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ECONOMIC ISSUES OF LAND USE IMPROVEMENT AND ACTIVATION OF THE LAND MARKET IN UKRAINE

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Land resources, together with other means of production, are actively used in the process of social and economic activity in Ukraine. Under such conditions, the system of land relations, the main forms of land ownership, as well as the peculiarities of owning and using it, which correspond to world experience, were formed. On the basis of the study of scientific works, the land legislation of Ukraine and conducting research, the problematic issues of land relations in the conditions of the development of the market economy in Ukraine and the improvement of the efficiency of land as a resource and means of labor are presented. Ukraine's desire to rebuild land relations and develop them in accordance with world standards objectively led to the formation of a new system of land management and land use, which is focused on achieving sustainable development, on the formation of an effective landowner and subject of activity on land. In Ukraine, the basic principles of effective development of land management have been created, which provide for equal rights for all forms and subjects of land ownership. In order to ensure a strong economy of the state, special attention should be paid to the activation of the land market, the increase in the amount of rental income of farms and subjects. This should significantly increase the socio-economic development of Ukraine's economy. Land rent acts as an economic form of realizing the right to own land through rent, occupies a prominent place in pricing, directly shapes the price of land, which is extremely important for the potential of agriculture in market conditions. Economic prerequisites and mechanisms for the effective functioning of land ownership entities are expected to be provided through state regulation of the domestic land market using mainly monetary and commodity interventions. Considerable attention should be paid to the mechanisms of ensuring the solvency of land owners and users and the activation of the processes of further privatization of land resources with the help of preferential lending. The problem of activation and stabilization of the land market began to be solved thanks to the state policy in Ukraine, which is oriented towards European integration.

ЕКОНОМІЧНІ ПИТАННЯ ПОЛІПШЕННЯ ЗЕМЛЕКОРИСТУВАННЯ ТА АКТИВІЗАЦІЇ ЗЕМЕЛЬНОГО РИНКУ В УКРАЇНІ

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Ключові слова:

земельні відносини,
світовий досвід,
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приватна власність,
інноваційні засади ефективності
землекористування

Земельні ресурси разом з іншими засобами виробництва активно використовуються у процесі здійснення суспільно-господарської діяльності в Україні. За таких умов сформувалася система земельних відносин, основні форми власності на землю, а також особливості володіння і користування нею, що відповідають світовому досвіду. На підставі вивчення наукових праць, земельного законодавства України та проведення досліджень представлені проблемні питання земельних відносин в умовах розвитку ринкової економіки в Україні та підвищення ефективності землі як ресурсу і засобу праці. Прагнення України перебудувати земельні відносини і розвивати їх у відповідності зі світовими стандартами об'єктивно спонукало до формування нової системи землеустрою і землекористування, що орієнтована на досягнення сталого розвитку, на формування ефективного землевласника

та суб'єкта діяльності на землі. В Україні створені основні засади ефективного розвитку господарювання на землі, які передбачають рівні права всім формам і суб'єктам земельної власності. Для забезпечення міцної економіки держави особливу увагу слід приділити активізації ринку землі, збільшенню обсягів рентних доходів господарств і суб'єктів. Це має суттєво підвищити соціально-економічний розвиток економіки України. Земельна рента виступає економічною формою реалізації права власності на землю через орендну плату, посідає чільне місце при ціноутворенні, безпосередньо формує ціну землі, що є надзвичайно важливим для потенціалу сільського господарства в ринкових умовах. Економічні передумови і механізми ефективного функціонування суб'єктів земельної власності передбачається забезпечити шляхом державного регулювання внутрішнього земельного ринку з використанням переважно грошових і товарних інтервенцій. Значна увага має приділятися механізмам забезпечення платоспроможності власників та користувачів землі та активізації процесів подальшої приватизації земельних ресурсів за допомогою пільгового кредитування. Проблема активізації та стабілізації земельного ринку почала вирішуватися завдяки державній політиці в Україні, що зорієнтована на європейську інтеграцію.

Formulation of the problem

Land did not play an adequate role as a source of income in rural areas or as a source of income for the budgets of rural communities to support their sustainable development. The introduction of a full-fledged agricultural land market will make it possible to improve the situation to some extent, but it is necessary to take additional measures aimed at expanding the toolkit and resource sources for ensuring their sustainable development. The decentralization reform paves the way for such shifts in the management of land resources and relations.

The return of state lands to the ownership and disposal of local communities should improve the efficiency of the use of state lands for the benefit of local communities. The requirement and provision of comprehensive planning of territories by local communities is considered as a tool for effective planning of economic and territorial development of communities.

Analysis of recent research and publications

Land resources are too important a component of national wealth to be redistributed only under the influence of the market mechanism. Thanks to the state policy and its implementation, appropriate institutions are formed that achieve results by using both direct and indirect levers of influence on land owners and users.

Among the published works in which the solution to the problems of using modern European experience in the effective use of land resources and the activation of the land market, which the author relies on, are first of all the works of N. Strachuk [1], B. Danylyshyn [7], D. Dobryak [12], V. Bogolyubov [6], Yu. Bilyk [18], L. Melnyk [6], M. Stupenia [11]. Some aspects of the problems of the formation of the system of state management of land relations were reflected in them.

Formulation of the goals of the article

The need to improve land relations at the local, regional and general state levels is exacerbated in view of the task of land use in the conditions of market reforms, an important component of which is the creation of ecologically safe and economically efficient land use mechanisms.

The purpose of the article is to substantiate the theoretical foundations and develop practical recommendations for the implementation of new directions, mechanisms for the development of land relations in the conditions of long-term transformation of forms of ownership in Ukraine, activation of the land market under the influence of European integration.

To achieve the set goal, the following main tasks are to be solved:

- to deepen the theoretical provisions regarding the essence of land relations in order to ensure the formation of a conceptual basis for their sustainable development and the implementation of a full-fledged transition to an economically efficient land market;
- determine the features of the modern development of land relations under the influence of the experience of countries, new requirements for ecology and economy in the world;
- to improve the approaches to determining the rent for the use of land plots of the owners of land shares (shares) in order to establish an economically expedient and economically justified level of rent;
- justify new approaches to land privatization and lease, property relations and territorial management;
- develop recommendations for the further development of the economic and legal regulation of the system of land relations in society with the aim of more fully realizing all land ownership rights;
- develop proposals to take into account the peculiarities of the formation and activation of the agricultural land market in Ukraine in the context of its effective functioning and the requirements of European integration.

Objectives of the article

The object of the study is land relations and their improvement in the conditions of land reform in Ukraine, taking into account and implementing world experience.

The subject of the study is the organizational and economic foundations of the development and activation of the land market, further privatization and the achievement of economic efficiency of land relations in the context of

the implementation of the experience of other countries, the transformation of forms of ownership and management.

Research methods

To implement research tasks, general scientific and special research methods were used: dialectical, historical, observational (to study the theoretical foundations and features of the development and reform of land relations); abstraction (to track the results of the implementation of foreign experience and the development of the land market); analogies (to study the positive consequences of reforming land relations, the functioning of the agricultural land lease mechanism, the creation of opportunities for the application of innovative experience in Ukraine).

Presentation of the main research material

Land as an economic category participates in the reproductive process and in the spheres of distribution, exchange and consumption. The social functions of redistribution of land rent are implemented through the mechanism of land use taxation. One or another way of using land has an impact on the movement of manufactured goods and the turnover of capital.

Acting as an object of general interests and a factor in the social reproduction process, land resources serve as the basis for the formation of a full-fledged market. Land relations arise in connection with the distribution, use and restoration of useful properties of land and territorial resources. They are an important part of the economic relations of the state, a condition for the creation of a material product and the satisfaction of public needs.

An external economic determinant in the form of an excessive orientation of agricultural production to foreign raw material markets and the presence of foreign products in the domestic market causes the degradation of the production structure and leads to the unfavorable integration of the Ukrainian economy into the world economy.

Ukraine focuses on the goals of sustainable development [2]. Revival based on new principles of land use, development of the land market and market mechanisms in Ukraine are connected with the satisfaction of needs and economic growth. This is facilitated by the use of trends of world experience, namely the further privatization of land, the development of deep processing production, and the achievement of the efficiency of all processes regulated by the developed market.

At the same time, activation of renewal or innovation in the activities of subjects of land relations should be achieved by means of state policy. An important feature of the domestic change in the policy of ownership and use of land is the emphasis on the creation and use by the state of institutes for the development of priority sectors, a new technological structure of industry. It is necessary to proceed from a specialization beneficial for the country in the global, European and domestic dimensions, taking into account both the significant available land resources and the ability of society to achieve the goals of sustainable development. The fundamental difference between the concept of sustainable development and the traditional views and practices of management is an integral

approach to development as a holistic process, ensuring comprehensive territorial development.

As in European countries, state lands are transferred to the ownership and management of local communities, which improves the efficiency of use. The requirement and provision of comprehensive planning of territories by local communities is considered as a tool for effective planning of economic and territorial development of communities [3]. This became possible after the Verkhovna Rada of Ukraine adopted the Law "On Amendments to Certain Legislative Acts of Ukraine Regarding Land Use Planning" (No. 711-IX) and Decree of the President of Ukraine No. 449/2020 "On Some Measures to Accelerate Reforms"

Entry into force of the Law of Ukraine "On Amendments to the Land Code of Ukraine and other legislative acts on improving the system of management and deregulation in the field of land relations" (No. 2194) "On Amendments to the Land Code of Ukraine and other legislative acts on improving the system of management and deregulation in the field of land relations" and the adoption of draft law No. 4664 "On the procedure for solving issues of the administrative and territorial system of Ukraine" with secondary legal acts form a legislative base in accordance with European requirements.

Land relations, and, accordingly, land management, stand out in a special socio-economic category not only because of the specificity of land as a unique object of general multi-purpose interests. There is one more feature that determines the uniqueness of the content of public interests that are formed in connection with the distribution, redistribution, use and restoration of land resources. the system of commodity-monetary relations. Accordingly, land interests that arise in society can be divided into two groups: interests regarding the effective development of the natural properties of the land resource (technical and economic interests), and interests regarding the commodity and monetary parameters of land ownership (social and economic interests) [1].

Until now, it has practically not been possible to form real competition between entities that would claim high efficiency in the use of land resources for agricultural production. Special hope rests on efficiently managed private landowners and farms that rent land shares (shares) and have a desire to increase the area and results of land use (Table 1).

It has been established that by renting land plots from the owners of land shares (units) it is possible to achieve rational dimensions of land use, which creates conditions for the normal functioning of not only large agricultural enterprises, but also relatively small farms. With this in mind, we consider the lease mechanism as one that is able to optimize the average size of land use in agricultural enterprises. After all, only optimal dimensions of land use will allow efficient management and obtaining high results of financial and economic activity. Taking into account the fact that on average in Ukraine 10% of land lease contracts are concluded for a short term (up to three years), this creates conditions for a more effective redistribution of land use rights between agricultural enterprises.

In the process of research, it was found that relatively small farms are not attractive objects for investors [5]. After

Table 1 – Key indicators of the agricultural land market in Ukraine [4]

Indicator	The value of the indicator
A total of 43.6 million hectares (72.3%) of land is registered in the State Land Cadastre	43.6 million hectares (72.3%)
32.7 million ha (72.3%) of agricultural land registered in the State Land Cadastre	32.7 million ha (72.3%)
The average regulatory monetary value of land is UAH 27.520/ha	UAH 27.520/ha
The weighted average amount of rent for agricultural plots of communal property (at land auctions)*	UAH 10.630/ha
2526 hectares of agricultural land were loaned	2526 hectares
Average weighted price of purchase and sale of an agricultural plot**	UAH 30.320/ha
The average number of purchase and sale transactions per day in May 2023 is 249	249
The average size of the land plot of the sale agreement is 2.23 hectares	2.23 hectares
The number of concluded purchase and sale agreements is 145.091 in total	145.091
The area of registered sales agreements is only 324.354 hectares	324.354 hectares

Note: *according to the State Geocadastre data as of June 1, 2023; **average price weighted by area from 2021 to 2023.

all, investing capital in agricultural enterprises with the availability of a thousand or more hectares of agricultural land will ultimately bring the investor much more profit. That is why today it is difficult to find an investor for small farms. The final economic indicators of their activity depend on the amount of investments made in agricultural enterprises. In turn, the presence and use of agricultural machinery plays a special role in ensuring effective management. It is worth noting that the effectiveness of the use of technical means largely depends on the level of production concentration.

The successful completion of the processes of reforming land relations requires the immediate introduction and effective functioning of the agricultural land market. After all, in market economic conditions, land should be a commodity equivalent to other means of production. However, an important prerequisite for the process of formation and functioning of the land market in Ukraine is an understanding of the essence of the market in general, its properties and place in the economy of our country.

It should be noted that there are processes taking place in Ukraine that inhibit the development of the land market. On the other hand, it contributes to the functioning of the shadow market of agricultural land, where land prices are much lower than market prices. Therefore, the principles of maximum protection of the interests of the peasants-owners of the land must be laid down as the basis of the economic policy for the formation of the agricultural land market, as well as to ensure the following tasks are fulfilled:

1. Create a system of guaranteeing the seller and the buyer in the land market. In particular, this is facilitated by the implementation of the electronic system of the unified land cadastre, which allows establishing real and reliable data on the owners and other, no less important for the buyer, characteristics of a specific land plot, which helps to avoid speculation related to the purchase-sale-resale agricultural land.

To ensure the guarantees of the seller and the buyer on the land market, it is advisable to make all financial payments exclusively through a financial institution – a bank, which will guarantee the sellers of agricultural land timely receipt of funds [6].

2. Create a system of mortgage crediting of agricultural production secured by agricultural lands. This will allow peasants who own agricultural land to manage the land

more effectively by obtaining a loan for the purpose of purchasing the necessary equipment, elite seeds, fertilizers, plant protection preparations, etc.

3. Set the lower limit for the term of land lease. Based on the experience of European states, the minimum lease term for agricultural land is established by law for 7 years, which will contribute to the implementation of a system of measures aimed at ensuring the rational use and protection of agricultural land.

4. Gradually increase the amount of rent and cash payments. In the studies, methods are proposed that make it possible, depending on the yield level of a particular agricultural crop, to determine the real market amount of rent for the use of land plots of the owners of land shares (shares) as a percentage of the monetary value of the land. It is also advisable to gradually increase the share of monetary payments with landlords, as its share in Ukraine is still insufficient.

5. Create a mechanism for rational concentration of land. We believe that land should first of all be leased to those persons who have proper education and experience in land management. Particular attention should be paid to these issues when introducing the agricultural land market. In our society, there is an opinion that with the introduction of the agricultural land market, there will be a high probability of buying land shares from peasants, especially pensioners, for nothing. In our opinion, such comments are valid and must be taken into account when forming the conditions and rules of the functioning of the land market in Ukraine, since there is still no “fair” market pricing mechanism and mechanism for the implementation of basic rights to land by subjects of land relations. After all, establishing a real market price for agricultural land will to a certain extent ensure the balance of supply and demand.

In foreign countries, there is experience in the use of Laws that establish a ban on the implementation of certain operations of the purchase and sale of agricultural land. Having analyzed some of them, it is possible to find an answer to the question of the feasibility and effectiveness of the introduction of the agricultural land market in Ukraine. In particular, Italian laws prohibit the sale of land plots obtained during the reform for 30 years. In Germany, for the purchase and sale of land, it is first necessary to obtain the permission of the state authorities, and the

implementation of this transaction with the land should not be contrary to the interests of society. The tenant who purchased the land does not have the right to resell it for 20 years. However, in case of an urgent need to resell the land, the difference between the purchase and sale is received by the state [11].

The introduction of a rational system of taxation of agricultural land will contribute to the formation and functioning of an effective agricultural land market. It is also necessary to clearly define the rights and obligations of all subjects of the agricultural land market. In highly developed countries, there is no problem of artificially underestimating the price of agricultural land. After all, such processes are regulated by state bodies, as the state treasury receives customs duties from land transactions. For example, in France, the price of 1 hectare can be 3,200 euros, while in Germany and Holland, the price of 1 hectare of agricultural land is five times more expensive [12]. Also, it is common knowledge that no more than 1–3% of agricultural land is sold annually in the civilized world. With the introduction of the agricultural land market in Ukraine, supply and demand will have a significant impact on the formation of land prices. However, the starting price will be an expert monetary assessment conducted in accordance with the methodology approved by the Cabinet of Ministers of Ukraine in 2002 No. 1531. In the absence of an expert assessment, it is possible to use the current monetary valuation of the land, carried out in accordance with the Resolution of the Cabinet of Ministers of Ukraine No. 213 “Methods of monetary valuation of agricultural lands and settlements” [9; 14].

As world experience shows, with the systematic development of private property, including land, markets for the exchange of property rights develop. At the same time, the cost of using resources and goods increases, which determines their rational distribution. The free sale of property rights contributes to the increase of national income. However, private ownership of resources, particularly land, means that the owner can improve it in the long term, confident that he, and not someone else, will

benefit in the future as a result of the capital investment made. Thus, the basis of a competent solution to the problem of reforming land relations on a market basis and creating an appropriate market environment in the country’s economy is the development of private land ownership, the introduction of a market for the exchange of land rights, and its use as a means of securing mortgage lending. We believe that the market circulation of land will contribute to the growth of their value, as well as stimulate the rational use of agricultural land. Only with the introduction of a full-fledged agricultural land market, peasants – owners of land shares (shares) will have the opportunity to fully realize all types of private property rights to land: the right to own, the right to use, and the right to dispose of. In modern economic conditions in Ukraine, the functioning of the land market is a guarantee of the realization of the basic constitutional right of all subjects of land relations – the right to own land and dispose of it according to their needs. In turn, in the land market, land plots must be redistributed between citizens and legal entities without interference in the exchange processes of the state or local self-government bodies, if the law is not violated (Fig. 1).

In our opinion, the formation of a free agricultural land market in Ukraine should have happened gradually. It was in such conditions that the state at the initial stage was able to monitor the functioning of the agricultural land market, as well as full-fledged formation and improvement of regulatory and legal support. It is expedient for the state to leave the right to expropriate agricultural lands under the conditions of their inefficient and irrational use. The central place on the land market will belong to agricultural lands, the priority status of which is determined by the fact that they are the main resource in the production of agricultural products.

Conclusions

In the modern structure of agrarian production, the problem of efficient use of agricultural land, which is used by households, remains relevant. A characteristic feature of these lands is a high level of parceling, which in turn

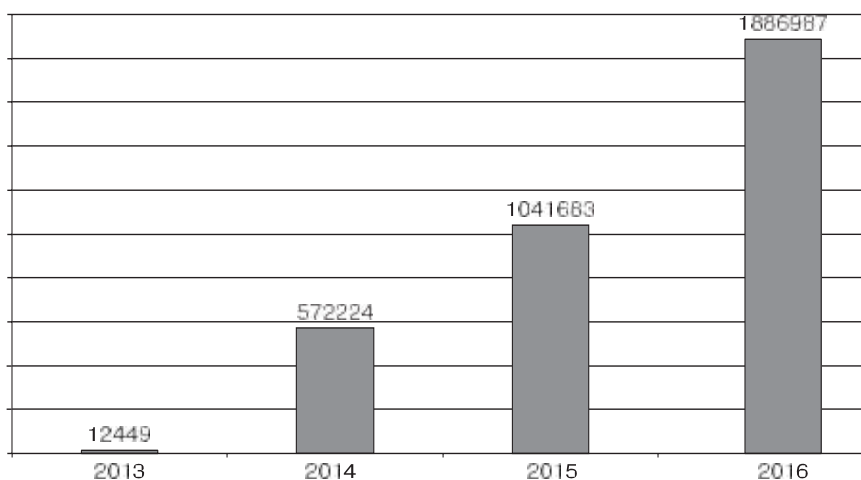


Fig. 1 – Dynamics of the number of transactions with a change of owner/user of an agricultural plot of land in Ukraine
Source: based on data from the Ministry of Justice of Ukraine [15]

complicates the possibility of their effective use. In order to combine land plots into larger massifs, it is proposed to expand the reserve land fund of village councils at the expense of land plots that are in use by the population, but for certain reasons are not used for their intended purpose.

In our opinion, under the conditions of the functioning of the agricultural land market, it is advisable to review the availability of agricultural land in the reserve fund on the territory of a separate community, which will contribute to the effective development of rural areas. The introduction of the agricultural land market, as we have already noted, requires the existence of appropriate infrastructure: land banks, land exchanges, insurance companies, etc. At the regional level, the agricultural land market should include lease, mortgage, purchase and sale, exchange, donation and inheritance of agricultural land. We believe that in the future the functioning of the agricultural land market should be based on the following tasks:

- introduction of a system of rational use and protection of agricultural land, as well as creation of appropriate state control bodies for compliance with these requirements;
- creation of an effective system of economic turnover of agricultural land with the help of appropriate mechanisms, in particular, purchase, sale, lease, exchange, etc.;
- identification of the most effective forms of land use and land management;
- the introduction of mandatory measures to increase the level of natural fertility of agricultural land, as well as the creation of a state control body for compliance with these requirements;
- application of mechanisms for economic stimulation of agricultural producers;
- development of theoretical and methodological approaches to determine the level of attractiveness of individual plots of land on the agricultural land market. Also, in the functioning of the agricultural land market, preference should be given to those buyers who will buy land plots of the optimal area from an economic and ecological point of view, which will allow to avoid the parceling of agricultural land and manage the land more efficiently.

At the current stage, the main directions of scientific and technical progress, innovative development in world agriculture have become:

- a) creation of new, more productive means of production, complex mechanization, automation and electrification in all branches of plant and animal husbandry;
- b) development of intensive and resource-saving technologies for the production of agricultural products;
- c) creation of effective means of plant and animal protection, herbicides, mineral fertilizers, comprehensive chemicalization of agriculture. The importance of creating a strategy for the activities of agribusiness entities in the innovation system is determined by the features of the innovation process:
 - high risk and uncertainty of ways to achieve goals;
 - impossibility of detailed planning and orientation to forecast estimates;
 - the need to overcome resistance both in the field of economic relations and the interests of the participants in the innovation process;
 - dependence on the socio-economic environment in which it functions and develops.

Let us highlight the main goals of the innovation policy for land market entities:

- 1) determination of state priorities for the innovative development of entities;
- 2) formation of the regulatory and legal framework in the field of innovative activity;
- 3) direct state financing of the development of modern innovative infrastructure;
- 4) regulation of innovative activity in the regions (rational placement of innovative potential, equalization of socio-economic disparities in the development of regions);
- 5) encouraging foreign investors to create joint ventures producing agricultural products;
- 6) promotion of technology transfer from promising innovative directions, implementation of international standards for production.

Over the past few years, there has been a trend in the development of national subprojects.

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