

WORKING DRAFTS OF LAND MANAGEMENT AS A COMPONENT OF THE INSTITUTIONAL ENVIRONMENT IN THE AREA OF PROTECTION OF LANDS

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It is proved that in the system of institutional environment in relation to the implementation of measures for protection and restoration of land productivity at this stage of development of the market system of land tenure in Ukraine the weakest link is working spatial design and financing and stimulation of its activities.

Keywords: land protection, soil degradation, institutional environment, working draft of land management.

Statement of the problem

Over the past decade known scientists, political and state leaders, public and government organisations declared a significant number of scientific concepts and theories in relation to environmental issues. At the conference the United Nations General Assembly on sustainable development, held in June 2012 in Rio de Janeiro heads of States, governments and representatives of public organizations reaffirmed their commitment to the courses taken for the protection and conservation of biodiversity, protection of air basin, water and land resources that were previously declared at international conferences in Stockholm (1972), Nairobi, (1982), as well as in Rio de Janeiro (1992); a paradigm of the last was to ensure sustainable development in general. Despite such a position of the scientific and public

community, the world is still dominated by man-made path of socio-economic development over environmental ones. This also applies to Ukraine, where all efforts aimed at overcoming the economic crisis without due compliance with environmental protection measures.

Technogenic type of development is accompanied by a rapid and tedious use of non-renewable natural resources, as well as excessive exploitation of renewable resources, which exceeds the capabilities of their natural reproduction [5]. It is characterized by big amount of carbon emission, high resource intensity, absence of orientation to the solution of social problems.

The aim of the article is to highlight the weakest link in the institutional environment protection of the land at this stage of development of the market system of land tenure in Ukraine.

Analysis of recent research and publications

The scientific works of I.Bystriakov, D. Dobriak, Y. Dorosh, O. Kanash, L.Novakovskiy, S.Osypchuk, O.Tararyk, A.Tretiak, M. Khvesyk and many others are devoted to the issues of protection of land resources from degradation processes and the dominant role of land administration in defending them. At the same time, the scientific basis of regeneration of degraded disturbed lands remain insufficiently explored.

Summary of the basic material

Among the major problems nowadays the problem of environmental use, conservation and reproduction of natural resources occupies a special place. Concern about the preservation and reproduction of natural wealth determines the needs of the measures of protection and scientifically rational use of the land and its subsoil, water resources, flora and fauna, conservation of clean air and water, conservation and reproduction of natural resources and improvement of the environment that surrounds us. Land protection in this context is one of the most acute socio-ecological problems, the solution of which is linked to questions of sustainable development of the state, saving environment and provision of population with ecologically pure foodstuffs.

In accordance with clause 163 Land code of Ukraine, the challenge of protecting lands is to ensure the conservation and reproduction of land resources, the ecological values of the natural and acquired qualities of land. At the same time, protection and rational use of soils is one set that in-

cludes a system of measures aimed at the protection, quality improvement and scientifically grounded usage of soil cover - the main component of land resources of the state.

However, in recent years scientific principles of rational land use do not work, works on protection of lands from adverse natural and technogenic processes are not in using, the provisions of the agrarian law of return do not execute, works on liming and soil gypsuming are not sufficient. At the same time exception of productive agricultural lands comes true for non-agricultural purposes.

According to modern indicators, agricultural use of soil resources of Ukraine is too high, in particular devastation of the territory of the country is about to 53.9%. This indicator does not have any country in Europe. At the same time a catastrophic decline in soil fertility, soil erosion covered about 75 % of agricultural land area.

During the last years, due to orientation on the quick, short-term outcome requirements of crop rotation completely ignored. For example, under sunflower, which depletes the land area, compared to the year 1980, land increased by more than 80 %.

Poor ecological condition of agricultural lands of Ukraine called as subjective reasons related to the changing socio - economic order in the state, and some natural factors, that is explained by ignoring the society of environmental laws and regulations for nature management [3]. These reasons include: extremely high economically and environmentally unjustified level of agricultural development of the territory, intensive development of soil-degradation processes; insufficient areas of lands in the nature reserve,

forest and other nature protection, recreational and health-improving purposes; low development of the ecological network; lack of state, regional and local programmes for the comprehensive resolution of issues of using and protection of land; lack of normative-legal provision regulating the use and protection of land; lack of scientifically formation of ecologically stable types of land use; lack of effective mechanisms of control over the maintenance and reproduction of soil fertility.

Basic provisions for the protection of land in Ukraine is regulated by the Land code of Ukraine, Law of Ukraine «On land protection», regulations of the Cabinet of Ministers of Ukraine and other normative-legal acts. But the law regulated the system of measures in the area of protection of lands in practical aspect is realized insufficiently. It should be noted that Ukraine does not have a sufficient experience in the protection of soils and lands in conditions of market economy. In these circumstances, it is highly relevant to the formation of the institutional environment regarding the rational use and protection of land resources from degradation processes. The institutional environment should combine a set of fundamental political, social, legal and technical rules and standards in this field.

Institutions are made by people in both formal and informal constraints (legal acts and voluntary codes of conduct) as well as tools of coercion. Institutions determine the rules of the game of participants of socio-economic relations, which are mainly represented by various organizations. The institutional framework influence the development of the organizational formations and organizations, in turn, affect the change

of the institutional framework. Based on this, economic entities and their economic activities should be regarded as the main engine of economic progress and institutions as determinants (regulate and restrict their behavior [6].

Institutional environment on the protection of land resources from degradation processes and the restoration of degraded land should combine the following activities:

1) State and public preventive measures: information on the types and content of land protection measures; cooperation between public and business organizations and public authorities; advice and support for the introduction of environmental measures.

2) the Regulatory framework: the laws; regulations; regulatory requirements (standards).

3) Economic instruments: taxes and fees, tax incentives and subsidies.

4) Production and operational activities: development and implementation of design and technical documentation on land management of the rational use and protection of land; agricultural land use on the basis of land management projects, providing ecological and economic assessment of crop rotation and the introduction of wetlands; observance of science-based technologies of cultivation of the soil; observance of technologies for construction and exploitation of irrigation and drainage systems; compliance with technologies, fertilizers, chemical means and other chemicals.

5) Restoration and regeneration activities: work projects on land management of degraded land restoration; reclamation of land disturbed during construction; conservation of marginal lands; detoxication of contaminated

soils, liming of acidic soils; gypsuming solonchaks soils.

6) Scientific-pedagogical activity: formation of scientific evidence in the paradigm of modern approaches to the use and protection of lands; training of human resources.

During the implementation of reconstructive-regenerative events of degraded lands an outstanding role should play a working land development projects. Work projects of land management is the final third stage of land use planning and developed with a view to implementation of the programmes and actions contemplated use and protection of land, schemes and projects of land management. However, it is possible to elaborate individual work projects, not provided by the above mentioned documentation, and the basis for their development are the acts of examination of land, requiring the implementation of certain measures for improvement of their functional state.

Among the working projects most relevant at the present time are:

- working project of land management concerning the backfill and the formation of ravines;
- working land management project on land reclamation;
- working draft of land management on soiling marginal lands;
- working project of land management concerning the withdrawal, carrying and storage of topsoil when performing construction works;
- working project of land management concerning the implementation of agrotechnical erosion control measures;
- working draft land management on the organization of cultivation of agricultural crops;

– working project of land management concerning creation of protective forest belts;

– working project of land management concerning the creation of the erosion of hydraulic structures;

– working project of land management concerning the development of land for agricultural purposes;

– working draft of land management regarding the conduct of deoxidation (liming of acidic soils)

Customers of works on the development of such projects should be authorities, bodies of local self-government and in some cases, landowners or land users. Financing of works should be carried out at the expense of State budget of Ukraine, local budgets (including the funds received from the losses of agricultural and forestry production in clause 209 of the Land Code of Ukraine, at the expense of legal and physical persons, other financing sources which are not prohibited by the legislation of Ukraine.

During the development of projects of land management should not only be guided by the Laws of Ukraine, other normative-legal acts and standards as technical documents for the design and implementation of measures for protection and improvement of land, alas that is still lacking in Ukraine.

Thus, the institutional environment protection of the land at this stage of development of the market system of land tenure in Ukraine is the weakest link of the working spatial design and financing and stimulation of its activities.

Conclusions

In the system of institutional environment in relation to the implementa-

tion of measures for protection and restoration of land productivity at this stage of development of the market system of land tenure in Ukraine the weakest link is working spatial design and financing and stimulation of its activities. The almost complete absence of the state and branch standards, norms and rules in this sphere is a serious deterrent to the implementation of project work

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Обґрунтовується, що в системі інституційного середовища щодо здійснення заходів з охорони та відновлення продуктивності земель на даному етапі розвитку ринкової системи землекористування в Україні, найслабшою ланкою є робоче землевпорядне проектування, недостатність фінансування і стимулювання його заходів.

Обосновывается, что в системе институциональной среды по осуществлению мероприятий по охране и восстановлению продуктивности земель, на данном этапе развития рыночной системы землепользования в Украине, самым слабым звеном является рабочее землеустроительное проектирование, недостаточность финансирования и стимулирования его мероприятий.
