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**THEORETICAL FOUNDATIONS OF INSTITUTIONAL CHANGE
IN LAND MANAGEMENT UNDER CONDITIONS OF UKRAINE'S
EUROPEAN INTEGRATION, THE LEGAL REGIME OF MARTIAL LAW,
AND FOR THE PURPOSES OF POST-WAR RECOVERY**

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Abstract. *The transformation of Ukraine's land legislation in connection with integration into the European Union is significantly complicated by the legal regime of martial law and requires, among other things, consideration of the tasks and priorities of the country's post-war reconstruction. In this context, institutional changes are taking place aimed at improving land resources governance and mitigating the full range of risks in this sphere. However, these processes lack a unified methodological foundation, which threatens their overall success.*

This article is devoted to substantiating the theoretical foundations of institutional change in the field of land resource governance in accordance with the theory of change approach, using the Grassroots Development Framework and an integrated human rights-based approach, in particular the right of access to land. To identify the key points of institutional changes, the study involved the analysis of the main requirements of the European Union legislation concerning land, the examination of national land legislation and the impact of the legal regime of martial law on it, as well as the assessment of the needs and goals of post-war reconstruction.

It is demonstrated that the legal regime of martial law in Ukraine significantly affects institutional changes and institutional support for land management, necessitating temporary adjustments to legal and organizational mechanisms for land resources governance. It is substantiated that, during post-war recovery, institutional changes in land management become critically important and fundamental for effective land resources governance and ensuring food, technological, economic security, and access to land. Major challenges include the restoration of destroyed infrastructure, demining, and the return of lands to productive use. Meanwhile, the design of a strategic agricultural development plan, aligned with European principles

and the European Union Common Agricultural Policy, provides opportunities to improve the land management system.

A robust and coherent theoretical and methodological framework for the institutional changes taking place in the field of land management and land resources governance in Ukraine will make it possible to plan transformations strategically, thereby aligning and monitoring objectives and outcomes at both the European Union and national levels, in the current period and in addressing post-war challenges related to land use and agricultural development.

Keywords: *land management, land resources governance, institutional changes, theory of change, European integration, martial law, post-war recovery, right to land, food security.*

Problem Statement. The transformation of the land management system in Ukraine is taking place under an unprecedented combination of challenges, where integration into the legal space of the European Union (EU) overlaps with the realities of the legal regime of martial law and the tasks of the country's future recovery. Each of these contexts imposes specific requirements on the institutional architecture of land resources governance: European integration necessitates the harmonisation of legislation with the EU *acquis* and the implementation of standards and norms of sustainable land use, martial law requires the establishment of rapid-response mechanisms for the protection and restoration of the land fund, and post-war reconstruction entails the development of fundamentally new approaches to spatial planning and land management and, consequently, to the regulation of land relations.

Scientific research on institutional transformations in the field of land relations has traditionally focused on individual aspects of reform, such as the decentralisation of powers, market mechanisms for land circulation, or the technological modernisation of cadastral systems [1, 2, 3]. However, a comprehensive conceptual approach to substantiating the institutional framework of land management and to transforming land management mechanisms in line with contemporary requirements, one that would integrate the challenges of European integration with the specific functioning of the

system under the legal regime of martial law and with the strategic objectives of recovery, and that would proceed from the right of peasants and other people working in rural areas to land and other natural resources [4], remains insufficiently developed.

The full-scale military aggression against Ukraine has resulted in extensive losses of land resources: according to estimates, approximately 21% of agricultural land has been directly or indirectly affected by hostilities, large areas require demining; and soil degradation has reached critical levels due to contamination with heavy metals, explosive substances, and petroleum products [5, 6, 7]. The legal regime of martial law has led to changes in decision-making procedures regarding land use, accompanied by certain restrictions on access to information and the suspension of specific land management mechanisms. At the same time, Ukraine's European integration agenda envisages a gradual transformation of the national system of land resources governance in line with European principles, with the aim of establishing a transparent and environmentally responsible system that ensures public participation in decision-making.

At present, there is no conceptual model of institutional change that would systematically reconcile the three above-mentioned dimensions of transformation: adaptation to European standards, norms, and rules, the maintenance of the functionality of the land management system under the legal regime of martial law, and the establishment of the foundations for effective post-war recovery of Ukraine's land capital. The development of land management theory and domestic practice requires new theoretical and methodological foundations that take into account the contemporary realities of all dimensions of national security, as well as the aspirations and corresponding obligations arising from European integration. Existing theoretical approaches do not offer effective mechanisms for the systemic resolution of these interrelated tasks, which creates risks of further fragmentation of reforms and inconsistency of institutional changes across different levels of land resources governance. This problem is particularly acute at the level of territorial communities, which have received expanded powers over land ownership, use, and disposal as a

result of decentralisation reform, yet lack sufficient informational, methodological, and procedural capacity to exercise these powers under the prevailing conditions.

Analysis of Recent Research and Publications. Despite numerous publications, primarily by Ukrainian researchers, the focus of their attention predominantly lies on one of the analysed dimensions of institutional change in the regulation of land relations and/or the field of land management. Thus, the need to improve state governance of land resources, in particular with regard to the formation of a national information system, under the conditions of Ukraine's European integration, was identified by researchers in publications prior to 2022, in particular [8].

Bohira M. [9], noting the consequences of the legal regime of martial law for land relations, emphasises the need to improve managerial and regulatory policy. He also points to the necessity of a fundamental change in the state's approach to land protection [10]. The specific features and main problems of implementing land management works during the period of martial law, as well as the factors determining them – technical, legal, organisational, and economic – are examined in the paper [11]. The proposals of this study identify the relevant actors and define the scope of their rights to be regulated during the period of martial law or a state of emergency. Saienko Yu. [12] focuses on the environmental aspects of the legal regulation of land relations under martial law, raising issues of damage assessment and recovery methods, and also indicating the need for further research into impact assessment methodologies.

Tretiak A. et al. (2021) [13] note that the resolution of the institutional foundations of land management and land use planning problems can be facilitated by modern institutional and behavioural economic theory. In this context, the researchers identify the institutional components of the formation and development of the land use planning system. Within the study of the institutional foundations of land resources governance in Ukraine, with an emphasis on creating a more resilient and flexible system capable of responding to future challenges, the paper [14] identifies key policy directions, including the restoration of the land market, the assurance of food security, and support for territorial communities.

Hurskyi V. [15], addressing land reform in Ukraine aimed at increasing the efficiency of land resources governance and establishing criteria for property rights, indicates that future research should integrate a multidisciplinary approach in order to ensure effective regulation during wartime and post-war recovery.

Bilyk O. [16] focuses on identifying problems and defining directions of reform and regulation necessary to ensure sustainable development and the efficient use of land resources, pointing to the insufficient effectiveness of control mechanisms and the influence of international rules on the national land regulatory framework. The urgent need for systematisation, adjustment, and harmonisation of land legislation in accordance with the requirements of European integration is established in [17].

Despite the fact that, inter alia, study [18] substantiates changes in state policy aimed at forming an institutional model for the financial support of the realisation of peasants' rights to land in the context of European integration, and paper [19], based on an analysis of agricultural and land legislation, identifies problems in the implementation of peasants' right to land, emphasising the legal status of agricultural producers of different organisational and legal forms, the application of an integrated human rights-based approach in land management remains outside the scope of research attention. This approach is critically important under the conditions of Ukraine's European integration, the legal regime of martial law, and for the purposes of post-war recovery, as it ensures the physical organisation of space and the implementation of institutional and legal changes, access to land, and the achievement of policy objectives related to the multifunctional development of rural areas and food security.

The purpose of the study is to substantiate the theoretical foundations of institutional change in land management under the conditions of Ukraine's European integration, the legal regime of martial law, and the requirements of post-war recovery, based on the theory of change, the concept of human rights to access to land, and the Grassroots Development Framework.

Materials and Methods of the Study. Institutional analysis was applied to examine the formal and informal rules governing the functioning of the land

management system, as well as a systems approach to study the structural and elemental content of its institutional framework. The comparative legal method was used to compare domestic and European approaches to the regulation of land relations and to identify pathways for harmonising Ukraine's legislation with the EU acquis. Structural and functional analysis was applied to determine the role of territorial communities in land resources governance processes in the context of decentralisation. Based on methods of theoretical generalisation, conclusions were formulated regarding the prospects for institutional change in land management in the period of Ukraine's post-war recovery.

Results of the Study and Discussion. Institutional change, according to the theory of change approach, represents a process of transformation of the fundamental rules, norms, procedures, and structures that determine the behaviour of organisations and society as a whole. The theory of change focuses on the analysis of the mechanisms and drivers of change, as well as on the development of a sequence of actions aimed at achieving specific objectives and outcomes [20, 21, 22]. The change model, subsequently developed and transformed by various authors, was formulated as the Grassroots Development Framework (GDF) in the studies of the Inter-American Foundation (Fig. 1) [23].

The model of the Grassroots Development Framework presented in Fig. 1, in the part concerning the identification and assessment of impacts, may serve to substantiate the theoretical foundations of institutional change and the structural and elemental content of the institutional framework of land management under the conditions of Ukraine's European integration, taking into account the prospects for the development of local self-government and its powers related to land, as well as ensuring the maximum coverage of relevant measures addressing local land use-related problems.

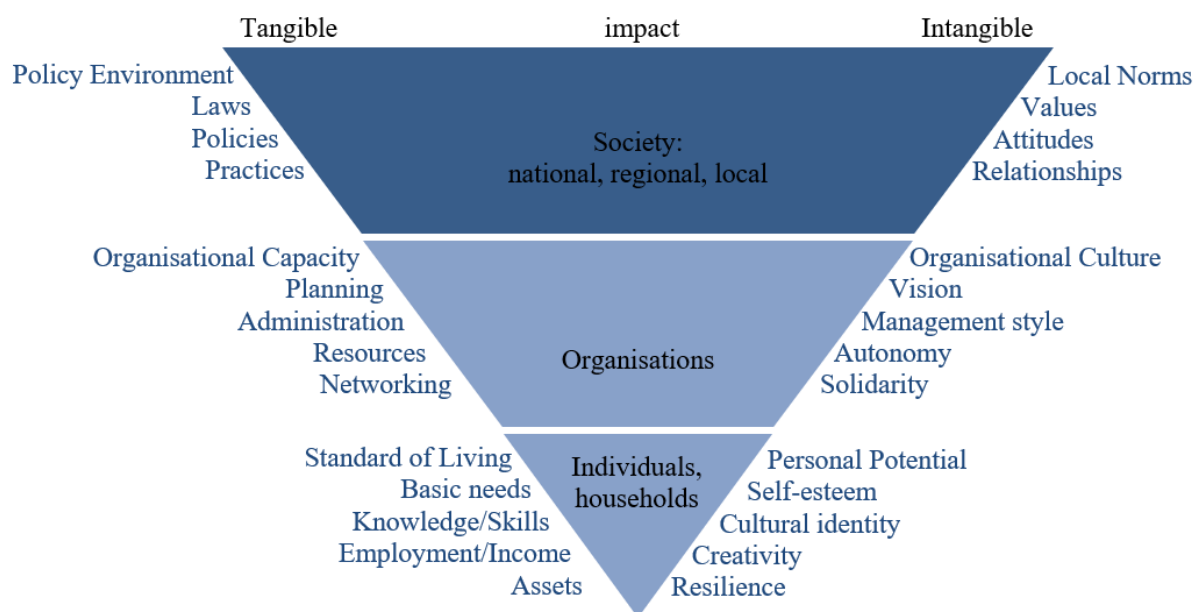


Figure 1 – The Grassroots Development Framework

Source: [Помилка! Джерело посилання не знайдено.], refined and adapted by the authors.

In the context of institutional changes in land management, this approach involves the systematic analysis and planning of transformations aimed at achieving a sustainable positive impact on land resources governance, as well as land protection, considering the legal regime of martial law and the necessity of post-war recovery. Such changes are directed towards preserving soil fertility, reducing land degradation, ensuring the rational use of territories, and minimising negative impacts on ecosystems. Specifically, land reform and the modernisation of land legislation under the conditions of Ukraine's European integration can be regarded as an institutional change that not only improves land resources governance but also mitigates the full spectrum of risks within the sphere of land management.

Based on the GDF, institutional changes in land management involve structural integration, as the framework for development at the local level simultaneously accounts for tangible (resources, organisational capacities) and intangible (norms, values, relationships) factors and influences, making it adaptive to various socio-economic contexts of modernisation. This is essential in the current conditions in Ukraine, where the reform of land relations and land use requires a flexible approach

to integrate public and state interests, as well as individual and collective manifestations of the right to land and other natural resources, including the right of access, rational use, etc., in accordance with the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas [4].

Article 48 of the Law of Ukraine “On Land Management” (2003) stipulates that when planning the use and protection of land, as well as land management schemes for administrative-territorial units, both local environmental and economic needs must be taken into account. The GDF helps to structure this process, which is particularly vital for territorial communities that have received new powers in the field of land resources governance. Specifically, the integration of social norms into land management projects is intended to facilitate the formation of resilient local economies, which aligns with the Concept of Reforming Local Self-Government and Territorial Organisation of Power in Ukraine (2014), aimed at changing the state governance model to ensure greater autonomy for local communities.

One of the key objectives of the GDF is to strengthen social cohesion through the development of local communities. In accordance with Article 46¹ of the Law of Ukraine “On Land Management” (2003), the establishment of boundaries for the territories of territorial communities involves the development of projects that consider both the current and future needs of community residents. Such an approach ensures effective land use, promotes the development of local infrastructure and the attraction of investment, and – importantly – takes into account historical and cultural characteristics that increase the level of trust in management decisions. In this context, the theory of change emphasises the significance of social values and relationships, which is especially relevant for rural communities that strive for and possess the potential to preserve cultural heritage amidst transformations (modernisation of the economy).

The theory of change and the GDF provide the organisational capacity for institutional changes in land management, corresponding to Article 49¹ of the Law of Ukraine “On Land Management” (2003), which regulates the mechanisms for the organisation of land share (“pai”) territories through the coordination of land

management organisations and local authorities. Effective land-use planning involves creating transparent procedures that facilitate the involvement of citizens – landowners – in decision-making, guaranteeing land rights as a factor in upholding civil rights. Such land management projects for the organisation of land share (“pai”) territories should provide for the integration of resources and the establishment of links between different levels of governance.

The conservation (environmental) context of institutional changes in land management, based on the theory of change and the GDF, entails considering the long-term consequences of land-use decisions. This is supported by the provision of Article 52 of the Law of Ukraine “On Land Management” (2003), which emphasises the environmental and economic substantiation of crop rotation and spatial organisation of land, which, in particular, contribute to the preservation of soil fertility and biodiversity. In this way, the integration of environmental awareness and the principles of environmental policy into the management practices of landowners and/or land users is ensured.

Institutional changes in land management are based on the implementation of best practices and community participation in governance processes. Articles 58–59 of the Law of Ukraine “On Land Management” provide for the consideration of the interests of various stakeholders when conducting land management at the local level, which corresponds to the principles of solidarity and autonomy emphasised by the GDF. This approach facilitates increased transparency and reduced risks within the land management mechanism, thereby enhancing the level of trust in the authorities. Furthermore, it enables a balance to be struck between state interests and the rights of landowners and/or land users, peasants, and citizens in general, promoting social cohesion.

Institutional changes in land management, based on the theory of change and the GDF model, mean taking into account local values, traditions, and social needs when planning land use and protection, thereby stimulating economic development at the local level. Indeed, considering the specific characteristics of the territorial community

makes it possible to optimise the allocation and use of land for the needs of residents, businesses, and public initiatives (Table 1).

Table 1. Perspective and mechanism for incorporating local values, traditions, and social needs in land management

Perspective	Mechanism	Legal Basis
Direct requirements for public participation	Implemented through public hearings and consultations during the land management process	Law of Ukraine “On Land Management” (Article 46 ¹)
Principles of decentralisation	Acquisition and exercise of land rights by territorial communities	Law of Ukraine “On Local Self-Government”, Land Code of Ukraine (Articles 117, 122, 123)
Social and cultural factors	Incorporation of the needs and values of local communities during the drafting of regulatory legal acts by local self-government bodies. These acts are adopted on the basis of and in compliance with the Constitution of Ukraine and/or laws, and valid international treaties of Ukraine, and are mandatory for implementation within the respective administrative-territorial unit (territorial community)	Law of Ukraine “On Law-Making Activity” (Articles 4, 19)
Ecological and economic objectives	Land management at the local level: development of land management projects providing ecological and economic substantiation for crop rotation, the spatial organisation of land, settlements, etc.	Law of Ukraine “On Land Management” (Section V)

Source: compiled by the authors.

The aforementioned provides grounds to assert that the structural and elemental content of institutional support for land management under the conditions of Ukraine's European integration encompasses a system of legal, organisational, and administrative mechanisms aimed at regulating land use and protecting land resources in accordance with European legal norms and standards. A vital role is played here by the harmonisation of national legislation with EU law, which ensures the integration, primarily, of approaches to land protection and environmental standards. This includes strengthening institutional capacity for effective monitoring, the implementation of relevant technologies, and ensuring public access to information regarding the state and use of land. A universal (multi-sectoral) theoretical foundation and practical recommendations for the development and processing of legislative acts aimed at adapting Ukrainian legislation to EU law have been developed by the Research Service of the Verkhovna Rada of Ukraine (2023) [24]. Furthermore, the European Council has formulated the Accession Criteria (the Copenhagen criteria (1993)), which constitute the fundamental conditions for candidate countries to acquire EU membership and require compliance with: political criteria – the stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities; economic criteria – the existence of a functioning market economy and the capacity to cope with competition and market forces; and administrative and institutional capacity – the effective implementation of the EU *acquis* and the ability to fulfil the obligations of membership [25].

The legal regime of martial law in Ukraine significantly impacts institutional changes and the institutional support of land management, necessitating adjustments (temporary, for the duration of such a regime) to the legal and organisational mechanisms of land resource governance. In accordance with legislation, during the period of martial law, access to certain data and procedures is restricted, and a number of decision-making procedures regarding land of various categories and forms of ownership have undergone changes.

In the period of Ukraine's post-war recovery, institutional changes in the field of land management become critically important and foundational for the effective

governance of land resources and the ensuring of food, technological, and economic security. The primary challenges, as well as opportunities for exercising the right to land and access to natural resources, particularly following the loss of such rights due to the war or the receipt of fair compensation, will consist of: the restoration of destroyed infrastructure, primarily agricultural; the demining of territories, and the return of land (with agricultural land being a priority) to productive economic use.

In its reports on Ukraine's progress towards the EU, the European Commission defines a series of requirements for agriculture and land resources governance [26], specifically pointing to the need to adapt legislation to EU requirements concerning quality, market standards, and the management of agricultural markets, as well as noting requirements for state support for farmers. The EU also requires the development of a strategic agricultural development plan aligned with European principles. This includes the implementation of monitoring and reporting systems, specifically the Integrated Administration and Control System (IACS) and the Land Parcel Identification System (LPIS), to oversee land use and compliance with environmental standards.

Conclusions and Proposals. Based on a synthesis of the theory of change, the concept of human rights to access to land, and the Grassroots Development Framework (GDF), this study has substantiated the theoretical foundations of institutional change in land management under the conditions of Ukraine's European integration, the legal regime of martial law, and the requirements and demands of post-war recovery.

Institutional changes in land management entail adaptive structural integration at the local level, as they simultaneously account for tangible (resources, organisational capacities) and intangible (norms, values, relationships) factors and influences. This is already essential in the current conditions of Ukraine, where the reform of land relations, land use, and land management requires a flexible approach to integrate the full spectrum of private and public interests, the right to land, and other natural resources, including the right of access, and rational use etc. in accordance with the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.

In the period of Ukraine's post-war recovery, institutional changes in the field of land management become critically important and foundational for effective land resources governance and for ensuring food, technological, and economic security, as well as providing access to land in general. For the practical implementation of these changes, the introduction of monitoring and reporting tools, such as IACS and LPIS, is proposed.

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References

1. Tretiak, A. M., Tretiak, V. M., Kuryltsiv, R. M., Priadka, T. M., & Tretiak, N. A. (2021). *Upravlinnia zemelnymy resursamy ta zemlekorystuvanniam: bazovi zasady teorii, instytutsiolizatsii, praktyky* [Land resources and land use management: Basic principles of theory, institutionalization, and practice]. Bila Tserkva: Bilotserkivdruk, 227.
2. Tretiak, N., et al. (2021). Land resources and land use management in Ukraine: Problems of agreement of the institutional structure, functions and authorities. *European Research Studies Journal*, XXIV(1), 776–789. DOI: <https://doi.org/10.35808/ersj/1994>

3. Ibatullin, Sh., et al. (2024). Agricultural land market in Ukraine: Challenges of trade liberalization and future land policy reforms. *Land*, 13(3), 338. DOI: <https://doi.org/10.3390/land13030338>

4. Borodina, O. M., Rykovska, O. V., Mykhailenko, O. V., Ksenofontov, M. M., & Fraier, O. V. (2023). Deklaratsiia OON pro prava selian ta inshykh liudei, yaki pratsiuiut u silskii mistseivosti: populiarnyi vyklad ta komentari [UN Declaration on the Rights of Peasants and Other People Working in Rural Areas: Popular presentation and commentary]. Kyiv: Knowledge Platform – Agrarian Development and Rural Innovations. Available at: https://arci.org.ua/wp-content/uploads/2024/04/Manual_UNDROP_web.pdf

5. Novakovska, I., Belousova, N., & Hunko, L. (2025). Land degradation in Ukraine as a result of military operations. *Acta Scientiarum Polonorum. Administratio Locorum*, 24(1), 129–145. DOI: <https://doi.org/10.31648/aspal.9788>

6. European Union, United Nations, Government of Ukraine, & World Bank. (2024). Ukraine – Fourth Rapid Damage and Needs Assessment (RDNA4): February 2022–December 2024. Washington, DC: World Bank Group. Available at: <http://documents.worldbank.org/curated/en/099022025114040022>

7. Tretiak, A. M., et al. (2024). Okhorona zemel v Ukraini: naukovi ta upravlinski rishennia v umovakh voiennykh dii [Land protection in Ukraine: Scientific and managerial solutions under wartime conditions]. *Zemleustrii, kadastr i monitorynh zemel*, (1), 19–34. DOI: <https://doi.org/10.31548/zemleustriy2024.01>

8. Semenchuk, I. M., & Skliaruk, T. I. (2017). Upravlinnia zemelnymy resursamy v umovakh yevrointehratsii [Land resources management in the context of European integration]. *Ahrosvit*, (23), 18–23. Available at: <http://www.agrosvit.info/?op=1&z=2513&i=2>

9. Bohira, M. (2022). Transformatsiia zemelnykh vidnosyn u period voiennoho stanu v Ukraini [Transformation of land relations during the period of martial law in Ukraine]. *Visnyk Lvivskoho natsionalnoho universytetu pryrodokorystuvannia. Seriia Arkhitektura ta budivnytstvo*, (23), 130–133. Available at: <https://visnyk.lnup.edu.ua/index.php/architecture/article/view/409>

10. Bohira, M. (2024). Osoblyvosti provedennia derzhavnoho kontroliu za vykorystanniam ta okhoronoiu zemel v umovakh voiennoho stanu v Ukraini [Features of state control over land use and protection under martial law in Ukraine]. Visnyk Lvivskoho natsionalnoho universytetu pryrodokorystuvannia. Seriiia Arkhitektura ta budivnytstvo, (25), 184–187. DOI: <https://doi.org/10.31734/architecture2024.25.184>

11. Khavar, Yu., Sai, V., & Malibroda, S. (2023). Osoblyvosti robit iz zemleustroiu v umovakh voiennoho stanu [Features of land management works under martial law]. Visnyk Lvivskoho natsionalnoho universytetu pryrodokorystuvannia. Seriiia Arkhitektura ta budivnytstvo, (24), 177–183. DOI: <https://doi.org/10.31734/architecture2023.24.177>

12. Saienko, Yu. (2024). Aktualni aspekty pravovoho rehuliuвання zemelnykh vidnosyn v umovakh voiennoho stanu: ekolohichniy vymir [Current aspects of legal regulation of land relations under martial law: Environmental dimension]. Zbirnyk naukovykh prats KhNPU imeni H. S. Skovorody «Pravo», (40), 320–327. DOI: <https://doi.org/10.34142/23121661.2024.40.38>

13. Tretiak, A. M., Tretiak, V. M., Priadka, T. M., & Kapinos, N. O. (2021). Rozvytok systemy zemlevporiadkuvannia na zasadakh novitnoi instytutsionalno-povedinkovoi teorii [Development of the land management system based on the latest institutional-behavioral theory]. Ekonomika ta derzhava, (6), 27–33. DOI: <https://doi.org/10.32702/2306-6806.2021.6.27>

14. Kravchuk, I. I. (2024). Instytutsiini zasady upravlinnia zemelnymy resursamy v umovakh suchasnykh vyklykiv [Institutional foundations of land resources management under modern challenges]. Visnyk LTEU. Ekonomichni nauky, (77), 14–19. DOI: <https://doi.org/10.32782/2522-1205-2024-77-02>

15. Hurskyi, V. (2025). Stan naukovoї rozrobky problemy rehuliuвання zemelnykh pravovidnosyn v umovakh voiennoho stanu [State of scientific development of the problem of regulating land legal relations under martial law]. Law. State. Technology, (2), 59–63. DOI: <https://doi.org/10.32782/LST/2025-2-10>

16. Bilyk, O. I. (2025). Perspektyvy rozvytku zemelnykh vidnosyn v umovakh voiennoho stanu v Ukraini [Prospects for the development of land relations under

martial law in Ukraine]. Problemy suchasnykh transformatsii. Serii: pravo, publichne upravlinnia ta administruvannia, (16). DOI: <https://doi.org/10.54929/2786-5746-2025-16-01-07>

17. Dorosh, O., Dorosh, Y., & Fomenko, V. (2023). Zdiisnennia zemleustroi v umovakh viiskovoho stanu [Implementation of land management under martial law]. Zemleustrii, kadastr i monitorynh zemel, (1), 22–33. DOI: <https://doi.org/10.31548/zemleustriy2023.01.02>

18. Moldavan, L., Pimenowa, O., & Prus, P. (2024). State support for the implementation of peasants' land rights in Ukraine in the context of European integration. Zeszyty Naukowe. Organizacja i Zarządzanie / Politechnika Śląska, (193), 181–192. DOI: <https://doi.org/10.29119/1641-3466.2024.193.11>

19. Hafurova, O., & Marchenko, S. (2020). Some aspects of realization of the peasants' land right. Law. Human. Environment, 11(3), 50–57. DOI: <https://doi.org/10.31548/law2020.03.006>

20. Buitelaar, E., Lagendijk, A., & Jacobs, W. (2007). A theory of institutional change: Illustrated by Dutch city-provinces and Dutch land policy. Environment and Planning A: Economy and Space, 39(4), 891–908. DOI: <https://doi.org/10.1068/a38191>

21. Pryimak, N. S. (2019). Evoliutsiia teorii upravlinnia zminamy [Evolution of change management theory]. Naukovyi visnyk Uzhhorodskoho universytetu. Serii «Ekonomika», 1(53), 108–115. DOI: [https://doi.org/10.24144/2409-6857.2019.1\(53\).108-115](https://doi.org/10.24144/2409-6857.2019.1(53).108-115)

22. Vlasenko, R. H., et al. (2020). Zastosuvannia teorii zmin u stratehichnomu planuvanni v ob'ednaniakh terytorialnykh hromadakh: Praktychniy posibnyk [Application of theory of change in strategic planning in united territorial communities: Practical manual]. United Nations Development Programme Peacebuilding and Recovery Programme. Available at: <https://files.acquia.undp.org/public/migration/ua/theory-of-change-manual.pdf>

23. Yeboah, E. (2017). The impact of microfinance on grassroot development: Evidence from SMEs in the Kwabre East District of the Ashanti Region of Ghana.

Open Journal of Business and Management, 5(4), 577–591. DOI: <https://doi.org/10.4236/ojbm.2017.54050>

24. Vaolevska, L. A., et al. (2023). Putivnyk z adaptatsii zakonodavstva Ukrainy do prava YeS: teoretychni ta praktychni aspekty [Guide to adapting Ukrainian legislation to EU law: Theoretical and practical aspects]. Doslidnytska sluzhba Verkhovnoi Rady Ukrainy. Available at: <https://research.rada.gov.ua/uploads/documents/32597.pdf>

25. European Commission. (n.d.). Enlargement and Eastern Neighbourhood: Glossary. Accession criteria. Available at: https://enlargement.ec.europa.eu/enlargement-policy/glossary_en#accession-criteria

26. European Commission. (2025). Ukraine 2025 Report: 2025 Communication on EU enlargement policy (Commission Staff Working Document SWD (2025) 759 final, Brussels, 4 November 2025). Available at: https://enlargement.ec.europa.eu/document/download/17115494-8122-4d10-8a06-2cf275eecd7_en?filename=ukraine-report-2025.pdf

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**ТЕОРЕТИЧНІ ОСНОВИ ІНСТИТУЦІЙНИХ ЗМІН У ЗЕМЛЕУСТРОЇ В
УМОВАХ ЄВРОІНТЕГРАЦІЇ УКРАЇНИ, ПРАВОВОГО РЕЖИМУ
ВОЄННОГО СТАНУ І ДЛЯ ЦІЛЕЙ ПОВОЄННОГО ВІДНОВЛЕННЯ**

Анотація. Трансформація земельного законодавства України у зв'язку інтеграцією у ЄС суттєво ускладнюється правовим режимом воєнного стану, а також потребує врахування, окрім іншого, задач і пріоритизації повоєнної відбудови країни. У зв'язку з цим відбуваються інституційні зміни – процеси земельної реформи і модернізації земельного законодавства, що покликані покращити управління земельними ресурсами та пом'якшити весь спектр ризиків у цій сфері. Проте ці процеси не мають єдиної методологічної основи, що ставить під загрозу їх успіх.

Ця стаття присвячена обґрунтуванню теоретичних основ інституційних

змін у сфері управління земельними ресурсами відповідно до підходу теорії змін з використанням рамкової концепції розвитку на місцевому рівні та інтегрованого підходу, заснованого на правах людини (зокрема, праві на доступ до землі). Для виявлення ключових точок інституційних змін дослідження передбачало аналіз визначальних вимог права ЄС щодо земель, вивчення національного земельного законодавства і впливу на нього правового режиму воєнного стану, потреб і цілей повоєнної відбудови.

Доведено, що правовий режим воєнного стану в Україні суттєво впливає на інституційні зміни та інституційне забезпечення землеустрою, зумовлюючи необхідність тимчасового коригування правових та організаційних механізмів управління земельними ресурсами. Обґрунтовано, що в період післявоєнного відновлення інституційні зміни у сфері землеустрою стають критично важливими та фундаментальними для ефективного управління земельними ресурсами й гарантування продовольчої, технологічної та економічної безпеки, доступу до землі. Основні виклики включають відновлення зруйнованої інфраструктури, розмінування і повернення земель у господарське використання. Тоді як розробка стратегічного плану розвитку сільського господарства, узгодженого з європейськими принципами та Спільною аграрною політикою ЄС, є можливостями вдосконалення системи механізму землеустрою.

Наявність міцної та цілісної теоретико-методологічної бази інституційних змін у сфері землеустрою та управління земельними ресурсами в Україні дасть змогу здійснювати стратегічне планування трансформацій, забезпечуючи узгодження та моніторинг цілей і результатів як на рівні ЄС, так і на національному рівні у поточному періоді, а також під час вирішення післявоєнних викликів стосовно використання земель і розвитку сільського господарства.

Ключові слова: землеустрій, управління земельними ресурсами, інституційні зміни, теорія змін, євроінтеграція, воєнний стан, післявоєнне відновлення, право на землю, продовольча безпека.