

**МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ  
СУМСЬКИЙ ДЕРЖАВНИЙ УНІВЕРСИТЕТ  
ФАКУЛЬТЕТ ІНОЗЕМНОЇ ФІЛОЛОГІЇ  
ТА СОЦІАЛЬНИХ КОМУНІКАЦІЙ**



**СОЦІАЛЬНО-ГУМАНІТАРНІ  
АСПЕКТИ РОЗВИТКУ СУЧАСНОГО  
СУСПІЛЬСТВА**

**МАТЕРІАЛИ VII ВСЕУКРАЇНСЬКОЇ НАУКОВОЇ КОНФЕРЕНЦІЇ  
СТУДЕНТІВ, АСПІРАНТІВ, ВИКЛАДАЧІВ ТА СПІВРОБІТНИКІВ**

**(Суми, 18-19 квітня 2019 року)**

**Суми  
2019**

**Olena Ivakhnenko,**

PhD student, Sumy State University

### **THE ESSENCE OF RATIONAL LAND USE**

The earth has always had an enormous value, because it is not a product of human labor, it is created by nature, and its reserves cannot be increased. As the world practice confirms, land resources are the main source of prosperity for any country in the world.

Agricultural land is especially valuable because it performs a triune function: it is an ecological integral resource which creates conditions for the life and existence of the population; it is also a spatial basis for the placement of productive forces; it is the main means of agricultural production, that is, the object and means of labor at the same time. Land is also a powerful factor in identifying and realizing the role and place of land in economic security, history, culture, and social development of the country [3].

A lot of attention is paid to the rational use of land resources in modern scientific literature, since everyone knows that natural resources must be treated carefully and used rationally. But there is still no single interpretation of the term “rational land use”, and there are many disagreements in the current land legislative acts of Ukraine.

The objective of the study is to reveal the essence of rational use of land resources and to analyze scientific approaches to the interpretation of the term “rational land use”.

At present, the study on the land resources and their rational land use can be found in the works by many domestic and foreign scientists, such as: D.I. Babmindra, D.Becker, N.Berg, O.I. Bochko, V.M. Budziak, S.Yu. Bulygin, E.V. Butenko, T.A.Weber, O.M.Garanga, D.S. Dobryak, Y.M. Dorosh, O.S. Dorosh, A .G. Martin, R. Park, V.M. Rusan, A.M. Tretyak, D. Helms and many others. At present, the discussions on the rational use of land are becoming more acute.

In the broadest sense, the term “rationality” (from the Latin Ratio - mind) means intelligence, consciousness, and is the opposite to irrationality. In a narrower sense, it

means the characteristics of knowledge in terms of its conformity with some principles of thinking [7].

For the Ukrainians, land has always been of tremendous value. The Land Code of Ukraine (Article 5) specifies the requirement for rational use of land, which determines the provision of rational use and protection of land by the principle of land law [12]. The Law of Ukraine “On Environmental Protection” states that the use of natural resources is carried out with the observation of rational and economical use of natural resources on the basis of widespread use of advanced technologies [11]. But, in our opinion, the negative thing is that these concepts do not include the concept of “rational land use”. It complicates its commonly accepted understanding and proper use in practice.

The issue of rational use and protection of land resources in our society has always been given special attention. But in different times and at different stages of development, this problem was treated differently.

The very concept of “rational use of land” was developed even in the Soviet times. In the monograph “Legal maintenance of rational land use in the USSR”, the authors understood the rational use of land as achieving maximum effect in the implementation of land use objectives, taking into account the beneficial interaction of land with other natural factors, in protecting land as a specific condition of any activity, as well as the main means of production in agriculture [5].

As P.F.Vedenichev predicts, rational land use should be understood as expediency, completeness and degree of land use efficiency [10].

V.S. Shamanayev noted that the rationality of land use means the expediency of production and non-productive use of land. It involves not only the economical consumption of its production properties, but also the increase of its fertility by improving the structure of production, additional investments in labor and facilities, improving agricultural crop cultivation and other rational uses of land resources [8].

We share the more detailed definition of D.I.Gnatkovich, who sees the rational use of land resource as correct, appropriate, scientifically grounded land use in terms of the distribution of land between the categories of land and land users.[4].

A.M. Tretyak in his writings argues that the essence of rational land use consists in the application of aggregate investment and non-investment factors aimed at improving the soil fertility, protecting it and increasing the quantity of necessary social products, improving their quality and increasing productivity through motivational factors [9].

V.M. Rusan states that the rationality of land use means to obtain the largest economic effect of cultivating crops, which a land plot can give taking into account the natural and economic location [6].

In the view of O.I. Bochko, under modern economic conditions, rational use of land resources means maximum involvement of all lands involved in the economic circulation and their effective use due to their basic purpose function, creation of the most favorable conditions for high productivity of agricultural land and obtaining the maximum quantity of products per the unit of the area at the lowest cost of labor and money [1].

Considering the rational use of land, we are absolutely in agreement with the opinion of A.M. Moskalenko, who points out that this is a complex result of the economic, social and ecological effect derived from the use of land in human economic activity with the preservation of its natural properties [13].

From the perspective defined by O.M. Garanga, rational land use should be understood as the type of land use, which contributes to satisfaction of the economic interests of land users while simultaneously improving the productivity of land resources, preserving the possibilities for self-restoration of the potential of land resources, their reproduction, and ensuring the preservation of the target land use [2].

Thus, we see that today there is no unambiguous interpretation of the term “rational land use”. At the same time, the development of scientific principles in the field of land use requires qualitatively new approaches in the implementation of the concept of rational and sustainable land use in Ukraine.

**Conclusions.** With each new step, the process of studying the rational use of land resources opens up new horizons to researchers. Its diversity depends on the goals

and objectives of the study and changes over time. In our study, we tried to analyze the content and disclose the essence of rational land use concept.

### References:

1. Bochko, O. I. (2010) Pytannia ratsionalnogo vykorystannia zemelnyh resursiv v suchasnyh umovah [The issue of rational use of land resources in modern conditions] *Ekonomika APK - Economy of AIC*, 17 (1), (pp. 151–155) [in Ukrainian]
2. Garanga, O. M. (2016) Evolusia poniattia zbalansovanoho zemlecoristuvania [Evolution of the concept of balanced land use] *Globalni i natsionalni problem trjnjmiki - Global and national problems of the economy*, 10, (pp.627 – 630) [in Ukrainian]
3. Gilka, M. D. (2017) Ratsionalnoe ispolzovanie zemel selskohoziastvennoho naznachenia v Ukraine [Rational use of agricultural land in Ukraine] *Economicheskije voprosy razvitia selschoho hoziastva - Economic issues of agricultural development*, (pp.275-278) [in Ukrainian]
4. Gnatkovych, D. I. (1986) Zemelnyy cadastr: ekonomika zemlepolzovania [*Land cadastre: land use economics*], Lviv: Vischa shkola [in Ukrainian]
5. Krasnov, N. I. (Eds.) (1969) Pravovoe obespechenie rasionalnogo ispolzovania zemli v SSSR [*Legal support for the rational use of land in the USSR*] Moskva : Nauka [in Russian]
6. Rusan, V. M. (2008) Teoretiko-metodolohichni aspekti rasionalnogo silskohospodarskoho zemlekorystuvannia [Theoretical and methodological aspects of rational agricultural land use] *Ekonomika APK - Economy of AIC* , 6, (pp.27-30) [in Ukrainian]
7. Rationality [Wikipedia]. Retrieved from : <https://uk.wikipedia.org> [in Ukrainian]
8. Shamanayev, V. S. (1979) Effektivnost ispolzovania zemli v usloviah industrializatsii selskoho hoziastva [*Land use efficiency in the conditions of industrialization of agriculture*]. Moskva : Kolos [in Russian]
9. Tretyak, A. M. (2004) *Ekonomika zemlekoryctuvannia ta zemlevporiadkuvannia [Land use and land management economics]*. Kyiv : TOV SZRU [in Ukrainian]
10. Vedenichev, P. F. (1972) *Zemelnye resursy Ukrainskoy SSR i ih hoziastvennoe ispolzovanie [Land resources of the Ukrainian SSR and their economic use]*. Kyiv : Naukova Dumka [in Russian]

11. Zakon Ukrainy Pro ohoronu navkolishnoho seredovysha priyinatyi 25 chervnia 1991 roku [Law of Ukraine” On Environmental Protection” active from June 25 1991] *Vidimosti Verkhovnoi Rady Ukrainy – Bulletin of Verkhovna Rada of Ukraine*, Kyiv : Parlam vyd-vo [in Ukrainian]

12. Zemelniy Kodeks Ukrainy [The Land Code of Ukraine ] (October 25, 2001 with the following amendments and additions) (n.d.) *zakon4.rada.gov.ua* Retrieved from <http://zakon4.rada.gov.ua/laws/show/2768-14>. [in Ukrainian]

13. Moskalenko, A. M. (2015) Principles and problems of agricultural land rational use *Economic Annals-XXI*, 5-6, (pp. 57–59). Retrieved from <http://soskin.info/userfiles/file/2015/5-6%202015/%CC%Eskalenko.pdf> [in Ukrainian]

English Language Advisor: A. M. Diadechko – PhD in Philology, Associate Professor of foreign languages department, Sumy State University

**Olena Osipova,**

A judge of the Sumy Regional administrative court,

PhD student, Sumy state university

## **THE LEGAL STATUS OF ASSISTANTS TO THE JUDGES IN UKRAINE AND IN POLAND (COMPARATIVE ANALYSIS)**

**Relevance of the topic.** In the light of the ongoing judicial reform aimed at bringing Ukraine's legal proceedings in line with European standards, the issue of organizational support for the activities of courts as one of the guarantees of the independence of judges becomes of paramount importance. Recommendations for the effective implementation of the Basic Principles of Independence of the Judiciary adopted by the resolution of the Economic and Social Council of 1989/60 and approved by UN General Assembly resolution 44/162 on 15 December 1989, namely Recommendation 5, stipulate that the State should pay special attention to the need