

# IMPROVEMENT OF UKRAINIAN LAND LEGISLATION IN THE CONTEXT OF COMPLIANCE WITH SUSTAINABLE DEVELOPMENT GOALS

*Machuska I. B., Chyryk O. I., Argatiuk I. V.*

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**Annotation.** The article examines the problems of legal regulation of land protection and rational use in the context of compliance with the goals of sustainable development and establishing provisions for their improvement.

The state of land resources of Ukraine and their significance for the country's economy and its food security are studied. It is noted that land, as a special natural resource, requires measures for protection and rational use. The need to maintain a significant level of balanced (sustainable) environmental development is proven, in which the state of land resources would comply with all relevant norms and standards. It is noted that today, due to the military aggression of the Russian Federation, agricultural lands have been significantly contaminated with explosive objects and toxic substances and require the application of special measures for the safety of their use.

The goals of sustainable development are analyzed, namely: overcoming poverty; overcoming hunger, achieving food security, which are guidelines for the development of draft forecast and program documents, draft regulatory legal acts. It is noted that for the practical implementation of sustainable development goals, it is necessary to apply effective mechanisms and methods, as well as develop appropriate regulatory and legal regulation in the field of land relations. It is noted that in order to ensure that the norms of Ukrainian land legislation comply with the goals of sustainable development and in the context of adapting national legislation to EU legislation, it seems appropriate to improve the norms of legislation on the protection of land, especially agricultural land, land affected by pollutants and soils from the hostilities of the Russian Federation, the aggressor state, as well as to strengthen control and supervisory activities for the protection and rational use of land resources.

**Key words:** land, land resources, land protection, land legislation, improvement of land legislation norms, sustainable development goals.

## 1. Introduction.

Significant land resources have become one of the characteristic trends of the twentieth century, which has led to irreversible changes in ecosystems, soil pollution, and changes in the quality of life of people. These trends have led to the need for a radical solution to problems related to the protection and rational use of land resources.

Land resources are the main foundation of the economy, ensuring food production not only for a particular state, but also for all countries in the world and directly shaping food security and export potential of countries, and are also an important component of the environment and one of the most important natural resources.

At the same time, land as a natural resource is characterized by territorial limitations, irreplaceability, which requires measures for its protection and rational use by both the state and citizens of Ukraine.

Today, in order to improve the state of the environment and land resources, EU countries are introducing environmental standards and norms into economic activities aimed at the safe use of natural resources, including land, which will comply with the Sustainable Development Goals, both in the world as a whole and in EU countries in particular.

The global sustainable development goals, approved in 2015 at the United Nations summit (hereinafter referred to as the UN), are today the basis for the formation of national strategies of many countries. For the practical implementation of the concept of sustainable development, it is necessary to apply effective and organizationally coordinated mechanisms, methods, models and a system of measures, and to develop appropriate regulatory and legal regulation [1, p. 23].

Ukraine has ratified the main international documents that ensure the achievement of goals and the construction of a system of state regulation to achieve sustainable development of the state. Thus, supporting the global sustainable development goals by 2030 proclaimed by the resolution of the General Assembly of the United Nations of September 25, 2015 No. 70/1 and the results of their adaptation taking into account the specifics of Ukraine's development, set out in the National Report "Sustainable Development Goals: Ukraine", Ukraine ensures compliance with the Sustainable Development Goals of Ukraine for the period until 2030, namely: 1) overcoming poverty; 2) overcoming hunger, achieving food security, improving nutrition and promoting sustainable development of agriculture. The Sustainable Development Goals of Ukraine for the period until 2030 are guidelines for the development of draft forecast and program documents, draft regulatory legal acts in order to ensure the balance of the economic, social and environmental dimensions of sustainable development of Ukraine [2].

At the same time, to implement such sustainable development goals as: overcoming hunger, achieving food security, improving nutrition and promoting sustainable development of agriculture, it is necessary to adhere to such a level of balanced (sustainable) environmental development, at which the state of land resources would comply with all relevant norms and standards.

In this context, the issue of improving the legal regulation of land legislation is of particular importance. The solution to the problems of rational use and protection of land, in practice, has not been fully achieved to date, which leads to a deterioration in the state of land resources, the ecological balance of the environment and human safety.

In order to ensure that the norms of Ukrainian land legislation comply with the goals of sustainable development and in the context of adapting national legislation to EU legislation, it seems appropriate to improve the norms of legislation on the protection of land, especially agricultural land, land affected by pollutants and soils from the hostilities of the Russian Federation, the aggressor state, as well as to strengthen control and supervisory activities for the protection and rational use of land resources.

## 2. Analysis of scientific publications.

The theoretical and methodological basis for studying the concept of sustainable development and protection and use of land resources as its environmental component, and improving land legislation, was the work of the following scientists: G.I. Balyuk, I.K. Bystryakov, Z.M. Buryk, B. Burkynsky, L. Didkivska, V. Geets, Z. Gerasymchuk, B. Danylyshyn, V.E. Vlasjuk, Z.V. Gerasymchuk, Yu.S. Gorban.

The issue of land use and protection in the context of the legal regime of martial law was studied in the works of the following scientists: E. Bardadym, I. Zaplina, D. Kolomiytseva, D. Luts, A. Misinkevich, L. Misinkevich.

**3. The purpose of the article** is to study the problems of legal regulation of the protection and rational use of land resources in the context of compliance with sustainable development goals and the established provisions for their improvement.

#### 4. Presenting main material.

Modern relations between society and nature are characterized by the need to implement measures to protect natural resources, prevent the emergence and timely resolution of legal problems of rational use and protection of land, including agricultural land. The rational use and protection of land resources has always been the focus of attention of Ukrainian society, which is associated with the multifaceted exploitation of land as an object of human economic activity, its spatial limitation, irreplaceability and irreproducibility.

Ukraine is the largest country in Europe in terms of land area, and in terms of the qualitative composition of soils and bioproductivity of land - one of the richest countries in the world. Currently, Ukraine accounts for about 0.45% of the world's land fund, but arable land occupies 2.4% of the world's arable land area. Ukraine ranks fifth in the world in terms of agricultural land area (41.8 million hectares) after countries such as the USA, China and Canada.

In Ukraine, agricultural lands account for 70% of all land area; among them, arable lands account for an average of 55%, and in some regions for more than 80%. One of the most important components of land resources is soil - the surface layer of the earth's crust, the main quality of which is fertility [3, p. 43].

The main property of land as a means of production, forming its consumer value, is its fertility. The most favorable conditions for increasing land fertility are created with a rational combination of the use of its natural and artificial productive capabilities. It is the growth of economic fertility that is the most important task of increasing the efficiency of land use [4, p. 23].

The Constitution of Ukraine (Article 14) and the Land Code of Ukraine (Article 1) state that land is the main national wealth and is under special protection of the state.

Ukraine is one of the key guarantors of global food security, exporting agricultural products to 70 countries. Through the Grain From Ukraine initiative, an international humanitarian program launched in 2022, more than 300,000 tons of food were delivered to 18 of the poorest countries, and in total, ports sent more than 10 million tons of cargo. Grain from Ukraine is an international humanitarian program launched in 2022, aimed at exporting Ukrainian agricultural products to the poorest countries in Africa and Asia, which has saved more than 20 million people from hunger [5].

Thus, one of the pressing issues in the context of compliance with the Sustainable Development Goals, namely: overcoming hunger, achieving food security, is the protection and rational use of land, especially agricultural land.

It is worth noting that the military actions of the Russian Federation caused significant damage to the agricultural sector of Ukraine, covering about 36% of crop production and mining about 30% of the territory, including soil contamination with heavy metals, which led to an extremely critical state of the land. In addition, due to the explosion of mines, rockets and bombs, huge craters are formed, which disrupt the landscape component and structure of the land. It should be emphasized that, due to the deposition of heavy metals in the soil, groundwater and the entire natural environment are polluted [6, p. 28].

In conditions of martial law, management in the field of land use and protection faces unprecedented challenges, which necessitate the adaptation of legal, economic and organizational mechanisms to new realities. The legal regime of martial law requires special measures to ensure environmental safety, therefore it is important to develop mechanisms that allow for effective control over land use during wartime, ensure land ownership rights, and avoid environmental disasters associated with land pollution [7, p. 23].

Thus, agricultural lands affected by hostilities require certified inspection for contamination with explosives and toxic substances.

In order to protect and rationally use land, especially agricultural land, it is advisable to improve the norms of land legislation that concern control and supervision, protection of land resources, especially agricultural land and especially valuable categories of land in Ukraine. Also, compliance with the provisions based

on ensuring sustainable use and protection of land, improving the condition of affected ecosystems and promoting the achievement of a neutral level of land degradation, implementing an effective system for increasing their fertility, minimizing soil contamination by hazardous pollutants and waste is of particular importance.

In the context of studying the protection and rational use of land, as well as in order to approximate the legislation of Ukraine to the EU legislation in the field of land relations, compliance with the norms of land legislation that include the provisions of the European Green Deal aimed at soil conservation, sustainable development of rural areas, prevention of soil degradation and promotion of biodiversity is of particular importance.

Thus, the provisions of the land legislation of Ukraine should be aimed at integrating the principles of sustainable development, which involves the harmonization of environmental, economic and social interests, the greening of legal norms aimed at the rational use of lands and their protection for future generations.

The provisions of the land legislation should be aimed at adapting its norms to EU legislation, strengthening control over the rational use and protection of lands.

One of the ways to solve the above problem is to supplement the provisions of the Land Code of Ukraine, the Laws of Ukraine: "On Environmental Protection", "On Land Protection", "On Control over the Use and Protection of Lands", "On the Basic Principles (Strategy) of the State Environmental Policy of Ukraine for the Period Until 2030", with provisions on the special protection of lands affected by military actions, their conservation and ensuring the safety of the population during their use.

In this context, it is advisable to agree with the opinion of E. Berdadym and D. Luts [8, p. 96], which note that the National Target Program for Land Use and Protection, approved by the Resolution of the Cabinet of Ministers of Ukraine dated January 19, 2022 No. 70-r (hereinafter referred to as the Concept) [9], does not correspond to today's realities and requires amendments to it that take into account the aspects of the restoration of land plots that were damaged as a result of the war and take into account the realities of the war and the needs of post-war restoration of land resources.

## 5. Conclusions.

Taking into account the above, it is advisable to draw the following conclusions. Land resources, as one of the most important natural resources, require special protection and rational use measures. In the context of Ukraine's implementation of sustainable development goals (overcoming hunger, achieving food security, promoting sustainable development of agriculture), compliance with the norms for the protection and rational use of land resources and soils becomes particularly relevant.

In order to ensure that the norms of Ukrainian land legislation comply with the goals of sustainable development and in the context of adapting national legislation to EU legislation, it seems advisable to improve the norms of national legislation on the protection of land, especially agricultural land and land that has been affected by pollutants from hostilities - the Russian Federation, the aggressor state, as well as to strengthen control and supervision activities for the protection and rational use of land resources.

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**I. B. Machuska,**

*Doctor of Legal Sciences, Professor of the Department of Private Law  
Legal Institute  
«Kyiv National Economic V. Hetman University»  
ORCID: 0000-0002-6441-8356*

**O. I. Chyryk,**

*Senior Teacher of the Department of Foreign Languages  
Legal Institute  
«Kyiv National Economic V. Hetman University»  
ORCID: 0009-0004-6054-3952*

**I. V. Argatiuk,**

*Senior Teacher of the Department of Foreign Languages  
Legal Institute  
«Kyiv National Economic V. Hetman University»  
ORCID: 0009-0005-5076-5639*