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## **NEW METHODOLOGICAL APPROACHES TO THE DEVELOPMENT OF THE LAND MARKET IN THE EU**

Ukraine is one step away from the start of negotiations on joining the EU. We are entering the process of transformation of all spheres of the economy, legislation, markets and relations. After all, it is impossible to expect to become part of a large community of states and continue to live according to their own rules, bypassing the established norms of the EU.

Land legislation and the philosophy of the land market will have to be harmonized with generally accepted European norms. In particular, changes in the agricultural sector are necessary for Ukraine for economic recovery and further sustainability. Despite individual unprofessional speculations, this does not mean an uncontrolled and total sale of land. Each EU member state sets its own filters, rules and restrictions for a particular case of land relations. At the same time, the Court of Justice of the European Union is the guarantor of compliance with borders and the prevention of overly strict regulation for all EU states. Let's try to analyze what land market models exist in different EU countries. What is the state of the land market in Ukraine today? And what opportunities will the completion of the land reform open for the state, agrarians and landowners? Restrictions for purchase and lease As part of the project initiated by the USAID AGRO Program, we, together with colleagues from Civitta and EasyBusiness, analyzed the experience of adapting Ukrainian legislation in the agrarian sphere to European law 12 EU member states regarding the regulation of land relations. The countries of Western (Netherlands, Belgium, Ireland, Spain, France) and Central-Eastern Europe (Lithuania, Poland, Romania, Slovakia, Hungary, Croatia, Czech Republic) were chosen for analysis. The states were selected based on the principle of relevance of the experience of these states for Ukraine. In all these countries, there is an open market for agricultural land (there are no bans/moratoriums on the alienation of such land), but the degree of liberalization of regulation differs significantly, especially when comparing the countries of Western and Eastern Europe. In general, the Netherlands and Belgium are the most liberal in the field of regulation of land relations. Also, among the countries of Central and Eastern Europe, land markets have been liberalized in the Czech Republic and Slovakia. France, on the contrary, has one of the most regulated land markets in the EU. But for the most part, countries with a tightly regulated land market can be found among the new EU members. The most restrictions exist in Hungary. In several analyzed countries, special requirements have been established for buyers of agricultural land. So, for example, in

Hungary, only registered farmers can purchase more than 1 hectare of agricultural land. A farmer is a citizen of Hungary and EU countries who has a qualification in the field of agriculture or forestry, or has been engaged in agricultural and forestry activities in Hungary for at least three years during a continuous five-year period, or owns at least 25% of a registered agricultural enterprise. Significant restrictions also exist in Poland, where in general preference is given to farmers who work on the land they own, and only those with farmer status can buy plots of more than 1 hectare. Such persons are obliged to carry out agricultural activities for at least five years, while at the same time during this period the purchased land plots cannot be sold or transferred to other persons. The purchase of agricultural land by a person who is not an individual farmer, in particular by legal entities, is allowed only with the consent issued by the National Center for Agricultural Support. In France, there are no legal restrictions on land ownership, but for farming (and winemaking) it is necessary to obtain a special permit, one of the conditions for obtaining which is the presence of special education and experience in the field of agricultural activity. As for the restrictions on ownership of agricultural land for legal entities, they are not typical. Only in Hungary there is a complete ban for both legal entities created under the laws of Hungary and other countries to buy land. In Poland, legal entities must obtain the consent of the National Center for the Support of Agriculture in case of acquisition of more than 1 hectare. Protection of the rights of tenants or land owners In most countries of Western Europe, such as the Netherlands, Belgium, France, Spain, as well as in Slovakia, the rights of tenants are maximally protected. Tenant protection mechanisms include setting minimum lease terms for agricultural land (ranging from 5 to 27 years in different countries). France and the Netherlands also have a maximum contract rent, which is determined annually by the governments of these countries. In Belgium, the maximum price is revised every three years in the regions with the participation of representatives of landowners' and farmers' organizations.

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ГОСПОДАРСТВІ**

**07 - 08 березня 2025 р.**

**м. Київ**

УДК 620.9:63

**Розвиток біоенергетичного потенціалу в сільському господарстві: матеріали доповідей Міжнародної науково-практичної конференції (м. Київ., 07-08 березня 2025 р.). – К.: Видавництво «Наукова столиця», 2025 – 172 с.**

Відповідальний за випуск д. е. н., професор **М. П. Талавира**

**Відповідальність за достовірність матеріалів несуть автори.**

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природокористування України, 2025