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## **LEGAL PRINCIPLES OF REGULATING THE LAND MANAGEMENT MECHANISM IN LAND RESOURCE MANAGEMENT**

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**Today, economic relations in the field of land use require the presence of an effective tool to ensure environmentally safe and economically efficient use of land in agricultural production. Considering that the land, according to the Constitution of Ukraine, is defined as the main national wealth of the people and is under special protection of the state, there is a need to protect and restore agricultural lands, which is a priority task in the process of ensuring sustainable development of the country.**

**Modern land relations in the agricultural sector are the subject of constant discussions in the process of implementing the state’s agrarian policy, which generates a number of problematic issues that require immediate resolution. As a result of carrying out an ineffective land reform, a number of socio-ecological-economic problems have arisen in the field of agricultural land use, which have caused an imbalance in the development of rural areas. Therefore, a necessary condition for ensuring the effectiveness of management decisions in the agricultural sector is the formation of technical, economic and legal prerequisites for assessing the state of land resources, organizing and planning their rational use and protection, which are implemented through the functioning of the land management system. However, due to a number of reasons and contradictions, the effectiveness of the modern land management system remains low. The land management mechanism in the general system of land resource management for the effective use of agricultural land, investment and productive potential of land in rural areas, creating conditions for increasing social, transforming it into a powerful factor of economic growth. The main functions and role of the land management mechanism in the land resource management system have been considered and grouped.**

**Key words: land management mechanism; land use; agricultural land; functions; methods; Land Code of Ukraine.**

**Introduction.** The land management mechanism is a complex of tools and methods for land inventory, land use planning, establishment (restoration) and fixation of land boundaries, conducting other land management measures and works aimed at increasing the efficiency of land use and protection, and envisage appropriate pre-project and project decisions on the organization of land use and protection, as well as summarizing theoretical developments and many years of experience in land management, so there is a vision to outline in the article its main functions and role in land resource management for effective and rational land use.

**Analysis of recent scientific research.** The scientific foundations of the development and arrangement of the land management system and land management support for land resource management have already been studied in the works of many scientists, such as: D. Hnatkovich, H. Hutsuliak, D. Dobryak, P. Kazmir, L. Novakovsky, M. Stupen, A. Sokhnych, A. Tretyak and others.

The issue of developing land management design for agricultural lands was also dedicated to the work of A. Martin, O. Dorosh, R. Tykhonko, A. Shvorak and others. Their scientific works are the theoretical and methodological basis of the study and have made it possible to identify a number of problems in the theory and practice of land management.

**The purpose** The main goal of the land management mechanism in the general system of land resource management is to promote the completion of land reform, as a result of which the efficiency of using agricultural land, investment and productive potential of land in rural areas will be ensured, creating conditions for increasing social, transforming it into a powerful factor of economic growth, thanks to which effective sustainable socio-economic development of land resources of the agrosphere and solving environmental problems will be ensured. In the article, we form tasks for the implementation of the land management mechanism in the general system of land resource management of the agrosphere. We also reveal the role and functions of the land management mechanism in the general system of land resource management.

**Statement of the problem.** Considering the transformations of national industries to a market economy, the role of land management in the state is increasing. Gaps in the implementation of land relations reform are explained by the fact that the ideologists of land transformations ignore the classic principles of theory, world and domestic practice of land management, its role in domestic production. The Concept of the State Target Program for the Development of Land Relations in Ukraine for the period up to 2020 emphasizes that one of the main factors of the complex situation in the field of land relations is the absence of an effective system of land management mechanism of land use [8].

The land management mechanism consists of many elements of land relations regulation regarding the use of land resources and rational organization of the territory to meet the needs of economic entities and society. It regulates organizational, economic, territorial, ecological, and social aspects of land relations through interconnected levers, tools, incentives, factors, and directions of activity, which should ensure the realization of the expected result with effective interaction. An important role in organizing the work of such a central mechanism is played by the conceptual apparatus as part of the theoretical provision of the mechanism's functioning [6].

Studying the peculiarities of land management in different socio-economic formations has shown that at all stages of land relations transformation, land management in Ukraine has developed in two directions: on the one hand – as a scientific discipline that studies the laws of functioning and organization of land use; and on the other – as a practical branch of the economy. Land management has always protected the existing land system in the state and has been an important tool for regulating land relations. The general aspects of the land management mechanism in the system of land resource management of the agrosphere, regulation of land relations were provided by appropriate regulatory and legal acts and technical instructions, supported by reliable financing.

The land resource management system of the transitional period emerged in the “new world” countries, such as the USA, Australia, Canada, and was later applied in certain developing countries. This system involves the use of an inductive method, that is, from specific to general. The starting (i. e., “specific”) element here is private land plots and corresponding spatial indicators. The development of this management system was carried out with the aim of promoting the development of the land market and implementing the function of controlling the circulation of land. Such a system does not allow adequately taking into account broad territorial economic, ecological, and social issues when making management decisions. Therefore, against the background of unbiased economic requirements, there was a need to

develop structured, ordered, and integrated management systems in the field of land use, which arise based on land information systems and innovative technologies. Now such management systems are effectively starting to be used in a number of countries in the world (Netherlands, Singapore, Sweden, etc.). For example, the land resource management system in the Netherlands is a powerful tool of state regulation in ensuring and balancing public-state interests in land use and land protection, as well as a certain way of state intervention in private legal relations regarding land ownership and land use [4; 10].

To implement the process of the land management mechanism in the general system of land resource management of the agrosphere, a number of tasks need to be performed, such as: increase the importance of agricultural lands to ensure the food security of the country and the development of its economy, strengthening the role of land as a means of production in agriculture and forestry;

To organize land transformations in the country's agrosphere, taking into account that the land has become an object of ownership and other rights to land, real estate, and an object of market circulation;

To ensure the most complete, efficient, and environmentally safe use of all agricultural lands suitable for profitable production of agricultural products;

To achieve the creation of territorial conditions for the consolidation of land plots, improving their use by means that ensure the preservation of lands and their involvement in agricultural production.

To carry out the restoration of disturbed and degraded lands and bring them into a state suitable for use in agricultural production;

To ensure the transition mainly to eco-economic methods of managing rural lands, ecologization of land use, increasing economic, ecological, and social efficiency of using agricultural lands based on the implementation of scientifically substantiated systems of agriculture and adaptive-landscape systems of farming, implementation in practice of legislatively established methods of economic stimulation of rational use and protection of lands [6].

The process of managing land resources of the agrosphere should be based on land management, state monitoring of lands, state land cadastre. In turn, the land management mechanism in the general system of state management of land resources of the agrosphere is implemented through the study, quality assessment and inventory of lands, planning their rational use and protection, state supervision, etc.

In general, the modern land management mechanism should be based on a clearly developed strategy of land transformations and have a scientifically substantiated concept of development, be an effective tool of the state in managing the land resources of the agrosphere, in regulating land relations, reforming the agrarian sector, solving a complex of ecological, social, economic and other issues and be carried out in a planned manner using the latest cartographic materials, data of soil, geobotanical and other studies, cadastral valuation of lands and geoinformation technologies.

An important role in the organization of rational use and protection of lands should be played by the internal economic toolkit of the land management mechanism, in the process of which territorial conditions for rational farming, energy and resource conservation, ecologization of land use, improvement of life, work and living conditions of the rural population are created. In the process of applying such a toolkit, issues of optimization, arrangement of placement of stable territorial elements of agriculture are solved with the aim of increasing efficiency, use and protection of lands.

Every agricultural organization should have modern project developments of intra-farm land management, which mostly do not exist today. The intra-farm toolkit of the land management mechanism ensures the alignment of the spatial organization of the territory of agricultural organizations in accordance with their resource potential, taking into account land protection and preventing degradation and violation of natural landscapes. It substantiates the rational placement of production units, economic centers, intra-farm roads, other objects of engineering equipment of the territory, agricultural lands and crop rotations, creates favorable conditions for the introduction of progressive farming systems and solving other general economic tasks. With the help of the intra-farm toolkit of the land management mechanism, ways are determined to increase the efficiency of use and protection of agricultural lands, material, labor and other resources of the economy, intra-farm organization of agricultural production.

### *Legal principles of regulating the land management mechanism in land resource management*

With the help of the inter-farm instrumental-methodical apparatus of the land management mechanism, the area of land use is established, the boundaries of plots on the ground are established, external territorial defects are eliminated, projects for the creation of new, ordering of existing land uses and withdrawal of land plots from circulation are developed.

**Conclusions.** In general, in the process of land management support for sustainable agricultural land use, it is necessary to create the necessary organizational and territorial conditions for balanced development of agricultural sectors, as well as individual agricultural producers of various forms of ownership and management. This, in turn, requires maintaining a balance in the redistribution of lands, transitioning to new forms of land use, compliance with the provision of basic means, material and technical and labor resources, as well as fulfilling the conditions for stable functioning of the land management object. Thus, in our opinion, one of the main principles of land management support for sustainable agricultural land use should be considered the principle of complexity, in which pre-project actions are carried out, based on ideas about the land, as a natural object and at the same time the main means of agrarian production.

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**ПРАВОВІ ЗАСАДИ РЕГУЛЮВАННЯ ЗЕМЛЕВПОРЯДНОГО МЕХАНІЗМУ  
В УПРАВЛІННІ ЗЕМЕЛЬНИМИ РЕСУРСАМИ**

Сьогодні економічні відносини в сфері землекористування потребують наявності дієвого інструменту для забезпечення екологічно безпечного та економічно ефективного використання земель у сільськогосподарському виробництві. Оскільки земля, відповідно до Конституції України, визначена основним національним багатством народу та перебуває під особливою охороною держави, виникає необхідність охорони та відновлення земель сільськогосподарського призначення, що є першочерговим завданням для забезпечення сталого розвитку країни.

Сучасні земельні відносини в сільськогосподарській галузі є об'єктом постійних дискусій під час реалізації аграрної політики держави, що породжує низку проблемних питань які потребують негайного вирішення. Внаслідок здійснення неефективної земельної реформи з'явилась низка соціо-еколого-економічних проблем у сфері сільськогосподарського землекористування, які спричинили дисбаланс у розвитку сільських територій. Тому необхідною умовою для забезпечення ефективності прийняття управлінських рішень в сільськогосподарській галузі є формування технічних, економічних і правових передумов оцінювання стану земельних ресурсів, організації та планування їх раціонального використання і охорони, що реалізуються завдяки функціонуванню системи землеустрою. Проте через низку причин та суперечностей ефективність сучасної системи землеустрою залишається невисокою. Землепорядний механізм у загальній системі управління земельними ресурсами необхідний для ефективного використання земель сільськогосподарського призначення, інвестиційного і продуктивного потенціалу землі в сільській місцевості, створення умов для підвищення соціального рівня, перетворення її на потужний чинник економічного зростання. Розглянуто та згруповано основні функції, визначено роль землепорядного механізму в системі управління земельними ресурсами.

**Ключові слова:** землепорядний механізм; землекористування; землі сільськогосподарського призначення; функції; методи.