

ISSN 2518-7325 (Online), ISSN 2306-1677 (Print)
Land Management, Cadastre and Land Monitoring
Received: 12.09.2026; Accepted: 15.10.2026; Published: 30.12.2026;
<http://dx.doi.org/10.31548/zemleustriy2026.04.01>

Copyright © The Author(s). This is an open access article distributed under the terms of the Creative Commons Attribution-ShareAlike 4.0 International License (<https://creativecommons.org/licenses/by-nc-sa/4.0/>)

UDC 332.2

LAND MANAGEMENT SUPPORT FOR THE RESTORATION OF LAND DAMAGED AS A RESULT OF ARMED AGGRESSION

Y. Dorosh, *Doctor of Economic Sciences, Professor, Academician of the NAAS of
Ukraine*

E-mail: yosypdorosh@lmi.org.ua

ORCID: 0000-0002-1764-6188

Land Management Institute of the National Academy of Agrarian Sciences of Ukraine

Sh. Ibatullin, *Doctor of Economic Sciences, Professor, Academician of the NAAS of
Ukraine*

E-mail: shamilibatullin@lmi.org.ua

ORCID: 0000-0002-4032-6182

Land Management Institute of the National Academy of Agrarian Sciences of Ukraine

O. Dorosh, *Doctor of Economic Sciences, Professor*

E-mail: dorosh_o@nubip.edu.ua

ORCID: 0000-0003-2906-4174

National University of Life and Environmental Sciences of Ukraine

A. Tarnopolskyi,

E-mail: atarnopolskyi@lmi.org.ua

ORCID: 0000-0001-5313-6380

Land Management Institute of the National Academy of Agrarian Sciences of Ukraine

A. Dorosh, *PhD in Economics*

E-mail: andriydorosh@lmi.org.ua

ORCID: 0000-0002-2234-124X

Land Management Institute of the National Academy of Agrarian Sciences of Ukraine

Abstract. *The study substantiates land management support for the restoration of land damaged as a result of armed aggression. It has been established that the current legal instruments for restoring such land are fragmented and inconsistent with one another. Demining, reclamation, damage assessment and compensation are regulated by different legal acts, carried out by different actors and based on different information resources. It is substantiated that land management is capable of performing an integrating function: it combines these procedures into a single technological chain, from surveying and recording the damage to restoring the land and returning it to economic use. It is proved that the restoration of damaged land requires rethinking the content of land management. The traditional factors of land management design are natural, economic, environmental and social; however, the content of the social factor needs to be reconsidered and the factor itself granted the status of an independent component of design justification. Under armed aggression, it acquires new content: it covers the safety of the population, the preservation of the incomes of land share owners and of rural employment, as well as a fair distribution of the burden of restrictions between landowners and the state. The study substantiates the expediency of introducing a new type of land management documentation, namely a land management project for the restoration of land damaged as a result of armed aggression, by amending Article 25 of the Law of Ukraine “On Land Management”. It is proved that the object of design should be a land tract or the territory of a territorial community rather than an individual land plot. These provisions form the basis of the proposed concept of territorial and compensatory land management. The dual purpose of land management documentation is substantiated: it serves simultaneously as an instrument for land restoration and as evidence of the damage caused for national and international compensation mechanisms, in particular the Register of Damage for Ukraine. To this*

end, the documentation must record the pre-war condition of the land, the type and extent of the damage, as well as the sources and date of its establishment, in a form suitable for use as evidence. It has been established that the conservation of damaged land at the initiative of the state should be accompanied by fair compensation to landowners and land users rather than limited to tax benefits. A tax benefit only exempts from payments but does not compensate for the income lost from land use.

Keywords: *land management, restoration of land damaged as a result of armed aggression, territorial and compensatory land management, land conservation, State Land Cadastre, compensation for damage.*

Problem statement. The Law of Ukraine “On Land Management” defines land management as a set of socio-economic and environmental measures. However, in the practice of working design, the social component was mostly reduced to general declarations and had no indicators of its own for justifying design decisions.

Before the full-scale war, the restoration of disturbed land was based on the principle “the one who disturbs, restores”. This model had a clear implementation logic: an identified party responsible for the land disturbance, a substantiated design decision on its restoration, and a guaranteed source of funding for the relevant measures.

The armed aggression of the Russian Federation has rendered this model unworkable for several reasons. First, the party that disturbed the land is the aggressor state, to which the principle “the one who disturbs, restores” cannot be applied directly. Second, landowners and land users have suffered losses through no fault of their own and, as a rule, lack the financial and technical resources to restore the disturbed land on their own. Third, the consequences of land damage go beyond the environmental dimension and acquire a pronounced social character.

Under these conditions, the social factor acquires new content. Its components are the safety of the population, the preservation of the incomes of land share (pai) owners and of rural employment, as well as a fair distribution of the burden of restrictions between landowners and the state. Therefore, the social factor should be

considered an independent component of the justification of design decisions on the restoration of land damaged as a result of armed aggression, equivalent to the natural, economic and environmental factors.

Review of recent research and publications. A.M. Tretiak (2014) examined the theory of land management in the light of new land relations. The author traces the origin of the concept of land management and the evolution of its essence, and substantiates the role of land management as a fundamental mechanism of land resource management at the current stage of economic development. The scholar also analysed the land system of Ukraine, the concepts of land tenure and land use, the forms of land use and territorial organization, as well as the elements of the land management organization of territory. Importantly, the author interprets the content of land management as a set of socio-economic and environmental measures and organizational and legal actions. This creates a theoretical basis for considering the social factor as an independent component of the justification of design decisions [1].

Sh. Ibatullin, Y. Dorosh, O. Dorosh, O. Sakal, Y. Butenko, R. Kharytonenko and H. Shtohryn (2022) calculated the economic losses from hostilities using the example of agricultural land (arable land) in Kyiv Oblast. To compare data under the previous and the new administrative-territorial structure, changes in the number and area of districts after the reform were taken into account. The approximate duration of demining was determined depending on the intensity of shelling and the complexity of the work. The income forgone by agricultural producers from growing cereals, legumes and oilseeds was calculated, as well as the losses associated with the cost of demining. The results were extrapolated to the territory of Ukraine, which made it possible to determine the approximate area of affected arable land and the amount of economic losses on it [2].

Y.M. Dorosh, A.V. Barvinskyi, O.S. Dorosh and L.A. Svyrydova (2022) emphasised the need to establish in law the procedure for withdrawing damaged land from agricultural use. To this end, it was proposed to supplement the Procedure for Land Conservation with criteria and indicators of the degree of mechanical destruction and chemical contamination of soils. These determine the direction,

content and scope of land restoration works and, consequently, the amount of their funding. It was stressed that funds can be spent rationally and the maximum environmental effect achieved only through a differentiated approach to the transformation of technogenically contaminated land. It was substantiated that land management, especially at the local level, should be dynamic and multi-variant in order to respond promptly to challenges in the use and protection of rural land. The scholars also formulated the tasks of land management in the agrarian sector arising from the armed aggression and proposed ways of addressing them. Shortcomings of the current legal provisions on the preparation of land management documentation were identified as well [3].

M.O. Pilicheva (2026) examines the transformation of land resource management in territorial communities affected by hostilities. The author substantiates the transition from an administrative model to a risk-oriented and adaptive system based on modern technologies. The key characteristics of such a model are identified as risk orientation, differentiation of management decisions depending on the level of threat, integration and technological support. The interaction of the national, regional and local levels of governance and the role of territorial communities in implementing land policy are also analysed. At the same time, land management instruments for restoring affected land remained outside the scope of the study [4].

O.S. Dorosh, Y.M. Dorosh, A.V. Tarnopolskyi and A.Y. Dorosh (2022) substantiated a balance between restricting access to sensitive information of the State Land Cadastre under martial law and safeguarding public interests. It was proposed to differentiate access to cadastral data into open, regulated and authorized access. To this end, the data should be classified by law according to sensitivity levels, methods of use and access rules, and a list of sensitive information and the methods of displaying it should be defined. The expediency of treating cadastral information not as a free resource but as an intangible asset with licensed access, by analogy with software, was substantiated. After the end of martial law, it was proposed to review the restrictions introduced, to amend the legislation on the

procedure for maintaining the State Land Cadastre, and to update the composition, content and resolution of the cartographic basis of the Public Cadastral Map [5].

Yu. Khavar, V. Sai and S. Malibroda (2023) studied the specifics of land management work under martial law. The researchers note that at the beginning of the war land management work was temporarily suspended. At the same time, the State Land Cadastre continued to operate, and land management organizations gradually resumed their work. Nevertheless, land management work acquired certain specific features. In the authors' view, these are determined by technical, legal, organizational and economic factors. The researchers argue that technical and legal factors mainly limit the volume of work, whereas organizational and economic factors also affect its quality and efficiency. To prevent such problems, the researchers propose two steps. The first is to develop special land management legislation for periods of martial law or a state of emergency. The second is to introduce an effective mechanism for informing the parties to land relations [6].

Y.M. Dorosh, A.V. Tarnopolskyi, O.S. Dorosh, R.A. Kharytonenko and D.M. Melnyk (2025) substantiated the need to classify land and land plots affected by hostilities in Ukraine and to establish restrictions on their use. By generalizing scientific approaches to land classification, they formed the theoretical basis for a classifier of war-affected land. A classification system for such land was proposed, namely: physically disturbed land, littered land, contaminated land, mined land, and land with mixed contamination and debris. A classifier structure was developed that defines the types and subtypes of affected land, classification levels by degree of damage and complexity of reclamation, and restrictions on further land use. The proposed classifier structure combines the key criteria for assessing the condition of affected land [7].

Thus, the scientific literature has examined economic losses from hostilities, the classification of affected land, access to cadastral information, and land resource management in frontline communities. At the same time, the issues of a comprehensive model of land management support for the restoration of land damaged as a result of armed aggression remain unresolved. They include the object

of design, the customer and the sources of funding for the works, the use of land management documentation as evidence of damage, and the compensation mechanism for land conservation at the initiative of the state. This article addresses precisely these issues. To ensure the broadest possible coverage of relevant literature sources, the language model Claude Opus 5.5 was used for their search and for formatting them according to the DSTU 8302:2015 and APA standards.

The aim of the study is to analyse the current state of land management support for the restoration of land damaged as a result of armed aggression and to substantiate the conceptual foundations for transforming the content of land management in view of the challenges of post-war recovery.

Materials and methods. Systemic and comparative legal methods were used to analyse the current legal instruments for land restoration and to identify inconsistencies between them. The monographic method was used to generalize scientific approaches to the content of land management. The abstract-logical method was used to substantiate the concept of territorial and compensatory land management and to formulate the conclusions. The modelling method was used to develop the structure of the State Land Cadastre thematic layer on the restoration of land damaged as a result of armed aggression.

Results and discussion. According to the Cabinet of Ministers of Ukraine, from the beginning of the full-scale invasion to April 2026, 40.7 thousand km² of territory were returned to economic use as a result of humanitarian demining [8]. Under the state programme of compensation for the cost of humanitarian demining, 16.4 thousand ha of agricultural land had been cleared as of July 2026, and budget funding for the programme in 2026 amounts to UAH 1.7 billion [9]. At the same time, according to the Ministry of Economy, Environment and Agriculture of Ukraine, about 10.1 thousand ha of land classified as likely or confirmed to be contaminated with explosive ordnance are actually used for agricultural production [10]. This indicates insufficient control over the use of such land and poses a direct threat to human life and health.

It would be incorrect to claim that national legislation lacks legal instruments

for restoring land disturbed as a result of hostilities. Such instruments exist, but they are fragmented and do not form a coherent system of legal regulation. By their functional purpose, they can be grouped into five areas: *design; legal regime; assessment; fiscal; and international legal instruments*.

Design instruments. Working land management projects are developed in accordance with the Rules approved by Resolution of the Cabinet of Ministers of Ukraine No. 86 of February 2, 2022 [11]. An analysis of their provisions shows that they are designed for technogenic land disturbance with a known responsible party. At the same time, the Rules contain no requirements for coordination with the results of non-technical and technical surveys for explosive ordnance, for recording the pre-war condition of land, or for building an evidence base of the damage caused. The adoption of the Rules three weeks before the start of the full-scale invasion explains why these aspects were not taken into account.

Legal regime instruments. In 2024, the Procedure for Land Conservation was supplemented with provisions on land contaminated as a result of armed aggression and land occupied by fortifications [12]. However, privately owned land is still conserved only upon the owner's application. This significantly limits its use as an instrument of state land policy.

Assessment instruments. The Procedure for Determining Damage and Losses Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation and the methodologies of the Ministry of Agrarian Policy and Food and the Ministry of Environmental Protection and Natural Resources are in force. The general procedure for determining damage is established by the Procedure approved by CMU Resolution No. 326 [13]. The amount of damage caused to land and soils is determined according to the methodologies approved by Order of the Ministry of Agrarian Policy and Food No. 295 [14] and Order of the Ministry of Environmental Protection and Natural Resources No. 167 [15]. Therefore, design decisions and cost estimates should be based on indicators compatible with these methodologies. The results of land management design can then be used directly to calculate damage without a repeated survey. The information basis for damage assessment consists of

land plot inspection reports.

Fiscal instruments. Law No. 3050-IX exempted such land from land payment [16]. However, a tax benefit only reduces the fiscal burden on landowners and land users and, by its economic nature, is not compensation for the damage caused [17].

International legal instruments. In September 2026, the Register of Damage for Ukraine opened the submission of claims in all 43 categories [18]. In addition, on April 30, 2026, the Verkhovna Rada of Ukraine ratified the Convention establishing an International Claims Commission for Ukraine [19].

At the same time, for land management support it is important to distinguish between the parties submitting claims. Claims for environmental damage (category B3.1) are submitted by the State of Ukraine. Owners and land users record their property losses and lost profits under the categories for natural and legal persons. Therefore, land management documentation should build an evidence base in two dimensions. The first is damage to land and soils as a natural resource, for the State's claims. The second is the losses of specific owners and land users, for their individual claims.

The fragmentation of the instruments considered gives rise to the main problem, namely a break in the chain “demining — restoration — damage assessment — compensation” (Fig. 1). Each link in this chain is provided by a separate agency, with its own customer and its own evidence base. However, there is no mandatory land management stage between them that would guarantee the sequence and continuity of the process. As a result, demining returns land to economic use but does not ensure the restoration of its fertility and environmental suitability.

A telling example is the experience of Kyiv Oblast in 2022. After the de-occupation of the territories, land restoration effectively fell outside state regulation. Agricultural producers filled craters and sowed crops on their own, without reclamation. From the standpoint of food security, such actions were justified. At the same time, soils were not tested for heavy metals and petroleum products, the evidence base of the damage caused was lost, and the farmers' restoration costs were not documented, which complicates their future reimbursement.

The second problem is the uncertainty as to who commissions and pays for land restoration works. The current model of a working land management project assumes that reclamation is financed by the party responsible for the disturbance. Under armed aggression, this party is legally and practically unreachable, so in practice no one commissions such projects. The owner of a land share (pai) does not have sufficient financial resources for this. It is economically unprofitable for a tenant to invest in restoring a land plot that does not belong to them, especially under a short-term lease. The state, in turn, has no statutory obligation to finance such works.

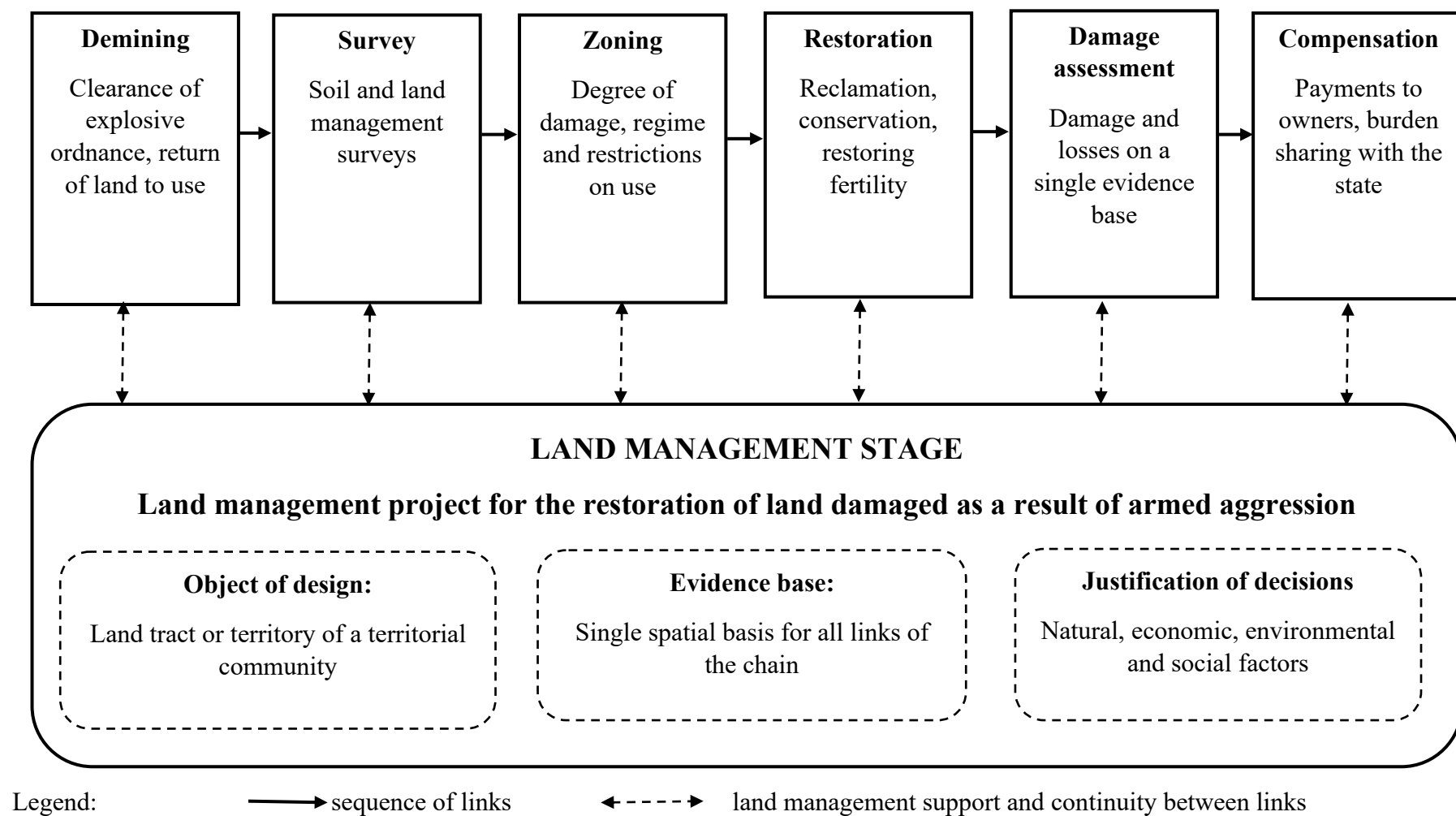


Fig. 1. Shift in the concept from the reclamation of individual plots to territorial and compensatory land management

The third problem is the divergence of the economic interests of the owner and the land user. The tenant incurs lost profits and land restoration costs, whereas the owner loses soil fertility and, with it, the normative and market value of the land plot. For rural pensioners, the rent for a land share is part of their social income, and the law does not specify who compensates for its loss in the event of conservation. The situation is further complicated by the fragmentation of land ownership resulting from the distribution of land shares. Some land share owners are internally displaced persons or military personnel, or live abroad. After the death of some owners, inheritance has not been formalized. This makes it impossible to agree promptly on design decisions for restoring land tracts consisting of dozens or hundreds of plots belonging to different owners.

The fourth problem is the mismatch between the plot-based approach and the nature of the damage caused. Fortification lines and crater fields, as a rule, cross dozens of land shares, field roads, field-protective forest belts and irrigation and drainage networks. Reclaiming an individual land share within an unrestored land tract is neither technically nor economically feasible.

The fifth problem is land conservation without adequate compensation. If the state restricts land use in the public interest, exemption from land payment does not compensate for the lost income. In effect, land rent is withdrawn from the owner, and business income from the land user.

The sixth problem concerns the temporarily occupied territories, in particular the agricultural land of the Mariupol, Pokrovsk and other territorial communities. Today, this land is inaccessible both for field surveys and for determining and compensating damage within national procedures. At the same time, an evidence base can already be formed using Earth remote sensing data, archival information from the State Land Cadastre and land management documentation, as well as by submitting claims to the Register of Damage for Ukraine.

Overcoming these problems requires not piecemeal changes to existing procedures but an update of the conceptual model of land management itself.

In particular, current legislation already provides for land management documentation at the level of a community territory or a land tract. The comprehensive spatial development plan of the territory of a territorial community is a strategic planning document. It determines the functional purpose of territories but contains no working design decisions, cost estimates or evidentiary recording of damage. The land management project for the ecological and economic justification of crop rotation and land arrangement is aimed at organizing land use rather than restoring land. Technical documentation on land inventory records the existing condition but does not justify the restoration regime. Working land management projects, in turn, are developed for individual land plots. Consequently, none of the existing types of documentation combines, at the level of a land tract, damage diagnostics, the choice of restoration regime, loss assessment and social consultations. This justifies the need for a new type of documentation.

In view of this, we propose a transition from object-based (plot-based) reclamation land management to territorial and compensatory restoration land management. Its essence is that land management documentation combines the disparate links of the process (demining, restoration, damage assessment and compensation) into a single technological chain. At the same time, it ensures comprehensive consideration of legal, economic, environmental and social factors.

The instrumental basis of the concept of restoring damaged land tracts and territories of territorial communities should be a new type of land management documentation — *a land management project for the restoration of land damaged as a result of armed aggression*. Unlike existing working projects, its object is not an individual land plot but a land tract or the territory of a territorial community. The project should consist of four interrelated blocks: *diagnostic; regime; economic; social*.

The diagnostic block provides for land surveys, identification and typification of the damage caused, and spatial zoning of the territory by type and degree of damage.

The regime block contains the justification of the restoration regime for each

delineated zone: reclamation, conservation, transformation of land use types, restoration to the original condition, etc.

The economic block covers the determination of damage and losses according to current methodologies, which forms the evidence base for national and international compensation procedures.

The social block provides for consultations with land share (pai) owners and land users, as well as an assessment of the impact of the planned measures on employment, household incomes and the conditions for the return of residents to the community.

The second element of the concept is the zoning of *damaged* land into three restoration regimes:

- the green zone provides for the rapid return of land to cultivation after the damage has been documented;
- the yellow zone provides for land reclamation in accordance with design decisions;
- the red zone provides for land conservation with rent compensation, transformation of land use (afforestation, renaturalization, creation of memorial areas) or purchase of land into state ownership.

A historical precedent for this approach is the zoning of devastated territories in France after the First World War. In 1919, they were divided into green, yellow and red zones depending on the degree of destruction [20; 21]. The land of the “red zone” was unsuitable for economic use; the state bought it from the owners and mostly afforested it [22; 23].

The third element of the concept is the principle of “the land management project as evidence”. The project cost estimate effectively reflects measurable damage in the form of reclamation costs determined in accordance with Procedure No. 326 [13]. Therefore, the documentation should contain information on the pre-war condition of the land and on the recorded damage established from Earth remote sensing data, geodetic measurements and laboratory analyses of soil samples. It should also record the restoration costs actually incurred, in a format suitable for

submission to the Register of Damage for Ukraine and the International Claims Commission for Ukraine [24].

To prevent a repetition of the “Kyiv scenario”, we propose a rapid land restoration protocol. It provides for the following sequence of actions: digital recording of the damage, its assessment, minimal technical reclamation, agrochemical soil survey, and only then sowing. The right to compensation of costs and to tax benefits should be linked to the existence of such records. Under this condition, a farmer who restores land at their own expense retains the right to reimbursement.

The fourth element of the concept is a two-level customer model. At the level of a land tract, the public customer of the project is the territorial community or the state. The works are financed from budget funds and donor programmes and, in the future, from the compensation fund. At the level of a land plot, the customer is the owner, with the land user acting as a co-applicant. Three issues should be regulated by law: who performs the reclamation works; how compensation payments are distributed between the owner and the land user; and under what conditions the payment of rent is suspended.

The fifth element is land conservation with compensation. If the state restricts land use through conservation, it should compensate the owner for the lost income. Such compensation may take the form of an annual rental payment, as in the US Conservation Reserve Program or EU agri-environmental schemes, or the purchase of land into state ownership. Sources of funding may include the international compensation mechanism, donor programmes, and revenues from the sale of carbon units generated through afforestation.

As regards the temporarily occupied territories, it is already advisable to carry out a remote inventory of the damage caused and to ensure the preservation of pre-war cadastral data as an evidence base for future compensation.

The implementation of all the proposed elements of the concept is impossible without a single reliable source of information on disturbed land. Therefore, a separate layer of the State Land Cadastre (SLC) should become the information basis

of the concept.

Currently, information on such land is scattered across several information resources. These include the register of territories contaminated with explosive ordnance [25], the State Agrarian Register, inspection reports of territorial community commissions, and claims to the Register of Damage for Ukraine. At the same time, the Tax Code of Ukraine links the exemption from land payment for plots contaminated with explosive ordnance specifically to State Land Cadastre data [17]. Thus, the State Land Cadastre already de facto performs the function of recording such land, but the composition of the information it contains is insufficient for this purpose.

In view of this, we propose introducing in the State Land Cadastre a separate thematic layer of information on damaged land — **“Land damaged as a result of armed aggression”**. This layer should cover five groups of information (Fig. 2):

- *identification data* — cadastral number, boundaries of the damaged part of the land plot or tract, area;
- *nature of damage* — type of damage (craters, fortifications, chemical contamination, consequences of fires, littering with debris, damage to irrigation and drainage systems), date and source of recording (inspection report, Earth remote sensing data, results of soil sample analysis);
- *pre-war condition* — agro-production soil group, soil quality score, normative monetary valuation, indicators of the agrochemical passport of the land plot;
- *legal regime and status of works* — restoration zone, status of contamination with explosive ordnance, details of land management documentation, stage of works (surveyed, reclaimed, conserved, transformed);
- *compensation status* — tax benefits, land conservation with compensation, submission of a claim to the Register of Damage for Ukraine.

The proposed layer combines recording, planning, fiscal, evidentiary and monitoring functions. It can become the basis for developing comprehensive spatial development plans (CSDPs) of territorial communities and restoration programmes.

In addition, it eliminates the situation in which a significant area of land is actually used in agricultural production but retains the status of contaminated land and the associated tax benefits.

It is advisable to designate the StateGeoCadastre as the holder of the layer. The sources of information for the layer should be local self-government bodies, mine action operators (through information exchange with the register of territories contaminated with explosive ordnance), and certified land management engineers. For the temporarily occupied territories, the layer should store pre-war cadastral information and the results of the remote damage inventory.

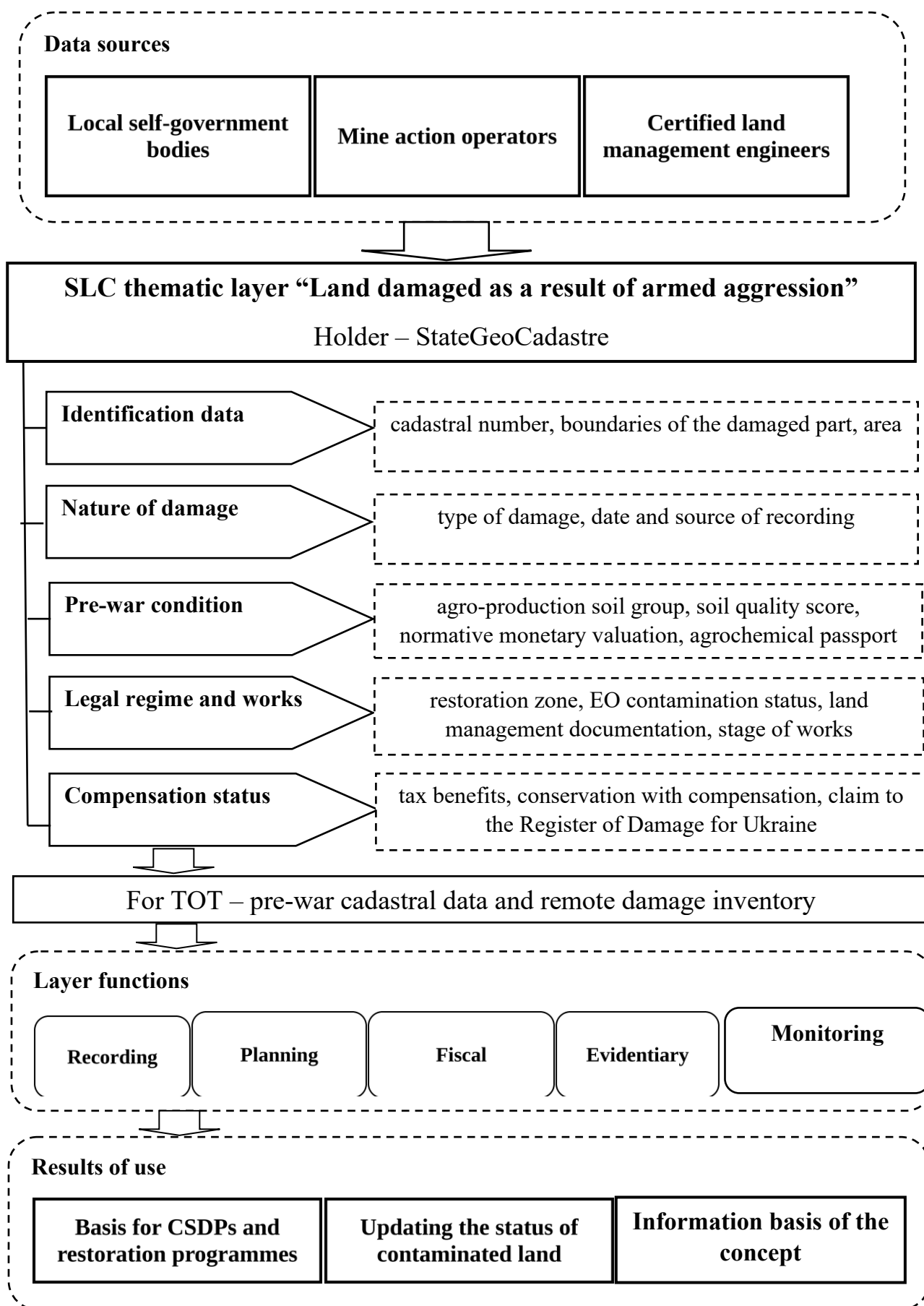


Fig. 2. Structure of the State Land Cadastre thematic layer “Land damaged as a result of armed aggression”

A fundamental caveat concerns security. Under martial law, information on the location of fortifications cannot be public. Therefore, it is advisable to introduce differentiated levels of access. Aggregated information should be open to territorial communities and landowners. Detailed information should be classified as restricted information. The legal basis for introducing the layer should be amendments to the Law of Ukraine “On the State Land Cadastre” and the Procedure for Maintaining the State Land Cadastre concerning the composition of the information in the new layer, the entities submitting it, and the regime of access to it.

Conclusions and proposals. The main results of the study are as follows:

1. The current legal instruments for restoring damaged land are fragmented and inconsistent with one another. Demining, reclamation, damage assessment and compensation are regulated by different legal acts. They are carried out by different actors relying on different information resources. It is land management that is capable of performing the integrating function. It combines these procedures into a single technological chain: from surveying and recording the damage to restoring the land and returning it to economic use.

2. The restoration of damaged land requires rethinking the content of land management, primarily the social factor of land management design. Under armed aggression, this factor covers the safety of the population and the preservation of the incomes of land share (pai) owners and of rural employment. It also covers a fair distribution of the burden of restrictions between landowners and the state. Therefore, the social factor should be granted the status of an independent component of the justification of design decisions.

3. The concept of territorial and compensatory land management has been substantiated. It rests on three provisions. The first is the independent status of the social factor. The second is a new type of land management documentation, namely a land management project for the restoration of land damaged as a result of armed aggression, which we propose to introduce by amending Article 25 of the Law of Ukraine “On Land Management”. The third is that the object of design becomes a land tract or the territory of a territorial community instead of an individual land plot.

4. Land management documentation should have a dual purpose. It serves simultaneously as an instrument for land restoration and as evidence of the damage caused for national and international compensation mechanisms, in particular the Register of Damage for Ukraine. To this end, the documentation should record the pre-war condition of the land, the type and extent of the damage, as well as the sources and date of their establishment, in a form suitable for use as evidence.

5. The conservation of affected land at the initiative of the state should be accompanied by fair compensation to owners and land users rather than limited to tax benefits. A tax benefit only exempts from land payment but does not compensate for the income lost from land use.

6. To implement these provisions, we propose amending the following legal acts: the Land Code of Ukraine; the Laws of Ukraine “On Land Management”, “On Land Protection”, “On Land Lease” and “On the State Land Cadastre”; and CMU Resolutions No. 1051 of October 17, 2012 “On Approval of the Procedure for Maintaining the State Land Cadastre”, No. 35 of January 19, 2022 “On Approval of the Procedure for Land Conservation” and No. 86 of February 2, 2022 “On Approval of the Rules for the Development of Working Land Management Projects”.

7. Prospects for further research lie in developing a methodology for the social assessment of design decisions on land restoration, criteria for assigning land to restoration zones, and a procedure for calculating rent compensation in the event of land conservation at the initiative of the state.

References

1. Tretiak, A. M. (2014). *Zemleustrii [Land management]: Textbook*. OLDI-PLIUS. 520
2. Ibatullin, Sh., Dorosh, I., Dorosh, O., Sakal, O., Butenko, Y., Kharytonenko, R., & Shtohryn, H. (2022). Determination of economic losses on agricultural land in connection with hostilities on the example of the territory of Kyivska Oblast in Ukraine. *Acta Scientiarum Polonorum. Formatio Circumiectus*, 21(2), 49–61. DOI: <https://doi.org/10.15576/ASP.FC/2022.21.2.49>

3. Dorosh, Y. M., Barvinskyi, A. V., Dorosh, O. S., & Svyrydova, L. A. (2022). Zavdannia zemleustroi v ahrarnii sferi, vyklykani viiskovoiu ahresiieiu, ta shliakhy yikh vyrishennia [Land management tasks in the agricultural sector caused by military aggression and ways to address them]. *Zemleustrii, kadastr i monitoringh zemel*, (4), 6–15. DOI: <https://doi.org/10.31548/zemleustriy2022.04.01>
4. Pilicheva, M. O. (2026). Upravlinnia zemelnymy resursamy pryfrontovykh terytorialnykh hromad: Transformatsiia pidkhodiv, ryzyky ta mekhanizmy vidnovlennia [Land resource management in frontline territorial communities: Transformation of approaches, risks and recovery mechanisms]. *Ekonomika ta suspilstvo*, (85). DOI: <https://doi.org/10.32782/2524-0072/2026-85-109>
5. Dorosh, O. S., Dorosh, Y. M., Tarnopolskyi, A. V., & Dorosh, A. Y. (2022). Pytannia vidobrazhennia chutlyvoi informatsii v derzhavnomu zemelnomu kadastr i ta yii publichnist v umovakh viiskovykh vyklykiv [Issues of displaying sensitive information in the State Land Cadastre and its public accessibility under military challenges]. *Zemleustrii, kadastr i monitoringh zemel*, (4), 45–56. DOI: <https://doi.org/10.31548/zemleustriy2022.04.05>
6. Khavar, Yu., Sai, V., & Malibroda, S. (2023). Osoblyvosti robit iz zemleustroi v umovakh voiennoho stanu [Specific features of land management activities under martial law]. *Visnyk Lvivskoho natsionalnoho ekolohichnoho universytetu. Seriia «Arkhitektura ta budivnytstvo»*, (24), 177–183. DOI: <https://doi.org/10.31734/architecture2023.24.177>
7. Dorosh, Y. M., Tarnopolskyi, A. V., Dorosh, O. S., Kharytonenko, R. A., & Melnyk, D. M. (2025). Naukovo-metodychni pidkhody do klasyfikatsii zemel, porushenykh unaslidok voiennykh dii na terytorii Ukrainy [Scientific and methodological approaches to the classification of land disturbed by military operations in Ukraine]. *Zemleustrii, kadastr i monitoringh zemel*, (1), 4–17. DOI: <https://doi.org/10.31548/zemleustriy2025.01.01>
8. Uriadovi portal [Government Portal]. (2026, April 4). *Yuliia Svyrydenko: Z pochatku povnomasshtabnoho vtorhnennia Ukraina povernula do vykorystannia 40 700 km², iz nykh 15,1 tys. ha — zemli silskohospodarskoho*

pryznachennia [Yuliia Svyrydenko: Since the beginning of the full-scale invasion, Ukraine has returned 40,700 km² to use, including 15,100 hectares of agricultural land]. Available at: <https://www.kmu.gov.ua/news/yuliia-svyrydenko-z-pochatku-povnomasshtabnoho-vtorhnennia-ukraina-povernula-do-vykorystannia-40-700-km-iz-nykh-151-tys-ha-zemli-silskohospodarskoho-pryznachennia>

9. Uriadovi kurier [Government Courier]. (2026, July 24). *Zabrudneni terytorii povertaiut do zhyttia [Contaminated territories are being brought back to life]*. Available at: <https://ukurier.gov.ua/uk/articles/zabrudneni-teritoriyi-povertayut-do-zhyttia/>

10. NV Biznes [NV Business]. (2026, February 12). *Kabmin vrehuliuvav skasuvannia podatkovykh pilh dlia imovirno zaminovanykh silhospzemel [The Cabinet of Ministers regulated the cancellation of tax benefits for potentially mined agricultural land]*. Available at: <https://biz.nv.ua/ukr/sviy-biznes/rozminuvannya-zemel-nova-perevirka-dlya-podatkovih-pilg-ta-obrobki-dilyanok-50583176.html>

11. Pro zatverdzhennia Pravyl rozroblennia robochykh proektiv zemleustroi [On approval of the Rules for the development of land management working projects]. (2022). *Resolution of the Cabinet of Ministers of Ukraine* No. 86 of February 2, 2022. Available at: <https://zakon.rada.gov.ua/laws/show/86-2022-%D0%BF>

12. Pro zatverdzhennia Poriadku konservatsii zemel [On approval of the Procedure for land conservation]. (2022). *Resolution of the Cabinet of Ministers of Ukraine* No. 35 of January 19, 2022, as amended by Resolution No. 235 of March 1, 2024. Available at: <https://zakon.rada.gov.ua/laws/show/35-2022-%D0%BF>

13. Pro zatverdzhennia Poriadku vyznachennia shkody ta zbytkiv, zavdanykh Ukraini vnaslidok zbroinoi ahresii Rosiiskoi Federatsii [On approval of the Procedure for determining damage and losses caused to Ukraine as a result of the armed aggression of the Russian Federation]. (2022). *Resolution of the Cabinet of Ministers of Ukraine* No. 326 of March 20, 2022. Available at: <https://zakon.rada.gov.ua/laws/show/326-2022-%D0%BF>

14. Pro zatverdzhennia Metodyky vyznachennia shkody ta zbytkiv, zavdanykh zemelnomu fondu Ukrainy vnaslidok zbroinoi ahresii Rosiiskoi Federatsii [On approval of the Methodology for determining damage and losses caused to Ukraine's land resources as a result of the armed aggression of the Russian Federation]. (2022). *Order of the Ministry of Agrarian Policy and Food of Ukraine* No. 295 of May 18, 2022.

15. Pro zatverdzhennia Metodyky vyznachennia rozmiru shkody, zavdanoi zemli, gruntam vnaslidok nadzvychainykh sytuatsii ta/abo zbroinoi ahresii ta boiovykh dii pid chas dii voiennoho stanu [On approval of the Methodology for determining the amount of damage caused to land and soils as a result of emergencies and/or armed aggression and hostilities during martial law]. (2022). *Order of the Ministry of Environmental Protection and Natural Resources of Ukraine* No. 167 of April 4, 2022.

16. Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy shchodo zvilnennia vid splaty podatku na nerukhome maino, vidminne vid zemelnoi dilianky, za znyshchene chy poshkodzhene nerukhome maino [On amendments to the Tax Code of Ukraine concerning exemption from real estate tax, other than land tax, for destroyed or damaged real estate]. (2023). *Law of Ukraine* No. 3050-IX of April 11, 2023. Available at: <https://zakon.rada.gov.ua/laws/show/3050-20>

17. Podatkovyi kodeks Ukrainy [Tax Code of Ukraine]. (2010). *Law of Ukraine* No. 2755-VI of December 2, 2010. Available at: <https://zakon.rada.gov.ua/laws/show/2755-17>

18. Ofitsiine internet-predstavnytstvo Prezydenta Ukrainy [Official Website of the President of Ukraine]. (2026, September 30). *Mizhnarodnyi reiestr zbytkiv dlia Ukrainy vidkryv usi 43 katehorii zaiav dlia otrymannia kompensatsii* [The International Register of Damage for Ukraine has opened all 43 categories of claims for compensation]. Available at: <https://www.president.gov.ua/news/mizhnarodnij-reyestr-zbitkiv-dlya-ukrayini-vidkriv-usi-43-ka-106637>

19. Uriadovyi portal [Government Portal]. (2026, April 30). *Verkhovna Rada Ukrainy ratyfikovala Konventsiiu pro stvorennia Mizhnarodnoi*

kompensatsiinoi komisii dlia Ukrainy [The Verkhovna Rada of Ukraine ratified the Convention establishing the International Claims Commission for Ukraine]. Available at: <https://www.kmu.gov.ua/news/verkhovna-rada-ukrainy-ratyfikovala-konventsiiu-pro-stvorennia-mizhnarodnoi-kompensatsiinoi-komisii-dlia-ukrainy>

20. Clout, H. (1996). *After the Ruins: Restoring the Countryside of Northern France after the Great War*. University of Exeter Press. 332

21. Guicherd, J., & Matriot, C. (1921). La terre des régions dévastées [The land of the devastated regions]. *Journal d'Agriculture Pratique*, 34.

22. Amat, J.-P. (2024). *Les forêts de la Grande Guerre : Histoire, mémoire, patrimoine [The forests of the Great War: History, memory, heritage]* (2nd ed.). Sorbonne Université Presses. 630

23. Amat, J.-P. (1999). *La forêt entre guerres et paix, 1870–1995 : Étude de biogéographie historique sur l'Arc meusien, de l'Argonne à la Woëvre [Forests between war and peace, 1870–1995: A historical biogeographical study of the Meuse Arc, from the Argonne to the Woëvre]* [Doctoral dissertation, Université de Lille 1]. Available at: https://pepite-depot.univ-lille.fr/LIBRE/Th_Num/1999/50377-1999-13-3.pdf

24. Murzanovska, O. (2026, June 12). Reiestr zbytkiv dlia Ukrainy (RD4U) [Register of Damage for Ukraine (RD4U)]. *Visnyk NAAU*. Available at: <https://unba.org.ua/publications/11864-reestr-zbitkiv-dlya-ukraini-rd4u.html>

25. Deiaki pytannia shchodo stvorennia, zabezpechennia funktsionuvannia ta vedennia reiestru terytorii, zabrudnenykh/imovirno zabrudnenykh vybukhonebezpechnymy predmetamy [Certain issues concerning the establishment, operation and maintenance of the register of territories contaminated or potentially contaminated with explosive ordnance]. (2024). *Resolution of the Cabinet of Ministers of Ukraine* No. 740 of June 7, 2024. Available at: <https://zakon.rada.gov.ua/laws/show/740-2024-%D0%BF>

**Й.М. Дорош, Ш.І. Ібатуллін, О.С. Дорош, А.В. Тарнопольський,
А.Й. Дорош**

ЗЕМЛЕВПОРЯДНЕ ЗАБЕЗПЕЧЕННЯ ВІДНОВЛЕННЯ ПОШКОДЖЕНИХ ЗЕМЕЛЬ ВНАСЛІДОК ЗБРОЙНОЇ АГРЕСІЇ

***Анотація.** Дослідження присвячене обґрунтуванню землевпорядного забезпечення відновлення пошкоджених земель унаслідок збройної агресії. За результатами дослідження встановлено, що чинні правові інструменти відновлення цих земель фрагментарні й не узгоджені між собою. Розмінування, рекультивація, оцінка шкоди та компенсація врегульовані різними нормативно-правовими актами, здійснюються різними суб'єктами й ґрунтуються на різних інформаційних ресурсах. Обґрунтовано, що інтегровальну функцію здатен виконати землеустрій. Він поєднує ці процедури в єдиний технологічний ланцюг: від обстеження й фіксації шкоди до відновлення земель і повернення їх у господарський обіг. Доведено, що відновлення пошкоджених земель потребує переосмислення змісту землеустрою. Традиційними чинниками землевпорядного проєктування є природні, економічні, екологічні і соціальні, проте доведено потребу в переосмисленні змісту соціального чинника й наданні йому статусу самостійної складової обґрунтування. Адже в умовах збройної агресії він набуває нового змісту, зокрема: охоплює безпеку населення, збереження доходів власників земельних часток (паїв) і зайнятості сільського населення, а також справедливий розподіл тягара обмежень між власниками земель і державою. Обґрунтовано доцільність запровадження нового виду документації із землеустрою — проєкту землеустрою щодо відновлення земель, пошкоджених унаслідок збройної агресії, шляхом внесення змін до ст. 25 Закону України «Про землеустрій». Доведено, що об'єктом проєктування має стати земельний масив або територія територіальної громади, а не окрема земельна ділянка. Ці положення становлять основу запропонованої концепції територіально-компенсаційного землеустрою. Обґрунтовано подвійне призначення документації із землеустрою. Вона одночасно є інструментом відновлення земель і доказом заподіяної шкоди для національних*

і міжнародних механізмів відшкодування, зокрема Реєстру збитків для України. Для цього документація має фіксувати довоєнний стан земель, вид і обсяг пошкоджень, а також джерела й дату їх встановлення у спосіб, придатний для використання як доказ. Встановлено, що консервація пошкоджених земель з ініціативи держави має супроводжуватися справедливою компенсацією власникам і землекористувачам, а не обмежуватися податковими пільгами. Податкова пільга лише звільняє від сплати платежів, але не відшкодовує втрачених доходів від використання землі.

Ключові слова: *землеустрій, відновлення пошкоджених земель внаслідок збройної агресії, територіально-компенсаційний землеустрій, консервація земель, Державний земельний кадастр, компенсація шкоди.*