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THE ROLE OF LAND MANAGEMENT IN THE PROCESS OF UKRAINE'S ECONOMIC MODERNIZATION

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The cause-and-effect relationship between economic modernization and land management, the role of the latter in the process of modernization of Ukraine, as well as the transformation of the content and practices related to land management in the growth and post-war reconstruction of the country are studied. The key role of land management in economic modernization, with an emphasis on the importance of land management practices in overcoming the consequences of the armed conflict in Ukraine, is noted.

The analysis of legislative and regulatory acts of Ukraine regarding economic modernization indicates a predominantly narrowed, albeit direct, application of its context: first of all, in relation to the modernization of infrastructure, material and technical base; ecological modernization of enterprises; updating technical and technological processes taking into account the impact on the environment; on social aspects and education, as well as systems of administration, such as public administration and public finance. Whereas in connection with land management, the context of economic modernization in the regulatory and legal acts of Ukraine (as of

June 1, 2023) can only be indirectly highlighted in connection with projects and documents, some of which relate to agriculture.

The structural and logical scheme reflecting the role of land management in the process of economic modernization of Ukraine is justified. It is noted that land management practices contribute, among other, to the solution of such urgent problems as ensuring food security, attracting investments in agriculture, in particular, in the context of its modernization and infrastructure development, as well as emphasizing the role of land management as an important component of the European integration process of Ukraine, which provides for the approximation of national land legislation to the EU acquis.

Keywords: *agriculture, land legislation, land management practices, land use, land use and protection, factors of modernization, European integration.*

Relevance. Economic modernization and land management as its component are key factors in the country's development, as they are intended, in their causal relationship, to ensure sustainable socio-ecological-economic development, stimulate innovation and investment activities, enhance competitiveness, and create favorable conditions for land management in all sectors and industries of the national economy. They also aim to reduce disparities in regional and local community development, improve the environment, and enhance the well-being of the population.

Land management acquires particular significance in connection with the need to overcome the consequences of the armed conflict in Ukraine. It involves planning, regulating land use, developing infrastructure, and protecting the environment, including ensuring food security and attracting investments in agriculture, particularly in the context of its modernization.

Land management is one of the important components of Ukraine's European integration process, which involves harmonizing national legislation and standards with the norms of the European Union (EU), particularly in the field of land relations, land ownership, land zoning, and land resource management.

The relevance of this lies in promoting the modernization of national production through the introduction of economic incentives, investment in advanced technologies, the establishment of national innovation infrastructure, and state

programs for industrial modernization. It also includes the development of mechanisms for public-private partnerships to invest in the modernization of industrial and social infrastructure, which are listed among the key principles of domestic economic policy by the legislature. At the same time, expanding international cooperation to attract foreign investment, advanced technologies, and managerial expertise to reform, modernize, and innovate the national economy is among the key principles of *foreign policy* [9].

In aggregate, all of the above indicates the necessity of developing and implementing approaches to decision-making at the national, regional, local, and economic levels that can contribute to economic modernization in terms of land management. Considering land management as an institutional and innovative determinant of economic modernization, it is crucial to develop mechanisms that facilitate such modernization [12].

Analysis of recent research and publications. Land management in the context of ensuring sustainable land use, including through the lens of modernization, especially in relation to armed conflict, has been the subject of investigation by researchers from the Land Management Institute of National Academy of Agrarian Sciences of Ukraine (NAAS), such as Y. Dorosh, Sh.I. Ibatullina, O. Dorosh, A. Tarnopolskyi, and others [1, 2, 3]. The modernization of the economy and the transformation of territorial systems are highlighted in publications [15, 16, 17]. Various aspects of ecological modernization of the economic system have been studied in scientific works by the researchers from the State Institution "Institute of Economic and Forecasting Problems of the NAS of Ukraine" [4, 7, 14]. The causal relationship between agricultural modernization and the state of land relations, as well as the emergence of land conflicts, has been investigated, including in the publication [19]. However, existing scientific developments on the mentioned topics do not focus on the causal relationship between economic modernization and land management development, as well as the transformation of the content and measures of land management in the context of economic modernization, which are systematically interconnected and cannot be considered separately. This motivated the objective of our research.

The purpose of the research is to theoretically and methodologically justify the role of land management in the process of economic modernization in Ukraine.

Research materials and methods. Achieving the research goal required the use of a combination of general scientific and specialized methods of scientific inquiry, including structural and functional analysis, abstraction, synthesis, normative and legal regulation, documentation, content analysis. The research is based on the norms of the current land legislation of Ukraine and the works of domestic and foreign scholars.

Research results and their discussion. The genesis of scientific approaches to economic modernization in connection with the development of land management has been investigated within the framework of developing an institutional model of land management transformation in the process of economic modernization. It has been established that the economic category of modernization is studied by various scientific schools and trends of economic theory in accordance with the subject of their research, which, in turn, determines the peculiarities of interpreting the content of this category [13]. Several definitions of the studied category have been generalized and summarized:

Modernization (from French "moderniser" - modern, contemporary) is a partial improvement of the structure and replacement of outdated equipment (machines, equipment, etc.), production technology, technical and technological re-equipment of enterprises [5, p. 543]. The process of modernization is accompanied by economic, political, social, and institutional changes and aims to mobilize resources to achieve specific competitive advantages [16]; it involves creating the necessary conditions for the formation of a full-fledged innovative economy [15, p. 9].

From an institutional perspective, modernization is a process that involves replacing traditional institutions in society with new norms, rules, values, and groups, within a specific territory [17].

Ecological modernization is an instrument for achieving sustainable development, which aims to balance the environment and society and replace economic growth with development [4].

Modernization of the economic system involves creating a system of state and social institutions that protect the legitimate interests of all participants in economic

relations, ensure the effective use of available production potential, adopt a strategy for socio-economic development, and develop a system of incentives necessary to achieve set goals. This includes the formation of a new model of state regulation based on new moral and political principles [6].

Modernization in the agricultural sector production is a critical driver of economic development, which, however, can also lead to land conflicts [19].

The analysis of the content of legislative and sub-legislative acts of Ukraine in the context of defining the essence, purpose, and/or mechanisms of economic modernization indicates that this economic category is predominantly used in a narrow sense. It primarily refers to the modernization of infrastructure, material-technical base, environmental modernization of enterprises, modernization of technical and technological processes in terms of minimizing environmental impact, software for specific activities, as well as state planning documents related to social aspects and education, systems of state governance, management of state finances, etc.

Based on the definition of land management as the "combination of socio-economic and environmental measures aimed at regulating land relations and rational organization of the territory of administrative-territorial units, economic entities, implemented under the influence of socio-economic relations and the development of productive forces" [10], the context of economic modernization in the normative-legal acts of Ukraine (as of June 1, 2023) can only be indirectly identified in relation to the following projects and documents:

by the project "Agricultural Modernization and Innovation" implemented within the framework of the Framework Agreement between Ukraine and the European Investment Bank dated June 14, 2005;

by the Procedure for the use of funds provided in the state budget under the program "Reconstruction, Modernization, and Restoration of Reclamation Systems" aimed at increasing the area of irrigated lands through the reconstruction, modernization, and restoration of reclamation systems, approved by the relevant resolution of the Cabinet of Ministers of Ukraine dated February 16, 2022, No. 138;

by the Concept of Modernization of Legal Regulation of Business Conditions in Ukraine, which, among other things, encompasses the agricultural and environmental policies in the socio-economic dimension.

Thus, on one hand, modernization inherently implies transformation - the improvement of mechanisms, tools, and measures that regulate land relations, land use, and land protection. On the other hand, land management measures also serve as determinants of economic modernization, based on the definition of land management [10], aiming at regulating land relations and rational organization of the territory of administrative-territorial units at the macroeconomic level and regulating land relations and rational organization of the territory of economic entities at the microeconomic level.

Taking the above into account, we propose to systematically consider the role of land management in the process of economic modernization (Figure 1):

In a broad sense, from the perspective of macroeconomics, land management measures can determine structural changes in the economy, thus serving as a factor of structural modernization of the economy.

In a narrower microeconomic interpretation, which predominantly involves the improvement of organizational, legal, and financial-economic aspects of the economic activities of individual land users/landowners. Here, land management measures act as an internal source (driving force) of transformations.

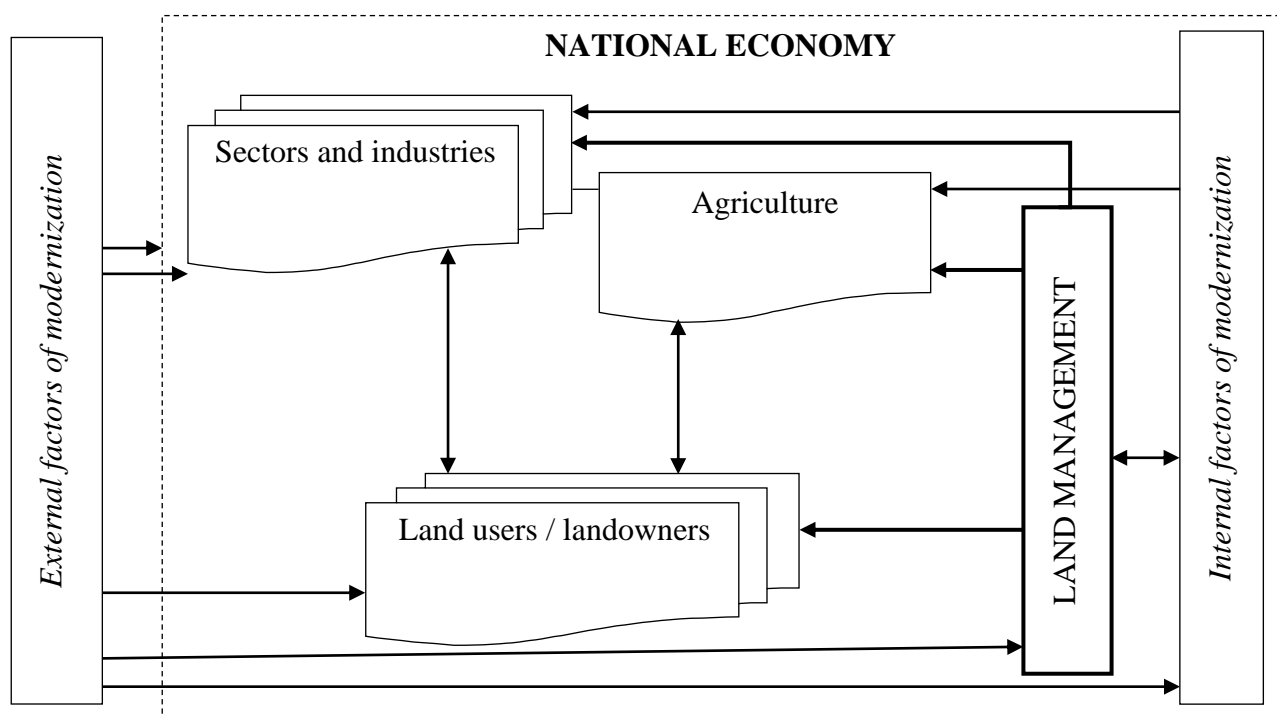


Figure 1. The role of land management in the process of economic modernization in Ukraine.

Analyzing the legal framework of land management under the current conditions of the legal regime of martial law in Ukraine, researchers [3] note the lack of systematicity and the diversity of objectives in the special rules concerning land management and land allocation during this period, indicating overall imperfections in land legislation.

Under the legal regime of martial law in Ukraine, land management activities are restricted by a set of requirements and limitations established by military legislation and other regulatory acts. These limitations vary depending on specific circumstances and decisions made by the Government and military command. However, general principles typically applied in such situations include restrictions on land allocation, land expropriation, limitations on access to and use of land, as well as the suspension of rights registration. Therefore, according to Ukrainian legislation, temporary restrictions on constitutional rights and freedoms of individuals and citizens, as well as the rights and legitimate interests of legal entities, are imposed to ensure the implementation of measures related to the legal regime of martial law regarding land relations, land use, and land protection.

Nevertheless, even under these requirements and limitations, modernization takes place, involving the transformation of organizational, legal, and financial-economic aspects of land management at the macro and micro levels to strengthen the country's defense capabilities and establish the foundations for post-war recovery and development. Land management measures play a crucial role in post-war reconstruction efforts, contributing to the efficient restoration and rational utilization of land resources, particularly those damaged during military actions. These measures aim to establish a proper legal framework for their use and protection, regulate land conflicts, as well as plan, stabilize, and develop territories and sectors (industries) of the economy in line with the needs and programmatic goals of the recovery process. Land management measures within the context of post-war economic modernization are intended to facilitate the restoration of socio-economic and ecological stability,

infrastructure, and livelihoods in affected areas, attract investments, and stimulate economic development.

Considering the above, an equally important factor in the modernization of the economy and land management is the granting of candidate status for EU membership to Ukraine by the European Council on June 23, 2022. The European Commission's conclusion on Ukraine's application for EU membership as of February 1, 2023, states that Ukraine demonstrates an initial level of preparation in the field of agriculture and rural development. However, it will be necessary to fully align national legislation with the EU *acquis* in this area and establish structures and systems, as well as build administrative capacity to effectively implement and ensure compliance with all EU norms. This includes the formation of administrative structures to implement common agricultural policies, as well as the need for improved integration and verification of registry data, including land identification systems [18].

The above provides grounds to consider that the development of land management in the process of economic modernization will conceptually entail changes (transformation) within the framework of sustainable development. Practically, it will primarily take into account the fulfillment of Ukraine's international legal obligations regarding land and agriculture, as well as its European integration aspirations, with a particular focus on the current legal regime of martial law. The latter entails specific conditions for the use and restoration of land damaged and/or contaminated due to hostilities. Additionally, based on the thesis that "the modern version of the theory of modernization is focused on determining the time period or event that 'propels' society towards modernization. Such a 'starting point' can be triggered, among other factors, by political events" [8, p. 3]. The armed aggression in Ukraine can serve as a driving force for land management development within the process of economic modernization. Agriculture and agrarian markets are crucial for Ukraine's economic development, and therefore, the modernization of agrarian policies is one of the priority directions for economic policy modernization. In order to achieve this, it is necessary to realign the priorities of agrarian policy to foster the growth of small-scale farming and foster their associations. [8]. Thus, when formulating managerial decisions, it is important to consider that the modernization

of food chains in the implementation of agrarian policies, with a focus on the production of raw materials rather than finished goods, has led to the marginalization of local food systems. This presents a significant challenge to both food security and the socio-economic development of specific territories and the country as a whole [11, pp. 140-141]. However, it is worth noting the potential reverse effect, which is conditional and subject to transformation. The transformation of land use is not necessarily an inevitable consequence of economic globalization and modernization (as demonstrated in the cited study using the example of forests) [20]. In this context, the institutional environment of land management, encompassing the entire spectrum of land-use-related relations and the institutions that underpin these relationships, serves as the structural framework of the transforming land-use system within the process of economic modernization.

Land management plays a crucial role in the creation and functioning of innovative infrastructure, including industrial parks, within the context of economic modernization and optimization of the national economic structure. Proper organization and planning of land-use systems are prerequisites for the efficiency of innovative infrastructure.

Conclusions and Perspectives. The development of land management in Ukraine, the essence of which, in accordance with its legal basis and current legislation, entails the search for institutional and managerial determinants, will contribute to solving complex socio-economic and environmental problems related to land use and conservation. This is particularly relevant for the timely and efficient return of agricultural lands affected by armed conflicts back into economic circulation. Land management measures will also play a crucial role in post-war reconstruction and Ukraine's European integration, thereby driving the modernization of the national economy, economic policies, agriculture, and agrarian policies.

The prospects for further research include analyzing the challenges and threats in the field of land management during post-war reconstruction, developing tools for land management development in the context of structural economic modernization and European integration in Ukraine, and implementing land management measures for the organization and planning of land use to create efficient innovative infrastructure in Ukraine.

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РОЛЬ ЗЕМЛЕУСТРОЮ У ПРОЦЕСІ ЕКОНОМІЧНОЇ МОДЕРНІЗАЦІЇ УКРАЇНИ

Досліджено причинно-наслідковий зв'язок економічної модернізації і землеустрою, роль останнього у процесі модернізації України, а також трансформацію змісту і заходів із землеустрою в зростанні та повоєнній відбудові країни. Констатовано ключову роль землеустрою в економічній модернізації, з акцентом на значенні заходів із землеустрою у подоланні наслідків збройного конфлікту в Україні.

Аналіз законодавчих і підзаконних актів України щодо економічної модернізації свідчить про переважно звужене, хоча й безпосереднє застосування її контексту: передусім стосовно модернізації інфраструктури, матеріально-технічної бази; екологічної модернізації підприємств; оновлення техніко-технологічних процесів з урахуванням впливу на довкілля; щодо соціальних аспектів та освіти, а також систем управління, таких як державне управління і державні фінанси. Тоді як у зв'язку із землеустроєм контекст економічної модернізації в нормативно-правових актах України (станом на 01.06.2023 р.) лише опосередковано можна виділити у зв'язку із проєктами й документами, деякі з яких стосуються сільського господарства.

*Обґрунтовано структурно-логічну схему відображення ролі землеустрою у процесі економічної модернізації України. Відзначено, що заходи із землеустрою сприяють, зокрема, вирішенню таких актуальних проблем, як забезпечення продовольчої безпеки, залучення інвестицій у сільське господарство, зокрема, й у контексті його модернізації й розбудови інфраструктури, а також акцентовано на ролі землеустрою визначено як важливу складову процесу євроінтеграції України, що передбачає наближення національного земельного законодавства до *acquis* ЄС.*

Ключові слова: *сільське господарство, земельне законодавство, заходи із землеустрою, землекористування, використання та охорона земель, чинники модернізації, євроінтеграція.*