THE ROLE OF INSTITUTIONAL APPROACH MANAGEMENT PROCESSES IN THE FORMATION OF ENVIRONMENTALLY SAFE AND HIGHLY EFFICIENT AGRICULTURAL LAND USE

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Abstract. *The article analyzes the management processes based on the institutional approach to agricultural land use management and finds that so far there have been no changes in priorities in these processes, due to the crisis situation in such land use. It is substantiated that institutional support for the development of highly efficient and environmentally friendly agricultural land use is achieved through management processes aimed at the formation, full functionality and legitimacy of such institutions as: Institute of Land Management, Institute of State Land Cadastre, Institute of Land Valuation, Institute of Land Use Monitoring that complement and characterize each other. In this regard, the institutional framework for reforming land relations in terms of a deeper understanding of management phenomena, processes to ensure the implementation of social, economic and environmental values in society and ensure systemic development of land use should be changed. As the main tools for achieving highly efficient and environmentally friendly agricultural land use, public authorities should first of all produce universally binding socially necessary clearly defined requirements, norms, rules and regulations and monitor their strict implementation by economic entities. It is proved that the chosen approach reflects the*

needs of society in this area.

Key words: *state regulation, land use institutions, land management regulations, highly efficient agricultural land use, environmentally friendly agricultural land use*

Problem statement. Decentralization processes initiated in Ukraine at the beginning of the XXI century, especially in the field of land relations, need an updated approaches to agricultural land management. In this context, the institutional framework for reforming land relations is changing, which requires the development of options for institutional formats of agricultural land management. After all, environmental safety and high efficiency in agricultural land use is achieved through significant changes in institutions like "personal peasant farms, collective farms and commodity agricultural enterprises in terms of legal regulation and institutional support" [1, p. 10-11]. In this regard, should be agreed with each other in a logical sequence: "concept – program – laws – bylaws – norms – standards – land management projects" [2], which should be further considered as mandatory requirements, rules governing the functioning of the institute of land relations to ensure appropriate level of ecological balance and economic efficiency of agricultural land use. And in order to achieve their full functionality and legitimacy, the political regime must find a balance between public authorities and institutions that limit them. This is a time requirement that requires more detailed justification.

Analysis of recent research and publications. A significant number of scientific papers in Ukraine is devoted to revealing the essence of institutions, the problems of their functioning in various fields. In the collective monograph edited by Academician M.A. Hvesyk the institutionalization of natural resource relations in the process of building a system of highly efficient corporate nature management based on innovative forms of natural resource management in the light of the strategic concept of sustainable development is considered [3]. The monograph of M.A. Khvesyk, V.A. Holian and A.I. Krysak is devoted to research of problems of institutional transformation of land use, substantiation of directions of its realization. Considerable attention is focused on financial and economic problems of land use and fiscal regulation of land reproduction and protection [4]. A.M. Tretyak, V.M. Tretyak,

T.M. Priadka, N.O. Kapinos studies the problems of modern development of land management on the basis of the latest institutional and behavioral economic theory. It is necessary to introduce an institutional approach to the analysis of the theory of land management as a socio-economic institution [5].

At the same time, there have been no changes in the priorities of management processes based on the institutional approach related to the crisis situation in land use, especially in the field of agriculture. It is the provision of the full functioning of institutions based on the consolidation of society, the recognition of generally accepted rules in this area that has given impetus to an in-depth study of this problem.

The aim of the study. Prove that institutional support for the development of highly efficient and environmentally friendly agricultural land use is achieved through management processes based on the institutional approach and ensure the formation and effectiveness of such institutions as: institute of land management, institute of State Land Cadastre, institute of land valuation, institute of land monitoring and institute of state control over land use and protection with clearly defined regulations.

Materials and methods. We used the following research methods: scientific analysis – in the study of theoretical, methodological and methodological foundations related to the formation of highly efficient and environmentally friendly agricultural land use on an institutional approach; monographic analysis – for the development of scientific publications on the scientific basis for the formation of highly efficient and environmentally friendly agricultural land use; abstract-logical – to clarify the essence of the basic concepts of the institutional approach, categories and definitions in the field of agricultural land use, and to make conclusions.

Results and discussion. In the modern system of public relations, the decisive place belongs to institutions. The presence of inefficient institutions in society indicates the uncertainty of the country's future, as growth is followed by a rapid decline, which is typical for Ukraine. After all, the very functioning of state institutions reflects the integrated index of measuring “state capacity” – Fragile States Index, which is determined by the Peace Foundation.

When it comes to effective governance, the Nobel laureate D. Nord argues that good governance is generated only by effective institutions [6]. In this regard,

management processes should be carried out transparently and based on an institutional approach, which believes that institutions are rules and mechanisms that ensure their implementation, as well as norms of behaviour, which are structuring recurring interactions between people [7, p. 73].

Institutional management, according to O.P. Harazha "is based on the consolidation of society, recognition of common values and rules and is a unique type of management that provides a simultaneous combination of conflicting positions on solving current problems and solving strategic tasks of future development" [8].

According to the specifics the basic institutions are divided into: economic, social, environmental and intellectual. Institutions of property, state and government, entrepreneurship, money and credit, the market and its infrastructure are classified as basic economic institutions. The group of social institutions is formed by the institutions of family, work, education and institutions related to traditions and customs. Environmental protection, environmental safety and environmental technologies are among the basic environmental institutions. The group of intellectual institutes is formed by institutes of the latest technologies, information, licensing and patenting. Each of the institutes is characterized by its own subject-object structure and its own principles, approaches, methods of analysis, anticipation of the development of management processes.

Accordingly, institutional support for land use development "is achieved through appropriate structures: public authorities, corporate and other business structures, state enterprises, specialized government agencies in the field of land management, innovation, etc." [9, p. 14].

Substantiation of the need for the establishment of land management institutions should be taking into account such features as: 1) social necessity with the definition of the purpose of the activity; 2) availability of the relevant legislative basis 3) functional purpose; 4) the presence of subject-object structure; 5) availability of institutions; 6) the presence of sanctions.

This is explained by the fact that land transformations were carried out in a too short time, by emergency methods, were insufficiently substantiated and were carried out without taking into account the needs of the public and the work of scientists. So,

redistribution of land was chaotic due to the lack of pre-project land development, their feasibility study. This is primarily due to: 1) the lack of a modern Concept of land use management to ensure social and environmental values in society; 2) the absence at the national level of the program of land use and protection, clearly defined and scientifically substantiated position of the formation of agricultural land use; 3) the absence of bylaws, norms, standards as tools for implementing the laws of Ukraine; 4) the lack of norms, standards in the field of land management and land protection, which would provide not only "establishment of environmental standards in regulatory and technical documents, but also technical regulation of land use and environmental measures through the establishment of recommended norms", viscosity of compliance with which "is regulated by land, environmental and urban law" [10, p. 3-4]; 5) the lack of relevant land management projects that would ensure "obtaining objective land information, justification of income types of land use… from inefficient land use, land redistribution, land use greening" [11, p. 12].

Therefore, solving the problems associated with achieving high efficiency and environmental safety of agricultural land use is possible only if the institutional regulation of processes is included.

In this regard, we must produce a systematic process of development of agricultural land use, ensuring the proper formation and effectiveness of such institutions as: ***institute of land management, institute of State Land Cadastre, institute of land valuation, institute of land monitoring and institute of state control over land use and protection with clearly defined regulations.***

The **institute of land management** must undergo significant changes. In this regard, there is a need to reconsider the nature, role and place of land management in the land policy of the state. To ensure this, norms and rules in the field of land management, provided for in Art. 24 of the Law of Ukraine "On Land Management" should be properly formed and implemented in practice. In particular, "norms and rules in the field of land management establish a set of qualitative and quantitative indicators, parameters governing the development and implementation of land management documentation taking into account environmental, economic, social, climatic and other conditions" [12].

Modern land management should be considered in terms of two subsystems: 1) land management; 2) land use management. Land management in the subsystem of land resources management provides: a) environmental, socio-economic and organizational measures for planning and forecasting the distribution of land resources in the following sections: land category, land use, purpose, permitted use, ownership and rights; b) ecological, ecological-economic and organizational measures aimed at forming the ecological framework of the land use system as an object of environmental protection and human ecology. Land management in the subsystem of land use management provides: a) environmental and socio-economic measures and organizational and legal actions for the formation of sustainable land use as an object of economic land use; b) engineering, legal and organizational actions for the formation of land use (land and rights to them) as an object of civil and economic circulation in the country [13].

However, the current system of both state and municipal government does not meet the requirements of sustainable development. The explanation for this is simple – the territory of land tenure and land use outside the settlements is not sufficiently covered by the development of land management documentation. From these positions, the introduction of land management regulations will ensure high efficiency and environmental safety of agricultural land use. In this regard, we propose to correct the existing definition in the scientific community of the concept of "land management regulations" [14, p. 20].

Thus, **land management regulations are a set of mandatory requirements for the use and protection of land (land plots), which are established on the basis of land management documentation within the relevant functional area, land categories and determine the permitted uses, limits and restrictions in the use of land (land plots) and measures for their protection.**

To implement the above, there is a need for proper scientific provision of land management by scientists of the National Academy of Sciences of Ukraine, the National Academy of Agrarian Sciences of Ukraine and the network of educational institutions.

Systematic development of agricultural land use should be ensured by a properly formed institution of the State Land Cadastre as a single system of information about its objects, which includes: a) land within the state border of Ukraine; b) land within the territories of administrative-territorial units; c) restrictions on land use; d) land plots (Article 10 of the Law of Ukraine "On State Land Cadastre") [15]. However, there is no cadastral object such as agricultural land use.

Article 11 of the Law defines the requirements for information on the objects of the State Land Cadastre defined by law in order to include them in the State Land Cadastre. Such requirements must meet the existing characteristics of these objects in kind (on the ground), which are determined with the accuracy provided by the rules, norms and technical regulations.

The administrator of the State Land Cadastre is the State Enterprise "Center of the State Land Cadastre", which is subordinated to the State Geocadastre. The state enterprise includes the Central Office and territorial bodies (regional branches and district production departments). At the same time, "among the cadastral institutions there are no institutions for scientific support of land cadastre… which would significantly improve the process of filling this registration system", as they are both consumers and customers of land cadastral information. Focusing on the future, it is conceptually important to direct the Ukrainian cadastre "for multi-purpose use, automation, integration of services, geocoding and transformation of the digital space of the country" [16, p. 39, 48].

The protection of the legitimate interests of the state and other subjects of legal relations in resolving issues of land valuation and information support for taxation and the land market is directly related to the effectiveness of the land valuation institute. Article 3 of the Law of Ukraine "On Land Valuation" [17] defines the objects of land valuation: the territory of assessment districts and zones, the territory of administrative-territorial units or their parts, land plots, their parts or a set of land plots and rights to them, within territory of Ukraine. Article 5 of the Law defines the types of land valuation: soil valuation and monetary valuation of land plots (regulatory and expert), each of which has its own purpose and has a significant impact on environmental safety and high efficiency in agricultural land use.

After all, the data of soil evaluation are contained in the state land cadastre and on their basis the economic evaluation of agricultural lands is carried out. These data are also taken into account in the process of determining the ecological suitability of soils for growing certain crops, as well as for calculating the losses of agricultural and forestry production.

Development of technical documentation on soil grading and normative monetary valuation of land plots is regulated by the provisions of normative and technical documents, norms and rules.

Article 16 of the Law stipulates that: “soil grading is carried out in accordance with norms and rules, as well as other normative legal acts on agricultural lands and forest fund”. Article 18 of the Law stipulates that the normative monetary valuation of land plots is carried out in accordance with the Procedure and in accordance with norms, rules and other normative legal acts on lands of all categories and forms of ownership. Article 19 of the Law stipulates that expert monetary valuation of land plots is carried out in accordance with the Procedure and on the basis of methodological approaches. Valuation of land plots is carried out by subjects of valuation activities in this area in accordance with the requirements of Law of Ukraine “On Land Valuation”, the Law of Ukraine “On Valuation of Property, Property Rights and Professional Valuation in Ukraine” and other regulations and norms and rules.

This is evidence that the institute of land valuation has a significant impact on environmental safety and high efficiency in agricultural land use.

Land monitoring as a component of the state environmental monitoring system is formed on the basis of systematic observations of land conditions, namely: agrochemical and land agronomic certification of land plots, removal, inspection and research, timely detection and detection of heavy metals, radionuclides, etc.) and the negative impact of production facilities [18]. The existing legal framework for land monitoring in Ukraine has been developed at the appropriate level, represented by a number of legislative acts and regulations governing public relations and the procedure for administering monitoring. However, in practice this mechanism is not involved. Powers to monitor land at the national level are vested in the State Service

for Geodesy, Cartography and Cadastre, the Ministry of Energy and Environmental Protection of Ukraine, the Ministry of Agrarian Population Policy and Food of Ukraine, NAAS. At the regional and local level, this mission is entrusted to the regional Main Departments of the State Geocadastre, the organizational structure is the State Ecological Inspectorate of Ukraine. Monitoring of agricultural soils is carried out by the Ministry of Agrarian Policy and Food of Ukraine with the Ministry of Energy and Environmental Protection of Ukraine, the State Service for Geodesy, Cartography and Cadastre and NAAS. As we can see, the organizational structure needs to be improved through the creation of a single Land Monitoring Center, which will eliminate the disparities inherent in the current situation. There is a need to create an automated monitoring system aimed at studying the state of land use efficiency, changing the legal status and ensuring control over compliance with the legal regime of land use, land use in ways that can lead to land degradation, control soil quality, timely decision-making to prevent loss of soil fertility, study and evaluation of land circulation processes, their indicators, which will be "an innovative response to current challenges in the Ukrainian economy, an important milestone in creating a platform for digital data and digital processes in land management at all management levels" [19, p. 115-116]. It is also advisable to introduce monitoring of agricultural land use.

The institute of state control over land use and protection should be of great importance as a mechanism for ensuring the regulation of land use through state, self-government and public control. The State Inspectorate for Control over Land Use and Protection as an organizational form of this institute underwent constant transformations (it was part of the State Committee for Land Management, later part of the State Agricultural Inspectorate, and now – under the auspices of the State Geocadastre). With regard to local self-government bodies, public organizations (public institutions), their controlling role in the use of agricultural land is not used sufficiently. Thus, in order to ensure the functioning of an effective system of agricultural land management, "the bodies that shape land policy, the bodies that implement it should function effectively in compliance with the norms of land legislation" [20, p. 103].

In this regard, environmental safety and efficiency in agricultural land use is achieved through well-organized and well-functioning institutions, namely: institute of land management, institute of State Land Cadastre, institute of land valuation, institute of land monitoring and institute of state control over land use and protection. Only if all institutions work together the key challenges can be achieved – an acceptable level of environmental safety and efficiency in agricultural land use. The relationship between them contributes to the creation of a single institutional environment that determines the parameters of economic development and influences the mechanisms of state regulation, stimulates or restrains business, determines consumer priorities, the size of transaction and transformation costs of enterprises. In addition, the institutional environment affects the structural economic model of the country, income generation and business activity of economic agents.

In our opinion, **land use management** is a derivative of management processes based on the effectiveness of a number of complementary institutions. It is important to combine market and administrative-state methods for regulating land-building processes and forming effective mechanisms for land use management. Accordingly, governance processes based on an institutional approach to land use management should ensure environmental policies not only for state-owned and communally-owned lands, but also for private ones.

Transparency of land use management should reflect the transparency of communications between government and subordinate land relations at the state, regional and local levels with certain vectors of land use management, separate principles and tools to ensure the transparency of this process. This approach will facilitate effective management decisions by governments at all levels through openness of information, proper infrastructure and advisory support, accountability and control over the activities of public administrations. In addition, transparency and openness will contribute to the timely identification of problems, political decision-making by public authorities and predictability in the activities of the state.

Conclusions and perspectives. The crucial role in ensuring highly efficient and environmentally friendly agricultural land use belongs to the management processes based on the institutional approach. After all, regulation is a component of

management and is a process that combines the object, regulator and landmark, and the case of land relations has three main functions: stimulation, regulation and operational management of the process. And only a deep understanding of management phenomena and processes will ensure the implementation of social, economic and environmental values in society and will produce a systematic development of land use. And formed and properly functioning institutions characterize the needs of society.

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РОЛЬ УПРАВЛІНСЬКИХ ПРОЦЕСІВ ЩО ГРУНТУЮТЬСЯ НА ІНСТИТУЦІОНАЛЬНОМУ ПІДХОДІ У ФОРМУВАННІ ЕКОЛОГОБЕЗПЕЧНОГО ТА ВИСОКОЕФЕКТИВНОГО СІЛЬСЬКОГОСПОДАРСЬКОГО ЗЕМЛЕКОРИСТУВАННЯ

Анотація. *У статті проаналізовано управлінські процеси що ґрунтуються на інституціональному підході з управління сільськогосподарським землекористуванням та з'ясовано, що наразі змін пріоритетів в даних процесах не сталось, що пояснюється кризовою ситуацією у такому землекористуванні. Обґрунтовано, що інституціональне забезпечення розвитку високоефективного й екологобезпечного сільськогосподарського землекористування досягається через управлінські процеси спрямовані на формування, повноцінну функціональність та легітимність таких інститутів як: інститут землеустрою, інститут державного земельного кадастру, інститут оцінки земель, інститут моніторингу земель, інститут державного контролю за використанням та охороною земель, які взаємодоповнюють та характеризують один одного. У цій відповідності має зазнати змін інституційний каркас реформування земельних відносин із погляду глибшого розуміння управлінських явищ, процесів для забезпечення виконання соціальних, економічних і екологічних цінностей у суспільстві та забезпечуватиме системність у розвитку землекористування. В якості основних інструментів досягнення високоефективного й екологобезпечного сільськогосподарського*

землекористування державні органи управління передусім мають продукувати загальнообов'язкові суспільно-необхідні чітко визначені вимоги, норми, правила та регламенти та контролювати їх неухильне виконання господарюючими суб'єктами. Доведено, що обраний підхід відображає потреби суспільства в цій сфері.

Ключові слова: *державне регулювання, інститути землекористування, землевпорядний регламент, високоефективне сільськогосподарське землекористування, екологобезпечне сільськогосподарське землекористування*