

Legal Regulation of Agricultural Land Circulation in Ukraine: Problems and Prospects

Правове регулювання обігу сільськогосподарських земель в Україні: проблеми та перспективи

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Abstract

The article is devoted to the analysis of the legal regime of agricultural land in Ukraine. In 2001, a “land moratorium” was introduced in Ukraine, which imposed a ban on the alienation of agricultural land intended for commercial agricultural production and land. The European Court of Human Rights, in its judgment in *Zelenchuk and Tsitsyura v. Ukraine*, unanimously concluded that there had been a violation of Article 1 of Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms. Ukraine, which is the respondent State in the case, in addition to mandatory individual measures (payment of compensation or other means in favor of the applicant to terminate the wrongful act and improve the consequences of the application) is obliged to apply general methods to solve the problem.

The authors used different methods of scientific knowledge. Thus, the method of analysis was used to study draft laws on transformation processes in the field of ownership, use, disposal of agricultural land in Ukraine. The method of

Анотація

Стаття присвячена аналізу правовому режиму земель с/г призначення в Україні. У 2001 році в Україні був введений «земельний мораторій», яких накладав заборону на відчуження земель с/г призначення для ведення товарного с/г виробництва та земель. Європейський суд з прав людини у рішенні «Зеленчук і Цищора проти України» одногослодно дійшов висновку, що порушена стаття 1, Першого протоколу до Конвенції про захист прав людини і основоположних свобод. Україна яка є держава-відповідач по справі, крім обов'язкових заходів індивідуального характеру (виплата сатисфакції чи вжиття інших способів на користь заявника з метою припинення протиправного акту та поліпшення наслідків застосування) зобов'язана застосувати способи загального характеру для вирішення проблеми.

Автори використовували різні методи наукового пізнання. Метод аналізу був використаний для дослідження проектів законів щодо трансформаційні процеси у

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comparison makes it possible to compare registered bills and current regulatory acts in the area of agricultural land use. The deduction method helped to investigate the decision of the European Court of Human Rights "Zelenchuk and Tsitsyura v. Ukraine"

According to the results of the study, the authors came to the conclusion that only a combination of market mechanisms of agricultural land turnover with mandatory compliance with environmental requirements and an effective mechanism of legal liability for offenses in the possession, use, and disposal of the most valuable wealth of our country can secure a dignified future for the modern and future generations.

Keywords: Agricultural land of destination, moratorium, disposal of land, land plots, prohibition of alienation.

Introduction

The Constitution of Ukraine of 28.06.1996 proclaims that land is considered as the main national wealth under the special protection of the state (Article 14). The essence of civil society is that it is the result of reconciling the interests and relationships that are formed between private individuals and their established associations that exist and operate in a market environment (Kharytonov, Kharytonova, TolmachevskaFasii, & Tkalych, 2019). As of January 1, 2018, the land area of Ukraine is 60.35 million hectares, of which 41.46 million hectares is agricultural land, accounting for 68.7% based on the total area of all land in Ukraine (Agriculture of Ukraine 2017: statistical compilation, 2019). The agricultural land of destination is a guarantee of the food security of the state, the main means of production in agriculture, ensuring the exercise of the right of everyone to a sufficient standard of living, including the right to adequate nutrition.

The legal regime of agricultural land in Ukraine has undergone a significant transformation over the last thirty years of land reform – from the monopoly of state ownership of land to the introduction of private, collective ownership, and subsequently to communal ownership of land, rental rights, land rights, right of the emphyteusis. At the same time, the transformation processes in the sphere of

сфері володіння, користування, розпорядження землями с/г призначення в Україні. Метод порівняння дозволяє порівняти зареєстровані законопроекти та чинні нормативно-правові акти в сфері регулювання обігу земель с/г призначення. Метод дедукції допоміг дослідити рішення Європейського суду з прав людини «Зеленчук і Цицюра проти України».

За результатами проведеного дослідження автори дійшли висноку, що лише поєднання ринкових механізмів обігу с/г земель із обов'язковим дотримання екологічних вимог та ефективним механізмом юридичної відповідальності за правопорушення у сфері володіння, користування та розпорядження найціннішим багатством нашої держави може забезпечити гідне майбутнє для сучасних та прийдешніх поколінь.

Ключові слова: землі с/г призначення, мораторій, розпорядження землями, земельні частки, заборона відчужувати.

ownership, use, disposal of agricultural land in Ukraine have not yet been completed.

Taking into account the peculiarities of the nationalization of land on the territory of Ukraine in the 1920s, the state abandoned land restitution as a potentially possible model of land reform in the early 1990s and introduced mechanisms of the agricultural land splitting of non-state agricultural enterprises between their members in agriculture. The land shares acquired as a result of the soldering became specific transitional legal phenomena, which, in kind, on the ground, became one of the most common ways of acquiring private ownership of land intended for agricultural use. According to the Decree of the Verkhovna Rada of Ukraine (Ukrainian Parliament) No. 882-IV of May 22, 2003, (Resolution of the Verkhovna Rada of Ukraine "On the State of Observance of the Legislation of Ukraine on Issuance of State Acts on Land Ownership...", 2003) – 6.87 million Ukrainians have received land (share) and 3.17 million Ukrainians have allocated them to land sections.

Methodology & material

The authors used different methods of scientific knowledge. The authors used the deduction method, the induction method, the analysis method, the synthesis method, the comparison

method, the logical method, the system method for writing a scientific article.

Thus, the method of analysis was used to study draft laws on transformation processes in the field of ownership, use, disposal of agricultural land in Ukraine. The following draft laws were analyzed: Draft Law No. 2178 (2019), Draft Law No. 2178-1 (2019), Draft Law No. 2178-2 (2019), Draft Law No. 2178-3 (2019), Draft Law No. 2178-4 (2019), Draft Law No. 2178-5 (2019), Draft Law No. 2178-6 (2019), Draft Law No. 2178-8 (2019), Draft Law No. 2178-10 (2019), Draft Law No. 2109 (2019), Draft Law No. 1101 (2019), Draft Law No. 1101-2 (2019). In addition, the method of comparison makes it possible to compare registered bills and current regulatory acts in the area of agricultural land use (Land Code of Ukraine, 2002; Resolution of the Verkhovna Rada of Ukraine "On the State of Observance of the Legislation of Ukraine on Issuance of State Acts on Land Ownership..., 2003 (2003).

Moreover, the deduction method helped to investigate the decision of the European Court of Human Rights "Zelenchuk and Tsitsyura v. Ukraine" (2018) and conclude that Ukraine, as a defendant in the Zelenchuk and Tsitsyura v. Ukraine case, could choose to amend the current land legislation of Ukraine as one of its implementation aimed at "lifting" the moratorium on land and introducing effective organizational and legal mechanisms for the circulation of agricultural land in Ukraine.

Presentation of key research findings

In 2001, a "land moratorium" was introduced in Ukraine, which imposed a ban on the alienation of agricultural land for conducting commodity agricultural production and lands (The Law of Ukraine "On Agreements on the Alienation of Land", 2001) (repealed). On October 25, 2001, a new Land Code of Ukraine (2002) was adopted. The considerable duration of the moratorium on land expropriation for commercial agricultural production has caused many problems in the area of land use and protection, for example, the dominance of the lease form of land use in agricultural production, the emergence of inherited land and unclaimed land shares, the formation of the so-called "gray" market of agricultural land due to the conclusion of illegal contracts for the acquisition of land rights, etc.

On February 17, 2017, 55 deputies appealed to the Constitutional Court of Ukraine, with the submission to declare clauses 14, 15 of section X

«Transitional Provisions» of the Land Code of Ukraine unconstitutional. A year later, on February 14, 2018, the Constitutional Court of Ukraine rejected this submission, arguing that the arguments given are insufficient to permit the opening of the constitutional proceedings (Decision of the Constitutional Court of Ukraine "On refusal to open a constitutional proceeding in a case on the constitutional submission of the 55 People's Deputies..., 2018). Nevertheless, in this appeal did not stop, so in 2018, already 69 people's deputies again appealed to the Constitutional Court of Ukraine with a petition asking to recognize clauses 14, 15 of section X "Transitional Provisions" of the Land Code of Ukraine as contradicting the law. A 01.11. In 2018, the Constitutional Court of Ukraine rejected the failure to consider this submission (Decision of the Constitutional Court of Ukraine «on refusal to open a constitutional proceeding in a case on the constitutional submission of 69 People's Deputies..., 2018).

The European Court of Human Rights (hereinafter – ECtHR) in its judgment in Zelenchuk and Tsitsyura v. Ukraine (Judgment ECtHR in Case of Zelenchuk and Tsitsyura v. Ukraine..., 2018) unanimously concluded that there had been a violation of Article 1 of Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms (1950) (hereinafter – the Convention). Noting the violations, the Court refers to the land moratorium as a structural problem for the state that needs urgent resolution. The Court determines that Ukraine as a defendant must apply the appropriate legal means and other means of protection to ensure a fair balance between the interests of the landowners of the agricultural land on the one hand and the general interests of the society on the other (paragraph 150 of the Zelenchuk and Tsitsyura v. Ukraine judgment).

The foregoing should not be construed as an obligation on Ukraine to immediately establish an unrestricted agricultural land market on the territory of the country. However, we emphasize that unreasonable delays in the introduction of necessary general measures may lead to a case where the award of compensation under Article 41 of the Convention may ultimately be justified, at least for certain categories of agricultural landowners (paragraph 157 of the Judgment ECtHR in Case of Zelenchuk and Tsitsyura v. Ukraine... (2018)). Under the Convention (Article 46), the parties undertake to comply with the final judgment of the Court to which they are parties. Therefore, in addition to mandatory

individual measures (payment of compensation or other means to the benefit of the applicant to terminate the wrongful act and improve the consequences of the application), Ukraine, which is the respondent State, is obliged to apply general measures to solve the problem.

It should be emphasized that the ECtHR decision does not specify what measures Ukraine should take to address the problem. According to the Law of Ukraine “On the Enforcement of Judgments and the Application of the Practice of the European Court of Human Rights” of 23 February 2002 (Law of Ukraine “On the Enforcement of Judgments and the Practice of the European Court of Human Rights”..., 2006), measures of a general nature were defined, namely: amendments to existing legislation and practice of their application. Such measures will ensure that the Convention is complied with by the State, remedy the deficiencies (identified in the breach) and eliminate the grounds for bringing to the Court any allegations against Ukraine caused by a problem already under consideration in the Court (Article 13).

An analysis of the factors that the ECtHR considers to be a factor in the infringement of the plaintiffs' rights makes it possible to determine what legislative measures Ukraine may take as a defendant in the case. Thus, among the 110-148 paragraphs in paragraphs 110-148 of the Judgment which led to the violation of the law, the Court identifies:

- a) Legislative uncertainty as to the duration of the moratorium;
- b) A wide range of restrictions imposed by the moratorium;
- c) The absence of practically any exceptions to the moratorium, in the presence of which it would be possible to apply for permission to take actions in the order of exclusion (difficult financial situation, age, etc.) (Judgment ECtHR in Case of Zelenchuk and Tsytseyura v. Ukraine..., 2018).

Thus, Ukrainian legislators can eliminate any of the above factors to establish the fact that Ukraine has implemented the ECtHR decision. Since the ECtHR does not have the power to amend national legislation in accordance with the existing principle of subsidiarity, the obligation to protect the rights and fundamental freedoms rests with the State party to the Convention (Article 1) (1950), Ukraine, as defendant in the Zelenchuk and Tsytseyura v. Ukraine case, one of the ways of its implementation may choose to

amend the current land legislation of Ukraine, aimed at "lifting" the moratorium on land and the introduction of effective organizational and legal mechanisms for the circulation of agricultural land in Ukraine.

In 2019, a new President of Ukraine was elected and a new Verkhovna Rada of Ukraine was elected, which stimulated the intensification of the process of finding ways to resolve the issue of legal regulation of agricultural land use. Thus, during September-October 2019 more than ten draft laws aimed at regulating this issue were registered in the Parliament of Ukraine. Governmental Draft Law No. 2178 of September 25, 2019, (Draft Law No. 2178 of September 25, 2019 "On Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands", 2019) is central to the registered draft laws. However, given the degree of social and political tension in the society that currently exists around the problem of the land moratorium, it is unlikely that a point can be made in the final version of the relevant draft law. Therefore, it is relevant now to analyze the main legal models of knowledge of the land moratorium and regulate the circulation of agricultural land, which have become the subject of legislative initiatives. The analysis of legislative drafts in the Parliament of Ukraine on the land turnover of agricultural land allows us to distinguish common positions of draft laws that can be conditionally classified into two groups: the conditions for "lifting" the land moratorium and the basic rules for the circulation of agricultural land.

Thus, the terms of the "lifting" of the land moratorium and the introduction of land circulation of agricultural land include the following provisions of the draft laws:

- At first, a positive solution to the issue of introduction of agricultural land use in the All-Ukrainian referendum (Draft Law No. 1101 of August 29, 2019 "On Amendments to Section X" Transitional Provisions "of the Land Code of Ukraine on Prohibition of Alienation of Agricultural Lands for Holding and Establishing Results... (2019), Draft Law No. 2178-1 of 27 September 2019 "On Amendments to the Land Code of Ukraine on Introduction of Agricultural Land Turnover... (2019), Draft Law No. 2178-3 of 01 October 2019 "On Amendments to Certain Legislative Acts of Ukraine Concerning the Circulation of Agricultural Lands"...

- (2019), Draft Law No. 2178-8 of October 10, 2019 "On Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands" (2019)). An alternative to the referendum is the proposal to introduce a broad public discussion of the issue on the basis of the profile committee of the Verkhovna Rada of Ukraine on Agrarian Policy and Land Relations ("On Certain Issues of Introducing the Land Market and Amending Certain Legislative Acts of Ukraine on the Redemption of Land Shares (Units), Prevention of Destruction of Parks and Sports Facilities", 2019);
- Secondly, compulsory preliminary land inventory (Draft Law No. of August 29, 2019 "On Amendments to Section X" Transitional Provisions "of the Land Code of Ukraine on Prohibition... (2019) proposes to inventory land of all forms of ownership by entering data into the State Land Cadastre, establishing clear boundaries of land plots and their rightful owners throughout the territory of Ukraine; Draft Law No. 2109 of October 10, 2019 "On Certain Issues of Introducing the Land Market ... (2019) is proposed to audit the use of state and communal land of agricultural purpose, as well as to allocate to private property or for use without auction in the period from 01 January 2014 to 01 January 2020 for the subject misdemeanor or corruption-related offenses)
 - Thirdly, the preliminary determination of the regulated price for the purchase and sale of land for this purpose (Draft Law No. 1101 of August 29, 2019 "On Amendments to Section X" Transitional Provisions "of the Land Code of Ukraine on Prohibition..., 2019) proposed to develop an appropriate methodology for determining their minimum price. Criteria for their evaluation will be, in particular, fertility, location and other characteristics relevant to each region of Ukraine, and the drafts laws No. 2109 of October 10, 2019 "On Certain Issues of Introducing the Land Market ... (2019) and No. 2178-3 of 01 October 2019 "On Amendments to Certain Legislative Acts of Ukraine Concerning the Circulation of Agricultural Lands"... (2019) propose to determine the indicative price to be set by the Cabinet of Ministers of Ukraine. Thus, Draft Law No. 2178 of September 25, 2019 "On Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands" (2019) proposes to set a minimum level of starting prices for the sale of state-owned or communal-owned land by auction (such price should not be below the regulatory monetary value);
 - Fourth, the last common condition for the introduction of the circulation of such land is the date from which it will count down it's functioning. At the level of the above-mentioned draft laws, the following dates are proposed: January 1 and October 1 (Draft Law No. 2178-3..., 2019; Draft Law No. 2178..., 2019) next year, January 1, 2022 (Draft Law No. 2178-4..., 2019), January 1, 2023 (Draft Law No. 2178-6..., 2019), January 1, 2024 (Draft Law No. 2178-10..., 2019), January 1, 2030 (Draft Law No. 2178-5..., 2019); Draft Law No. 1101-2..., 2019).
- However, in some cases, before the introduction of the circulation of such land, it is proposed to allow limited operations for their purchase. Such operations will be possible to carry out based on the owners' request to the relevant state body authorized by the Cabinet of Ministers of Ukraine (Draft Law No. 1101..., 2019). Similar legal regulation is envisaged by other Draft Law No. 2109 (2019), which proposes the following:
- To give the power to buy land for agricultural purposes or land shares to state and local self-government bodies;
 - To lease out purchased land / units on a competitive basis, while giving preferential right to natural / legal persons who are residents of our country.
- The analysis of draft laws registered in the Verkhovna Rada of Ukraine aimed at "lifting" of the land moratorium and introduction of land turnover in this category, gives grounds to include the following suggestions to the basic rules of land use:
1. In determining the subject composition of the acquirers on the land of agricultural destination, which is currently the most debatable, it is possible to distinguish at least the following approaches to the settlement of this issue:

- The Draft Law No. 2178 (2019) will provide for the acquisition of ownership of such land by natural/legal persons. At the same time, such legal entities should be formed under the legislation of our state, as well as territorial communities and the state. In turn, persons who are foreigners and stateless persons will acquire the relevant ownership of such land plots in the manner inherited by law, but with the duty to alienate the land plots *на* within one year of acquisition. Draft Law No. 2178-10 (2019) contains the same proposal.
 - The Draft Law No. 2178-5 (2019) proposes to clarify the composition of land purchasers of agricultural land by another criterion. Citizens of Ukraine will be able to acquire such lands for farming, and legal entities - residents will be able to become their owners, provided that their founding documents provide for agricultural production.
 - The Draft Law No. 2178-3 (2019) proposes to include in the list of buyers of agricultural land the purpose provided for in Article 130 of the Criminal Code of Ukraine, as well as local self-government bodies and the state (represented by a body authorized by the Cabinet of Ministers of Ukraine).
 - Draft Laws No. 2178-4 (2019) and No. 2178-2 (2019) propose to alienate land of agricultural designation/shares exclusively to the state in the person of the State Land Bank.
2. Establishing the maximum size of the area of agricultural land that can be privately owned by a natural or legal person. Resolve this issue:
- Under Draft law No. 2178 (2019), the total area of land of such designation shall not exceed the appropriate percentage, namely: a) 15% in one region; b) 0.5% in Ukraine.
 - Under Draft law No. 2178-10 (2019) proposes another criterion for determining the aggregate area of such land. In particular, such aggregate area shall not exceed: a) within one integrated territorial community - 35%; b) within one region - 8%; c) 0.5% in Ukraine;
 - According to Draft law No. 2178-6 (2019), the following criterion exists: a) 500 hectares - for the property of citizens (for farms without the status of

a legal entity – the area owned by all members of such a farm, on the basis of restrictions imposed on one citizen); b) 50,000 hectares – for the property of a legal entity, taking into account related individuals or legal entities created under the legislation of Ukraine, having a common final beneficial owner (controller) – a citizen of Ukraine.

Thus, the analysis of draft laws registered in the Verkhovna Rada of Ukraine aimed at “lifting” the land moratorium allowed to identify certain tendencies and prospects of legal regulation of land use.

At the same time, the conducted research will not be complete without a detailed analysis of the government Draft Law No. 2178 (2019), which has caused a lot of debate in the society and should be considered in the plenary session of the Verkhovna Rada of Ukraine in the near future.

First, this Draft Law No. 2178 (2019) proposes to amend Article 130 of the Land Code of Ukraine (2002) in the new version, according to which the range of entities that may acquire ownership of land for agricultural purposes will be restricted only to residents of Ukraine. In doing so, foreigners will be prohibited from owning such land. Subject to the adoption of Article 130 of the Land Code of Ukraine (2002) in the proposed version, outside the sphere of any legal restrictions are agricultural enterprises in which the ultimate beneficial owner are foreign legal or natural persons. That is, foreigners, using the mechanisms of corporate legal relations, will be able to dispose of such land plots through their agricultural enterprises established in Ukraine.

Secondly, when introducing restrictions on the sale and purchase of agricultural land provided for in the bill, the following questions remain open:

- a) The validity of certain maximum sizes of land plots that may be privately owned by individuals and legal entities;
- b) The need to bring these restrictions into line with the requirements of antitrust law;
- c) The uncertainty of the legal consequences of violating such restrictions when the right is “mistakenly registered” and the total cumulative area exceeds the maximum permissible size of land of the respective category.

Thirdly, the new wording of Article 130 of the Land Code of Ukraine (2002) proposed by this bill provides for the possibility for an alien and a stateless person to acquire ownership of land for agricultural purposes following the law. However, in such a case, these entities are obliged to dispose of them within one year from the date of acquisition of ownership. An analysis of these provisions shows that the said draft law contains a gap in the legal consequences of the inheritance of such lands by will. This will mean the possibility of acquiring ownership of such land by will since the law does not contain any prohibition to certify such a will.

Fourth, in this draft law did not develop a constitutional prescription that land is a major national treasure, which is under the special protection of the state because it does not provide for the obligations of land purchasers to improve the state of agricultural land and to exercise their permanent legal protection.

Similarly, the legal consequences of non-compliance with measures in the field of land protection in the form of legal liability, which should prevent the offense of entering into agreements with agricultural land.

Conclusions

Therefore, summarizing the study we can draw the following conclusions:

- Draft Law of Ukraine No. 2178 (2019) does not contain a conceptually worked model of land use for agricultural purposes and cannot be adopted in a valid reaction;
- A decisive factor in the introduction of land use for agricultural purposes should be the adherence to the principle of purposeful use of such land, according to which land suitable for appropriate needs must be made available primarily for agricultural use (Article 23 of the Land Code of Ukraine);
- Only a combination of market mechanisms for agricultural land turnover with the mandatory observance of environmental requirements and an effective legal liability mechanism for offenses in the possession, use, and disposal of our country's most valuable wealth can secure a dignified future for present and future generations.

References

- Agriculture of Ukraine 2017: statistical compilation. (2019). *State Statistics Service of Ukraine*. Retrieved from www.ukrstat.gov.ua
- Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocols No. 11 and No. 14. (1950). Retrieved from <https://rm.coe.int/1680063765>.
- Decision of the Constitutional Court of Ukraine "On refusal to open a constitutional proceeding in a case on the constitutional submission of the 55 People's Deputies of Ukraine on compliance with the Constitution of Ukraine (constitutionality) of clauses 14, 15 of section X" Transitional Provisions of the Land Code of Ukraine "of February 14, 2018, Case No. 2 - 1/2018. (2018). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon.rada.gov.ua/laws/show/v004u710-18>.
- Decision of the Constitutional Court of Ukraine «on refusal to open a constitutional proceeding in a case on the constitutional submission of 69 People's Deputies of Ukraine regarding the compliance of the Constitution of Ukraine (constitutionality) with the provisions of clauses 14, 15 of section X" Transitional Provisions of the Land Code of Ukraine "of November 1, 2018, Case No. 1-337 / 2018 (4572/18). (2018). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon.rada.gov.ua/laws/show/v067u710-18>.
- Draft Law No. 1101 of August 29, 2019 "On Amendments to Section X" Transitional Provisions "of the Land Code of Ukraine on Prohibition of Alienation of Agricultural Lands for Holding and Establishing Results of the All-Ukrainian Referendum on Agricultural Land Purchase and Sale". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66374.
- Draft Law No. 1101-2 of 29 June 2019 "On Amendments to the Land Code of Ukraine (on a moratorium on the sale and purchase of agricultural land)". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66587.
- Draft Law No. 2109 of October 10, 2019 "On Certain Issues of Introducing the Land Market and Amending Certain Legislative Acts of Ukraine on the Redemption of Land Shares (Units), Prevention of Destruction of Parks and Sports Facilities". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from [доступу:](#)

- http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66770.
- Draft Law No. 2178 of September 25, 2019 "On Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66948.
- Draft Law No. 2178-1 of September 27, 2019 "On Amendments to the Land Code of Ukraine on Introduction of Agricultural Land Turnover Following the Results of the All-Ukrainian Referendum". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66957.
- Draft Law No. 2178-10 of October 10, 2019, "Law on Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67059.
- Draft Law No. 2178-2 of September 30, 2019 "On Amendments to Certain Legislative Acts of Ukraine Regarding the Circulation of Agricultural Lands". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66961.
- Draft Law No. 2178-3 of October 1, 2019 "On Amendments to Certain Legislative Acts of Ukraine Concerning the Circulation of Agricultural Lands". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66975.
- Draft Law No. 2178-4 of 2 October 2019 «On the circulation of agricultural land» (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66979.
- Draft Law No. 2178-5 of October 9, 2019, "Draft Law on Amendments to Certain Legislative Acts of Ukraine (on Improving the Environmental Protection Regime of Agricultural Land Use in the Process of Land Turnover)". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67047.
- Draft Law No. 2178-6 of October 9, 2019 "On Amendments to Certain Legislative Acts of Ukraine on the Circulation of Agricultural Lands". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67050.
- Draft Law No. 2178-8 of October 10, 2019 "Draft Law on Amendments to the Land Code of Ukraine on Conditions for Implementation of Agricultural Land Use". (2019). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67056.
- Judgment ECtHR in Case of Zelenchuk and Tsytysyura v. Ukraine, 22.05.2018 (application nos. 846/16 and 1075/16). (2018). *HUDOC*. Retrieved from [https://hudoc.echr.coe.int/eng#{"itemid":\["001-183128"\]}](https://hudoc.echr.coe.int/eng#{).
- Kharytonov, E., Kharytonova, O., Tolmachevska, Y., Fasii, B., & Tkalych, M. (2019). Information Security and Means of Its Legal Support. *Amazonia Investiga*, 8(19), 255-265.
- Land Code of Ukraine. (2002). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon.rada.gov.ua/laws/show/2768-14>.
- Law of Ukraine "On the Enforcement of Judgments and the Practice of the European Court of Human Rights" of 23 February 2006 No. 3477-IV. (2006). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon.rada.gov.ua/laws/show/3477-15?lang=ru>.
- Resolution of the Verkhovna Rada of Ukraine "On the State of Observance of the Legislation of Ukraine on Issuance of State Acts on Land Ownership, Certificates on the Right to Land Share and Their Circulation; on compliance with the legislation of Ukraine on allocation in kind (on the ground), use and circulation of agricultural land" of May 22, 2003 (2003). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon.rada.gov.ua/laws/show/882-15>.
- The Law of Ukraine "On Agreements on the Alienation of Land" of January 18, 2001. (2001). *Verkhovna Rada (Ukrainian Parliament)*. Retrieved from <https://zakon3.rada.gov.ua/laws/show/2242-14>.