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FUNDAMENTALS OF UKRAINIAN LAND FUND MANAGEMENT¹

The article deals with modern state of the Ukrainian Land Fund. Directions of the Ukrainian land fund rational use are analyzed. Methods and forms of land fund management are investigated, scientific bases to control Ukrainian land fund are improved. The strategic directions to improve the land and resource potential of the national economy efficiency are offered in the article.

Keywords: land fund, land resources, land categories, management methods, management tools.

Problem statement. Ukraine has extremely powerful land and resource potential, but its use level and efficiency is significantly lower than the European average. In this regard, the establishment of a land-use rational system, based on the effective state regulation of the Ukrainian Land Fund, is one of the main state tasks to solve problems in land resources and environmental management.

Analysis of the recent research and publications. Fundamentals of the environmental management are presented by the following researchers: Galushkina T. [2], Lapechuk P., Chupis A., Kashenko O., Shershun M. [5], Kislyy V., Lapin E., Trofimenko N. [10], Endres A. [18] and others. Problems in land management are considered by Gorlachuk V., Sohnich A. [3], Melnyk L. [12; 17], Hens L., Bun E. [17], Harichkov S., Andreeva N. [14], etc. At the same time, in spite of significant scientific achievements in the mentioned questions, the problem to form new paradigm of Ukrainian land fund management, based on motivational approach under conditions of modern social and economic processes, has not been solved yet.

The aim of the article is to improve the fundamentals concerning land resources management in Ukraine. The following tasks are set for its solution: to analyze current state and structure of the Ukrainian land fund; to examine methods and forms of land fund management; to justify possible directions of the Ukrainian land fund rational use.

Basic material. Ukrainian Land Fund Ukraine covers all lands within its territory, regardless of the intended use, types of management and ownership. Land use categories and

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purpose of land are defined in the Ukrainian Land Code. All categories of land have the special legal regime. Due to the main purpose lands in Ukraine are divided into the following categories [6]: agricultural purposes; residential and public buildings; nature reserve and other environmental purposes; recreational purposes; recreational facilities; historical and cultural significance; woodland; water resources; industry, transport, communications, energy, defense and other purposes.

Land, provided for the agricultural needs, plays important economic role. Its main part consists of lands, which include: arable land, pastures, orchards and hayfields.

Settlement lands have a legal regime, in which public, cultural, civil and residential construction base is developed. It promotes development of the service sector.

The industry, transport, communication, defense land categories include areas in the use of industrial enterprises, various transports companies; lands for the operation and deployment of military units and others. At the moment, this category also includes land intended for the space infrastructure functioning in our state.

Nature protection, recreational, historical and cultural lands have recreational and environmental significance. In recent years there has been a tendency to increase the area of land in this category, which is a positive factor to determine the environmental and recreational role in these territories.

It should be noted that the structure of land fund can be changed under the influence of environmental, economic, human and other factors. But during the last years there were no essential changes in the structure. Dynamics of changes in land fund according to the State Land Cadastre Center is shown in Table 1.

Analyzing the data in Table 1, we can conclude that there are certain legal issues to divide lands into categories that need to be solved, namely:

- difficulties to identify land categories by their intended use. At the moment, the identification occurs by business entity;
- the imperfection of the current legislation – the legal status of certain categories of land is not supported by the normative content;
- absence of only one methodology to determine intended use of land legally, which produces different results;
- the problem of land belonging to several categories.

Table 1 – Land fund of Ukraine [7; 8]

Main types of lands and economic activity	Area of lands					
	2014		2015		2016	
	Totally, thousand ha	% to whole area of Ukrainian territory	Totally, thousand ha	% to whole area of Ukrainian territory	Totally, thousand ha	% to whole area of Ukrainian territory
1	2	3	4	5	6	7
Agricultural lands, including	42731,5	70,8	42731,5	70,8	42726,4	70,8
Farmlands:	41511,7	68,8	41511,7	68,8	41507,9	68,8
arable	32531,1	53,9	32531,1	53,9	32541,3	53,9
deposits	239,4	0,4	239,4	0,4	233,7	0,4
perennial plants	892,9	1,5	892,9	1,5	892,4	1,5
haylands	2407,3	4,0	2407,3	4,0	2406,4	4,0
pasture	5441	9,0	5441	9,0	5434,1	9,0
other farmlands	1219,8	2,0	1219,8	2,0	1218,5	2,0

Table 1 (continued)

1	2	3	4	5	6	7
Forests and other forested areas, including	10630,3	17,6	10630,3	17,6	10633,1	17,6
areas with forest vegetation	9695,2	16,1	9695,2	16,1	9698,9	16,1
areas without forest vegetation	217,3	0,4	217,3	0,4	216,9	0,4
other forested lands	313,5	0,5	313,5	0,5	313,2	0,5
Bushes	404,3	0,7	404,3	0,7	404,1	0,7
Build-up lands, including	2550,4	4,2	2550,4	4,2	2552,9	4,2
lands for residential constructions	487,7	0,8	487,7	0,8	488,9	0,8
industry lands	224,1	0,4	224,1	0,4	224,7	0,4
open mining lands, mines and proper constructions	156,3	0,3	156,3	0,3	157,1	0,3
commercial use lands	54,9	0,1	54,9	0,1	55,4	0,1
public lands	281,7	0,5	281,7	0,5	281,3	0,5
lands of mixed using	29,3	0,0	29,3	0,0	29,0	0,0
lands, used for transport and communication	496,7	0,8	496,7	0,8	496,8	0,8
lands, used for technical infrastructure	74,4	0,1	74,4	0,1	74,2	0,1
lands, used for rest and other open areas	745,3	1,2	745,3	1,2	745,5	1,2
Open marshy lands	982,6	1,6	982,6	1,6	982,3	1,6
Dry open lands with special vegetation	17,9	0,0	17,9	0,0	13,2	0,0
Open lands without vegetation or with little vegetation (rocky lands, sands, gully and others)	1015,8	1,7	1015,8	1,7	1020,6	1,7
Lands in total (ground)	57928,5	96,0	57928,5	96,0	57928,5	96,0
Waters (territories, covered by open water)	2426,4	4,0	2426,4	4,0	2426,4	4,0
Grand total (Ukrainian territory)	60354,9	100,0	60354,9	100,0	60354,9	100,0

The main direction to solve these problems is to improve the existing regulatory framework and regulate relations between landowners and land users, which will increase the efficiency of Ukrainian land fund management.

Considering the distribution of the land fund categories, land users and land owners in Ukraine, there is the management structure of the land fund, shown in Fig. 1.

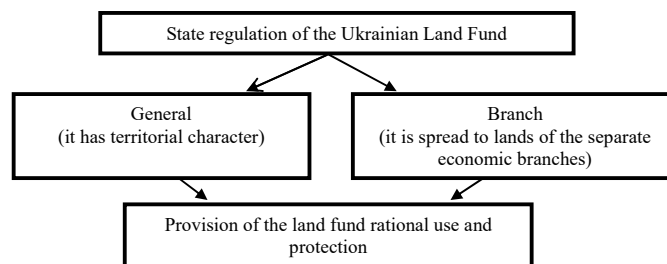


Figure 1 – State regulation of the Land Fund

All methods of the land resources state regulation are divided into the following groups: economic, administrative, organizational and social and psychological (educational). General methods include administrative and economic methods, which are directed to land relations and are realized considering all conditions of the state regulation.

Based on the scientific researches [12; 14; 15; 20] and considering our views, we present system of the land fund management tools (Fig. 2).

TOOLS OF THE LAND FUND MANAGEMENT			
Organizational	Administrative	Economic	Social and psychological
<ul style="list-style-type: none"> - Consulting and managerial financial services, services on partners search etc. - Informational client oriented infrastructure. - Normative and legal regulation. - Ecological audit. - Ecological monitoring. - Participation in ecological activities of the public organizations 	<ul style="list-style-type: none"> - Legislative decisions of self-governance borders, departmental bans. - Ecological expert reports. - Limitation of activity, connected with land resources pollution. - Ecological normalization. - Administrative responsibility. - Bans concerning ecologically harmful activity. - Antimonopoly regulation. - Duties to consumer 	<ul style="list-style-type: none"> - Financing of the ecological projects and programs. - Payments and fees for land resources pollution. - Ecological insuring. - Ecological standardization of production. - Subsidies. - Selling of rights for pollution. - Ecological certification. - Ecological licensing 	<ul style="list-style-type: none"> - Initiating of state demonstrative projects. - Creation of the specialized state institutions due to the ecologically oriented development estimation. - Creation of the ecological study courses. - Ecological upbringing. - Ecological advertisement. - Ecologically oriented public relations. - Ecological branding. - Ecological benchmarking

Figure 2 – Classification of the land fund management tools

One can also consider other classifications, in particular, depending on the levels of management (national, regional, municipal, local, individual level) and on the functional criteria (methods of organization, planning, control, motivation, coordination of management influence entities activity).

For example, while considering methods at different levels in management, one should note that the public methods are methods of regulation, which force local authorities to keep them strictly due to national or international law. Municipal methods include methods of regulation, implemented by local authorities alone, for example, land use planning, local building norms and local standards for pollution control on land resources, etc. [13, p.143]. Such classification mostly provides administrative or “command-administrative” methods.

It should be noted that since we consider land management, i.e. management that includes general environmental and economic management features, environmentally oriented methods

are classified due to positions of classical management theory, focusing on its motivational component.

In order to create enhanced (it takes into account the maximum number of grouping points) classification of these techniques consider the existing classification to understand the nature of these instruments.

According to the opinion of T. Galushkina, environmental management tools are means of state impact on social and economic processes in society in order to prevent negative effects of environmental management [2]. In work [2] instruments are subdivided into three groups: administrative and legal, economic, communication (information monitoring, public participation, ecoconsulting, environmental education).

The author of [12, p. 115-117] observes environmental and economic tools as means (events, methods, instruments) effect on the financial position of economic subjects in order to guide their operations in economically favorable direction and is divided into four main groups: administrative redistribution of means (fines, subsidies, etc.), financial transfers (taxes, fees, loans, payments, etc.), free market mechanisms of redistribution vehicles (e.g. trading of polluting vehicles trading permits), facilitating at the market (awarding with special signs, free advertising and so on).

The authors of [17, p. 338] include to economic tools ownership, responsibility system, the system of commitments and pledges, market development, fiscal instruments, payment system, financial instruments.

The author of [9, p. 28] divides methods into organizational, administrative, economic (encouraging and forcing).

In work [16, p. 198] one distinguishes administrative and controlling, environmental, ethical and equity tools and overpersuaded tools (education and upbringing, access to information, training, social pressure, negotiation processes, voluntary agreements).

Scientists [10, p. 146-147] distinguish internal and external management methods. External methods (administrative, economic and social and psychological) are supported by appropriate laws, rulings, and instructions from higher authorities. Internal methods (organizational and administrative and economic) are influenced by business entities within the law.

The economic (market) instruments are measures, based on the use of economic instruments to achieve the goal, and are intended to guide the economic subjects' activities in ecologically favorable channel by influencing the costs and benefits of different behavior alternatives in their possession [17]. They differ from the administrative-command because they allow choice and influence directly the "costs and benefits".

The authors [10, p. 25] point that sometimes the term "market tools" is spread to organizational acts, appointed to influence the producers' and consumers' behavior.

The authors [10, p. 25; 19, p. 162] determine that economic instruments of land management include a set of economic measures to influence market conditions due to changes in market prices in order to optimize the use of land resources.

According to the author's work [11], economic methods to regulate land use include methods, instruments, tools, techniques of land users' indirect management (international organizations, states, regions, municipalities, businesses and other entities of economic relations, certain groups and individuals) through influence on their business (productive) activities factors, connected with land resources use.

Methods to regulate land use, which are close to the "demand – offer" mechanism, are called market methods.

The author of [4] supposes that market methods have objectively limited scope of action as a result of market failure. The priority methods, especially in terms of market transformations, are to be considered governmental regulation (legal and administrative methods) and mixed state regulation, aimed at controlling market relations instruments through economy entities' economic stimulation.

Due to this author, market methods and tools include creating of land resources market, improving of the price setting on land resources, banks and exchange rights to pollution agreement on compensation.

In work [18] some generalization of ecological-economic instruments is carried out by identifying of common goal, which they should pursue. It is compliance completely maximum limit (or standard) pollution to a certain type of waste in particular limited region (for the unit of time). Therefore, each of these tools should help to ensure that the absolute amount of pollution, made by culprits of relevant waste type formation in the region has dropped to this maximum level.

Within the analysis of administrative management in the environmental field it should be noted that the latest come out from members' equality in the management process. In practice, administrative methods are implemented through specific objectives of the rules, regulations, penalties.

The mechanism of fines is widely spread in many spheres of life and activity. However, scientists believe [5], the issue of environmental fines remain debatable. The main problem is to determine the amount of fines, basis to calculate its value.

The main drawback in administrative methods is that they are oriented to achieve a given result and not to growth, encourage endeavor, and not initiative. Therefore, under the current conditions of necessity to solve quickly a variety of problems, administrative methods no longer meet the real needs of management.

As it was noted above, some authors consider the separate group of so-called organizational methods in their classification management, which orient future activities, and therefore inherently are passive (e.g., methods of forming management structures, methods to create labor groups, methods of preparation and holding various social events, etc.).

In work [1] it states that in contrast to organizational methods, administrative methods are active, because activity is interfered on their base. In other words, they are called methods of motivation and are focused to direct to either direct people compel to certain behavior in favor of the organization, or to create the possibility of such coercion.

In general, the use of administrative and legal methods in practice is limited by controllability norm. It means that there is a limit at which the increase of administrative regulation is unnecessarily high cost increases. In terms of motivation, global experience of administrative management shows that in many cases forcing (e.g. reduce of soil and land resources pollution) does not provide adequate incentive effect on the company. Therefore, these methods are complemented by the economic and socio-psychological ecomanagement methods.

In particular, the authors of work [16] indicate that the "obvious" problems to use both administrative control and economic instruments caused the search of adequate management mechanisms with the new environmental requirements. Administrative and economic tools do not "run" automatically, requiring appropriate institutional, political, cultural and educational environment. However, the proposed instruments in this work of moral beliefs and actions are only part of the socio-psychological methods in the environmental management.

It should be noted, that under modern conditions economic methods are the most effective,

while using of which such conditions are created, stimulating consumers and land users to run their activity in required area, which satisfies personal and public interests. Management methods are chosen within scientific principles of land relations regulation, preconditioned with legal norms, considering regulated relations character; importance of regulated question; specific of objects and subjects' activity competence under regulating.

On the bases of economic and administrative methods, the system of land resources and relations management, connected with their use, which includes:

- method of the obligatory regulations means to keep managerial decisions absolutely);
- method of recommendations means to account local conditions and peculiarities while making managerial decisions;
- sanctioning method means to make managerial decision by the proper state body, legal power of which occurs only after its confirmation procedure by the competent body;
- extension method means full self government of the proper state bodies, which don't require further confirmation of the accepted decisions by them.

The work [3] determines that owing to new methods to manage land resources, based on rational nature management and land resources protection, state can create necessary conditions to satisfy all land-use subjects' interests.

Nowadays state land management is carried out by the legislative and executive bodies that regulate land relations. The proper authority's work consists in forecasting and planning of land use, as well as in the establishment of land use norms and procedures.

State regulation of land use is an interrelated economic, environmental, technical, economic and legal measures system, oriented to regulate land relations and the organization of land resources rational use and their protection.

According to Art. 162 Land Code of Ukraine [6], land protection is a system of legal, organizational, economic and other measures, oriented to the rational use of land, prevention of agricultural land unjustified withdrawal, protection from harmful anthropogenic effects, reproduction and improvement of soil fertility, increasing the productivity of forest land Fund, providing a special regime of land use environmental, health, recreational, historical and cultural destination.

Land resources protection includes: preservation and restoration of the soils beneficial properties; ecodestructive reduction of anthropogenic impact and growth of the ecoconstructive impact on land and natural resources; promoting the rational use of land resources; preservation of natural reserves and recreational areas; prevention of environmental problems and timely response. The main activities aimed at land protection are: the construction of erosion control, drainage and irrigation work, the creation of protective plantings on land, introduction of new equipment and technology, improving quality characteristics of low productive land. It should be noted that these measures are effective, directly related to the process to rationalize the use of land resources, involving the implementation of sound ecological and legal norms, the use of resource-saving technologies, business planning and environmental feasibility study of accommodation facilities, the establishment of sewage treatment plants. In addition, the rational use of land resources must meet their intended purpose and provide the profitability of production, which will contribute to the industries development, for which land is the main means of production.

The main areas of the land rational use include: proper organization of production and its rational distribution; optimal allocation of land resources between the national economy sectors; development and implementation of a new system in agriculture, aimed at preserving

and improving the land natural properties; specialization of production; improving the regulatory framework; the introduction of penalties rigid system; good planning the scope of government procurement, the maintenance of effective pricing policies; timely economic land management; establish clear requirements in terms of accuracy and timeliness of cadastre data; monitoring the land protection activities; introduction of a motivation land management system at different levels; the development of environmentally sound production.

The modern system of land management should be aimed at: preservation and restoration of land and resource potential; the introduction of efficient technologies for land use; optimizing the use of agricultural land; creation of an effective land market; the formation of national and regional governance and monitoring the use of land resources; normalization of relations concerning land ownership; the consolidation of agricultural land. Thus, these strategic directions to improve the land efficiency use can be implemented, providing a regional perspective of each individual territory, economic and legal business environment. The implementation of these strategic directions is the basis for the successful development of sustainable land and resource potential of the national economy. It will help improve the welfare of the population and strengthen the economic potential of the country.

Conclusions and perspectives for further studies. Thus, these strategic directions to improve the land efficiency use can be implemented, providing a regional perspective of each individual territory, economic and legal business environment. The implementation of these strategic directions is the basis for the successful development of sustainable land and resource potential of the national economy. It will help to improve the welfare of the population and strengthen the economic potential of the country.

Thus, author's assumptions allow to investigate theoretical and methodic approach in further studies to form organization and economic mechanism of the fund management and estimate efficiency of the fund management system at large.

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Концептуальні засади управління земельним фондом України

У статті проаналізовано сучасний стан земельного фонду України, обґрунтовано напрями раціонального використання земельного фонду України. Досліджено методи та форми управління земельним фондом, удосконалено наукові засади управління земельним фондом України.

Розділ 5 Екологічний маркетинг та менеджмент

Ключові слова: земельний фонд, земельні ресурси, категорія землі, методи управління, інструменти управління.

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Концептуальні основи управління земельним фондом України

В статті проаналізовано сучасне становище земельного фонду України, обґрунтовано напрямки раціонального використання земельного фонду України. Досліджено методи і форми управління земельним фондом, удосконалено наукові основи управління земельним фондом України.

Ключевые слова: земельный фонд, земельные ресурсы, категория земли, методы управления, инструменты управления.

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