – the owner of land capital and property;
2. new principles of production relations based on the principles of sole ownership of land, ownership of production resources and own labor;
3. implementation of production on the ideology of market conditions;
4. providing a controlled land market with a developed infrastructure.

As a result of land reform in Ukraine, a specific structure of the land fund was formed. As of January 1, 2019, the land area of Ukraine was 60.3 million hectares (about 6 percent of Europe). Let us illustrate the comparative characteristics of the state of land use in European countries (Table 1).

Table 1.

**Comparative characteristics of the state of land use in European countries and Ukraine in 2019**

Indicator	Ukraine	Europe	Countries EU
Total area, million hectares	60,4	1017	438
Area of black soil, million hectares	28	85	20
The area of agricultural lands destination, million hectares	42,7	475	178
Area of arable land, million hectares	32,5	278	116
Share of leased land in agricultural land use,%	97	65	55
Area of agricultural land certified as organic, million hectares	0,3	12,8	8,5
Area of irrigated land, million hectares	0,5	22,8	15,1
Amount of investments, US dollars / ha	1450	4260	6860
Grain exports, million tons	41,8	130	38,5
Area of agricultural land per capita, ha / 1 person	0,9	0,6	0,4
Price per 1 hectare of agricultural land, thousand US dollars	–	4,7	8,2

Source: compiled by the authors based on the data from official website of the State Service of Ukraine for Geodesy, Cartography and Cadastre [19] and Eurostat [20]

In the further analysis of land relations of Ukraine it is necessary to pay attention to the value of land resources in ensuring food security. The main part of food in the XXI century is obtained only on 9% of the Earth's surface (arable land, gardens, plantations, meadows, pastures). According to the Food and Agriculture Organization (FAO), up to 3.2–3.5 billion hectares (20%) can be used in world agriculture. Of this area, only 0.45 billion hectares after development can become highly productive agricultural land. At the same time, of all arable land, only 1.1 billion hectares can be irrigated. The destabilizing factor is that only part of the land used for agricultural production uses intensive land use technologies [4]. Ukraine's agricultural land accounts for almost 19% of Europe's reserves. At the same time, the high level of soil fertility in Ukraine is able to provide food for 140 to 180 million people a year [3]. The area of black soil on the territory of Ukraine is, according to various estimates, from 15.6 to 17.4 million hectares (8% of the world level).

As of January 1, 2019, the area of state-owned land in Ukraine was 47.9%, private – 52.0%, non-state agricultural enterprises – only 0.1%. A significant part of the land area (70.9%, or 42,776.9 thousand hectares) is agricultural land, in the structure of which agricultural land – 68.9%. Arable land accounts for 53.8%, pastures occupy 9.1%; 4.0% – hayfields; 1.5% – perennial plantings; 0.5% – fallows. These figures confirm the highest provision of Ukraine with agricultural land – 0.9 hectares and 0.7 hectares of arable land per capita. This is the highest figure among EU countries. For example, in Poland – 0.38 hectares of arable land, and in France – 0.30 hectares [20].

At the present stage, the result of land reform has been the elimination of the state monopoly on land [24]. Gradually there are changes in the composition and structure of the land fund of Ukraine. Let's compare its structure from the beginning of independence till today (tab. 2).

Table 2.

**Change in the structure of the land fund of Ukraine for 1991-2019, thousand hectares**

Type of land	Years		2019 till 1991 +/-
	1991	2019	
Agricultural land	42030,3	41407,9	–622,4
Forested areas	10221,3	10433,1	211,8
Built-up land	2161,2	2552,9	391,7
Wetlands	884	982,3	–98,3
Open lands without vegetation or with little vegetation	1314,5	1020,6	–293,9
Reservoirs	2435	2426,4	–8,6
Other lands	1308	1231,7	–76,3
<b>Total</b>	<b>60354,9</b>	<b>60354,9</b>	<b>0</b>

Source: compiled by the authors based on the data from official website of the State Service of Ukraine for Geodesy, Cartography and Cadastre [19]

Since January 1, 1992, 6.9 million citizens have acquired the right to a land share. As a result, almost 27 million agricultural lands (74.8%) were transferred to private ownership for commercial agricultural production. After that, 25.1% remained in state ownership, and 0.1% in communal ownership. Of the arable land, 84.3% is privately owned, 15.6% is state-owned and 0.1% is communal. According to the State Service of Ukraine for Geodesy, Cartography and Cadastre as of January 1, 2019, the average regulatory monetary value

of arable land is 27499 UAH / ha (about 986 Euro or 1093 US dollars) The most expensive arable land is estimated in Cherkasy region 646 UAH / ha or 1207 EUR, 1337 USD). The cheapest land in the Zhytomyr region (21,411 UAH / ha or 768 Euro, 851 US dollars). According to our estimates, the total regulatory assessment of Ukraine's land assets is about UAH 1,138.67 billion. (34.505 billion Euro, 40.667 billion US dollars) [19].

Analyzing the change in the structure of the land fund of Ukraine, it should be noted that by 622.4 thousand hectares there was a decrease in the area of agricultural land. The area decreased from 42030.3 thousand hectares in 1991 to 41407.9 thousand hectares in 2019. The total area of forested land increased from 10,221.3 thousand hectares to 10,433.1 thousand hectares, ie by 211.8 thousand hectares. The area of built-

up land also increased by 391.7 thousand hectares. This is due to the intensification of agglomeration. The distribution of land by the main landowners and land users indicates the predominance of land of agricultural enterprises, which account for 28.7% of the territory (Fig. 2.1).

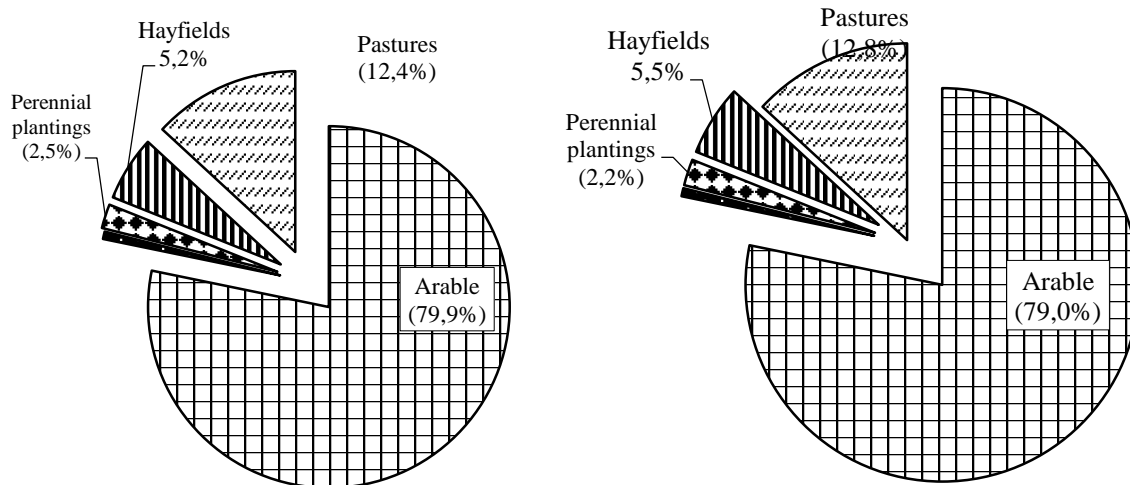


Fig. 2.1. Change in the structure of agricultural lands for the period from 1991 to 2019 in Ukraine  
Source: compiled by the authors based on the data from official website of the State Service of Ukraine for Geodesy, Cartography and Cadastre [19]

Considering the changes in the structure of agricultural land, we can say that no significant changes have taken place. The area of arable land decreased by 0.9%, and under perennial plantings by 0.3%. At the same time, the area under pastures increased by 0.3%, fallow lands by 0.7% and hayfields by 0.3%

Reforming land relations in Ukraine as a whole has gone through a number of stages:

1. The destruction of the state monopoly on land and its transformation into a collective and private form of ownership.
2. Renunciation of collective property and its replacement by communal property.
3. Unbundling of lands of former state-owned agricultural enterprises with issuance of certificates of ownership.
4. Allocation of land shares in the area and replacement of certificates for full private ownership of them.

The end of a political and scientific discourse that has lasted more than a decade should be a carefully calculated and implemented institutional system that would ensure the transfer of land from passive landowners to active land users. It is necessary to form a system of effective institutions that would provide a set of market mechanisms of institutional regulation, which will develop the class of farming and ensure the rational and gentle conduct of agricultural business. Institutionalization of market turnover of land in the agricultural sector of Ukraine provides for the modification of domestic elements of its functioning through borrowing and transplantation of certain categories of the institutional system to the conditions of the national agricultural sector. However, this process has only just begun, and despite the duration of land reform, only the

basic institutional skeleton of the domestic model of the agricultural land market has been formed.

An important issue of further reform of land relations in Ukraine in terms of the organization of land relations is to ensure their sustainability, which is associated with the ecological and economic use of land resources, based on rational land use and land protection. Organizational and legal principles of rational use of agricultural land is a set of mandatory legal means aimed at the implementation of the subjects of land relations measures to ensure targeted, economic, environmentally safe use of land, reproduction and increase their fertility [11]. Therefore, based on the achievements of institutional theory, world experience of sustainable land use and our own research, we will try to outline the necessary conditions for basic social and economic measures that would ensure approximation to the goals of sustainable development:

- greening of agricultural production;
- improving public welfare;
- balancing ecological, economic and technological conditions of agro-industrial complex development with social values;
- meeting the growing material and spiritual needs of the population;
- prudence and mercantilism in the use of natural resources;
- providing favorable for human health recreational natural conditions.

Based on the above postulates, sustainable development should be understood as a process of increasing economic and technological exponents of agro-industrial production without devastating consequences for the environment and in terms of promoting the solution of urgent dilemmas of social welfare [12].

Summarizing the views of scientists, we can say that sustainable land use as a component of sustainable development of Ukrainian society is a system of resource use, which is characterized by harmonization and balancing of processes of use of the whole array of communications with the most effective options for specific space and time principles of the relationship man-earth-ecosystem.

The main factor in the compliance of land reform in Ukraine with the requirements of the concept of sustainable development is private ownership of land, so the direction of research was aimed at identifying problems in this area. Among them are the following:

1. Absence of the subject of ownership for certain categories of lands (lands of unaccepted inheritance, unclaimed shares, collective lands), which does not allow them to be fully and legally used;

2. State bodies regulating land relations, nature management and environmental protection do not support proper control over compliance with current legislation in terms of mandatory monitoring of agrochemical conditions of agricultural land, do not effectively implement land ownership rights, do not define environmental and legal aspects of realization of land ownership;

3. The legislation does not define a clear mechanism for punishing legal entities and individuals who receive for temporary use (lease, emphyteusis, land easement, superficies) an agricultural land plot for deterioration of its agrochemical indicators;

4. Restrictive norms of legislation (moratorium) do not allow to fully implement the legal content of ownership of land resources;

5. The long and protracted process of land reform has given rise to a number of illegal shadow schemes for the transfer of ownership of agricultural land;

6. Uncertainty with the subsequent fate of collective ownership of land, as the legislation of Ukraine eliminates this form of ownership, but informally it still exists and is accounted for by the State Service of Ukraine for Geodesy, Cartography and Cadastre;

7. Unresolved problem of distribution of agricultural lands of former collective agricultural enterprises that did not fall under the process of unbundling: non-agricultural lands, economic field roads and access roads, protective plantings, girders, lands under farmyards;

8. Unresolved problem with the existence of unclaimed certificates for the right to receive land shares;

9. Uncertainty of the process of recognizing the inheritance not inherited and the acquisition of rights to it by the territorial community.

The institutionalism of the rules of the market environment for agricultural land should be accompanied by the development of control mechanisms, which in the EU include price regulation, tax regulation and quantitative restrictions on sales. The analysis of world experience indicates the existence of different market models of land turnover, the analysis of which can be useful if we take into account and design the specific features of a country and domestic national interests. It is necessary to develop a unique Ukrainian model of the land market. Its basis has already been determined by

the adoption of the new Law «On Amendments to Certain Legislative Acts of Ukraine Concerning the Conditions of Circulation of Agricultural Lands» № 552–IX [9], which was adopted by the Verkhovna Rada on March 31, 2020 and provides for a number of planned changes:

– from July, 2021 – agricultural land can be purchased only by individuals who are citizens of Ukraine, within the limits of the maximum size of the land plot – 100 hectares per person;

– from January 1, 2024 – in addition to individuals, the right of ownership of agricultural land will also be able to acquire legal entities (participants of which are exclusively citizens of Ukraine), territorial communities and the state. The maximum size of the land plot increases to 10 thousand hectares.

– until January 1, 2030, the legislation of Ukraine sets the lower limit of the price, which for agricultural land allocated in kind (on the ground) to the owners of land shares (units), cannot be less than their regulatory monetary value.

According to the new law, a moratorium on the sale of agricultural land of state and communal ownership is established. Analyzing the prospects of this scenario, it should be noted that it contains certain inaccuracies and gaps. First, the law does not provide for a single procedure for the alienation of agricultural land and does not directly regulate the procedure for buying and selling land, but only states that the transfer of ownership of land is the conclusion of civil law agreements, which determines a fairly wide list. Secondly, the buyer must be checked for compliance with the criteria for acquiring the right to purchase land in certain amounts. The procedure for such verification must be approved by the Cabinet of Ministers of Ukraine and carried out using information from the State Register of Real Estate Rights, the State Land Cadastre and the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations.

**Conclusions.** The analysis of structural changes of agricultural lands, as a result of the land reform in Ukraine, allowed stating the elimination of the state monopoly of land rights as a result of their transfer to citizens by unbundling. A positive consequence of this was the development of various organizational and legal forms of management, among which farms predominate. It is determined that modern land relations in Ukraine between farms and landowners are built on lease terms. An in-depth analysis noted that modern land use in Ukraine does not meet the conditions of sustainable development.

Prospects for the completion of land reform in Ukraine are proposed to be considered in the form of a state-controlled land market. An important step in this direction was the adoption of the Law On Amendments to Certain Legislative Acts of Ukraine on the Conditions of Circulation of Agricultural Land of 31.03.2020. It should be noted that the integration of this law into the regulatory system will provide innovative changes in the process of completing land reform and the development of sustainable land use. The most important measure will be the lifting of the moratorium, which, with its systematic extension, has caused the deepening

of existing problems, namely: landlord of land relations; predominance of lease terms of land use with minimum rental rates; deterioration of the situation with the structure of crops and non-compliance with crop rotations.

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